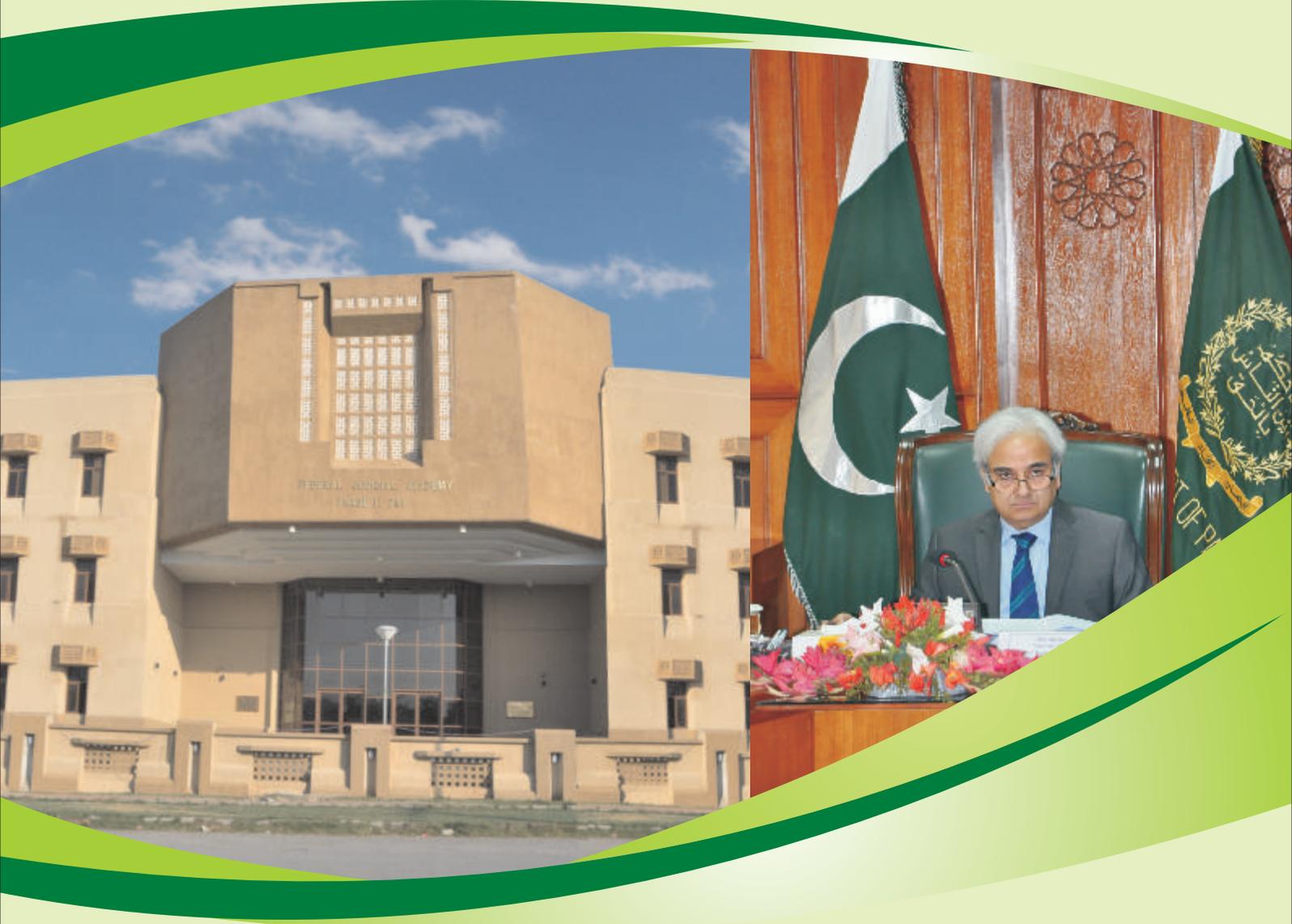




Established 1988

# FEDERAL JUDICIAL ACADEMY BULLETIN

April-June, 2015



Hon'ble Mr. Justice Nasir-ul-Mulk, Chief Justice of Pakistan/Chairman, BoG, FJA, chairs FJA Phase-II Project Meeting in the Supreme Court Building.

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## UNODC National Workshop Concludes Judiciary, Other Limbs of State Work In Solidarity To Eliminate Menace Of Terrorism At Grassroot level: Hon'ble Mr. Justice Gulzar Ahmed

**Cooperation key element to address terrorism effectively: Mr. Cesar Guedes**

Judge Supreme Court of Pakistan, Hon'ble Mr. Justice Gulzar Ahmed said that elimination of the menace of terrorism was a priority for Pakistan and to provide an effective criminal justice system, States need adequately functioning legal regimes and criminal justice system.

He expressed these views in the certificate awarding ceremony at the conclusion of a five-day National Training of Trainers Workshop for Judges, Prosecutors and Investigators, focusing on "Global Legal Framework Against Terrorism and Relevant Criminal Justice Response Measures," jointly organized by the Federal Judicial Academy and United Nations Office on



**Hon'ble Mr. Justice Gulzar Ahmed addressing the National Workshop participants.**

Drugs and Crime (UNODC) here in the Academy on May 30, 2015.



*National Workshop participants in the certificate awarding ceremony.*



**Mr. Cesar Guedes, UNODC Representative addressing the National Workshop participants.**

He said, “In Pakistan the Anti-Terrorism Act, 1997, was promulgated to address the issue and the Supreme Court of Pakistan has dilated upon this matter on many occasions.”

He said, “Judiciary and other limbs of the State should work in solidarity to ensure this menace is eliminated at grassroot level. That there are speedy and effective trials, the investigation and prosecution agencies are monitored and that the guidelines set by the Supreme Court of Pakistan are followed. The duty of the limbs of the State is to work in cohesion and to form a framework where terrorists are caught and prosecuted, where rule of law is upheld, where the rights of the people are protected, where children feel safe and go to school and where justice is served to those who have been wronged and to the victims of these heinous crimes. We owe duty to these victims. And to meet these ends we need to provide proper Witness Protection Programmes, adequate security for prosecution agencies, investigation officers and judges, a better framework for gathering evidence and modern techniques of compiling records, training academies and infrastructure for use in the investigative process. It is through these steps we can ensure that terrorism is adequately tackled and justice is

served to provide a better future for our children.”

UNODC Representative, Mr. Cesar Guedes also spoke on the occasion and said that terrorism was an evolving phenomenon, with its perpetrators continuously changing their *modus operandi*; thereby adding to the complexity and challenges faced by the criminal justice system practioners. The ability to successfully address these challenges depends heavily on the capacity of national criminal justice systems to administer fair and effective justice to perpetrators of crime. National actions, coupled with international and regional cooperation are key elements in addressing terrorism effectively.”

Presenting his welcome speech and an overview of the National Workshop Mr. Fakhar Hayat, Director General, Federal Judicial Academy, said, “If the investigation agencies, prosecution and judiciary deal with cases of Anti-Terrorism with strict application of statutes, rules and regulations and policies, I am confident that we can achieve optimum results in administering the justice.”

In the end, honourable Judge of the Apex Court distributed certificates among the participants of national training workshop.



**Mr. Fakhar Hayat, DG, FJA addressing the National Workshop participants.**



*Awards always give us a tremendous amount of encouragement to keep getting better.  
Awarding certificates to National Workshop participants.*



*National Workshop participants in group photo with Hon'ble Mr. Justice Gulzar Ahmed,  
Mr. Cesar Guedes, UNODC Representative and faculty members.*

## First Batch of Islamabad Judicial Service Honoured Judiciary Sees, Uses Law As a Tool for Social Transformation: Hon'ble Mr. Justice Mushir Alam

Judge, Supreme Court of Pakistan, Hon'ble Mr. Justice Mushir Alam has said that law was not stagnant, however, continuous changes in the laws and the need for expeditious and quality justice delivery necessitated to train more and more judges and other stakeholders of administration of justice system continuously.

Hon'ble Judge, Supreme Court of Pakistan, expressed these views in the certificate awarding ceremony at the conclusion of three months pre-service training course for the newly inducted Civil Judges-cum-Judicial Magistrates of Islamabad Judicial



**Hon'ble Mr. Justice Mushir Alam addressing the course participants.**

Service here in the Federal Judicial Academy, Islamabad, on April 25, 2015.



***Participants in the certificate awarding ceremony.***

“Continuing education is imperative to keep pace with critical legal developments. The only sure way for judges to keep pace with the development of both domestic and international law is through continuing legal education. Judges owe it to the people to keep themselves informed and knowledgeable. I

personally believe that one who is more knowledgeable; he/she is, indeed, more strong. Always try to read new books about law and other subjects. A book is always new unless you have read it. It is knowledge and proper training which will enable you to deal with the new challenges effectively. As judges you will have

to confront ample challenges and I hope this well-designed and well-developed training will enable you as judges to appreciate the society in which we operate and come up to expectations of society. I have faith in this fact that a judiciary sees and uses the law as a potent tool for social transformation; however, you are required to play your role more effectively to make a difference,” he maintained.

He said, “The Judiciary has up to now jealously guarded its independence. Our young judicial officers are the foundation and the face of our judiciary. I often call them our “hope for the future” and I have strong confidence in them that they would maintain and uphold the judicial independence by dint of their conduct and speedy dispensation of justice.”

By reminding the young judicial officers in his concluding remarks, he said, “Society's

expectations from all of us in this profession were to ensure transformation of the judiciary in all respects. Be good judges, judges have to remain students of the law throughout their judicial careers. After all, this is one of the essential attributes of a good judge.”

Presenting his welcome speech and an overview of the training course, DG of the Academy spoke about profound interest, commitment exhibited by the honourable chief guest, innovative and reformative steps and initiative taken by him and his historic achievements as the former Chief Justice of Sindh High Court.

In the end, honourable chief guest awarded certificates to eighteen, the first batch of Civil Judges-cum- Judicial Magistrates, out of them five female judges, of Islamabad Judicial Service in the ceremony.



*Awarding certificates to Civil Judges of Islamabad Judicial Service in the ceremony.*

**Narrated by Ma'qil**

**Allah's Messenger said, "If any ruler having the authority to rule Muslim subjects dies while he is deceiving them, Allah will forbid Paradise for him."**

**(Sahih Bukhari: Kitab al-Ahkam)**



**Civil Judges of Islamabad Judicial Service in group photo with Hon'ble Mr. Justice Mushir Alam and faculty members.**

## **Just, Simple life of Holy Prophet Offers Us a Great Message: Hon'ble Mr. Justice Dost Muhammad Khan**

Judge Supreme Court of Pakistan, Hon'ble Mr. Justice Dost Muhammad Khan says that just and simple life of the Holy Prophet (SAW) offers us a great message but unfortunately we are not following the fundamental principles of Islam and those also of our Holy Prophet (SAW) to lead a dignified and honourable life in this world and earn the pleasure of Allah.

He was addressing the prosecutors from all over Pakistan, Azad Jammu and Kashmir and Gilgit-Baltistan in the certificate awarding ceremony at the conclusion of a one-week training course on “Role of Law Officers *vis-a-vis* Quick Disposal of Criminal Cases”, held here in the Federal Judicial Academy, Islamabad, on May 23, 2015.



**Hon'ble Mr. Justice Dost Muhammad Khan addressing the course participants.**

He said, “The Holy Prophet's life, both private and public, is an excellent example for his followers. He himself practiced and preached just and simple and so did his comrades. All of us must live decently and kindly.”



*Course participants in the certificate awarding ceremony.*

Regarding the role of Prosecutors in the Criminal Justice System, he said, “Role of prosecutors in the Criminal Justice System, at all levels, is very vital. Unfortunately, our prosecutors and our system are facing several problems and challenges and also lapses in the relevant law, but even then they are trying to deliver. In the wake of growing extremism, militancy and terrorism coupled with the sophisticated nature of crime in the country, reforming the Criminal Justice System not only a necessity nowadays but it should also be our national priority so that all stakeholders of the system should be in a better position to deliver in a more professional manner. When England

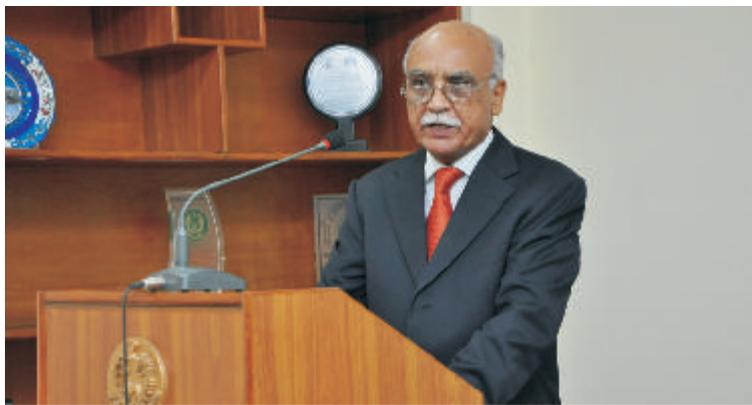
can combat terror and militancy, we can also but for this aim to achieve, proper investment in the capacity building, infrastructure, among others, is essential. Right to life, liberty and security are basic human rights inscribed in the Constitution of Pakistan and the State is under obligation to comply with. I strongly believe that effective investigation is imperative to combat crime in the society and for this the government should play its due role to strengthen the relevant departments such as Police, Prosecution, Health, etc. Moral bankruptcy and corrupt practices should also be discouraged for effective delivery in criminal justice system.’



*Distributing certificates among Prosecutors in the ceremony.*



*Distributing certificates among Prosecutors in the ceremony.*



*Mr. Fakhar Hayat, DG, FJA addressing the course participants.*

Earlier, Mr. Fakhar Hayat, Director General of the Academy, presented his welcome speech, profile of the honourable chief guest and an overview of the course. "The Academy always designs and develops such courses for the participants that they themselves should feel a positive and tangible change in performance and professional attitude," he concluded.



*Course participants in group photo with Hon'ble Mr. Justice Dost Muhammad Khan and faculty members.*

## Hon'ble Mr. Justice Qazi Faez Isa Urges District Attorneys To Make A Difference

### District Attorneys, Deputy District Attorneys asked to learn employable skills for an expeditious administration of justice

Hon'ble Judge Supreme Court of Pakistan, Mr. Justice Qazi Faez Isa urged the District Attorneys/ Deputy District Attorneys to learn employable skills for an expeditious dispensation of justice to the litigant public.

Addressing the course participants on June 6, 2015, honourable Judge of the Apex Court who graced the certificate awarding ceremony as chief guest, at the conclusion of a one-week training course on "Management of Civil Cases" for District Attorneys/ Deputy District Attorneys from all over Pakistan and Gilgit-Baltistan here in the Federal Judicial Academy (FJA), Islamabad, on Saturday, told the attorneys that they were not there to exist in society, but to excel, and by excelling they could make a difference in our society.

"Time has come to make the decision to make a difference. Whatever you have learnt, each one of you according to your capacity, during this training must try to apply and share with others," he advised them in his unique interactive sort of chief guest address.

Earlier, Mr. Fakhar Hayat, DG of the Academy,



*Hon'ble Mr. Justice Qazi Faez Isa addressing the course participants. DG, FJA also on the stage.*

presented his welcome speech and an overview of the training course.

In the end, honourable chief guest distributed certificates among the course participants in the ceremony.

All course participants, both, district attorneys and deputy district attorneys, later expressed feelings of happiness and great joy of accomplishment.



*It is always very special to get an award: Hon'ble Mr. Justice Qazi Faez Isa awards certificates to District Attorneys/ Deputy District Attorneys in the ceremony.*



*District Attorneys/ Deputy District Attorneys in group photo with Hon'ble Mr. Justice Qazi Faez Isa and faculty members.*

## **Hon'ble Mr. Justice Qazi Faez Isa Asks District & Sessions Judges To Impart Justice Under All Circumstances**

Judge Supreme Court of Pakistan, Hon'ble Mr. Justice Qazi Faez Isa asks the newly inducted District and Sessions Judges from Balochistan Judicial Service to dispense justice under all circumstances because dispensation of justice is a great worship.

He expressed these views in the certificate awarding ceremony at the conclusion of a two-week pre-service training course arranged for newly appointed District & Sessions Judges from Balochistan Judicial Service here in the Federal Judicial Academy (FJA), Islamabad, on June 20, 2015.

He said, "Worship without justice is not honoured. Always keep in mind that justice and mercy go together. A good Judge should always be an epitome of justice and mercy. Judgeship is more than a profession. It is a mission. It is the conscience and the living conscience makes a man a living personality close to humankind and God."



*Hon'ble Mr. Justice Qazi Faez Isa addressing the course participants.*

Advising the newly appointed first batch of District and Sessions Judges, he said, "Be completely humble and gentle. Be patient and polite. Humility and humbleness should be the hallmark of a judge. A judge should not be gaudy and conceited. A judge should always be an inquisitive mind. A judge should always

acknowledge his lack of knowledge and his urge to learn more. A quality decision, a quality judgment should become your identification, nothing else.”

Earlier, Mr. Fakhar Hayat, Director General of the Academy, presented his welcome speech and an overview of the course.

He asked the newly inducted District and Sessions Judges from Balochistan Judicial Service, since you are the youngest newly appointed District and Sessions Judges, not only in Balochistan but also in the entire country, the Academy has provided you an effective training and it was your turn to get off to a good start in the field.



*A trainee Judge speaking on behalf of trainees in the ceremony.*

In the end, the honourable chief guest distributed certificates among the course participants in the ceremony.



*Awarding certificates to Judges of Balochistan Judicial Service in the ceremony.*



*Newly appointed District and Sessions Judges of Balochistan Judicial Service in group photo with Hon'ble Mr. Justice Qazi Faez Isa and faculty members.*

## Robust Environmental Compliance, Enforcement Of Environmental Laws Crucial For Sustainable Development: Hon'ble Mr. Justice Athar Minallah

Frantic human activities in this rapidly changing world not only harm environment but also pose a serious risk to public health, threaten biodiversity and deplete natural resources, therefore, it is incumbent upon our district judiciary to enforce Environmental laws to save the human life and environment.

Mr. Justice Athar Minallah, Hon'ble Judge, Islamabad High Court, expressed these views in the certificate awarding ceremony at the conclusion of a one-week training course on “New Laws” For Senior Civil Judges from all over Pakistan, Azad Jammu and Kashmir here in the Federal Judicial Academy, Islamabad on May 16, 2015.

He said, “Neat and clean environment is one of the fundamental rights enshrined and guaranteed in the Constitution of Pakistan. We have to protect our environment, conserve biodiversity and wildlife, and manage natural resources. Achievements are significant, but growing challenges remain critical. Multidisciplinary approach to capacity building is central to success.”



*Hon'ble Mr. Justice Athar Minallah addressing the course participants.*

He lauded the course content and urged the course participants to apply and share their knowledge about new laws with others in the field. Presenting his welcome speech and an overview of the orientation course, Mr. Fakhar Hayat, Director General, FJA, said, “Effectively functioning judiciary is essential for overall development in the country. A judicial system which suffers from insufficiencies, has an adverse impact on



*Course participants being honoured at the certificate awarding ceremony.*



performance. The orientation regarding new laws such as Intellectual Property Rights Laws, Environment Laws, Cyber Crime, Money laundering Act, etc. coupled with conventional

laws and subjects will not only improve judicial performance but also enhance the efficiency, effectiveness of the courts and result into public confidence in the courts.



*Course participants in group photo with Hon'ble Mr. Justice Athar Minallah and faculty members.*

## **Do Not Let Your Emotions Override Your Sense of Justice, Hon'ble Mr. Justice Aamir Farooq Asks District & Sessions Judges**

Hon'ble Judge, Islamabad High Court, Mr. Justice Aamir Farooq has said that the prime duty of a judge was to administer justice, therefore, judges should follow the law and never allow their emotions to override their sense of justice.

He expressed these views in the certificate awarding ceremony at the conclusion of a one-week training course on “Role of District and Sessions Judges being Non-Financial Managers in Financial Management and New Laws” for newly promoted District and Sessions Judges from all over Pakistan, Azad Jammu and Kashmir and Gilgit-Baltistan here in the Federal Judicial Academy, Islamabad, May 2, 2015.

He said, “Our superior courts have settled more or less all issues of law and left precedents for us to follow. Remember, law is not like mathematics, whenever you come across any new issue where you cannot find any precedent to follow then just follow the law, follow the



*Hon'ble Mr. Justice Aamir Farooq addressing the course participants.*

statue and give it an ordinary meaning. You have to make an extra effort to find the law as we have nowadays new and emerging laws about new issues, problems, and challenges.”



*Course participants at the certificate awarding ceremony.*

Lamenting the sorry state of affairs, honourable Judge said, “Right assistance was not being provided to the courts As a result, the standard of judgment writing was deteriorating and dispensation of justice was slow in the country.”

In response to a question from one participant from Balochistan regarding how to overcome the existing gap between the members of

district judiciary and those of honourable superior courts, he said, “Frequent informal sessions should be arranged by the Federal Judicial Academy to attain this goal. Academy should make such informal session a regular feature of the training course. Such informal sessions will be greatly helpful to share and learn from each other, which is not possible in formal sessions like this one.”



*Giving away certificates to trainees in the certificate awarding ceremony.*



Presenting his welcome speech and an overview of the training course, Dr. Faqir Hussain, DG of the Academy spoke about the importance of financial management including

preparation of budget, audit and accounts for the district and sessions judges who become the heads of district judiciary.



*Course participants in group photo with Hon'ble Mr. Justice Aamir Farooq and faculty members.*

## **Hon'ble Mr. Justice Aamir Farooq Urges District Judiciary Judges To Administer Justice In Accordance With Law**

Judge Islamabad High Court, Hon'ble Mr. Justice Aamir Farooq urges the district judiciary judges to administer justice in accordance with the law.

He expressed these views in the certificate awarding ceremony at the conclusion of a one-week training course on

“Appreciation of Evidence and Management of Criminal Trial before Magistrates” here in the Federal Judicial Academy (FJA), Islamabad, on June 13, 2015.

He said, “Whether it is a civil or a criminal case, judges are ordained to administer justice, in



*Hon'ble Mr. Justice Aamir Farooq addressing the course participants.*



*Course participants at certificate awarding ceremony.*



*Mr. Fakhar Hayat addressing the course participants.*

Judgment Writing is very important subject. English is not our native language but we can develop our skills of Judgment Writing through various ways. None can deny the importance of clear and cogent Judgment. All of you (young judges) should focus on writing good judgments.”

Earlier, Mr. Fakhar Hayat, Director General of the Academy, presented his welcome speech and an overview of the course.

He also spoke about the unique integrated training course comprising five newly inducted District and Sessions Judges from Balochistan Judicial Service and twenty two Civil Judges and Judicial Magistrates from all over Pakistan and AJK.

accordance with the facts and the law. We have to rely mainly on an adjudication of the facts in accordance with the law. “Regarding the importance of judgment writing, he said, “The



*A glimpse from the certificates awarding ceremony.*



*Course participants in group photo with Hon'ble Mr. Justice Aamir Farooq and faculty members.*

## **New Socio-Economic Situations, Circumstances Call For A Better Functioning Legal, Judicial System: DG, FJA**

Efficient and accessible justice system is the lifeblood of the rule of law. Since inception, building judicial capacity of all the main players of administration of justice system in the country is the Federal Judicial Academy's sole area of intervention.

Director General, Federal Judicial Academy, expressed these views in the inaugural ceremony of a one- week training course on “Role of District and Sessions Judges being Non-Financial Managers in Financial

Management and New Laws” for newly promoted District and Sessions Judges from all over Pakistan, Azad Jammu and Kashmir and Gilgit-Baltistan here in the Federal Judicial Academy, Islamabad, on April 27, 2015.

He said, “The overall objective of capacity-building trainings is to enhance expeditious dispensation of justice through the development, promotion and maintenance of high standards of performance by all players related to justice sector.”



*Course participants at the inaugural ceremony.*

He said, “New socio-economic conditions and circumstances call for a better functioning legal and judicial system in the country. That's why; we have developed and designed such a training course which includes both conventional and new subjects such as Public Sector Financial Management Reforms, General Financial Rules, Preparation of Budget, Implementation of Budgetary Plan, Finance, Accounts and Audit definitions, Inter-relationship, Role and

Organizational Setup, Transparency through Public Procurement Rules, Cyber Crimes and its Relevant Laws in Pakistan, National Security and Rule of Law: Does the 21st Amendment Disturb the Balance?, Narcotics Laws, Bonded Labour Laws, Enforcement of Intellectual Property Rights Laws in Pakistan, Anti-Money Laundering Act, New Medical Dimensions in Medical Jurisprudence, etc.”



*Course participants in group photo with the faculty members.*

## **We Have To Deepen Our Commitment To Rule Of Law, Strengthen Our Institutions: DG, FJA**

Our district judiciary with an active support and cooperation of the Bar has made great strides in spite of so many difficulties and challenges. What is fair to say is that the road ahead is just as arduous for all main stakeholders of administration of justice system as the road they have already traversed.

Dr. Faqir Hussain, Director General, expressed these views in the Social Evening of a one- week training course on “Role of District and Sessions Judges being Non-Financial Managers in Financial Management and New Laws” for newly promoted District and Sessions Judges from all over Pakistan, Azad Jammu and Kashmir and Gilgit-Baltistan here in the Federal Judicial Academy, Islamabad, on May 1, 2015.

The participants actively participated in the discussion on very important topics such as weekly working days, curtailing backlog, anomalies and injustices in the ACR/ PER



*Faculty members and Resource person during a Social Evening at Academy.*

writing, need for human resource management skills in the judicial sector, trainings at the FJA and abroad to be linked with the promotion, etc. “Invariably, judges, like any other members of a professional fraternity, are motivated in their conduct by ambitions of success and their own jurisprudential legacy,” they all opined.



*A view from the socialization session.*

## **“How to be An Effective Nazir/ Budget and Accounts Examiner,” A One- Week Course Conducted**

A one-week training course on, “How To be An Effective Nazir/ Budget and Accounts Examiner” for Nazirs/ Budget and Accounts Examiners from all over Pakistan and Azad Jammu and Kashmir commenced here in the Federal Judicial Academy, Islamabad, on May 4, 2015.

The participants were imparted training in the subjects such as Etiquettes and Mannerism, General Financial Rules, Public Procurement

Rules, Public Sector Financial Management System of Pakistan, Internal/ External Audit, Mechanism of Accounts in District Judiciary, Revenue Deposit and Sheriff's Petty Accounts, Handling and Resolution of Audit Objections, Pension Rules and Maintenance of Accounts, Pension, Loans and Advances to Government Servants, Noting, Drafting and Official Correspondence, Computer Literacy, among others.



*Course participants in the classroom.*

## Modernism Poses Several Great, Grave Problems, Challenges For Judiciary: DG, FJA

Modernism poses several great and grave problems and challenges for our judiciary but the Federal Judicial Academy is determined to improve the efficiency and appropriateness of the justice system to ensure access to expeditious and quality justice for all people.

Dr. Faqir Hussain, Director General, FJA,

expressed these views in the inaugural ceremony of a one-week training course on “New Laws” For Senior Civil Judges from all over Pakistan, Azad Jammu and Kashmir here in the Federal Judicial Academy, Islamabad on May 11, 2015.

He said, “The prime objective behind all these



*Senior Civil Judges in the inaugural ceremony of the course at the Academy.*

trainings and orientations is to improve court management and efficiency and promote transformation of the district judiciary. We have included such subjects and laws in this training which are comparatively new, a few of them are “brand new laws” and also a few of them are in the pipeline to become the laws. The understanding of all these laws such as Intellectual Property Rights Laws, Environmental Laws, Domestic Violence Laws and Harassment of Women at the Workplace, Cyber Crime, Money Laundering Act, Financial Management in the Public Sector and Public Procurement Regulatory Authority (PPRA) Rules, among others, is very necessary for Senior Civil Judges”.

Regarding the pedagogy at the Academy, he said, “We encourage an interactive method of learning and sharing, instead of traditional methods, in the Academy. All of you have the opportunity to become actively involved in the training sessions, ask questions, and give your comments, observations about the subject under discussion. As per tradition of the Academy, a “Social Evening” will also be arranged for you during this one-week orientation. The Academy provides you a platform to discuss the problems and challenges being faced by you in the field. I hope that such interconnections and intimate and informal settings would benefit all.”

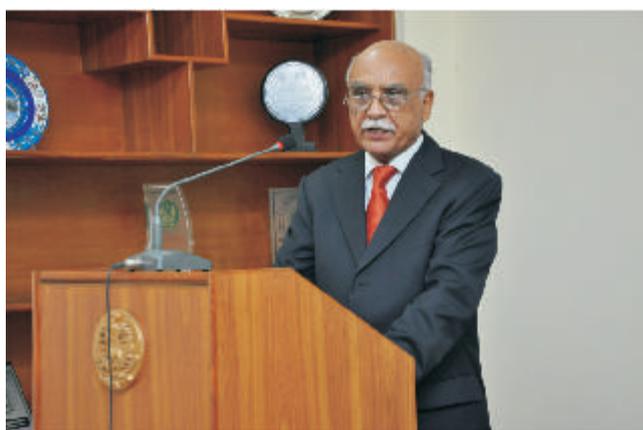


*Senior Civil Judges in group photo with the faculty members.*

## UNODC National Workshop Inaugurated Proper Capacity-Building Essential To Combat Terrorism: DG, FJA

With proper capacity-building of the main stakeholders of Criminal Justice System and equipping them with modern tools and skills we can combat the menace of terrorism.

This was stated by Mr. Fakhar Hayat, Director General, Federal Judicial Academy, while inaugurating a five-day National Training of Trainers Workshop for Judges, Prosecutors and Investigators, focusing on “Global Legal Framework Against Terrorism and Relevant Criminal Justice Response Measures,” jointly organized by the Federal Judicial Academy and United Nations Office on Drugs and Crime (UNODC) here in the Academy on May 26, 2015.



*Mr. Fakhar Hayat, DG, FJA addressing the participants of National Workshop.*



*Every picture tells a story.*



*Participants of UNODC National Workshop become a proverbial all ears in the inaugural session.*

Regarding the rationale of the workshop, DG, FJA said, "It is designed to train the trainers who can train others in the relevant area to combat the menace of terrorism, which exists in the world today in its various forms and manifestations so as to create a terror and tears-free safe and secure world where we all and our future generations can live in peace and with dignity."

Sounding his optimism about the workshop, he said, "I am confident that this national workshop will deepen your understanding of Global Legal Framework Against Terrorism and Relevant Criminal Justice Response Measures. During the next five days, experts

will be providing you with the knowledge that you need to move towards effective implementation of the global framework and training of trainers in the days to come, both, within Pakistan, in the region and also in different countries of the world."

DG thanked the UNODC Pakistan for arranging such a unique national workshop in the Academy for the main stakeholders of Criminal Justice System.

A number of celebrated experts, both, from Pakistan and abroad, especially, the UNODC experts, imparted training to twenty-five national workshop participants in the Academy.



*Participants of UNODC National Workshops in group photo with the faculty members.*

## A One-Week Training Course For Law Officers Arranged

A one-week training course on “Role of Law Officers *vis-a-vis* Quick Disposal of Criminal Cases” for Prosecutors from all over Pakistan, Azad Jammu and Kashmir and Gilgit-Baltistan began here in the Federal Judicial Academy, Islamabad, on May 18, 2015.

A number of celebrated resource persons hailing from the district judiciary and police, among others, imparted training to twenty four prosecutors both in conventional and non-conventional subjects along with the emerging trends and sharpen their skills for an expeditious disposal of criminal cases.

An introductory session was arranged in which Mr. Fakhar Hayat, Director General of the Academy asked the participants to introduce themselves, their qualification, professional experience, social and community



*Mr. Fakhar Hayat, DG, FJA addressing the course participants.*

service, literacy and intellectual contribution, if any. To this, all the participants introduced themselves and spoke about their professional and social contribution.



*Participants in session in the ceremony in the classroom.*



*Course participants in group photo with the faculty members.*

### Training for District Attorneys

## District Attorneys Urged To Gain Maximum Benefit From Training

A one-week training course on “Management of Civil Cases” for District Attorneys/Deputy District Attorneys from all over Pakistan and Gilgit–Baltistan began in the Federal Judicial Academy (FJA), Islamabad, on June 1, 2015.

In his introductory remarks, Mr. Fakhar Hayat, Director General of the Academy, asked the District Attorneys/ Deputy District Attorneys to take maximum benefit from this course which has been designed and developed in accordance with the conventional and modern professional requirements of the District Attorneys as important players of the administration of justice system.

Twenty two course participants were imparted training in subjects such as Government Servants Conduct Rules, Opinion Writing, Public Sector Financial Management, Powers and Responsibilities of Drawing and



*Mr. Fakhar Hayat, DG, FJA addressing the course participants. Mr. Khalid Amin Khan Tareen also on the stage.*

Disbursing Officer, Services Laws: Efficiency and Discipline Rules, Conduct of Cases by or Against Government, Land Acquisition Act, Land Revenue Act, Law of Injunctions, Civil Appeal and Revision, Professional Ethics, etc.



*Participants during an inaugural ceremony of the training course.*



*Course participants in group photo with the faculty members.*

## **A One-Week Training for District Judiciary Judges**

A one-week training course on “Appreciation of Evidence and Management of Criminal Trial before Magistrates” began here in the Federal Judicial Academy (FJA), Islamabad, on June 8, 2015.

The formal proceedings of the ceremony started off with the recitation from the glorious Holy Quran by Hashim Abro followed by an introductory session in which Mr. Fakhar Hayat, Director General of the Academy, introduced himself as well as the Faculty.

He also spoke about the nature and scope of the training course and asked the course participants to introduce themselves, one by one, along with the posting place and experience in the legal and judicial profession, if any.

Twenty four Civil Judges-cum-Judicial Magistrates from all over Pakistan and Gilgit –Baltistan underwent this one week training in



*Mr. Fakhar Hayat, DG, FJA and Mr. Khalid Amin Khan Tareen on the stage. Mr. Hashim Abro CPMO/Associate Editor on the rostrum.*

the Academy wherein seasoned judicial and legal educators and trainers imparted training to them on a variety of important subjects for an effective administration of Criminal Justice System. Five newly appointed District and Sessions Judges from Balochistan Judicial Service also benefited from this unique one week integral training course.



*Course participants in the inaugural ceremony.*



*Course participants in group photo with Mr. Fakhar Hayat, DG, FJA.*

## **Ensure Efficient, Transparent Utilization Of Public Money, Additional Registrar, SCP asks Nazirs/Budget & Accounts Examiners**

**Trainings necessary for effective institutional functionality: Mr. Parvaiz Ali Chawla**

Highlighting the importance of Procurement along with Public Procurement Regulatory Authority (PPRA) Rules, Ms. Izzat Jahan Aqdu, Additional Registrar, Supreme Court of Pakistan, has urged the Nazirs/Budget and Accounts Examiners to strictly observe the PPRA Rules to ensure transparency.

Ms Izzat Jahan Aqdu, Additional Registrar, Supreme Court of Pakistan, expressed these views in the certificate awarding ceremony at the conclusion of a one-week training course on “How to be an effective Nazir/ Budget and Accounts Examiner” for Nazirs/ Budget and Accounts Examiners from all over Pakistan, Azad Jammu and Kashmir and Gilgit-Baltistan here in the Federal Judicial Academy, Islamabad on May 9, 2015.

Regarding the capacity building training, she said, “The need of training arises for capacity building and improving service delivery which is an integral part for professional development. The benefits of trainings are ample as it



*Ms Izzat Jahan Aqdu, Additional Registrar, SCP addressing the course participants.*

enhances work level of skills, sense of satisfaction and also provide an organization a trained and motivated employee. Consider this one week training as an opportunity and ensure devoted participation. Remember, you people are the custodian of the public money.”

She further said, “An Effective Budget Officer is one who is vigilant, creative and planner. In

today's minutely changing world, your role is more than a traditional Munshi. Apply modern means of smart learning to learn about effective financial management.”

She assured that she would vigorously plead with the Auditor General of Pakistan for their training at the Audit and Accounts Training Institute.

Presenting his welcome speech and an overview of the training course, Mr. Parvaiz Ali Chawla, Senior Director, spoke about subjects and their importance and said Trainings are necessary for effective institutional functionality, therefore, the Academy always arranges course with realistic and practical approach.

“Etiquette is essential for making a good impression. All of us, including those who are



*Mr. Parvaiz Ali Chawla, Senior Director, addressing the course participants.*

related to administration of justice system must observe courteous and orderly behaviour. This is why, we included one very important subject in the training called “Etiquettes and Manners” to enlighten the participants, whatever you learnt about etiquettes and manners, you must practise in your real life”, he concluded.



*Course participants being honoured at the certificate awarding ceremony.*

“ I wonder at a person who undertakes the reforming of other people while he himself is more corrupt than any other being.”

Hazrat Ali (R.A)



*Course participants in group photo with Ms Izzat Jahan Aqdas, Additional Registrar, Supreme Court of Pakistan and the faculty members.*

### **An Evening at Islamabad Club**

The Academy arranged Social Evening for the participants of three months pre-service training course for the newly-inducted Civil Judges-cum-Judicial Magistrates of Islamabad Judicial Service in the Islamabad Club Islamabad on 24.4.2015.

The young participants exchanged views both with the faculty members and also with their

batch fellows in this informal interactive session on a variety of subjects.

Raja Jawwad Abbas Hassan, Registrar, Islamabad High Court, Mr. Tanvir Mir, District and Sessions Judge, Islamabad (East), among others, also attended the event and spoke about several subjects of professional interests.



*Life is like Camera: Civil Judges of Islamabad Judicial Service during a Social Evening at Islamabad Club, Islamabad.*



*It is Better to be in Good Company: Civil Judges of Islamabad Judicial Service in group photo with the faculty members during a Social Evening at Islamabad Club, Islamabad.*

**“Power and authority are sure touchstones to a person’s real character and nature. The mean person in power indulges in cruelty, oppression and injustice, while the noble one in a similar position exercises kindness, generosity and justice.”**

**(Sufi Saint Pir Meher Ali Shah)**

## Once We Were Together A Farewell In Honour of Mr. Parvaiz Ali Chawla Mr. Chawla held back tears saying goodbye to FJA

Officers and staff of the Academy hosted a Farwell Party in honour of Mr. Parvaiz Ali Chawla, Senior Director. Judge Chawla also served the FJA as Director General very diligently.

This party was held in the Common Room of FJA Hostel, where Mr. Fakhar Hayat, Director General of the Academy and Mr. Khalid Amin Khan Tareen also graced the occasion. Mr. Fakhar Hayat and Mr. Khalid Amin Khan Tareen presented a bouquet of flowers to Mr. Chawla. Hashim Abro, CPMO, paid a poetic tribute to Mr. Chawla in which he appreciated the sincere and loyal services and achievements of Mr. Chawla while his colleagues extended



*Good Memories have Good Life: Mr. Parvaiz Ali Chawla during Farewell Party at Academy.*

their heartiest wishes for his future.



*Some Memories Never Fade: Officers and Staff in the Farewell Party.*



*Be the Reason for Someone's Smiles Today: Faculty members and Officers of the Academy presenting a bouquet of flowers to Mr. Parvaiz Ali Chawla during a Farewell Party.*



**Take Only Pictures, Leave Only Footprints: FJA Faculty, Officers and staff in group photo with Mr. Parvaiz Ali Chawla during his Farewell Party.**

Later, Mr. Chawla expressed his gratitude for acknowledging and honoring him.

### **FJA bids Farewell to Additional Director**

The Federal Judicial Academy said goodbye to one of its illustrious faculty members, Ms Jazeela Aslam on April 29, 2015. Ms Jazeela worked in the Academy for 2 years as Additional Director.

She has since her posting, performed tirelessly in that office, during which period she also served as the Administrative Officer of the

Academy.

In the Farewell party held in her honour, various speakers including Dr. Faqir Hussain, Director General of the Academy, Mr. Parvaiz Ali Chawla, Senior Director, Mr. Khalid Amin Khan Tareen, Director (Administration), Mr. Fakhar Hayat, Director (Academics) acknowledged Ms Jazeela's dedication and



**Photographs are a way of imprisoning Reality: Faculty members and Officers during a reception in the honour of Ms Jazeela Aslam, Additional Director.**

work ethics.

In his remarks, DG of the Academy said that Ms Jazeela's contribution was an invaluable asset that greatly assisted him in settling down quickly and adjusting to the life in the office seamlessly.

At the outset, Mr. Hashim Abro, Coordination, Publications and Media Officer presented her a tribute in the form of a poetry titled, "Come Back As You Are!" which was eulogized by all in the party.

In the end, DG presented her a souvenir of the Academy, Mr. Parvaiz Ali Chawla handed over a bouquet of flowers and Mr. Khalid Amin Khan Tareen gave her a gift of rare book on



*Flowers speak a language of Affection: Mr. Parvaiz Ali Chawla presents a flower bouquet to Ms Jazeela Aslam.*

behalf of the Faculty and Officers during her farewell party.

## NEWS IN BRIEF.....IN AND AROUND

### HCJP Chairs FJA Phase-II Project Meeting

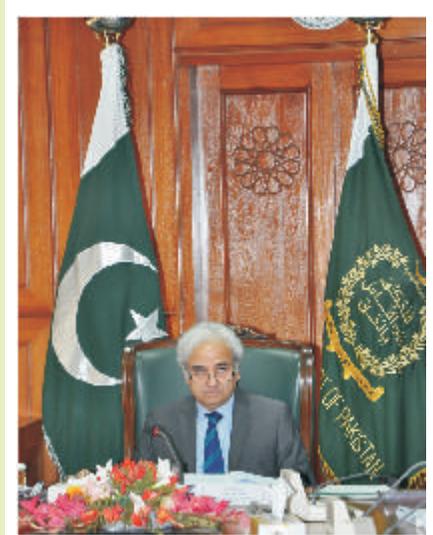
Hon'ble Chief Justice of Pakistan, Mr. Justice Nasir-ul-Mulk, who is also Chairman of the Board of Governors (BoG), Federal Judicial Academy, chaired the FJA Phase-II Project meeting on July 14, 2014. Besides FJA management, senior officials of Ministry of Housing & Works including Federal Secretary, DG, Pak. PWD, Representative of Access to Justice Programme (AJP) of Ministry of Law & Justice, MD, Nespak and others attended the meeting.

### HCJP Inspects FJA Phase-II Building

Hon'ble Chief Justice of Pakistan, Mr. Justice Nasir-ul-Mulk, presided over the meeting regarding the operationalisation of the FJA Phase-II Building and inspected various sections of the building on May 22, 2015.

### FJA- NCSC Webinar

The first-ever webinar meeting between the Federal Judicial Academy and the National Center for State Courts (NCSC) was held in the Syndicate Room of the Academy on April 2, 2015 in which both sides shared their perspectives, ideas, and suggestions regarding quality judicial education, capacity building of all those related to justice sector, etc.



*Hon'ble Mr. Justice Nasir-ul-Mulk, Chief Justice of Pakistan/Chairman, BoG, FJA.*



*A picture of FJA-NCSC webinar meeting.*

## Relinquishes Charge

Dr. Faqir Hussain, Director General, relinquished the charge of office of the Director General, Federal Judicial Academy on 14th May, 2015.

## Assumes Charge

The Hon'ble Chief of Pakistan, Chairman, Board of Governors, has appointed Mr. Fakhar Hayat, Director Academics as Director General on acting basis for a period of three months with effect from 15.5.2015, or until appointment of Director General.

## Appointment

The Hon'ble Chairman, Board of Governors has appointed Ms Nusrat Yasmeen, Additional District and Sessions Judge as Additional Director in the Federal Judicial Academy, on deputation for a period of two years.

## Capacity-Building Cooperation: NAB Seeks Inspiration from FJA

Determined to develop their own capacity-building institute, a four-member Training and Research team of the National Accountability Bureau (NAB) led by Mr. Husnain Ahmed, Director General (Training and Research) visited the Federal Judicial Academy on June 29, 2015. The other members of the team were Mr. Ghazi Rahman, Additional Director (T&R), Hafiz M. Azeem, Deputy Director (Training) and Mr. Al-Hasnat Rasul, In charge, Forensic Laboratory.

After the welcoming words and introductory session of DG, FJA, Mr. Husnain dwelt at

length on various subjects of mutual interest with special focus on capacity building in the public sector organizations such as the NAB and their pragmatic efforts in this direction.

They also visited various sections of the Academy including Lecture Hall, Library and ICT lab. Auditorium, Hostel, FJA Phase-II building.

They evinced great interest in the academic programs and effective training management methodologies of the Academy. They also urged the need for sustainable collaboration and



*Mr. Husnain Ahmed, DG, NAB (T&R) and his team during their visit to FJA.*

sharing best practices from the Academy for an effective training of the NAB human resources and the establishment of the NAB Training Academy.

The team expressed profound gratitude to the

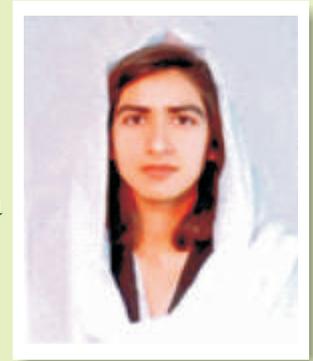
top management of the Academy to allow them to visit the Academy and sounded their optimism that this visit, following the visit of other training institutes and academies in the country, will serve them as roadmap to establish their own academy in the near future.

## IPR Legislation in Pakistan

Suggestions for Effective Enforcement

By

Hina Muzaffar<sup>1</sup>, Senior Civil Judge, Nankana



### Introduction:

In the words of the Quran:

*“Show me what they have created of the earth or have they any portion in the heavens, Bring me a scripture before this (scripture), or some vestige of knowledge in support of what ye say if you are truthful”.*

Right to own property is recognized by every socio-political and economic system of the world. Ownership and peaceful possession of property, tangible or intangible, is a fundamental right in all system of justice.

Intellectual property includes a patent, industrial design, copyright related right, layout

design of integrated circuits, service marks, trade mark, trade name, undisclosed information or trade secrets, traditional knowledge, geographical indications, technical knowledge and ideas for new products and markets, including the commercial information about customer or any combination thereof’.

### Evolution of the Recognition of Intellectual Property Right:

Protection of Intellectual Property is an ancient concept. In pre-Islamic societies, protection for original authorship was recognized for poets they were compensated for the publications and distribution of their work. Arab world deeply regarded five poetry and authors in that era

enjoyed an enhanced social standing and respect. Lesser poets, who plagiarized their work, were harshly condemned and cast from cultural society. This establishes the recognition of copyright protection dating back to pre-Islamic civilization.

### Legality of Intellectual Property Rights under Islamic Law:

In pre-dominating Muslim societies religious is a major component of life. Many Muslims seek the assurance of everything they do consistent with Sharia, therefore, it is crucial that every law which is to be enforced complies with the principle of Islamic law.

The Prophet (PBUH) is said to have visited markets in order to inspect the business practices. Its main functions were enforcing justice and fairness in the market place so as to enhance consumer interest. It has also been said that special marks were put on certain products

to indicate the conformity with accepted quality standards. This is contemporary and fully consistent with the role of trademarks as guarantors of quality. These practices might be

implied to recognize the value of trademarks as indicators of source and the prohibition of unfair competition associated with trade mark infringement.

## **Globalization of Intellectual Property Law:**

The field of International Intellectual Property Law is a complex phenomenon. By definition it is a web of innumerable domestic legal systems as well as regional and international regimes and bilateral multilateral treaties agreements. As international or regional treaties or agreement are adopted or ratified, changes; responsive or agreed, to domestic law take place which in turn, drive changes to international or regional systems and to domestic laws of other nations.

The International Trade Community has adopted number of measures in order to curtail the violations of Intellectual Property Rights across the world.

These IP initiatives are led by the world Intellectual Property Organization (WIPO) and the World Trade Organization (WTO) convention on IP rights. The WTO agreement, covers IP issues i.e. Trade Related Aspects of Intellectual Property Rights (TRIPS).

## **IPR Legislation in Pakistan:**

In past different authorities dealt with different Intellectual Property Rights in Pakistan.

The Ministry of Industries (Patents)  
The Ministry of Commerce  
(Trademarks)

The Ministry of Education (Copy Rights). Realizing the administration and co-ordination of all Govt. system one head to combat IPR crimes for the purpose of economic breath of country in the global world and taking notice of IPR violations a barrier to foreign direct investment in Pakistan, the Intellectual Property Organization of Pakistan (IPO-Pakistan) was established as an autonomous body on 8th April, 2005 under the administrative control of the Cabinet Division for integrated and efficient Intellectual Property management in the country. The Trademark Registry, Copyright Office and Patent, Design Office became part of the Organization.

Moving ahead Intellectual Property Organization of Pakistan Act 2012 was framed paving path for Policy Board, Intellectual Property Rights Advocacy, Procedural methods for trial of offences, establishment of Intellectual Property Tribunals, Powers to make Rules, Integration of the Trademark Registry, Copyright office and Patent Office, Law Enforcing Agencies to assist and aid the organization having overriding effect on existing laws:

The Trademarks Ordinance 2001  
The Copyright Ordinance 1962  
The Patent Designs Ordinance 2000  
The Registered Designs Ordinance 2000

The registered lay-out Designs of Integrated Circuits Ordinance 2000  
Sec. 478, 479, 480, 481, 482, 483, 485, 486, 487, 488 & 489 of Pakistan Penal Code.

## **Ranking of Pakistan in the Globalized world with reference to IPR:**

The world Intellectual Property Organization (WIPO) is one of the specialized agencies of the United National (UN) system of organization. WIPO has ranked Pakistan as 133rd out of 141 countries with meager performance in knowledge creation, impact diffusion and innovative outputs. (INSEAD 2012)

USTR, the United States Trade Representative,

in its special 301 Report (An annual review of the state of Intellectual Property Rights, IPR, protection and enforcement in U.S trading partners around world) has placed Pakistan on the priority watch list in 2014 commenting: Although Pakistan has done a lot to enforce IPR requirements but yet has not fully implemented the Intellectual Property Organization of Pakistan Act of 2012.

Notably, Pakistan has yet to establish the specialized IPR tribunals and an operational IPO Policy Board provided for under the IPO Act. Wide spread counterfeiting and piracy, particularly book and optical disc piracy is a serious threat.

Pakistan is required to ensure that its enforcement officials can exercise ex-officio authority without the need for a formal complaint by right holder to provide for deterrent-level penalties for criminal IPR infringement.

### **Suggestions for Effective Enforcement:**

Only with handful knowledge of issues relating to IPR in Pakistan, we can suggest for its solution. International Intellectual Property Alliance (IIPA) in its report 2013 on copyright protection and enforcement has pointed out growing Internet Piracy, Book Piracy, Royalty-

Free reproductions of Books & Software Piracy.

Media piracy, plagiarism & Trademark Infringement are also serious issues to be adhere to.

### **Awareness of IPR to General Public:**

Government should develop centers catering for IPR awareness to general public. In this concern role of media will be of much help. Short stories/plays can be managed to demonstrate the idea to the illiterate.

### **Religious Ideology:**

Our religious ideology on IPR can bring a revolutionary change in the situation. In this regard “Jumma Prayers” can be availed to sensitize the nation for the cause.

### **Harmonization of our Law (Legislation) with reference to International Treaties: Signed by Pakistan:**

In this concern an autonomous legislative system should be set forth consisting of experts of the requisite field free from the political pressure.

### **Education:**

The IPR ought to be inducted as subject in our educational system.

### **Technical Evaluation & Analysis:**

With an eye on recent developments, detail study is needed for implications, opportunities, technicalities and threats involved in implementation of TRIPS agreement.

### **Identification of Key Areas:**

Pakistan is in dire need to identify areas where it may benefit from strengthened IP discipline such as increased protection for geographical indications of our agricultural and food products.

Traditional knowledge, especially traditional medicines, need to be catalogued and given legal protection.

### **Up-gradation of Institutional Framework:**

To exploit the global Intellectual Property regime to its benefit, Pakistan needs to rapidly upgrade the institutional and human resources capacity by providing sustainable high quality public administration.

## **Effective Enforcement of Intellectual Property Rights:**

To meet with the desired end, establishment of specialized courts for Intellectual Property coupled with training of “Lawyers and Judges”, police and customs officials is the need of the hour.

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The writer secured first position in the Essay Competition on the topic “IPR Legislation in Pakistan: Suggestions for Effective Enforcement” during a one-week training on “New Laws” for Senior Civil Judges from all over Pakistan, Azad Jammu and Kashmir and Gilgit- Baltistan in the Federal Judicial Academy (FJA) (May 11 to 16, 2015).





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**This Bulletin is hosted on the FJA website:  
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