

TO BE PUBLISHED IN THE NEXT ISSUE  
OF BALOCHISTAN GAZETTE.

BALOCHISTAN PROVINCIAL ASSEMBLY SECRETARIAT.

**NOTIFICATION.**

Dated Quetta, the 16<sup>th</sup> February, 2021.

**No.PAB/Legis:V(01)/2021.** The Balochistan District Judiciary Bill, 2021(Bill No.01 of 2021), having been passed by the Provincial Assembly of Balochistan on 1<sup>st</sup> February, 2021 and assented to by the Governor Balochistan on 15<sup>th</sup> February,2021 is hereby published as an Act of the Balochistan Provincial Assembly.

**THE BALOCHISTAN DISTRICT JUDICIARY ACT No. I of 2021.**

**AN  
ACT**

to control and supervise the Courts, subordinate to High Court and to regulate the appointment of persons to, and the terms and conditions of service of persons in the service of District Judiciary.

***Preamble.***

***WHEREAS*** Part-VII of the Constitution is prefaced with the nomenclature “*the Judicator*” that clearly envisages that the Judiciary is the one and a single ladder;

***WHEREAS*** keeping in view the scheme of the Constitution of Islamic Republic of Pakistan (1973) and Objectives Resolution, now integral part of the Constitution by way of Article 2A thereof, and the command contained in sub-Article (3) of Article 175 of the Constitution, complete separation of Judiciary from the Executive, right from the lower tier, is expedient;

***WHEREAS*** independence of Judiciary, being a salient feature of the Constitution, is inextricably linked and connected with the process of appointment of Judicial Officers and staff of the subordinate Courts and the security of their tenure and other terms and conditions of their service including disciplinary matters;

***WHEREAS*** it is expedient to ensure effective, comprehensive and exclusive superintendence, administrative control and supervisory jurisdiction of the High Court of Balochistan over subordinate Courts as envisaged in Article 203 of the Constitution;

**WHEREAS** Article 240 read with Article 260 of the Constitution *inter alia* provides that conditions of service of a person in the service of Pakistan shall be determined in the case of services of a Province and posts in connection with the affairs of a province, by or under Act of the Provincial Assembly; and

**WHEREAS** Article 212 of the Constitution enables the Provincial Assembly to provide by Act for the establishment of a Service Tribunal to exercise exclusive jurisdiction in respect of matters relating to the terms and conditions of persons who are or have been in the service of Pakistan, including disciplinary matters;

**AND WHEREAS** the Provincial Assembly is enabled to enforce the command of Constitution as set out in its Article 2A 175(3), 203, 212, 240 and 260, inclusive of other collateral provisions, by legislating and promulgating an Act.

**NOW THEREFORE**, to independently supervise and control the Courts, subordinate to High Court and to regulate by law, the appointment of persons to, and the terms and conditions of service of person in, the service of Balochistan District Judiciary, including establishment of Service Tribunal and to provide for matters connected therewith or ancillary thereto;

**It is hereby enacted as follows:-**

***Short title,  
application  
and  
commencement***

1. (1) This Act may be called the Balochistan District Judiciary Act, 2021.

(2) It shall apply to the Courts and persons in Service of Balochistan District Judiciary.

(3) It shall come into force at once.

**Chapter-I  
Preliminary**

***Definitions***

2. (1) In this Act unless there is anything repugnant in the subject or context:

(1) “**Act**” means the Balochistan District Judiciary Act, 2021;

- (2) **“Administration Committee”** means the Committee constituted by the Chief Justice.
- (3) **“Appointment on Contract basis”** means appointment made for a specified period in accordance with the prevailing Rules;
- (4) **“Cadre”** means the strength of the Service or part of the Service sanctioned as a separate unit consisting of a certain number of posts;
- (5) **“Chief Justice”** means the Chief Justice, and includes the Judge for the time being acting as Chief Justice, of the High Court of Balochistan under Article 196 of the Constitution;
- (6) **“Constitution”** means the Constitution of Islamic Republic of Pakistan, 1973;
- (7) **“Court”** means any Court, subordinate to High Court within the meaning of Article 203 of the Constitution, namely the Courts of:
- (i) District & Sessions Judge;
  - (ii) Additional District and Sessions Judge;
  - (iii) Assistant Sessions Judge;
  - (iv) Senior Civil Judge;
  - (v) Civil Judge;
  - (vi) Judicial Magistrate;
  - (vii) Member, Majlis-e-Shoora;
  - (viii) Qazi; and
  - (ix) Any other special Court established by the Provincial Government under any statute including Family Court, Labour Court, Juvenile Court, Consumer Court, Rent Controller, Anti-Corruption Court, Provincial Anti-Terrorism Court and any other Court that may be established by statute at any time.
- (8) **“Code”** means the Code of Criminal Procedure, 1998;
- (9) **“Dastoor”** means Dastoor-ul-Amal Diwan-i-Kalat, 1952;
- (10) **“Government”** means the Government of Balochistan;
- (11) **“High Court”** means the High Court of Balochistan;
- (12) **“initial appointment”** means appointment made otherwise than by promotion or transfer;

(13) **“Judge”** means a Judge of the High Court;

(14) **“Judicial Officer”** means District & Sessions Judge, Additional District and Sessions Judge, Assistant Sessions Judge, Senior Civil Judge, Civil Judge; Judicial Magistrate, Qazi, Member, Majlis-e-Shoora or Presiding Officer of any special Court established by the Provincial Government under any statute;

(15) **“Member”** means the Member of the Tribunal;

(16) **“Person in Service”** means a Judicial Officer or staff working in any subordinate Court, wherever he may be, but does not include any person:

(i) who has been posted on deputation in the Balochistan District Judiciary; or

(ii) who is employed on contract, or on work charged basis, or who is paid from contingencies.

(17) **“Officiate”** means temporary appointment of a person in Service, holding substantive post in next below rank, to a substantive post in higher rank on which another person in Service retains lien, if such post may remain vacant for a period exceeding six months;

(18) **“Ordinance”** means the Balochistan Civil Courts Ordinance, 1962;

(19) **“Pay”** means the amount drawn monthly by a member of Service as pay and includes technical pay, special pay, personal pay and any other emoluments declared by the prescribed authority to be pay;

(20) **“Permanent Post”** means a post sanctioned without limit of time;

- (21) **“Post”** means a post specified in Section 3 of the Act and includes any post in connection with the affairs of Balochistan District Judiciary to be specified in prescribed manner;
- (22) **“Prescribed”** means prescribed by rules;
- (23) **“Referee Member”** means Member appointed under Section 24(2) of the Act;
- (24) **“Rules”** means rules made or deemed to have been made under this Act;
- (25) **“Selection Authority”** means the ‘Authority’ prescribed by the Rules made under this Act;
- (26) **“Service”** means, any service, post or office in connection with the affairs of the Balochistan District Judiciary;
- (27) **“Service of Pakistan”** means the Service of Pakistan as defined in Article 260 of the Constitution read with Article 240 thereof;
- (28) **“Staff”** means the ministerial staff of the Courts subordinate to High Court;
- (29) **“Temporary Post”** means a post other than a permanent post; and
- (30) **“Tribunal”** means a Tribunal constituted under Section 23 of the Act.

***Constitution and composition of Service.***

3. (1) Immediately on the commencement of this Act, there shall stand constituted a Service to be called “Balochistan District Judiciary Service”.
- (2) The Service shall consist of the posts of:
- (a) Judicial Officers who were in the erstwhile Subordinate Judiciary as set out in Part I of the Schedule; and
- (b) staff in the erstwhile Subordinate Judiciary as set out in the in Part II of the Schedule; and
- (c) Judicial Officers and the staff appointed after commencement of this Act and rules made there-under.

(d) *the* Chief Justice shall have powers to declare any person to be in the Service, create new post(s) and abolish old post(s), upgrade or downgrade any post(s) and change nomenclature of any post(s) in the prescribed manner.

## **Chapter-II**

### **Terms and Conditions of Service of members of Service**

***Terms and conditions of Service.***

**4.** The terms and conditions of service of Judicial Officer and Staff shall be as provided in this Act and prescribed in the rules.

***Appointments.***

**5.** Appointments to the posts in the Service shall be made, in the prescribed manner, by the Chief Justice or by a person authorised by him in that behalf.

***Probation.***

**6. (1)** An initial appointment to a post in the Service, shall be on probation as may be prescribed.

(2) Any appointment of a person in Service by promotion or transfer to a post in the Service may also be made on probation as may be prescribed.

(3) Where, in respect of any post in the Service, the satisfactory completion of probation includes the passing of a prescribed examination, test or course or successful completion of any training, a person in service appointed on probation to post who, before the expiry of the original or extended period of his probation, has failed to pass such examination or test or to successfully complete course or the training shall, except as may be prescribed otherwise:

(a) if he was appointed to such post by initial recruitment, be discharged; or

(b) if he was appointed to such post by promotion or transfer, be reverted to the service or post from which he was promoted or transferred, as the case may be, and against which he holds a lien or, if there be no such service or post, be discharged:

Provided that, in the case of initial appointment to a post in the Service, a person in Service shall not be deemed to have completed his period of probation satisfactorily until his character and antecedents have been verified as satisfactory in the opinion of the appointing authority.

**Confirmation.**

7. (1) A person appointed on probation against a post in the Service shall, on satisfactory completion of his probation, be eligible for confirmation in such post as may be prescribed.

(2) A person in Service promoted to a post on regular basis shall be eligible for confirmation in such post as may be prescribed.

(3) There shall be no confirmation against any temporary post.

(4) A person in Service who, during the period of his service was eligible to be confirmed against any post in the Service, retires from service before being confirmed shall not, merely by reason of such retirement, be refused confirmation in such post or any benefits accruing there-from.

(5) Confirmation of a person in Service against a post in the Service shall take effect from the date of availability of permanent vacant post or from the date of continuous officiation in such post, whichever is later.

**Seniority.**

8. (1) For proper administration of the Service, the appointing authority shall cause a seniority list of the persons in Service for the time being of such cadre to be prepared, but nothing therein contained shall be construed to confer any vested right to a particular seniority in such cadre.

(2) Subject to the provisions of sub-section (1) the seniority of a person in Service shall be reckoned in relation to other persons in Service belonging to the same cadre, as may be prescribed.

(3) Seniority on initial appointment to a post in the Service shall be determined as may be prescribed.

(4) Seniority in the higher post in a cadre to which a person in Service is promoted shall take effect from the date of regular appointment to such post:

Provided that persons in Service who are selected for promotion to a higher post, in one batch shall, on their promotion to the higher post, retain their *inter se* seniority as may be prescribed.

**Promotion.**

9. (1) A person in Service possessing such minimum qualifications as may be prescribed shall be eligible for promotion to a higher post in the Service for the time being reserved in prescribed manner for departmental promotion in the cadre to which he belongs.

(2) A post referred to in sub-section (1) may either be a selection post or a non-selection post to which promotion shall be made in the manner as may be prescribed.

**Posting and transfer.**

10. (1) Every person in Service shall be liable to serve anywhere within or outside the Province of Balochistan in any Court, High Court Establishment(s) or on the post as required by the concerned statute.

Provided that nothing contained in this section shall apply to a person in Service recruited specifically to serve in a particular area or region;

Provided further, that where a person in Service is required to serve in a post outside his service or cadre, his terms and conditions of service as to his pay shall not be less favourable than those to which he would have been entitled if he had not been so required to serve.

**Services of certain members of Service liable to be dispensed with.**

11. (1) The services of a person in Service may be dispensed with:

- (a) on thirty days' notice or pay in lieu thereof, during the initial or extended period for his probation, if appointed on regular basis by the method of initial recruitment; or
- (b) on fourteen days' notice or pay in lieu thereof, on the expiry of the initial or extended period of his appointment, if appointed on contract; or
- (c) on fourteen days' notice or pay in lieu thereof, if the appointment is made *ad hoc* terminable on the regular appointment of a person in the prescribed manner, on the regular appointment of such person:

Provided that the services of no such person in Service, specified in clauses (a), (b) and (c), shall be dispensed with on the allegation of misconduct unless he is afforded with reasonably opportunity of being heard in person or holding inquiry, as may be prescribed.

Provided further that the services of a person in Service, if appointed by the method of promotion, or transfer from one service, cadre or post to another service, cadre or post, shall not be so dispensed with so long as he holds a lien against his former post in such service or cadre, but he shall be reverted to his former service, cadre or post, as the case may be, without notice.

(2) In the event of a post being abolished or number of posts in a cadre being reduced, the services of no person in Service shall be dispensed with and the most junior person/s shall be rendered surplus:

Provided that any person in Service who is rendered surplus as such may be appointed to a post, carrying basic pay scale equal to the post held by him before such appointment, if he possesses the qualifications and fulfills other conditions applicable to that post;

Provided further that where no equivalent post is available he may be offered a lower post in such manner, and subject to such conditions, as may be, and where such person in Service is appointed to a lower post the pay being drawn by him in the higher post immediately preceding his appointment to a lower post shall remain protected;

Provided also that where such person in Service does not accept any post offered to him, his services shall be dispensed with on thirty days' notice or pay in lieu of such notice.

***Retirement from service.***

**12.** (1) A person in Service shall retire from service:

(a) on such date after he has completed twenty five years of service qualifying for pension or other retirement benefits as the prescribed competent authority may, in public interest, direct; or

(b) where no direction is given under clause (i), on the completion of the sixtieth year of his age.

(2) No direction under clause (a) of sub-section (b) shall be made until the member of Service has been informed in writing of the grounds on which it is proposed to make the direction, and has been given a reasonable opportunity of showing cause against the said direction.

(3) A person in Service may, on completion of 25 years' service, voluntarily opt for retirement from service and prescribed authority may, in his discretion, allow such option.

Provided that no person in Service may opt for such retirement against whom an inquiry is pending or who is willfully absent from duty.

***Explanation:*** In this section, 'competent authority' means the Appointing Authority prescribed in the rules.

***Employment  
after retirement.***

**13.** (1) A retired person in Service shall not ordinarily be re-employed in the Service, unless such re-employment is necessary in the public interest and is made with the prior approval of the authority next above the appointing authority:

Provided that, where the appointing authority is the Chief Justice, such re-employment may be ordered with the approval of the Chief Justice.

(2) A person in Service may, during leave preparatory to retirement, or after retirement from Service, seek any private employment:

Provided that, where employment is sought by a member of Service while on leave preparatory to retirement or within two years of the date of his retirement, he shall obtain the prior approval of the prescribed authority.

(3) Retirement from service, in public interest or on the option of a person in Service, shall neither amount to a penalty carrying with it stigma nor would such retirement disqualify him from future employment elsewhere or holding a public house.

***Conduct.***

**14.** The conduct of a person in Service shall be regulated by rules made, or instructions issued, by the Chief Justice or a prescribed authority, whether generally or in respect of a specified group or class of person in Service.

***Efficiency and  
discipline.***

**15.** A person in Service shall be liable to prescribed disciplinary action and penalties in accordance with the prescribed procedure, as set out in the Rules made under this Act.

***Arrest and  
prosecution in  
criminal case.***

**16.** (1) No Judicial Officer shall be arrested for any offence without prior intimation and prosecuted without prior sanction of the High Court/competent authority.

(2) Where the facts and circumstances necessitate the immediate arrest of a Judicial Officer, a technical or formal arrest may be affected. And in such case, the fact of such arrest should be immediately communicated to the Chief Justice of the High Court.

(3) There should be no handcuffing of a Judicial Officer. If, however, violent resistance to arrest is offered or there is imminent need to effect physical arrest in order to avert danger to life and limb, the person resisting arrest may be overpowered and handcuffed. In such case, immediate report shall be made to the concerned

District & Sessions Judge or the Registrar of the High Court, as the case may be. But the burden would be on the Law Enforcement Agency to establish necessity of affecting physical arrest and handcuffing the Judicial Officer and if it be establish that the physical arrest and handcuffing of the Judicial Officer was unjustified, the Officer(s) causing or responsible for such arrest and handcuffing would be personally liable for the act.

(4) Immediate facilities shall be provided to the Judicial Officer to communicate with his family members, legal advisors and Judicial Officers, including the District & Sessions Judge.

(5) No statement of a Judicial Officer who is under arrest be recorded nor any proceedings be drawn up nor any medical tests be conducted except in presence of the Legal Advisor of the Judicial Officer concerned or another Judicial Officer of equal or higher rank, if available.

***Pay.***

**17.** Every person in Service appointed to a post in the Service shall be entitled, in accordance with the rules, to the pay sanctioned for such post:

Provided that where a person in Service has, under an order which is later set aside, been dismissed or removed from service or reduced in rank, he shall, on the setting aside of such order be entitled to such arrears of pay as the authority setting aside such order may determine.

***Leave.***

**18.** A person in Service shall be allowed leave as may be prescribed from time to time, provided that the grant of leave will depend on the exigencies of service and be at the discretion of the Chief Justice or any other authority designated by him as such, to grant leave or otherwise.

***Pension and gratuity.***

**19. (1)** On retirement from service, a person in Service shall be entitled to receive such pension, or gratuity, as may be prescribed.

(2) In the event of the death of person in Service, whether before or after retirement, his family shall be entitled to receive such pension, or gratuity, or both, as may be prescribed.

(3) No pension shall be admissible to a person in of Service who is dismissed or removed from service for reasons of discipline, but the Chief Justice or prescribed authority may sanction compassionate allowance to such a person in Service, not exceeding two-thirds of the pension or gratuity which would have been admissible to him had he not been invalidated from service on the date of such dismissal or removal.

(4) If the determination of the amount of pension or gratuity admissible to a person in Service is delayed beyond one month of the date of his retirement or death, he or his family, as the case may be shall be paid provisionally such anticipatory pension or gratuity as may be determined by the prescribed authority, according to the length of service of a person in Service which qualifies for pension or gratuity; and any overpayment consequent on such provisional payment shall be adjusted against the amount of pension or gratuity finally determined as payable to such person in Service or his family.

***Provident Fund*** 20. (1) Before the expiry of the third month of every financial years, the officer of the High Court required to maintain provident fund accounts shall furnish to every person in Service subscribing to a provident fund the account of which he is required to maintain, a statement under his hand showing the subscriptions to, including the interest accruing thereon, if any, and withdrawals or advances from, his provident fund during the preceding financial year.

(2) Where any subscription made by a person in Service to his provident fund has not been shown or credited in the account, such subscription shall be credited to the account of a person in Service on the basis of such evidence as may be prescribed.

***Benevolent Fund and Group Insurance.*** 21. (1) All persons in Service and their families shall be entitled to the benefits of Benevolent Fund and Group Insurance, as may be prescribed.

***Right of appeal or representation.*** 22. (1) Where a right to prefer an appeal or review in respect of any order relating to the terms and conditions of his service is provided to a person in Service under any rules applicable to him, such appeal or application shall, except as may be otherwise prescribed, be made within thirty days of the date of such order.

(2) Where no provision for appeal or review exists under the rules in respect of any order or class of orders, a person in Service aggrieved by any such order may, within thirty days of the communication to him of such order, make a representation against it to the authority next above the authority which made the order:

Provided that no representation shall lie on matters relating to the determination of fitness of a person to hold a particular post.

### **Chapter-III**

#### **Tribunal**

***Establishment of the Tribunal.*** 23. (1) The Chief Justice may, by Notification in the Official Gazette, establish one or more Tribunals to be called "Balochistan District Judiciary Service Tribunal" in respect of the Judicial Officers and Staff in Service, which shall have exclusive jurisdiction in respect of the matters relating to the terms and conditions of the persons in Service, including disciplinary matters.

***Constitution of the Tribunal.*** 24. (1) A Tribunal shall consist of:

- (a) two Members each of whom is a sitting Judge of the High Court of Balochistan; and
- (b) a Referee Member, who is the sitting Judge of the High Court of Balochistan

(2) If a Tribunal is unable to arrive at a unanimous decision, on account of difference of opinion, in an appeal, the matter shall be placed before the Chief Justice, who shall appoint a Referee Member, whose decision shall be final.

(3) Where for any reason, a Member(s) of a Tribunal is/are unable to hear any appeal; the matter shall be placed before the Chief Justice for appropriate orders.

***Appeals to  
Tribunals.***

**25.** (1) Any person in Service aggrieved by any final order, whether original or appellate, made by authority in respect of any of the terms and conditions of his service may, within thirty days of the communication of such order to him, prefer an appeal to the Tribunal having jurisdiction in the matter:

Provided that:

- (a) where an appeal, review or representation to an authority is provided under any law or any rules against any such order, no appeal shall lie to the Tribunal unless the aggrieved person in Service has preferred an appeal or application for review or representation to such authority and a period of ninety days has elapsed from the date on which such appeal, application or representation was so preferred; and
- (b) no appeal shall lie to the Tribunal against an order or decision of an authority determining:
  - (i) the fitness or otherwise of a person to be appointed to or hold a particular post; or
  - (ii) the quantum of punishment or penalty imposed on a person in Service as a result of an inquiry, except where the penalty imposed is dismissal from service, removal from service or compulsory retirement.

***Explanation:*** In this section "authority" means any authority, other than the Tribunal, which is competent to make an order in respect of any of the terms and conditions of persons in Service.

***Review.***

**26.** (1) The Tribunal shall have the power to review its final order on a review petition filed by an aggrieved party within thirty days of the order on the following grounds, namely:

- (a) discovery of new and important matter or evidence which, after exercise of due diligence, was not within knowledge of the petitioner or could not be produced by him at the time when the order was passed;
- (b) on account of some mistake or error apparent on the face of record; or
- (c) for any other sufficient cause.

***Powers of the Tribunal.***

(2) The Tribunal shall decide the review petition within thirty days.

(3) The Tribunal may confirm, set aside, vary or modify the judgment or order under review.

**27.** (1) The Tribunal may, on appeal, confirm, set aside, vary or modify the order appealed against.

(2) The Tribunal shall, for the purpose of deciding any appeal, be deemed to be a Civil Court and shall have the same powers as are vested in such Court under the Code of Civil Procedure, 1908 (Act V of 1908), including the powers of:

(a) enforcing the attendance of any person and examining him on oath;

(b) compelling the production of documents; and

(c) issuing commission for the examination of witnesses and documents.

(3) The Tribunal shall have the power to execute its decisions in accordance with the procedure as may be prescribed.

(4) No court-fee shall be payable for preferring an appeal to, or filing, exhibiting or recording any document in, or obtaining any document from the Tribunal.

***Limitation.***

**28.** (1) The provisions of Sections 5, 12 and 14 of the Limitation Act, 1908 (IX of 1908), shall apply to appeals under this Act.

#### **Chapter IV Territorial Limits.**

**29. Powers to fix and alter the limits:**

The Chief Justice may by general or special order in the official Gazette, fix the place(s) at which the Courts of Civil District, the Courts established under Dastoor, the Courts of Sessions Division and all other Courts established by the Provincial Government under any statute, shall hold the sitting(s) and may also fix and alter the limits or the number of such districts and divisions.

**30. Authorization for institution and trial of cases:**

The Chief Justice may by general or special order, direct for institution and trial of cases pertaining to any Sessions Division by any Court.

#### **Chapter-V Miscellaneous**

***Inherent power of the Chief Justice.***

**31.** Nothing in this Act or in any rule shall be construed to limit or abridge the power of the Chief Justice to deal with the case of any person in Service in such manner as may appear to it to be just and equitable:

Provided that, where this Act or any rules is applicable to the case of a person in Service, the same shall not be dealt with in any manner less favourable to him than that provided by this Act or such rule.

***Indemnity.***

**32.** No suit, prosecution or other legal proceedings shall lie against a person in Service for anything done in his official capacity which is in good faith done or intended to be done under this Act or the rules, instructions or directions made or issued there-under.

***Jurisdiction barred.***

**33.** Save as provided under this Act or the rules made thereunder, no order made or proceedings taken under this Act, or the rules made thereunder by the Chief Justice or any officer authorized by him shall be called in question in any Court and no injunction shall be granted by any Court in respect of any decision made, or proceedings taken in pursuance of any power conferred by, or under, this Act, or the rules made thereunder.

***Removal of difficulties.***

**34.** If any difficulty arises in giving effect to any of the provisions of this Act the Chief Justice may make such order, not inconsistent with the provisions of this Act, as may appear to it to be necessary for the purpose of removing the difficulty:

Provided that no such power shall be exercised after the expiry of one year from the coming into force of this Act.

***Power to make Rules.***

**35.** (1) The Chief Justice or any person authorized by him in this behalf, may make such rules as appear to him to be necessary or expedient for carrying out the purposes of the Act.

(2) Any rules, orders or instructions in respect of any terms and conditions of service of person in Service and functioning of the Tribunal duly made or issued by an authority competent to make them and in force immediately before the commencement of this Act shall, unless repealed or replaced by new rules, in so far as such rules, order or instructions are not inconsistent with the provisions of this Act, be deemed to be rules made under this Act.

***Act to override other laws.***

**36.** (1) The provisions of this Act shall have the effect notwithstanding anything to the contrary contained in any other law, for time being in force.

***Repeal and Savings.***

**37.** (1) The Balochistan Subordinate Judiciary Service Tribunal Act, 1989 (Act No. VI of 1989) is hereby repealed.

(2) Notwithstanding repeal of Act No. VI of 1989, all cases pending before the Balochistan Subordinate Judiciary Service Tribunal immediately before the commencement of this Act shall stand transferred to the Tribunal constituted and established under Section 23 of the Act respectively.

**Schedule**  
**Part I**  
**[Section 3(2)(a)]**

**Judicial Officers:**

- (i) District & Sessions Judge (BPS-21).
- (ii) Additional District and Sessions Judge (BPS-20).
- (iii) Assistant Sessions Judge (BPS-19).
- (iv) Senior Civil Judge (BPS-19).
- (v) Civil Judge (BPS-18).
- (vi) Judicial Magistrate (BPS-18);
- (vii) Member Majlis-e-Shoora (BPS-19).
- (viii) Qazi (BPS-18).
- (viii) Presiding Officer of any special Court established by the Provincial Government under any statute.

**Part II**  
**[Section 3(2)(b)]**

**Staff:**

- (i) Community Liaison Officer (BPS-20).
- (ii) Superintendent (BPS-17).
- (iii) Stenographer (BPS-16).
- (iv) Steno typist (BPS-14).
- (v) Assistant Accounts Officer (BPS-16).
- (vi) Computer Operator (BPS-16).
- (vii) Library Assistant (BPS-15).
- (viii) Accountant (BPS-15).
- (ix) Clerk of Court (BPS-16).
- (x) Assistant (BPS-16).
- (xi) Reader (BPS-16).
- (xii) Assistant Computer Operator (BPS-14).
- (xiii) Data Entry Operator (BPS-14).
- (xiv) Senior Clerk (BPS-14).
- (xv) Copyist (BPS-14).
- (xvi) Record Keeper (BPS-14).
- (xvii) Care Taker (BPS-09).
- (xviii) Ahlmed (BPS-11).
- (xix) Office Clerk (BPS-11).
- (xx) Junior Clerk (BPS-11).
- (xxi) Driver <sup>1</sup>(BPS-04).
- (xxii) Machine Man (BPS-05).
- (xxiii) Daftari (BPS-04).
- (xiv) Naib Qasid (BPS-04).
- (xv) Mali (BPS-04).
- (xvi) Chowkidar (BPS-04).
- (xvii) Record Lifter (BPS-04).

**(TAHIR SHAH KAKAR)**

Secretary.

---

