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THE PUNJAB JUDICIAL ACADEMY ACT 2007

(XV of 2007)

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TEXT

¹THE PUNJAB JUDICIAL ACADEMY ACT 2007
(XV of 2007)

[30th October, 2007]

**An
Act**

to provide for the establishment of Judicial Academy in the Province of the Punjab.

Preamble.— Whereas it is expedient to establish an academy for imparting training to the judicial officers and court personnel with a view to develop their capacity, professional competency and ethical standards for efficient dispensation of justice and matters ancillary thereto;

It is hereby enacted as follows:—

1. Short title, extent and commencement.— (1) This Act may be cited as the Punjab Judicial Academy Act, 2007.

(2) It extends to the whole of the Punjab.

(3) It shall come into force at once.

2. Definitions.— In this Act—

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

(b) “Board” means the Board of Management of the Academy;

(c) “Chairperson” means the Chairperson of the Board;

(d) “court personnel” means an employee of the establishment of the Lahore High Court, a court and a tribunal under the administrative control of the Lahore High Court;

(e) “Director General” means the Director General of the Academy;

(f) “faculty” means members of the teaching staff of the Academy;

(g) “Fund” means the Judicial Training Fund;

(h) “Government” means the Government of the Punjab;

(i) “judicial officer” means a District Judge, a Sessions Judge, an Additional District Judge, an Additional Sessions Judge, a Senior Civil Judge, a Civil Judge, a Judicial Magistrate, a Special Judicial Magistrate or a presiding officer of a court or a tribunal under the administrative control of the Lahore High Court;

(j) “member” means a member of the Board;

(k) “prescribed” means prescribed by the rules made under this Act; and

¹This Act was passed by the Punjab Assembly on 5 October 2007; assented to by the Governor of the Punjab on 29 October 2007; and, was published in the Punjab Gazette (Extraordinary), dated 30 October 2007, pages 1463-67.

(l) “staff” means staff of the Academy.

3. Establishment of the Academy.— (1) The Government shall, by notification, establish an Academy to be called the Punjab Judicial Academy.

(2) The Academy shall be a body corporate having perpetual succession and a common seal with power to enter into contract and may sue or be sued by the said name.

(3) The Academy shall be at Lahore.

4. Functions of the Academy.— The Academy shall—

- (a) impart pre-service and in-service training to the judicial officers and court personnel;
- (b) develop the skills and techniques for court management, case management, delay reduction, alternate dispute resolution and judgment writing;
- (c) conduct examinations and award certificates and diplomas;
- (d) develop training courses relating to administration of justice including use of information technology;
- (e) hold conferences, seminars, lectures, workshops and symposia relating to court management, administration of justice, law and development and legislative drafting;
- (f) publish books, journals, research papers and reports on important topics relating to administration of justice;
- (g) promote research on case management, court management, trial skills and judicial reasoning;
- (h) encourage legal and constitutional research;
- (i) inculcate and promote ethical values and standards in judicial officers and court personnel;
- (j) coordinate with other educational and training institutions including the Federal Judicial Academy;
- (k) conduct training and examinations of other officers and personnel on the direction of the Board; and
- (l) perform such other functions as may be assigned to it by the Board.

5. Manner of training.— (1) The Academy shall use all modern techniques for imparting judicial training. Teaching methods and evaluation system shall be at par with international standards.

(2) The Academy may enter into arrangements with other recognized public and private institutions for imparting training.

(3) The Academy shall institute a quality examination and evaluation system with regard to the training imparted.

6. Board of Management.— (1) The management and administration of the Academy shall vest in the Board.

- (2) The Board shall consist of—
- | | | |
|-----|--|------------------|
| (a) | Chief Justice,
Lahore High Court; | Chairperson |
| (b) | two judges of the Lahore High Court nominated by the Chairperson; | members |
| (c) | Chairman, Planning & Development Board of the Government; | member |
| (d) | Registrar, Lahore High Court; | member |
| (e) | Additional Chief Secretary of the Government | member |
| (f) | Secretary to the Government,
Finance Department | member |
| (g) | Secretary to the Government,
Law Parliamentary Affairs and Human Rights Department; | member |
| (h) | Principal, Punjab University, Law College,
University of the Punjab, Lahore; | member |
| (i) | a District & Sessions Judge
nominated by the Chairperson; and | member |
| (j) | Director General | member/Secretary |
- (3) The existence of a vacancy in the constitution of the Board shall not invalidate an act or proceedings of the Board.

7. Meetings of the Board.— (1) The Board shall meet at least thrice in a calendar year.

(2) The Director General shall convene a meeting of the Board on the direction of Chairperson or written request of three or more members.

(3) In the meeting of the Board,—

- (a) the Chairperson, or in his absence, a member nominated by the Chairperson shall preside;
- (b) five members shall constitute the quorum;
- (c) all decisions of the Board shall be taken by simple majority;
- (d) the Chairperson or a member presiding shall have a casting vote; and
- (e) the Director General shall record the minutes of the meeting.

8. Powers and functions of the Board.— (1) The Board shall—

- (a) exercise supervision and control over the affairs of the Academy;
- (b) lay down the policy and program for training and approve courses of the Academy;
- (c) evaluate or cause to be evaluated the performance of the Academy;
- (d) approve the annual budget and revised budget estimates of the Academy;

- (e) cause proper books of accounts to be maintained for all sums of money received and expenditures incurred by the Academy and arrange for the audit of accounts;
 - (f) determine the terms and conditions of service of the Director General and staff of the Academy;
 - (g) create, abolish or upgrade a post;
 - (h) appoint an officer in BS-16 or above; and
 - (i) prescribe qualifications, conditions of service and other matters relating to faculty, officers and staff.
- (2) The Board may—
- (a) purchase, acquire, hire, dispose of or construct any property for the Academy;
 - (b) hold, control and administer the property of the Academy;
 - (c) receive grants-in-aid and donations from the Federal Government, the Government or any other organization, person or agency;
 - (d) regulate, determine and administer all matters concerning the Academy;
 - (e) appoint advisors, consultants and experts for assistance;
 - (f) appoint or hire permanent or visiting faculty;
 - (g) assign a specific power to a person or organization; and
 - (h) exercise any other power ancillary to the aims and objects of the Academy.
- (3) The Board may delegate all or any of its powers or functions to the Chairperson, a member or a committee of members.

9. Director General.— (1) The Chairperson shall appoint the Director General of the Academy for a term of four years on the recommendation of the Board.

(2) The Director General may resign by tendering his resignation to the Chairperson and shall cease to hold office upon acceptance of his resignation.

(3) The Chairperson on the recommendation of the Board may, after providing an opportunity of being heard, remove the Director General during the term of his office.

(4) The Director General shall be a person who has been a Judge of the Lahore High Court or a District Judge of the Punjab.

(5) The Director General shall be the chief executive officer of the Academy and shall be responsible for the affairs of the Academy before the Board.

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

(7) The Director General may, with the approval of the Chairperson, appoint staff in BS-1 to 15.

(8) The Director General shall, within two months of conclusion of each financial year, submit annual report to the Board containing performance and proposals for the improvement in the performance of the Academy.

10. Appointment of officers and staff.— (1) The Board or the Director General may appoint officers and staff of the Academy in accordance with the provisions of this Act by direct recruitment, deputation, promotion or on contract basis.

(2) The Board shall determine the manner and the terms and conditions of appointment of officers and staff of the Academy.

(3) The Board shall prescribe qualification and experience of the teaching staff of the Academy taking into account, the qualification and experience prescribed for such staff in the world renowned Judicial Academies.

11. Fund.— (1) There shall be a fund of the Academy to be known as the Judicial Training Fund.

(2) The Director General shall ensure the deposit of the income of the Academy in the Fund and incurring of the expenditures of the Academy from the Fund.

(3) The sources of income of the Fund shall be—

- (a) grants made by the Federal Government or the Government;
- (b) donations, endowments and grants from any individual, organization or agency, whether national or international;
- (c) sale proceeds of the property and publications of the Academy; and
- (d) any other sum received by the Academy from any lawful source.

(2) The Fund shall be kept in such custody, utilized and regulated in the prescribed manner.

12. Budget and accounts.— (1) The Director General shall utilize the Budget and maintain the accounts of the Academy in the prescribed manner.

(2) The Director General shall prepare the Budget of the Academy for each financial year.

(3) The Director General shall not incur any expenditure from the Fund without the approval of the Board.

13. Audit.— (1) The Board shall appoint a chartered accountant or a firm of chartered accountants to audit the accounts of the Academy.

(2) The Director General, with the approval of the Board, within six months of the close of the financial year, shall submit to the Government the annual statement of accounts of the Academy alongwith the report of the auditor.

14. Submission of report.— (1) The Director General shall, with the approval of the Board, within the period of six months, submit annual audit and performance reports to the Government which shall include the following:—

- (a) details of courses run and designed by the Academy;
- (b) details of examinations carried out by the Academy;
- (c) research work done by the Academy;
- (d) the quality of training imparted at the Academy; and
- (e) the standard of the students trained at the Academy.

(2) The Government shall, within two months of the receipt of the reports, submit the same before the Provincial Assembly of the Punjab.

15. Rules.— The Board may, with the approval of the Government, make rules for carrying out the purposes of this Act.

16. Repeal.— The Punjab Judicial Academy Ordinance 2007 (XV of 2007) is hereby repealed.