

REGISTRAR'S REPORT

Through efficient functioning and improved performance, the Judicature has continued its mission of dispensing justice fairly, impartially and expeditiously. And as the apex Court of the land, the Supreme Court pioneered and has led the judicature of Pakistan in pursuit of this mission. In the wake of heightened public expectations and the aftermath of triumphal culmination of the Restoration Movement (March 2009), the Chief Justice of Pakistan and judges of the Supreme Court strived hard to meet those expectations through quick delivery of justice to litigant parties and redress of their grievances. It was no easy task since it necessitated undertaking a heavy workload and longer working hours to clear the backlog of pending cases. Through meticulous diligence and unflinching commitment, the Court staff contributed equally to achieve these ambitious goals/targets. Their determination and passion, demonstrated through long working hours, blurred the distinction between day and night, and weekdays and weekends. But the thought of serving a noble cause of dispensation of justice provided the necessary impetus and motivation to provide continual support with zeal and enthusiasm.

As detailed in the relevant portion of the Report, the Supreme Court received 26214 new cases (petitions and appeals) during the course of the period under review and decided 23396 cases. Similarly, during the said period, the Human Rights Cell received 86604 applications/complaints, out of which 84425 were disposed of. It needs be explained that the Cell entertains complaints on behalf of poor, downtrodden and vulnerable members of society, who ordinarily remain deprived of access to justice with respect to violations of their Fundamental Rights as guaranteed to them by the Constitution. Therefore, as a last resort, they approach the Supreme Court under Article 184 (3) of the Constitution to have their grievances redressed. The ever-rising number of complaints in the Human Rights Cell manifests growing public trust in this Court; it also manifest the unfortunate inability of the governance system to redress grievances, restore rights and protect entitlements.

The period under review also witnessed the filing of several important cases involving interpretation of the Constitution and the law, for which full court or larger benches were constituted. Such benches comprised full

Court i.e. 17 judges and larger such as 14 judges, 11 judges, 9 judges and so on and so forth, keeping in view the pertinent facts and legal, constitutional issues involved in each case. While the formation of larger benches hampers the process of clearing case backlog and expeditious decision-making in other cases, this Court is constitutionally obliged to prioritise issues of public importance and to address them at the earliest.

Side by side with managing the affairs of the Supreme Court, the Chief Justice of Pakistan, in his capacity as Chairman, National Judicial (Policy-Making) Committee, actively pursued the realization of goals set by the National Judicial Policy 2009. The Policy, now in the third year of its operation, prescribes fairly ambitious targets for the disposal of cases by the superior and subordinate courts. The Policy seeks the enhancement and strengthening of principles of judicial impartiality and independence mandates that the judicature operate transparently and in accordance with the Constitution of Pakistan. The NJPMC has been monitoring data received from the various High Courts of the country. It appears that the courts, especially the subordinate courts, have performed relatively well and achieved targets. Not only have they reduced the pendency of cases but set pace for rendering time-bound decisions in all civil and criminal disputes. Thus, the courts in the province of Balochistan can now decide any civil or criminal case within a period of less than a year, and in the province of Khyber Pakhtunkhwa, within a maximum period of one to one and a half year. The situation has improved equally in the remaining two provinces viz Sindh and Punjab. With the assurance of certainty and finality in legal/judicial process and ability of the judiciary to promptly decide cases, the gradual rise in filing of new cases demonstrated the public confidence that the justice system has come to enjoy.

Along side the daily functioning of the Court, this Court remained actively involved and thoroughly engaged with different fora's and committees associated with the apex Court. The Judicial Commission of Pakistan, set up under the 18th Constitutional Amendment, became functional and has recommended names for elevation and/or confirmation of judges in the superior Courts. The matters relating to policy and administration of the Court came up for consideration before Full Court conferences. These conferences which were regularly held culminated in appropriate decisions and recommendations that sought to improve the capacity and performance of the Supreme Court. Furthermore, national conferences were also organized on the formulation of judicial policy and the effective

functioning of the justice system with a view to evaluate Court performance, share experiences with wider sections of society and receive input from relevant stakeholders in the justice sector in this regard.

Compliance with goals of the National Judicial Policy and the consequent increasing workload of the Supreme Court required a physical expansion of the Supreme Court. Therefore, new blocks were added to existing Court buildings at the Principal Seat, Islamabad as well as Branch Registry, Lahore; and to provide a decent/congenial living environment, new judicial lodges were also constructed at Lahore, Karachi and Peshawar. The Court also pursued its policy of inducting fresh blood into the system by experimenting with recruiting Interns and Law Clerks meant to assist the Hon'ble Justices in research and analysis. The Chief Justice received representatives of the bar councils/associations to discuss and resolve issues/problems faced by them in the administration of justice, and as a result, new procedures were devised to facilitate the bench and the bar in timely disposal of cases. Accordingly, the Court issues monthly/weekly cause lists to facilitate the lawyers/litigant parties in adjusting the fixation of their cases and avoid adjournments. The fixation of cases and any change in the court roster or cause list is regularly communicated to the lawyers through SMS Alert System.

Efforts to establish a court automation system and to integrate all superior/subordinate Courts through a dedicated website are underway. This will improve the filing of cases, receipt of reports/documents, case-flow management, collection of judicial data/statistics, effective supervision and performance of subordinate Courts by the respective High Court, in addition to minimizing adjournment applications presented at the lower fora due to pre-occupation of lawyers in the higher fora/court.

The Report that follows presents a detailed account of Court functioning and its performance during the Reported period. Before ending, I should record my appreciation for the advise/counsel received from the Hon'ble Chief Justice for efficient administration. I am also thankful to the officers and staff of the Court for their round the clock and arduous work. They indeed worked tirelessly to facilitate the timely completion of procedural requirements that are essential for the fixation of cases, their processing in the Court and ultimate disposal and implementation.

