

THE BALOCHISTAN JUDICIAL ACADEMY ACT, 2010

(Baln Act IT of 2010)

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'THE BALOCHISTAN JUDICIAL ACADEMY ACT, 2010

Preamble.

Short title and  
Commencement.

Definitions.

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(Baln Act IT of 2010)

[30% January, 2010]

An Act to provide for the establishment of Judicial  
Academy in the province of Balochistan.

WHEREAS it is expedient to establish an academy for  
imparting training to the Judicial Officers and court personnel  
in order to improve their capacity, professional competency and  
ethical standards for efficient dispensation of justice in courts  
and matters ancillary thereto;

It is hereby enacted as follows:

1. (1) This Act may be called the Balochistan Judicial  
Academy Act 2010.

(2) It shall come into force at once.

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

(a) "Academy" means the Balochistan Judicial  
Academy.

(b) "Board" means the Board of Governors of the  
Academy.

(c) "Chairman" means the Chairman of the Board.

(d) "Vice Chairman" means the Vice Chairman of the  
Board.

(e) "Director General" means the Director General of  
the Academy; appointed under section 10.

(f) "Director" means the Director of the Academy.

(g) "Government" means the Government of the  
Balochistan;

(h) "Judicial Officer" means a District & Sessions

Judge, a Sadar/President of Majlis-e-Shoora, a  
Presiding Officer of a Labour Court, an  
Additional District & Sessions Judge, a Senior

This Act was passed by the Balochistan Assembly on 15<sup>th</sup> January, 2010: assented to by the Governor of Balochistan on 25<sup>th</sup> January

2010: published in the Balochistan Gazette (Extraordinary) No. 4, dated 30<sup>th</sup> January, 2010.

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Establishment of

the Academy.

Aims and Objects.

The Board of

Governors.

Civil Judge, a Member Majlis-e-Shoora, a Civil Judge, a Judicial Magistrate, a Special Judicial Magistrate, a Qazi, or a Presiding Officer of a court or a tribunal under the administrative control of the High Court of Balochistan;

(i) "Member" means a member of the Board;

(j) "Prescribed" means prescribed by the rules made under this Act, and

(k) "Staff" mean members of the staff of the Academy, including contract employees, part time employees and employees on deputation.

3. (1) The Government shall by notification establish an Academy to be called the Balochistan Judicial Academy.

(2) The Academy shall be a body corporate having perpetual succession and a common seal with power to acquire, hold and dispose of property both moveable and immoveable and shall by the said name sue and be sued.

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

4. The aims and object of the Academy shall be:

(a) orientation and training of new Judges, Magistrates, Law Officers, Court Personnel, and any other person or group of persons.

(b) pre-service and in-service training and education of judges, Magistrates, Law Officers, Court Personnel;

(c) holding of conferences, seminars, workshops and symposia for improvement of the judicial system and quality of judicial work; and

(d) publishing of book, journals, research papers, memories and reports etc.

5. (1) The general direction and administration of the Academy and its affairs shall vest in a Board of Governors, which may exercise all powers and do all acts and things relating thereto and as envisaged hereunder in section 6.

(2) The Board of Governors shall consist of the

following:-

(i) The Chief Justice of Chairman.  
Balochistan High Court.  
(ii) The Senior Puisne Judge of Vice-  
Balochistan High Court. Chairman.  
(iii) The Registrar, Balochistan Member.  
High Court.

(iv) The Secretary, Government of Member.  
Balochistan, Finance  
Department.

(v) The District and Sessions Member.  
Judge, to be nominated by the  
Chief Justice of Balochistan  
High Court.

(vi) The Secretary, Government of Member.  
Balochistan Law &  
Parliamentary Affairs  
Department.

(vii) The Director General. Member/  
Secretary.

Powers and 6. For carrying out the aims and objects of the Academy,  
functions of the the Board shall, inter alia:-

Board. . os .

(a) exercise general supervision over the affairs of  
the Academy,

(b) lay down the policy, curriculum and program for  
training and approve courses of the training;

(c) evaluate and examine the activities of the  
Academy;

(d) approve and consider the annual budget and  
revised budget estimates of the Academy;

(e) receive grants-in-aid and donations from the  
Federal Government, Provincial Government

Delegation of  
powers.

Appointment of

(f)

(g)

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and aid giving agencies, NGOs etc;

cause proper books of accounts to be maintained  
for all sums of money received and expended by  
the Academy and arrange for audit by the  
Director-General Audit, of Balochistan;

prescribe the terms and conditions of service of  
the Director General/Director and members of  
the Staff;

create, abolish, suspend and upgrade posts;  
prescribe duties of the members of the staff;

appoint, suspend, punish, dismiss or remove  
from service any member of the staff;

purchase, hire, construct or alter any building for  
the Academy;

hold, control and administer the moveable and  
immovable property, assets and funds of the  
Academy;

regulate, determine and administer all matters  
concerning the Academy;

affiliate with Provincial judicial academies and the other training and educational institutions; and

decide any other matter ancillary and incidental to the aims and objects of the Academy.

The Board may delegate all or any of its powers

and functions under this Act or the Rules or regulations to the Chairman, Vice Chairman, (Senior Puisne Judge) or any member of the Board, the Director General or any member of

the staff.

(2)

The Director-General may, in any emergency

which in his opinion requires immediate action, exercise such powers as he may consider necessary in the circumstance, and shall report the action taken by him for approval of the Board at its next meeting.

8. The Board may appoint advisors, consultants and

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advisers,  
consultants and  
experts.

Meetings of the  
Board.

Director-General.

Appointment of  
officers and

experts for assisting the Board in fulfillment of its aims and  
objects.

9. (1) The Meeting of the Board shall be called by the  
Chairman and in his absence by Vice Chairman (Senior Puisne  
Judge) on such date, time and place as he may specify.

(2) Subject to sub-section (1) the intervening period  
between two meetings of the Board shall not exceed six  
months.

(3) The Chairman or, in his absence, the Vice  
Chairman, shall preside over the meeting of the Board.

(4) The Quorum for the meetings of the Board shall  
be four members.

(5) The Board may, from time to time, appoint such  
committees and working groups, from amongst its members or  
otherwise, as it may consider necessary.

10. (1) The Director-General shall be appointed by the  
Chairman, on such terms and conditions as may approve by the  
Board.

(2) The Director General shall be a person who has  
been a Judge of High Court or a District & Sessions Judge,  
eligible to be appointed as Judge of High Court.

(3) The management of the Academy shall be  
carried on by the Director-General under the general directions  
of the Board.

(4) The Director-General shall be the academic and  
administrative head of the Academy and shall be responsible  
for the maintenance of good order and discipline.

(5) The Director-General shall be the Principal  
Accounting Officer of the Academy.

(6) In absence of the Director General on account of any reason, the Board may depute a Senior Director to act and perform all the functions of the Director General under this Act.

11. (1) The appointment of officers and staff of the Academy shall be made by direct recruitment or transfer, or

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members of  
staff of the  
Academy.

Funds of the  
Academy.

Budget.

Annual Reports,  
etc.

deputation or on contract basis in such manner and on such terms and conditions as may be prescribed by the Board.

(2) All appointments of the members of the staff to posts in basic Pay Scales 1 to 15 shall be made by the Director-General with prior approval of the Chairman.

(3) Appointment of the members of the staff to posts in Basic Pay Scale 16 and above shall be made by the Chairman.

12. (1) There shall be a fund of the Academy to be known as the "Academy Fund" to which all its income shall be credited and from which all its expenditures shall be met.

(2) The following shall be the sources of income for the Academy Fund:

(i) Grants from the Federal Government;  
(i1) Grants from the Provincial Government;

(iii) Sale and other proceeds of the Academy's publications;

(iv) Aid from national and international agencies; and

(v) Fees, charges and donations.

(3) The Academy Funds shall vest in the Board and the moneys to the credit of the Fund shall be kept in a scheduled bank with the approval of the Board.

13. (1) The Director-General, shall in respect of each financial year, submit for approval of the Board, by such date and in such form as may be prescribed, a statement showing the estimated receipts, the current and development expenditures and the sums required as grant-in-aid from the Federal Government/Provincial Government.

(2) The Director-General shall not incur any expenditure from the Fund, which is not provided for in the Budget approved by the Board.

14. (1) Within two months of the conclusion of each financial year, the Director-General shall submit the annual report to the Board in respect of various activities carried out by

Power to make  
rules.

'TValidations. |

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the academy during the previous year.

(2) The Board shall publish an annual report.

15. The Board may, with the prior approval of the Government make rules and regulations for carrying out the purposes of this Act. Such rules and regulations may provide for:—

(a) The powers and duties of the officers and staff of the Academy.

(b) The terms and conditions of service of the officers and employees of the Academy, including disciplinary action, grant of leave and retirement of the officers and employees of the Academy;

(c) The constitution of pension or provident fund or both for the benefit of the officers and employees of the Academy; and

(d) Such other matters as are required to be prescribed by rules and regulations, for the smooth working of the Academy under this Act.

\*[16. All orders made, proceedings taken, acts done, instruction issued, powers exercised, appointments made there under by any authority in connection with the Balochistan Judicial Academy, which were made, taken, done or purported to have been made, taken, done, issued or exercised immediately before the commencement of the Act, shall be deemed to have been made or issued under this Act, unless rescinded, withdrawn, cancelled, replaced or modified in accordance with the provisions of the Act or any rules made there under. |

Added by the Balochistan Judicial Academy (Amendment) Act 2014 (Act XVIII of 2014): passed by the Balochistan Assembly 28" June, 2014: assented to by the Governor of Balochistan on 3" July, 2014 published in the Balochistan Gazette (Extraordin

104, dated 4" July, 2014.

Added ibid.

