

# Policy Paper on Establishing Formal Alternative Dispute Resolution (ADR) in

## **Gilgit Baltistan (GB)**

study of the relevant political, judicial  
and legislative structures







**POLICY PAPER ON ESTABLISHING FORMAL  
ALTERNATIVE DISPUTE RESOLUTION (ADR)  
IN GILGIT BALTISTAN (GB)**

**Study of the relevant political, judicial and  
legislative structures**

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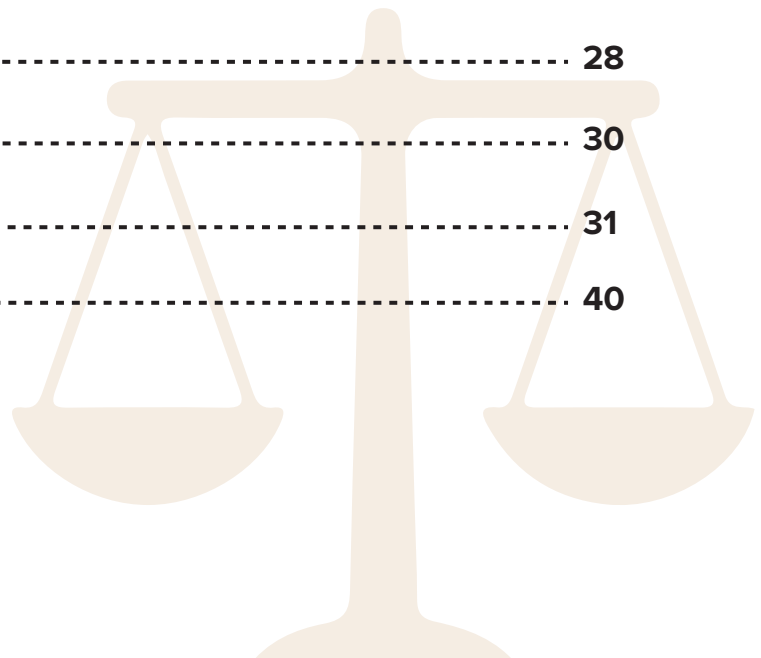
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## Acronyms:



ADR	Alternative Dispute Resolution
CAB	Conciliation and Arbitration Board
CJ	Chief Judge
CPC	Code of Civil Procedure
GB	Gilgit Baltistan
GBCC	Gilgit Baltistan Chief Court
GBJA	Gilgit Baltistan Judicial Academy
GBA	Gilgit Baltistan Assembly
GBV	Gender-Based Violence
HC	High Court
ICT	Islamabad Capital Territory
KP	Khyber Pakhtunkhwa
LHC	Lahore High Court
LAS	Legal Aid Society
RCAB	Regional Conciliation and Arbitration Board



## Foreword:



Imam Ali (AS) said “Justice is better than courage, as if everyone is fair to each other, then there will be no need for courage”.

In more than one Verse of the Quran (Surah Nisa-35) (Surah Al Hujrat (49) (10)) and in Hadith, we have been guided on settlement of disputes between two parties for the purpose of “Sulah”.

### Hazrat Umer Farooq instructed Qazi:

رشتہ داروں کے مقدمات کو انہی میں واپس کر دو تاکہ وہ خود برادری کی امداد سے آپس میں صلح کی صورت نکال لیں۔ کیونکہ قاضی کا فیصلہ دلوں میں کینہ و عداوت پیدا ہونے کا سبب ہوتا ہے۔

We are aware of the ominous pendency and costs of litigation which are increasing day by day and the time has come to adopt pre tested mechanisms of ADR to reduce the work load of the justice sector to meet the mandate of Art 37(d) of the Constitution of Pakistan.

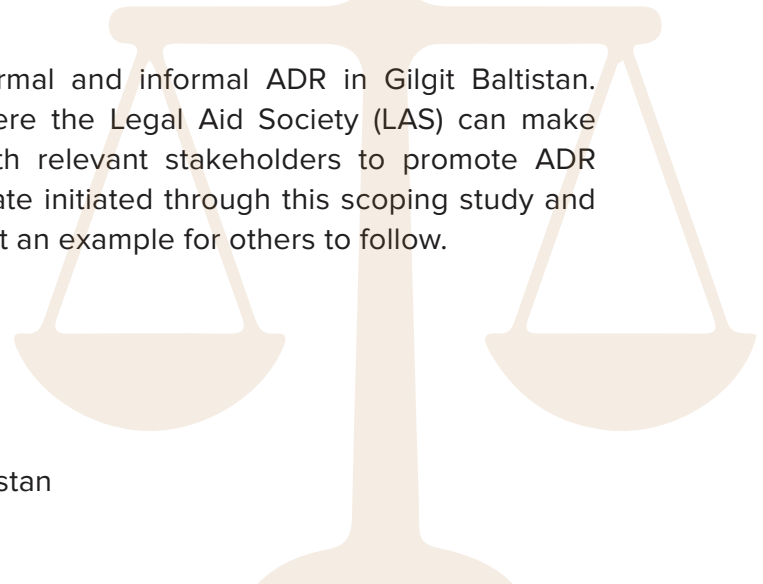
The Justice system of Pakistan faces many challenges like the need to update archaic laws to meet present day challenges, excessive backlog of cases, need for digitization of procedures in courts. It is high time every possible measure is taken to promote formal ADR mechanisms. This report shares the data of pending cases across Gilgit Baltistan in the context of over 2 million cases that are pending across courts in Pakistan. Experts fear that the number will grow further in the future. Thus, there is every reason to believe that the civil justice system can become paralyzed due to its inability to dispose cases in time. The consequences of such a failure can be dire for the state machinery. Therefore, the power holders need to place judicial reforms at the top of their priority lists.

Fortunately, the State does not need to reinvent the wheel on reforms in the civil justice system. Many laws, at the Federal and Provincial levels, have been promulgated containing requisite enabling environment for ADR mechanisms to take root. However, they appear to be cosmetic amendments at this stage, as the desired results have not been achieved so far.

This study explores the prevalence of formal and informal ADR in Gilgit Baltistan. Moreover, it identifies the possibilities where the Legal Aid Society (LAS) can make practical interventions and collaborate with relevant stakeholders to promote ADR mechanisms. I sincerely hope that the debate initiated through this scoping study and the subsequent actions in this regard will set an example for others to follow.

**Justice Arif Hussain Khilji**

Former Judge of the Supreme Court of Pakistan  
Chief Legal Advisor, Legal Aid Society





## Executive Summary:



Gilgit Baltistan (GB) is a region of Pakistan in which judicial reforms, either through legislation or initiative by the judiciary, to improve justice delivery, to a large extent, are amiss. In GB, like in the rest of Pakistan, case pendency is an issue that seriously hampers the judiciary's capability to ensure provision of inexpensive and expeditious justice to the public in terms of article 37(d) of the Constitution of Pakistan. This scoping study is not only an attempt to find Alternative Dispute Resolution (ADR) mechanisms, informal and formal, prevalent in GB. It is also an exercise to understand the judicial and legislative branches of the Government, their functions and how best they can be engaged with to run a successful and sustainable ADR programme in GB.

Given the dearth of secondary resources and efforts to avoid generalizations, a mixed methodology, comprising of primary and secondary research tools, was adopted to carry out a scoping study on ADR in GB. However, like every study, this one is also not without limitations. They are covered in detail in the methodology section.

At present, GB can be seen as an administrative province with a legislative assembly, the executive branch of the Government and a working judiciary. For the administration of justice, every district of the region has formal courts. Nevertheless, unlike other provinces where governments have passed laws on ADR, no state-recognized institution, other than the small claims courts, exists in GB that promotes ADR. Civil courts across GB deal with the cases specified in Part I of the Schedule to the Small Claims and Minor Offences Courts Ordinance 2002. Communities living in GB, on the other hand, have created informal dispute resolution institutions. People approach these forums whenever a dispute arises among them. Interestingly, every community has its own hierarchy of dispute resolution bodies/forums. Community Elders, including *Lumberdars* (community representative) Mohalla/Local Committees, Conciliation and Arbitration Board (CAB), Imamia Sharia Board and Mohakma Sharia are the most notable informal dispute resolution forums.

As far as laws promoting ADR are concerned, courts in GB only recognize the Arbitration Act 1940 and Small Claims and Minor Offences Courts Ordinance 2002. Similarly, the Gilgit Baltistan Local Government Act 2014 has a whole chapter on ADR. However, local bodies election in GB have not been held since 2009. Thus, the ADR provisions in the 2014 Act cannot be taken advantage of to resolve disputes. Furthermore, the Code of Civil Procedure (CPC) 1908 has Section 89-A, which the Government of Pakistan had inserted in CPC in 2002 to encourage out of court settlements between litigants. The courts in GB do not invoke Section 89-A whenever suits are filed before them, for neither the GB Government nor the Chief Court has framed rules for Section 89-A. However, it is a pleasant surprise knowing that the Chief Court has already prepared a draft of amendments that contains, along with other reforms, an elaborate procedure on the conduct of ADR. As far as any special law is concerned, the Government of GB has not been inspired by other provinces' rush to pass legislation on ADR.

The GB courts' performance is better than those of Punjab and KP while disposing of cases. In GB, every 30th household faces delays in seeking justice. In Punjab and KP, every 12th and 14th household experiences the courts' inability to dispose of cases on time. One explanation for low case pendency in GB is people's behavior toward settling disputes by turning to the informal justice system, which they find cheaper, accessible and swift in dispensing justice.

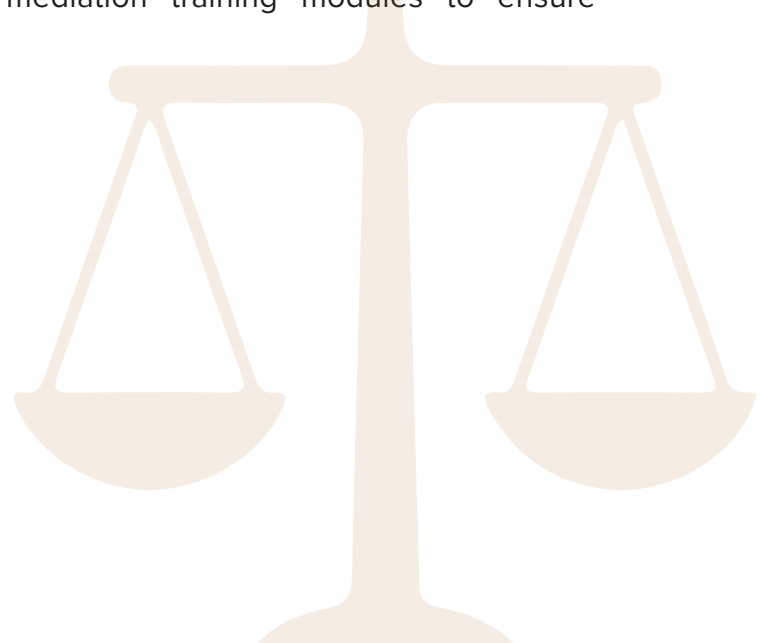
ADR, at least in the informal form, is quite prevalent in GB. The findings of the two focus group discussions (FGDs) showed that people would opt for informal dispute resolution mechanisms as their first choice. However, they also welcomed establishing formal ADR centres. The discussions on the formal ADR mechanisms revealed that people were aware of the imperfections of the informal ADR institutions. They believed that formal ADR setups would address such shortcomings.

On the matter of creating court-annexed ADR centres in GB, there are two possibilities:

1. According to the officials of the Judiciary, the Chief Court can establish ADR centres through an administrative order. And then, the Chief Court can notify trained mediators to sit as officially sanctioned ADR persons in such centres.
2. The Gilgit Baltistan Assembly (GBA) can pass a law on ADR.

Reliance on Chief Court's administrative order, however, is an ad-hoc approach. Establishing ADR centres and notifying ADR persons through the latter strategy will have legislative backing, thus ensuring its sustainability.

While the participants of the FGDs and the interviewees welcomed formal ADR, most of them did not have the procedural knowledge of court-annexed mediation. Therefore, a comprehensive awareness campaign is needed to make people aware of the benefits and working of formal ADR before and after the programme is launched. It is also essential to make judges and lawyers, especially from the GB Bar, part of the consultation process and mediation training modules to ensure programme's inclusive nature.



## Introduction:



"Gilgit Baltistan's (GB) constitutional, political and administrative history is shaped by various events and subsequent instruments that the State introduced to keep the administrative control of the region. GB, or the Northern Areas as the region was known till 2007, was historically part of Jammu and Kashmir. However, the region's people rebelled against the Dogra rule in 1947. They announced independence, and the region existed as a republic for 17 days under the rule of Shah Rais. Upon the invitation of Shah Rais, the Government of Pakistan took control of the entire region and imposed the Frontier Crimes Regulations<sup>1</sup> (FCR) 1901 on the region.

In 1950, the administration of the area was handed over to the Ministry of Kashmir Affairs. During this time, the Government created the post of the political resident. The political resident was responsible for the actual administration of the region until 1952. Owing to the people's demand for greater representation and political participation, the Government of Pakistan promulgated the Northern Areas Legal Framework Order on 3<sup>rd</sup> July, 1975. The 1975 Order was a key development in the judicial and political realms, as it abolished FCR and Jagirdari Nizam and established the Northern Areas Council.

In 2009, the Government of Pakistan passed the "Gilgit-Baltistan (Empowerment and Self Governance) Order 2009." In 2018, the Government of Pakistan repealed the 2009 Order by promulgating the Government of Gilgit-Baltistan Order, 2018. Through such various instruments, the Government of Pakistan attempted to bring the region at par with other provinces. The 2009 and 2018 Orders, in particular, can be seen as significant interventions by the Government of Pakistan to bring legislative, executive and judicial reforms for better administration of the region.<sup>2</sup>

GB has its own bureaucracy, judiciary, and legislative assembly for administrative purposes. From an administrative perspective, GB can be classified as a province. But, to make GB a Constitutional province, the Government of Pakistan shall have to amend the Constitution. The most notable difference in the 2009 and 2018 Orders pertains to the bodies and persons that can exercise legislative powers in matters related to GB. Under the 2009 Order, the GB Council had the power to adopt any

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1) The British Raj imposed the Frontier Crimes Regulations (1901) on the North West Frontier Province, now Khyber Pakhtunkhwa, to deal with the perceived high frequency political and social volatility. Due to the harsh nature of penalties the regulation contained, it's often termed as one of the most draconian laws ever made in the recent past. It is ironic to note that the Government of Pakistan chose FCR (1901) in 1950 to keep control of and administer Gilgit Baltistan. The region remained under FCR (1901) for almost 30 years. On July 3<sup>rd</sup> 1975, the FCR was abolished through the Northern Areas Legal Framework Order 1975.

2) See Shaheen Sardar's and Javaid Rehman's monograph *Indigenous Peoples and Ethnic Minorities of Pakistan* (2017) to gain detailed insights on the constitutional and legal perspectives pertaining to GB.

amendment to the existing laws or any new law in force in Pakistan. However, under the 2018 Order, the Prime Minister (PM) has the power to adopt any amendment in existing laws or any new law in force in Pakistan.

The intention behind conducting a scoping study on Alternative Dispute Resolution (ADR) in (GB) is to assist thought leaders, policy makers, legal academics, ADR practitioners and different organizations in making practical interventions in promoting formal ADR in the region. The aim of this study is multifold: First, it attempts to unpack the informal and formal, if any, ADR systems working in the region and provide information and adequate knowledge of the law under which formal ADR setups can be kick-started. Second, it maps out the relevant stakeholders and actors who can be engaged with for collaborations to establish formal and state-recognized ADR mechanisms in the chosen districts of GB. Third, it gauges the demand for a formal or state-recognized ADR system in GB. Fourth, it outlines the region's political landscape. Lastly, the report recommends the best way to operationalize formal ADR mechanisms in the region, both in the short and long run.



Honourable Chief Judge, Gilgit Baltistan Chief Court, Mr. Ali Baig presenting a token of appreciation to Justice Arif Hussain Khilji, Chief Legal Advisor, Legal Aid Society.



## ADR Literature Review:



Many countries are now encouraging and directing litigants to seek alternative remedies instead of those available under the formal justice system (Kalanauri, 2020). ADR, as a concept, has, in part, emerged in reaction to the high degree of formalization that is characteristic of the traditional state civil justice systems (Zekoll et al., 2014). Due to such red-tapism plaguing the legal system, Pakistan's superior judiciary has held, time and again, that "technical and legal provisions are meant to advance and not obstruct justice."<sup>3</sup> Yet, such directions have achieved little in removing the complexities involved in and around litigation in the courts.

The inefficiency of Pakistan's formal justice system, caused by prolonged litigation, increasing caseloads in the courts, and delays in the legal proceedings, contribute to inaccessibility to justice for millions. Such problems, confronting Pakistan's formal legal system, lead to courts' failure to decide complex issues in a timely manner.<sup>4</sup> Hence, the demand for and recognition of ADR within Pakistan's formal legal system to relieve the courts and facilitate the litigants was natural (Gul, 2014) (Ahsun, 2009). As a result of courts' prevalent conditions, their incapability to clear the backlog of cases, and people's failure to have access to justice, ADR is gaining policy traction in Pakistan (Hussain, 2019). Although the legislative and judicial shift to ADR mechanisms in Pakistan is a recent phenomenon, some progress has been made on this front to ensure speedy dispensation of justice to the ordinary people. Presently, different mechanisms of ADR have been implemented at federal and provincial levels. One amendment that the Government of Pakistan made in 2002 was the insertion of Section 89-A to the Code of Civil Procedure, 1908. Under the said section, the court could refer the matter for an out of court settlement with the parties' consent.

However, until recently, the amendment was of little effect in reducing the workload on the courts (Shinwari, 2015). Punjab and Sindh, in particular, made necessary changes to kick-start court-annexed mediations (Akhtar et al., n.d.). In Punjab, Justice Mansoor Ali Shah, the then Chief Justice (CJ) of the Lahore High Court (LHC), issued a notification on 23rd February, 2017 for establishing court-annexed ADR centers in Punjab (Tribune, 2017). In 2018, the LHC made further amendments in the CPC. Under these amendments Order IX-B was inserted in the CPC to promote out-of-court settlements between litigants. In Sindh, the Provincial Government amended the CPC to chalk out a detailed framework for ADR by amending Section 89-A and Order X of the said Code. The relevant amendment made by Sindh is known as "the Code of Civil Procedure (Sindh Amendment) Act, 2018" (Shafiq & Ali, n.d).

3) 2010 CLD 571 LHC

4) See the 2009-2010 National Judicial Policy compiled by the Law and Justice Commission, Pakistan.

Legislations, other than Section 89-A to the CPC, passed by the Federal and Provincial Governments specific to the out-of-court settlement for ensuring swift and cheap justice include the Alternative Dispute Resolution Act, 2017<sup>5</sup>; the Punjab Alternate Dispute Resolution Act, 2019; the Khyber Pakhtunkhwa Alternate Dispute Resolution Act 2020 (Hussain, 2019). It is worth noting that these formal ADR mechanisms are not an aberration from the formal justice system. In fact, they stem from the formal justice system and complement the formal courts' system. If the state gives ADR its due space by incorporating all its facets, the graph of litigation can go down significantly (Iqbal, 2016) (Tarar, n.d.).

Though there exists a formal justice system in GB, communities living in GB often avail the informal ADR mechanisms as the only viable and accessible forums of justice to them (Ahsan 2009) (Shinwari, 2015). In such traditional societies and small communities, the informal normative arrangements, upon which dispute resolution often depends, aim at safeguarding social harmony (Sardar and Rehman, 2013) (Zekoll et al., 2014). Furthermore, the inefficiency exhibited by the formal justice system, its nonexistence or lack of outreach in some parts of the country, and its strict adherence to the formal procedures make the formal justice system a choice that many do not prefer to opt for. And the people of GB are no exception in this regard. Hence, as Sardar and Rehman argue, people living in GB many a time choose not to seek relief from the state-sanctioned legal setup. Instead, they turn up to alternative forums that can be called parallel informal adjudicating forums, often unrecognized by the State (Ullah and Khan, 2021) (Sardar and Rehman, 2013).

Some of the most notable informal ADR mechanisms in GB include *Jirga*, *Numberdari* system, Aga Khan Conciliation and Arbitration Board (CAB), Imamia Shara'i Board, and the Mohkama-e-Shari'a (Sardar and Rehman, 2001), (Razvi et al., 2010). The fact that people take up their disputes in such informal establishments evinces that if the Government of GB carries out the required legislation for a formal ADR framework, people will prefer such establishments to the formal courts and informal dispute resolution mechanisms.

While the Federal and Provincial Governments and the Superior judiciary are playing their parts in establishing formal ADR mechanisms under different laws at different levels, Government of GB has not passed any special legislation on ADR. The only legal documents that envisages a formal ADR mechanism in GB are The Arbitration Act 1940<sup>6</sup> and the Small Claims and Minor Offences Courts Ordinance 2002. Furthermore, Chapter XVII of the GB Local Government Act 2014 also establishes an ADR forum for amicable settlement of disputes. Since no elections have been held under the said Act so far, Chapter XVII of the 2014 Act has not been utilized for dispute resolution.

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5) The Alternative Dispute Resolution Act 2017, passed by the Parliament extends only to the Islamabad Capital Territory.

6) According to one of the GBJA officials, the Arbitration Act 1940 is the only law adopted by the GB government to facilitate parties to reach an out-of-court settlement. No source was found that directly mentions the application of the Arbitration Act 1940 in GB; however, it transpires from a judgement of the Supreme Appellate Court of Gilgit Baltistan that the Arbitration Act 1940 extends to the region. Retrieved from <https://sacgb.gov.pk/Judgments/judgement%20of%20all%20residents%20of%20fultux.pdf>

Given the above survey, it becomes apparent that there are significant gaps in the available literature on GB to analyze both the formal and informal dispute resolution mechanisms. This study aims to address and cover such gaps by turning to primary research tools. By deploying a mix of secondary and primary research tools, the issues confronting creation of court-annexed ADR framework can be covered.



Deputy Speaker GB Assembly, Mr. Nazir Ahmed presenting token of appreciation to Justice Arif Hussain Khilji, Chief Legal Advisor, Legal Aid Society.



## Methodology:



The paper relied on data collected through a mixed methodology involving qualitative and quantitative research tools to answer the research questions. The deliberations over the nature of the questions revealed that they were exploratory. Hence, adopting a mixed methodology was best suited. In the case of some questions, answers were dependent on both qualitative and quantitative data. Primary research involved nine interviews, field observations, and two focus group discussions. A total of 30 people from the public and private sectors were consulted for the activities mentioned above. On the other hand, secondary research was based on examining the existing literature to ensure the queries of the study and follow up questions, if any, can be answered without leaving any essential social, political and legal aspects.

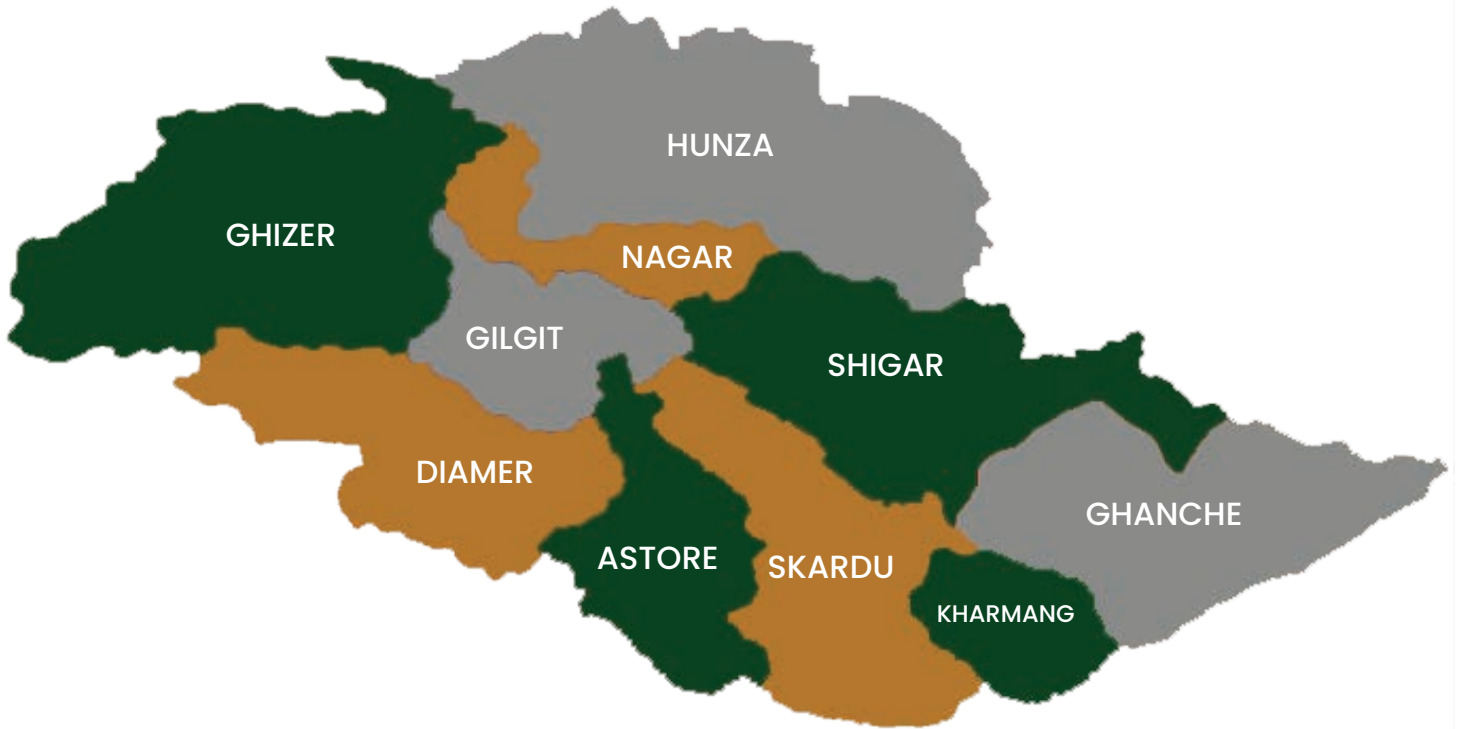
The most significant limitation of this study is the unavailability of secondary sources and research material exploring the constitutional and administrative schemes through which the region has been governed. In particular, failure to access legal resources and lack of commentaries on legal statutes in the context of GB also add up to the limitations of this report. Even amongst the available resources, most studies, available online or in libraries, fail to meet the highest academic standards, barring a few exceptions. Another limitation of the study is the sample size, i.e., 30 individuals. Such a small sample size is not representative of the total population of GB, which is roughly 1.5 million. Also, time constraints, difficulty in ensuring the availability of the office-bearers, and the reluctance of some of them to comment on the questions are other issues that can be counted as limitations of the study.



Legal Aid Society meeting with representatives from the Aga Khan Rural Support Program (AKRSP).



## MAP OF GILGIT BALTISTAN



Legal Aid Society meeting with representatives from the Aga Khan Rural Support Program (AKRSP).

## Key Findings:



The scoping study's research methodology is a mix of primary and secondary research tools. Relying on these tools, valuable information has been extracted to enable the Government of GB, donor organizations, and its implementing partners to lay out the necessary framework for ADR in GB. Below are the key findings from the available literature and field visits to GB.

### Current ADR structures in place in GB

The only state-recognized ADR structures in GB are the small claims courts. Interestingly, civil courts are tasked with dealing the cases specified in Part I of Schedule to the Small Claims and Minor Offences Courts Ordinance 2002. Though the Federal Ombudsperson Act 2013 states that the jurisdiction of the Federal Ombudsperson extends to the whole of Pakistan, the GB Government does not acknowledge its jurisdiction in the region. The GB Government's objections to the jurisdiction of the Federal Ombudsperson have made the matter sub judice before the Federal Ombudsperson.

However, different communities use their community-based dispute resolution mechanisms to resolve disputes. A summary of these is given in the following table.

Community	Informal ADR structures	Functional Formal ADR structures
Ismaili	Community Elders, Lumberdars, Mohalla Level/Local Committees, CABs, RCABs	Small Claims Courts, civil courts function as small claims courts
Shia	Community Elders, Lumberdars, Mohalla Level/Local Committees, Imamia Shara'i Board	
Sunni	Community Elders, Lumberdars, Mohalla Level/Local Committees, Mohkama-e-Sharia	

Table 1.1: Informal and formal ADR structures and laws in GB

<b>Types of Disputes Taken to Informal Dispute Resolution Forums</b>			
<b>Civil</b>	<b>Commercial</b>	<b>Communal</b>	<b>Family</b>
Breach of Contract Property sale and Purchase, Partition, Rent cases Pre-emption, Illegal Land Acquisition	Any financial transaction	Land, Water, Territorial boundaries, Pastures	Inheritance, Dissolution of marriage, Divorce, Child Custody, Domestic Violence

Table 1.2: Types of Disputes addressed in informal ADR setups

### A summary of prevailing ADR laws in GB and foreseeable legislative developments

The federation and provinces have made laws<sup>7</sup> to encourage litigants to opt for out-of-court settlements. The Federal Government's 2022-23 budget speech delivered by the finance minister underscores the importance of reforming the dispute resolution mechanisms to attract investments in the country. In this regard, the government aims to adopt international best practices including ADR in consultation with the superior judiciary of the country. However, GB lags in this aspect. The Government of GB has adopted the Arbitration Act 1940 and the Small Claims and Minor Offences Courts Ordinance 2002<sup>8</sup> as the only laws for facilitating out-of-court settlement of disputes between the disputants. The courts rely on the Arbitration Act whenever parties decide or choose to solve their dispute outside the court premises. Similarly, the Gilgit Baltistan Local Government Act 2014 has chapter XVII that deals with amicable settlement of disputes. However, the relevant authorities have not been able to conduct local bodies election since 2009. Finding out of court solutions under the 2014 Act, therefore, cannot be materialised until local bodies' elections are held.

Besides, the CPC, 1908, which lays down the procedure for proceedings in the civil courts, has Section 89-A. The said section of the CPC empowers the courts to refer cases with parties' consent to ADR centers where they can find an amicable solution to their disputes and issues. However, during the interviews with the members of the Judiciary of GB, it has transpired that the courts do not refer cases for mediation.

7) As stated earlier, National Assembly had passed ADR Act 2017 for Islamabad. Punjab passed the Punjab ADR Act 2019; KP passed the KP ADR Act 2020. Sindh brought amendments in the CPC to cover the gaps in Section 89-A under which the courts are required to prioritise ADR for swift dispensation of justice. Among the federating units, Balochistan is the only province that has yet to pass any such law.

8) Civil courts in GB also function as small claims courts. Under the draft amendments to the CPC, the pecuniary jurisdiction of these courts may be increased to PKR 3 million.

The officials maintain that the courts do not invoke Section 89-A of the CPC due to the lack of necessary rules framed for ADR.

It has been gathered that neither the GB Government, through a legislative amendment or by enacting a new law, nor the GB Chief Court has made any intervention to establish ADR framework in the region. As per our discussion with the Secretary of Law and Justice Department, it has been found that the GB Government can amend the CPC. According to Secretary Law and Justice Department, Section 60 of the GB Order 2018 authorizes the GBA to make laws for the region. Similarly, according to the Registrar of Gilgit Baltistan Judicial Academy (GBJA), the Chief Court, like all other High Courts operating in Pakistan, also has the power to make rules for the working of lower courts.

However, it is essential to point out that the GB Chief Court has prepared draft amendments in the CPC. The Chief Judge and Registrar of the Chief Court maintain that the said draft contains necessary rules that will allow the courts to invoke Section 89-A of the CPC and refer cases to ADR centres.

As far as any foreseeable legislative developments about ADR are concerned, it has transpired that legislation on ADR is not on the priority list of the Government of GB. However, this does not entail that the GB Government is not a key stakeholder in any future ADR program that has to be implemented in GB.

ADR Laws or Statutes Containing Chapters and Sections on ADR in GB
Arbitration Act, 1940
Section 89- A, CPC 1908
Small Claims and Minor Offences Courts Ordinance 2002
Chapter XVII, Local Government Act 2014

Table 1.3: Formal ADR Laws or Statutes Containing Chapters and Sections on ADR

### An analysis of court pendency and prevalence of ADR in the region

According to the data retrieved from the GB Chief Court, 6,186 cases have been pending before the district judiciary across the region. Similarly, 1,412 cases have been pending before the Chief Court. Out of these 1,412 cases, 1,244 cases are of civil nature. As per the 2017 census data, the total population of GB is 1,492,924. The entire region has a total of 187,500 households. Dividing the total household number by the number of pending cases in the district judiciary, we find that every 30th household experiences delays in court proceedings.

The Judiciary's performance in GB is better than that of Punjab and KP, where every 12th and 14th household experiences court pendency. However, courts in Balochistan and Sindh are the most efficient in disposing of the pending cases. In Balochistan, every 113th household is unable to achieve swift justice. Similarly, the data suggests that every 72nd household in Sindh is experiencing the court's inability to decide its case on time. As mentioned earlier, every community living in GB has formulated various informal forums for dispute settlement. People of GB usually approach these mechanisms more frequently than the courts.

**“We do not prefer going to courts, especially when it is a divorce matter or family case. The courts are not a friendly space for our women. Also, taking our matters to courts means that our privacy gets compromised. Everyone present in the court premises will become aware of an individual's personal matters. So settling disputes in courts is a practice that is not very much appreciated in our culture.”**

**— Civil Society FGD Participant**

The information extracted from most of the participants and officials interviewed suggests that whenever a dispute emerges between individuals, they seek justice through these informal setups first. Multiple reasons, according to FGDs participants and interviewees, shape people's choice of referring informal ADR setups over the formal justice system. The following factors play a significant role when people choose between going to informal ADR facilities or the courts established under the formal justice system:

- Social norms;
- Lack of trust in formal justice system;
- Lawyers' behavior;
- Unnecessary adjournments and the resulting wastage of time and resources of the parties;
- Courts' inability to decide cases on time. The delay in deciding cases drives people back to seek justice by relying on informal ADR setups;
- Lack of sensitization of police, lawyers and judges in the cases of Gender-Based Violence (GBV);
- Lack of conducive environment for women;
- Lack of specialized family courts and judges;
- Corruption, and
- People's weak financial position prevents them from engaging lawyers and seeking justice from the formal courts.



Similarly, people think that the informal ADR establishments are cheaper than the formal courts, speedier in finding a solution for their disputes and ensure a win-win situation for all the disputants. It was also found out during the FGDs that sometimes parties, due to lengthy court procedures, decide to take up their cases to the jirgas or (CAB)<sup>9</sup>.

**“We women do not find courts safe spaces. All actors including judges, police officials, and lawyers are not trained on gender sensitivities. Especially, the rude behaviour of lawyers discourages many women to seek justice through formal courts. Even if a woman braves all social obstacles in the way of justice, the financial costs and lengthy procedures in the courts break her resolve.”**

**—Civil Society FGD Participant**

The discussion held at Regional Conciliation and Arbitration Board (RCAB) Gilgit also confirmed the assertions made above. Because most people prefer going to informal ADR setups whenever they want justice or to correct abuse, it is safe to say that the ADR, in informal form, is the prevalent mode of dispute resolution in GB.



Meeting of LAS delegation with Honourable Chief Judge, Gilgit Baltistan Chief Court

9) In Ismaili community there exists a three-tier hierarchy of dispute resolution mechanism, i.e., Conciliation and Arbitration Board (CAB). The first forum is Local Panel; Regional CAB makes the second tier, and National CAB is the highest forum for dispute settlement. Local Panel reports to RCAB; RCAB reports to NCAB. NCAB, on the other hand, reports to His Excellency Prince Karim Agha Khan. Appointment to these dispute settlement forums is honorary, and His Highness Prince Karim Agha Khan makes the appointments for a period of at least three years and six years maximum. Members of Ismaili community use conciliation and mediation as interchangeable concepts. All the members of these forums need to be trained as mediators before assuming their charge as members of these dispute resolution setups. Normally, the board does not take up criminal cases.

## Prospective Demand for Formal ADR

In the case of GB, a social culture exists in which often times the parties to a dispute and the locals try to reach and facilitate an out-of-court settlement. Given the findings of the FGDs in which virtually every participant pointed out that disputes usually are not taken to court, the above statistical findings suggest that some of the people take their disputes to courts on occasions where they are not satisfied with the decisions of or settlement reached in an informal formal. The number of pending cases across GB's district judiciary and the Chief Court show that the number of people unsatisfied with the informal justice is not low; however, the data of cases obtained from the Chief Court might not represent the actual number of people unsatisfied with the decisions of informal justice setups. This means that when informal efforts of dispute resolution fail, people turn to the formal justice system. Such instances show that people eventually put their trust in the formal justice system's capability to provide them justice.

Moreover, when the participants were asked whether they would prefer a formal ADR mechanism instead of engaging in lengthy court proceedings, 18 out of 19 responded positively. They cited various reasons for preferring a formal ADR setup to informal ones and courts.

**“Settlements reached under such a mechanism will have state backing. It will ensure access to formal justice even for those with insufficient resources. Moreover, such a formal establishment will save time for the disputing parties. In a formal ADR system the facilitator or mediator is required to undergo proper training before helping the litigants reach a settlement. In a non-formal dispute resolution mechanism, natural justice suffers due to the untrained people. Sometimes, the decision-makers coerce the weaker party to enter into a compromise with the stronger party, which is nothing but an abuse of justice.”**

—Civil Society FGD Participant

**“Introducing a formal ADR process will be transparent and fair because the state will monitor it; thus, its accountability will be easy. On the other hand, informal dispute resolution forums cannot be held accountable. Also, the mediators, being professionals, in a formal setup will be better equipped to help the disputants resolve their disputes and differences. Moreover, its working will be different from that of most informal methods of settlement where a jury determines the award and decide the outcome of a case. In a formal mediation, the parties will be the major players in deciding the issues. Lastly, the communities in GB prefer resolving their disputes outside court premises. Thus, formal structures in which they have representation will find more traction with the locals.”**

—Gilgit Baltistan Chamber of Commerce and Industry FGD Participant

It is predicted that the commercial activities and civil interaction between people will significantly increase once CPEC becomes fully operational; naturally, disputes of commercial and civil nature will only multiply. Therefore, intervention in GB to establish a court-annexed mediation mechanism is vital if the goal is to avoid a backlog of the cases, keep the judiciary efficient and attract investment.

Total participants in first FGD	Male Participants	Female Participants
12	08	04

Table 1.4: Gender wise categorisation of participants in the first FGD

Total participants in second FGD	Male Participants	Female Participants
07	06	01

Table 1.5: Gender wise categorisation of participants in the second FGD

Total participants in 2 FGDs	Participants in favour of formal ADR structures	Participants against formal ADR structures
19	18	01

Table 1.6: Distribution of participants on the basis of their preference of ADR type



Group photo of participants of Focus Group Discussion



## Judicial body in charge of notifying Alternate Dispute Resolution Mechanisms

Officials of the GB Chief Court and GBJA were interviewed to identify the relevant judicial body in charge of notifying the ADR mechanisms. According to them, the Chief Court is the relevant authority for the notification of the ADR mechanisms. The Chief Court has the power to issue administrative orders and make necessary rules for its own conduct and that of the subordinate judiciary under section 122 of the CPC.

In the case of Punjab, the LHC, in 2017, notified the establishment of the ADR setups through an administrative order. The LHC issued instructions to the subordinate courts to refer the cases, which could be settled through mediation, to the court-annexed ADR centers. The district judiciary upon the instructions of the LHC started referring cases, under section 89-A of the CPC, to the ADR centres established through an administrative order of the latter.

## Possible route/s to establish state-recognized system of ADR

In the short run, there is no need to bring a legislative change to establish a state-recognized system of ADR. By issuing an administrative order, GB Chief Court, with TORs for ADR, can set up ADR centres across selected districts of the region. As mentioned before, the Code of Civil Procedure, prescribing the procedure for proceedings of the courts in civil cases, contains Section 89-A, which deals with the ADR. The said section of the CPC empowers the courts to refer cases for mediation to ensure speedy dispensation of justice.

Establishing court-annexed ADR centers through Chief Court's administrative order will not be an innovation. The LHC, in 2017, through an administrative order, established court-annexed mediation centers across Punjab.

However, according to senior lawyers of the province, those mediation centers are not working with full force now. They cite two reasons to explain the capitulation of the court-annexed ADR in the province. First, ADR is not on the agenda list of the present Chief Justice of LHC. Second, the ADR system established by the LHC does not have the necessary legislative backing, hence the collapse.

While explaining ADR's failure in Punjab, the senior lawyers referred to the amendments made by the Government of Sindh in the CPC. They maintained that ADR was successful in Sindh because the Provincial Government made the necessary amendments to the CPC, thus protecting ADR with the necessary legislative backing.

The arguments made above bring us to the conclusion that a state-recognized ADR system can be created in GB if the Chief Court issues an administrative notification in this regard. However, it might not prove a sustainable intervention in the longer run. The ideal way to establish a state-recognized ADR mechanism will be by bringing a legislative change.

### **Notifying trained mediators as official mediators**

If mediators are trained and certified, the Chief Court, because it has the same powers as all other High Courts across Pakistan have, can, through an administrative order, notify them as official mediators for facilitating litigants to reach an out of court settlement. Once the Chief Court notifies the mediators, it can issue instructions to the lower judiciary to refer the cases to the official mediators or state-recognized mediation centers, as the case may be. Such procedure was adopted in Punjab, where the LHC established court-annexed ADR centers across all the districts of Punjab and where the LHC would notify trained mediators. GB's superior judiciary, having the powers to issue administrative orders, can be relied upon, at least in the short run, for notification of official mediators. Therefore, it is safe to say that the Chief Court has the power to notify trained mediators, and there is no need to pass legislation in this regard.



## Recommendations:



During the FGDs and interviews conducted, it was gathered that most of the participants and interviewees, including lawyers and judges, could not comprehend how court-annexed mediation worked. Following are a few suggestions that might prove helpful to the donor while intervening in GB:

1. To avoid any confusion and implement successful interventions in this realm, it is essential to focus on the capacity building of the stakeholders on the supply side. Capacity building training of such actors is vital to make them understand the concept of mediation, working of a mediation centre and role of an officially appointed mediator. Furthermore, they will realize that court-annexed mediation is no deviation from or creation of a parallel judicial system.
2. Similarly, on the demand side, public awareness campaigns underscoring benefits of ADR should be run. Such campaigns are essential to influence litigants' preferences when they choose between informal and formal ADR forums for seeking relief or justice.
3. Judges and lawyers must be prioritized for engagement as the key stakeholders on the supply side. They must be made part of the mediation training sessions. In case of Punjab, the data available on the LHC website shows that judges would sit as mediators in the centers, which were established through an administrative order of LHC.
4. In the short to medium run, the programme should engage with the Chief Court to improve proposed rules around ADR, if needed.
5. Considering the complex political economy around ADR, an inclusive consultative process must be undertaken, preferably utilizing the GBJA as a forum to exact the scope of the ADR Rules.
6. In the long run, a legislative cover to an area as complex as ADR is required. Therefore, the programme should engage in advocacy to build momentum around comprehensive law on ADR.

## Political Economy Analysis



### Problem Definition: Non-Prevalence of Formal ADR

- Enabling provision for ADR, i.e., Section 89-A, exists in the CPC. Nevertheless, the courts do not invoke it at all. The lack of rules in Schedule I of the CPC on the conduct of ADR answers the courts' reluctance to invoke Section 89-A.

### Institutional Arrangement: Courts Annexed Mediation Centres

- There exist no institutional arrangements for ADR in GB. Neither the Government nor the Chief Court has established any institutional arrangements where litigants can seek an out-of-court settlement.

### The Lag: Two Explanations

- First, the Chief Court's and subordinate judiciary's caseload is not as high as it is in the courts in other parts of the country. During the interviews with GBJA officials, it is found that there is lack of coordination between the Government and Judiciary on reforms in the justice sector.
- Second, people approach informal dispute resolution mechanisms and setups more often to settle their disputes and issues. As per FGDs' findings, the social culture in the region has evolved such that people deem taking their disputes, especially related to family matters, to courts as exposing themselves to the larger public gaze.

### Stakeholders:

- **Legislation**

Law making is the sole domain of legislature. To avoid ad hocism and achieve long-term sustainability of the ADR Programme in the region, reliance on and collaboration with the legislature is vital.

- **Bar Council**

The bar can either be the most significant proponent or the greatest blocker of the change. Members of GB Bar Council should be made part of any consultation process pertaining to ADR rule making, capacity building and communication campaigning.

- **Judiciary**

Judiciary is responsible for ensuring access to and dispensing justice. The Chief Court has the power to frame rules for regulating its procedure and that of the subordinate judiciary. Judiciary carries the image of a neutral organ of the state; therefore, GBJA can be used as a forum for consultative process and capacity building of the stakeholders.

- **Common Citizens**

They will be the ultimate beneficiary of the process. However, the people do not know anything about formal ADR or court annexed mediation. Therefore, ordinary people must be made aware of the benefits of the court-annexed mediation. They emerge as the crucial players.

### Action: Two Possible Scenarios

- **Short Run:** In the short run, liaison with the Chief Court on establishing court-annexed mediation centers to provide the litigants with formal ADR centers that can facilitate them reaching an out-of-court settlement. GB may not have enough number of judges that can be nominated as mediators. It is, therefore, essential to build a cadre of certified ADR practitioners, including certified lawyers and those who are not trained lawyer but certified as ADR practitioners, which the Chief Court can notify as official mediators through an administrative order.
- **Long Run:** The GB Assembly, especially the incumbent Government, should be taken on board if the intention is to give ADR legislative backing, as done in Sindh through the Sindh Amendment Act 2018.



LAS meeting with Aga Khan Regional Conciliation and Arbitration Board, Gilgit.



## Conclusion:



Summing up the discussion, it is evident that there is enough demand for a formal ADR setup in GB. The socio-economic realities of the region are changing very swiftly. Especially with CPEC becoming fully operational, an increase in litigation is natural. Therefore, the desire to work on creating a formal ADR setup in the select districts of GB is not only prudent but also welcome. Engagements with GB's higher Judiciary and Government are vital if sustainability of the formal ADR mechanism is the goal.



LAS delegation visit to Gilgit Baltistan Judicial Academy

## Annexures

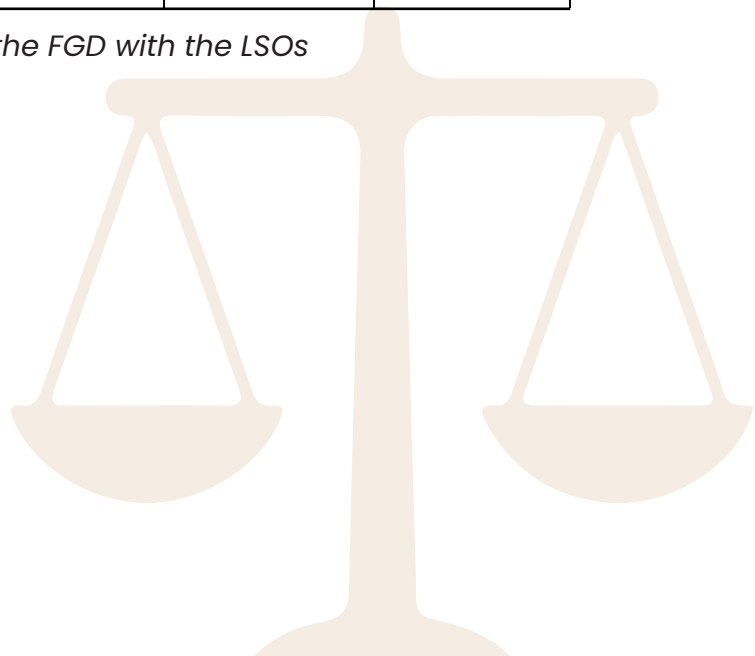


### Annex I

S.No	Participant Name	Participant Gender	District	Organization	Designation
1	Abbas Ali	Male	Nagar	Rakaposhi Local Support Organization	Vice Chairman
2	Amanullah Khan	Male	Gilgit	Nomal Valley Development Organization	Chairman
3	Israr-ud-Din	Male	Gilgit	Human Rights Commission of Pakistan (GB)	Regional Coordinator
4	Karim Khan Barcha	Male	Hunza	Golden Jubilee Local Support Organization	Chairman
5	Malik Abrar	Male	Gilgit	Damote Local Support Organization	Vice Chairman
6	Manzoor	Male	Gilgit	Damote Local Support Organization	Secretary
7	Salman	Male	Gilgit	Damote Local Support Organization	Finance Secretary

S.No	Participant Name	Participant Gender	District	Organization	Designation
8	Noor-ul-Ain	Female	Gilgit	Pakistan Red Crescent Society GB	Provincial Secretary
9	Parveen Ali Jan	Female	Gilgit	Himalayan Grassroot Women Organization	Chairperson
10	Rehana	Female	Gilgit	PEN (Community Support Organization)	Member
11	Navida Akhtar	Female	Gilgit	Danyore Local Support Organization	Member
12	Sartaj Aziz	Male	Gilgit	Karakoram Law College Gilgit	Faculty Member

*List of participants in the FGD with the LSOs*





## Annex II

S.No	Participant Name	Participant Gender	District	Organization	Designation
1	Ishfaq Ahmed	Male	Gilgit	Gilgit Baltistan Chamber of Commerce & Industry	President
2	Lubna Shaheen	Female	Gilgit	Gilgit Baltistan Chamber of Commerce & Industry	General Secretary
3	Ajmal Khan	Male	Gilgit	Gilgit Baltistan Chamber of Commerce & Industry	Executive Member
4	Imran Ali	Male	Hunza	Gilgit Baltistan Chamber of Commerce & Industry	Executive Member
5	Muhammad Majeed	Male	Gilgit	Gilgit Baltistan Chamber of Commerce & Industry	Executive Member
6	Shahid Ali	Male	Gilgit	Gilgit Baltistan Chamber of Commerce & Industry	Executive Member
7	Ikhtlaq Ahmed	Male	Gilgit	Gilgit Baltistan Chamber of Commerce & Industry	Executive Member

*List of participants in FGD with GB Chamber of Commerce and Industry Trade*

## Annex III

S. No	Interviewee	Designation	Department
1	Mr. Ali Baig	Chief Judge	Chief Court
2	Mr. Malik Inayat ur Rehman	Judge	Chief Court
3	Mr. Johar Ali	Judge	Chief Court
4	Mr. Raja Shakeel Ahmed	Judge	Chief Court
5	Mr. Ghulam Abbas Chopa	Registrar	Registrar Chief Court
6	Mr. Raja Mirza Karim	Deputy Director	Local Government Department
7	Mr. Rahim Gul	Secretary	Law and Justice Department
8	Ishaq Hussain	SHO Baseen Police Station	Police
9	Khanjar Khan	Chairman	Regional Conciliation And Arbitration Board (RCAB) (Gilgit)
10	Sher Karim	Member	National Conciliation And Arbitration Board (NCAB) (Pakistan)
11	Naeemullah Khan	President	Aga Khan Regional Ismailia Council for Gilgit

*List of interviewees with their designations and departments*

## Consolidated ADR Report From 01.06.2017 till 01.02.2019

Sr. No.	Name of District	Name of Mediators	References Received	Category of Cases Referred							Reference Sent Back due to Absence of Parties	No. of References in which Mediation Failed	No. of References Mediated Successfully	
				Criminal Case	Civil Case	Family Case	Guardian Case	Rent Case	WAPDA, WASA etc, PTCL, SNGPL	Appeals				Others
1	Attock	Mr. Muhammad Asif, Civil Judge/Mediator Attock	418	33	69	222	6	10	7	46	24	83	130	232
2	Bahawalnagar	Mr. Muhammad Riaz, Civil Judge 1st Class	1381	231	298	376	3	0	123	11	61	210	265	600
3	Bahawalpur	Mr. Shahzad Akhtar Civil Judge Class-II	323	46	49	136	9	2	61	2	10	9	97	206
4	Bhakkar	Mr. Akhtar Ali, Civil Judge 1st Class/Magistrate Sec-30	534	106	45	333	14	0	3	28	2	44	135	352
5	Chakwal	Mr. Umer Nawaz Warrach, Civil Judge Class-II	642	1281	1159	943	0	12	0	133	779	57	160	352
6	Chiniot	Mr. Muhammad Ali Qadafi, Senior Civil Judge (Guardian)	469	130	99	172	4	0	10	11	18	41	74	334
7	D.G.Khan	Mr. Ghulam Asghar Rizvi, Civil Judge 1st Class	473	155	156	91	1	0	26	7	10	94	82	273
8	Faisalabad	Mr. Raja Aamer Aziz Civil Judge 1st Class, Magistrate Sec-30	1172	539	186	352	52	14	0	3	27	51	106	984
9	Gujranwala	Mr. Muhammad Zeeshan, Civil Judge Class-I	763	332	131	329	26	0	1	12	0	95	105	559
10	Gujrat	Mr. Muhammad Shoaib Adeel, SCJ (Admin)	471	130	143	156	14	5	4	0	17	37	34	383
11	Hafizabad	Mr. Parvez Iqbal, Civil Judge Class-II, Hafizabad	1241	70	309	138	4	6	308	20	19	211	51	581
12	Jhang	Mr. Qamar Abbas, Civil Judge Class-I, Phadi Bhattian	102	0	0	1	0	55	48	0	0	20	1	89
13	Jhelum	Mr. Shahzada Kamran, Civil Judge-I	597	154	177	163	9	3	59	5	23	121	136	334
14	Kasur	Mr. Najam Ayub, Civil Judge 1st Class	1093	214	341	288	13	2	28	105	109	212	214	656
15	Khanewal	Mr. Awais Rehmat, Civil Judge Class-II Rizwan Ahmad, Civil Judge Class II	3836 1144	77 102	1657 244	87 168	6 2	0 1	752 336	11 31	10	1229	7	1233
16	Khushab	Mr. Aurang Zeb, Civil Judge Class II	360	63	257	387	7	0	0	2	9	29	85	238
17	Lahore	Mr. Tajammul Shahzad Ch.	299	21	42	60	14	1	4	0	115	54	38	127
18	Lahore	Salman Asif, Civil Judge Class II, Lahore	405	18	72	142	53	4	3	4	51	80	58	169
19	Lahore	Nabita Aamir, Civil Judge 1st Class, Lahore	388	18	72	118	33	0	0	2	84	62	38	165
20	Layyah	Mr. Muhammad Irfan, Civil Judge Class-II	244	131	134	356	12	2	0	30	8	1	95	116
21	Lodhran	Hafiz Muhammad Obaid, Civil Judge Class-II	1670	527	380	585	2	0	10	40	80	683	273	634
22	M.B.Din	Ms. Farzana Farman Kausar	266	97	76	24	3	3	3	6	39	24	68	146
23	Mianwali	Mr. Muhammad Imran Ashraf, Civil Judge Class-II	838	314	256	294	8	6	0	47	62	97	148	486
24	Muzaffargarh	Mr. Barkat Ali, Civil Judge 1st Class	2719	32	142	42	11	0	762	0	0	300	343	105
25	Nankana	Mr. Riaz Ahmad Khan, Civil Judge, 1st Class Mrs. Muqhaira Munavar, Civil Judge Class-I, Nankana Sahib	405 470	99 99	297 113	548 113	56 0	0	143 116	6 7	83 2	155 17	65	119
26	Narowal	Ms. Saima Yaqoob, Civil Judge Class-I	1232	111	174	307	29	1	260	14	68	168	73	716
27	Okara	Mr. Zaher Ahmad, Civil Judge Class-I, Magistrate Sec-30	784	36	204	187	14	3	349	3	6	195	69	525
28	Pakpattan	Ms. Rukhsana Amin, Civil Judge 1st Class	1134	134	432	42	0	0	0	1	5	11	377	401
29	Rajkhan	Mr. Muhammad Rafiq, Civil Judge Class-II, Magistrate 1st Class	433	133	144	101	5	2	0	8	40	114	30	295
30	Rawalpindi	Rai Muhammad Raza Sher, Civil Judge Class-II, Magistrate 1st Class Mr. Ahmad Shahzad Gondal, Civil Judge 1st Class	886 301	118 103	66 59	130 87	0 2	0 35	0 0	147 9	2	139	90	231
31	Sahiwal	Mr. Muhammad Arshad Hashmi, Civil Judge Class II, Sahiwal	403	12	58	171	12	0	128	3	11	131	94	175
32	Sargodha	Mr. Yasir Hafeez Awan, Civil Judge 1st class/Magistrate Sec-30	395	183	95	122	6	1	0	3	12	43	61	329
33	Sheikhupura	Rana Khalid Mehmood, Civil Judge, Class-I	917	78	141	86	11	0	255	6	3	131	83	238
34	Stalkot	Ch. Shahid Hameed SCJ (Admin)	645	41	192	219	16	20	136	19	17	56	123	198
35	T.T.Singh	Mr. Abid Islam Korhiana, Civil Judge 1st Class	305	29	95	151	13	0	0	12	10	37	54	210
36	Vehari	Mr. Kashif Pasha, Civil Judge Class-I	580	144	107	152	13	0	27	4	79	51	32	446
<b>Total</b>			<b>30688</b>	<b>6261</b>	<b>8627</b>	<b>8379</b>	<b>483</b>	<b>188</b>	<b>4109</b>	<b>651</b>	<b>1901</b>	<b>5103</b>	<b>4296</b>	<b>14239</b>




## Gilgit Baltistan Chief Court


Monthly Consolidated Pendency Report For The Month April 2022

S/No.	COURTS	TOTAL
1	District & Sessions Court Gilgit	322
2	District & Sessions Court Skardu	101
3	District & Sessions Court Diamer	324
4	District & Sessions Court Ghizer	58
5	District & Sessions Court Ghanche	6
6	District & Sessions Court Astore	44
7	District & Sessions Court Hunza	63
8	Addl. District & Sessions Court Gilgit	289
9	Addl. District & Sessions Court Skardu	65
10	Addl. District & Sessions Court Nagar	61
11	Addl. District & Sessions Court Diamer	266
12	Addl. District & Sessions Court Shigar	39
13	Addl. District & Sessions Court Kharmang	15
14	Senior Civil Judge, Gilgit	494
15	Senior Civil Judge, Skardu	296
16	Senior Civil Judge, Khaplu	48
17	Senior Civil Judge, Astore	130
18	Senior Civil Judge, Chilas	597
19	Senior Civil Judge, Ghizer	389
20	Civil Judge, Gilgit I	472
21	Civil Judge, Gilgit II	14
22	Civil Judge, Gilgit III	277
23	Civil Judge, Skardu	337
24	Civil Judge, Shigar	130
25	Civil Judge, Mashabrum	23
26	Civil Judge, Daghoni	28
27	Civil Judge, Kharmang	36
28	Civil Judge, Roundu	131
29	Civil Judge, Darel	189
30	Civil Judge, Tangir	0
31	Civil Judge, Gupis Yasin	203
32	Civil Judge, Juglote	197
33	Civil Judge, Danyore	218
34	Civil Judge, Shounter	48
35	Civil Judge, Hunza	141
36	Civil Judge, Nagar	135
<b>GRAND TOTAL</b>		<b>6186</b>

*Source: Office of the Registrar, Chief Court Gilgit Baltistan*

 <b>Principal Seat Gilgit</b> Category Wise Pendency Report		
Sr #	Case Category	Total
1	CM	460
2	CM Independent	0
3	Civil First Appeal	82
4	Civil Revision	147
5	Civil Second Appeal	2
6	Civil Suit	16
7	Contempt Of Court	15
8	Criminal Appeal	54
9	Criminal Miscellaneous	56
10	Criminal Revision	14
11	Diary Number	0
12	Election Petition	4
13	Murder Reference	11
14	Objection Case	0
15	Office Objection	0
16	Writ Petition	270
<b>Total :</b>		<b>1131</b>

Source: Office of the Registrar, Chief Court Gilgit Baltistan

 <b>Skardu Registry</b> Category Wise Pendency Report		
Sr #	Case Category	Total
1	CM	105
2	CM Independent	0
3	Civil First Appeal	25
4	Civil Revision	88
5	Civil Second Appeal	4
6	Civil Suit	0
7	Contempt Of Court	0
8	Criminal Appeal	4
9	Criminal Miscellaneous	12
10	Criminal Revision	2
11	Diary Number	0
12	Election Petition	0
13	Murder Reference	0
14	Objection Case	0
15	Office Objection	0
16	Writ Petition	41
<b>Total :</b>		<b>176</b>

Source: Office of the Registrar, Chief Court Gilgit Baltistan

<b>Sr #</b>	<b>Gilgit Baltistan Chief Court Consolidated Pendency Report</b>	<b>Total</b>
1	CM	565
2	CM Independent	0
3	Civil First Appeal	107
4	Civil Revision	235
5	Civil Second Appeal	6
6	Civil Suit	16
7	Contempt Of Court	15
8	Criminal Appeal	58
9	Criminal Miscellaneous	68
10	Criminal Revision	16
11	Diary Number	0
12	Election Petition	4
13	Murder Reference	11
14	Objection Case	0
15	Office Objection	0
16	Writ Petition	311
<b>Total</b>		<b>1412</b>

*Source: Office of the Registrar, Chief Court Gilgit Baltistan*



**Statement of cases Pending, Institution and Disposal during the period  
from 1-1-2021 to 31-12-2021 in the Superior Courts and District Judiciary of Pakistan**

<b>Name of Courts</b>	<b>Pendency on 1-1-2021</b>	<b>Institution during 1-1-2021 to 31-12-2021</b>	<b>Disposal during 1-1-2021 to 31-12-2021</b>	<b>Balance on 31-12-2021</b>
Supreme Court of Pakistan	46695	18075	12838	51766
Federal Shariat Court	178	118	139	157
Lahore High Court	188176	148436	149362	187255
High Court of Sindh	81684	34065	31750	84104
Peshawar High Court	41042	23941	20528	44703
High Court of Balochistan	4194	7182	7287	4108
Islamabad High Court	16247	9433	7918	17456
	<b>378216</b>	<b>241250</b>	<b>229822</b>	<b>389549</b>
District Judiciary Punjab	1372879	2826774	2904745	1313669
District Judiciary Sindh	115815	346109	344701	117790
District Judiciary KPK	230869	500417	475927	256873
District Judiciary Balochistan	16034	59289	59652	15675
District Judiciary Islamabad	48229	90292	87661	50940
	<b>1783826</b>	<b>3822881</b>	<b>3872686</b>	<b>1754947</b>
<b>Grand Total</b>	<b>2162042</b>	<b>4064131</b>	<b>4102508</b>	<b>2144496</b>

\* The difference is reported due to transfer, re-opening/restoration, remand and in case where leave to appeal is granted.

Source: <http://ijcp.gov.pk/nijcp/assets/dist/Publication/AR2020.pdf>



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