

SINDH ORDINANCE NO. XVIII OF 1993.
THE SINDH JUDICIAL ACADEMY ORDINANCE, 1993.

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[25TH November, 1993]

An Ordinance to establish a Provincial the Judicial Academy in the Province of Sindh.

WHEREAS it is expedient to establish a Provincial Judicial Academy in the Province of Sindh, in the manner hereinafter appearing;

AND WHEREAS the Provincial Assembly is not in session and the Governor of Sindh is satisfied that circumstances exist which render it necessary to take immediate action ;

NOW, THEREFORE, in exercise of the powers conferred by clause (1) of Article 128 of the Constitution of the Islamic Republic of Pakistan, the Governor of Sindh is pleased to make and promulgate the following Ordinance :—

1. (1) This Ordinance may be called the Sindh Judicial Academy Ordinance, 1993. **Short title and commencement.**

(2) It shall come into force at once.

2. In this Ordinance, unless there is anything repugnant in the subject or context— **Definition.**

(a) “Academy” means the Judicial Academy established under section 3;

(b) “Board” means the Board of Governors of the Academy constituted under section 5;

(c) “Chairman” means the Chairman of the Board, and includes a person authorised by him to perform all or any of his functions;

(d) “Director General” means the Director General of the Academy and includes a person authorised by the Chairman to perform all or any of the functions of the Director General;

(e) “Government” means the Government of Sindh;

(f) “member of the subordinate judiciary” means a District and Sessions judge, Additional District and Sessions Judge, Senior Civil Judge and Assistant Sessions Judge, Civil Judge and Judicial Magistrate wherever he may be;

(g) “regulations” means regulations made under this Ordinance.

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3. (1) As from the commencement of this Ordinance, there shall be established for carrying out the purposes of this Ordinance an Academy to be known as the Sindh Judicial Academy. **Establishment of the Academy.**

(2) The Academy shall be a body corporate having perpetual succession and a common seal with power to acquire hold and dispose of property, both movable and immovable, and shall by the name specified in sub-section (1) sue and be sued.

(3) The headquarters of the Academy shall be at Karachi.

4. The functions of the Academy shall be :—

Functions of the Academy.

- (a) legal orientation, training of members of the subordinate judiciary, law officers and members of the bar;
- (b) continuing education of members of the subordinate judiciary;
- (c) holding of conferences, seminars, workshops, and symposia for improvement of judicial system and quality of judicial work;
- (d) providing information on legal and constitutional research;
- (e) to conduct departmental examinations of members of establishment of subordinate courts and the High Court;
- (f) publishing of journals, memories, research papers or reports; and
- (g) performing such other incidental functions as may be approved by the Board or as may be requisite to further its objectives.

5. (1) The general direction and the administration of the affairs of the Academy shall vest in a Board, constituted under sub-section (2). **Board.**

(2) The Board shall consist of—

- (i) The Chief Justice, High Court of Sindh. Chairman
- (ii) the Senior Puisne Judge, High Court of Sindh. Vice Chairman
- (iii) The Attorney General of Pakistan. Member
- (iv) Minister of Law. Member
- (v) Advocate General, Sindh. Member
- (vi) One District and Sessions Judge, Member
nominated by the Chief Justice, High
Court of Sindh.

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- (vii) One Senior member of the Bar, Member
nominated by the Chief Justice, high
Court of Sindh.
- (viii) One Principal of a Law College, Member
nominated by the Chief justice, High
Court of Sindh.
- (ix) the Secretary, Law Department, Member
Government of Sindh.
- (x) A renowned scholar, nominated by the Member
Chief Justice, High Court of Sindh.
- (xi) The Registrar, High Court of Sindh. Member
- (xii) The Director General of the Academy. Member/Secretary

(3) The existence of a vacancy in, or defect in the constitution of, the Board shall not invalidate any act or proceedings of the Board.

(4) The term of office of the members of the Board, other than ex-officio members, shall, unless removed earlier, be three years.

6. For carrying out the purposes of the Academy, the Board shall, inter alia—

**Powers and the
functions of the
Board.**

- (a) exercise general supervision over the affairs of the Academy;
- (b) lay down the policy and programme for legal orientation, continuing education and training of members of the subordinate judiciary, law officers and members of the bar, and approve courses of training;
- (c) examine and evaluate the activities of the Academy;
- (d) consider and approve the budget estimates;
- (e) receive grants-in-aid from the Federal Government, provincial Government or aid-giving agencies;
- (f) cause proper books of accounts to be maintained for all sums of money received and expended by the Academy and arrange for their audit by the Accountant General, Sindh;
- (g) create, abolish and suspend posts;
- (h) prescribed duties of the members of the staff of the Academy;
- (i) appoint, suspend, punish and remove from service any member of such staff;
- (j) purchase, hire, construct or alter any building for the Academy;
- (k) regulate, determine and administer all matters concerning the Academy; and
- (l) decide any other matter ancillary and incidental to the facilities of the Academy or any matter which the Director General may bring to the notice of the Board.

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7. The Board may delegate all or any of its powers and functions to the Chairman, any member of the Board or the Director General: **Delegation of powers.**

Provided that the Director General may, in any emergency which in his opinion requires immediate action, take such action with the prior approval of the Chairman.

8. The Board may appoint any person as adviser, consultant or expert on such terms and conditions as it may determine. **Appointment of advisers; consultants; etc**

9. (1) Any member of the Board, other than an ex-officio member, may at any time, by writing under his hand addressed to the Chairman, resign his office. **Resignation from membership, etc.**

(2) Any casual vacancy in the office of a member, other than an ex-officio member, shall be filled in through nomination by the Chairman for the unexpired period of the term of the member.

10. (1) The meetings of the Board shall be called by the Chairman :

Provided that not more than a period of six months shall intervene between two meetings of the Board.

(2) The Chairman or, in his absence, the Vice-Chairman, shall preside at a meeting of the Board.

(3) The quorum for the meetings of the Board shall be five members.

(4) The Board may, from time to time, appoint such working groups of persons, from amongst its members or otherwise, as it may consider necessary and give them specific assignments related to the functions of the Academy.

11. (1) The Director General shall be appointed by the Board on such terms and conditions as it may determine and shall perform his functions under general directions of the Board. **Director General.**

(2) The Director General shall be responsible for the maintenance of good order and discipline.

(3) The Director General shall be the principal accounting officer of the Academy.

12. (1) Officers and members of the staff of the Academy may be appointed either by direct recruitment, transfer, deputation or otherwise, on such terms and conditions, as may be determined by the Board. **Appointment of the officers and members of the staff of the Academy.**

(2) The Director General may—

(a) on the recommendation of a Selection Committee constituted by the Board, appoint members of the staff to posts in Basic

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Pay Scales upto 16; and

- (b) on the recommendation of a Selection Committee constituted by the Board, and with the prior approval of the Chairman, appoint officers to posts in Basic Pay Scales 17 and above.

13. (1) Government may, from time to time, place funds at the disposal of the Academy for smooth discharge of its functions and the efficient conduct of its affairs. **Fund of the Academy.**

(2) The Academy may also be financed from the following sources, namely :—

- (i) grants from the Federal and Provincial Governments;
(ii) scale or royalties of its publications; and
(iii) aid from national and interational agencies.

(3) Funds of the Academy shall vest in the Academy, and may be kept in the personal ledger account of the Academy to be opened in the Government Treasury or, with the approval of the Chairman in a scheduled bank, and to be operated by the Director General.

14. (1) The Director General shall, in respect of each financial year, submit for approval of the Board by such date and in such form as may be prescribed, a statement showing the estimated receipts, current and development expenditure and the sums which are likely to be required from the Government during the financial year. **Budget Reports etc.**

(2) The Director General shall not incur any expenditure from the funds which is not provided for in the budget approved by the Board.

(3) The accounts of the Academy shall be audited by the Accountant General of Sindh.

15. (1) Within two months of the conclusion of each calendar year, the Director General shall submit the annual report to the Board in respect of various activities carried out by the Academy during the last year, together with the report of the Accountant General of Sindh relating to the accounts of the Academy. **Annual reports etc.**

(2) The Board may, from time to time, submit a report to Government relating to the funds of the Academy and its programmes.

16. The Board may make regulations for carrying out the purposes of this Ordinance. **Regulations.**

17. If any difficulty arises in giving effect to any provision of this Ordinance, the Board may make such order, not inconsistent with the express provisions of this Ordinance, as may appear to it to be necessary or expedient for the purpose of removing the difficulty. **Removal of difficulties.**