

**HIGH COURT OF SINDH KARACHI**Email# [pdaip@sindhhighcourt.gov.pk](mailto:pdaip@sindhhighcourt.gov.pk)

No. 319 /PD/DLEC/Correspondence

Dated: 16 November, 2023

From:

**Project Director, Access to Justice Program**  
High Court of Sindh, Karachi

To:

*All the DJS  
R-Posts*

All the Learned Districts & Sessions Judges,  
**Throughout Sindh.**

Subject:

**LATEST AMENDMENT IN THE DLEC'S RULES, 2011.**

Ref:

Minutes of the 18<sup>th</sup> Meeting of the Governing Body, Access to Justice  
Development Fund.

This is to apprise that the Governing Body of Access to Justice  
Development Fund (AJDF), in its 18<sup>th</sup> meeting has approved:-

- i. Maximum fee of legal practitioners from Rs.20,000/- to Rs.40,000/- to be determined by the committee & may vary from case to case.
- ii. Required legal experience / standing at the Bar of the Advocates for eligibility is now 3 years instead of 5 years, and
- iii. List of legal practitioners needs no formal approval of the Chief Justice as it was before. The list of Legal Practitioners shall be notified for a period of 02 years.

Soft Copies of the minutes of subject meeting are shared with  
official email address.

*o/c*

*Asif*  
16-11-2023  
(Sadaf Asif)  
Project Director

*R-Post*  
**Copy is forwarded for information to:-**

The Deputy Secretary, Law and Justice Commission of Pakistan, Supreme Court Building,  
Constitution Avenue, Islamabad.

**Minutes of the 18<sup>th</sup> Meeting of the  
Governing Body, Access to Justice Development Fund  
held on 11<sup>th</sup> August, 2023 at Islamabad**

Present

- |     |   |                               |
|-----|---|-------------------------------|
| 1.  | Hon'ble Mr. Justice Umar Ata Bandial<br>Chief Justice of Pakistan /<br>Chairman, Governing Body, AJDF | Chairman                      |
| 2.  | Hon'ble Mr. Justice Iqbal Hameed Ur Rehman<br>Chief Justice, Federal Shariat Court                    | On Special Invitation         |
| 3.  | Hon'ble Mr. Justice Ahmed Ali M. Shaikh<br>Chief Justice, High Court of Sindh                         | Member                        |
| 4.  | Hon'ble Mr. Justice Muhammad Ameer Bhatti<br>Chief Justice, Lahore High Court                         | Member                        |
| 5.  | Hon'ble Mr. Justice Naeem Akhtar Afghan<br>Chief Justice, High Court of Balochistan                   | Member                        |
| 6.  | Hon'ble Mr. Justice Aamer Farooq<br>Chief Justice, Islamabad High Court                               | Member                        |
| 7.  | Hon'ble Mr. Justice Mohammad Ibrahim Khan<br>Acting Chief Justice, Peshawar High Court                | Member                        |
| 8.  | Mr. Owais Nauman Kundi<br>Additional Secretary, Ministry of Law and Justice                           | in place of Secretary Law     |
| 9.  | Mr. Aamir Mahmood<br>Additional Secretary (Expen.) Finance Division                                   | in place of Secretary Finance |
| 10. | Ms. Riffat Inam Butt<br>Secretary, Law & Justice Commission of Pakistan                               | Member/Secretary              |

The meeting commenced with recitation from the Holy Quran. The Hon'ble Chief Justice of Pakistan/ Chairman, Governing Body (GB) of Access to Justice Development Fund (AJDF) welcomed the participants and asked the Secretary, Law and Justice Commission of Pakistan (LJCP) to present the formal agenda of the meeting.

**Agenda # 01: Overview and Performance of the Access to Justice Development Fund (AJDF).**

2. Ms. Riffat Inam Butt, Secretary, LJCP briefed the meeting about the establishment, legal framework, mandate and performance of Access to Justice Development Fund (AJDF).

Agenda # 04: **Awareness campaign for enhancing performance of District Legal Empowerment Committees (DLECs) and bottlenecks in rules.**

23. The Secretary informed that the District Legal Empowerment Committees (DLECs) have been constituted in 129-districts across the country to provide free legal aid to deserving litigants. These Committees are governed under District Legal Empowerment Committee (Constitution and Functions) Rules, 2011 and funds are provided to them from Legal Empowerment Fund Window of the AJDF. It was further informed that a total of Rs.83.2 Million has been released to the Committees and 48% of the released amount has been utilized by these Committees for providing free legal aid in 4,914 cases. Province wise detail is given as under:-

(PKR in Million)

Province	Amount Released	Amount Utilized till date	Unutilized Amount	Cases Dealt
Punjab	26.4	12.89	13.51	2369
Sindh	15.6	7.2	8.4	569
KP	22	11.99	10.01	1074
Balochistan	18	10.34	7.66	854
ICT	1.2	0.46	0.74	48
<b>Total</b>	<b>83.2</b>	<b>42.88</b>	<b>40.32</b>	<b>4914</b>

24. The Secretary highlighted that the utilization of this pivotal funding is slow due to lack of awareness and procedural hiccups in the Rules regulating the functions of DLECs. It was informed that the GB in its 17<sup>th</sup> meeting held on 9<sup>th</sup> December 2022 while reviewing performance of DLECs, accorded approval for launch of mass awareness campaigns regarding constitution of committees and provision of free legal aid pursuant to which following initiatives have been taken for sensitization of stakeholders and awareness of the general public: -

Strategy / Action	Compliance Status
Public Awareness (Print Media)	i. Advertisements are published in National and Regional Newspapers having wide circulation on 10 <sup>th</sup> June, 2023 Jang (Saturday) and Dawn 25 <sup>th</sup> June, 2023 (Sunday), respectively through Press Information Department.
Development and Dissemination of Information, Education and Communication (IEC) Material	i. Awareness material (brochure / leaflets) has been designed and displayed on LJCP website. ii. IEC material has been widely circulated among the DLEC to display in their respective areas. iii. IEC material shared with all the relevant departments, authorities and civil society organizations for dissemination of IEC material and including in their ongoing awareness campaigns. iv. The awareness material will also be shared with the High courts to display on their websites.
Development of Mobile Application	In process
Preparation of documentaries, promo	In process

and animated films	
Meeting with the High Courts and DLECs for sensitization on the efficient and effective use of the funds	<ul style="list-style-type: none"> <li>i. Online sessions with the District &amp; Sessions Judges / Chairpersons, DLECs through Judicial Academies.</li> <li>ii. DLECs were requested to create awareness by displaying panaflex banners in court premises and sensitization of members of the committees.</li> </ul>
Inclusion of awareness sessions on DLECs in training programs of Judicial Academies.	<ul style="list-style-type: none"> <li>i. Online training sessions to create awareness about the free legal aid have been conducted.</li> <li>ii. Federal &amp; Provincial Judicial Academies have been requested to include awareness sessions on DLECs in their training programs.</li> </ul>

25. The Hon'ble Chairman GB appreciated the ongoing awareness campaign launched by the LJCP Secretariat and remarked that DLECs are district-based bodies therefore it would be appropriate to adopt strategy for awareness primarily at district level.

26. As regard designing and launching of Mobile Application for DLECs and other areas of AJDF, the Additional Secretary Law stated that the Ministry of Law and Justice had developed a very comprehensive and unique application for monitoring similar activities. He suggested that the LJCP Secretariat may review the features of the Mobile Application and utilize the same by customizing as per its needs.

27. The Secretary LJCP further informed that the LJCP Secretariat received feedback from chairpersons of the Committees on slow utilization of the funds and other impediments. After consultation, the LJCP Secretariat has proposed certain amendments in the DLEC Rules, 2011 to enhance their performance.

28. During discussion the Hon'ble Chief Justice Peshawar High Court opined that the proposed amendment regarding experience of lawyer may not be practicable to the extent of newly merged districts (NMDs) i.e., erstwhile FATA. The Hon'ble Member suggested that the cap of five years' experience for lawyers may be relaxed to the extent of NMDs as there were limited experienced lawyers. The Secretary stated that the Secretariat is in liaison with DLECs and based on their feedback, the Secretariat would review the DLEC Rules, 2011 holistically for suggesting amendments to improve service delivery of the Committees.

29. The Hon'ble Chief Justice Lahore High Court pointed out that the underperformance of DLECs, amongst other factors, is due to the cumbersome assessment mechanism for approving the list of practitioners to be engaged for free legal aid and suggested that such power may be delegated to chairpersons of DLECs. The Hon'ble Chief Justice High Court of Balochistan opined that to maintain transparency it is crucial that the High Courts may monitor and approve funds for DLECs.

30. The GB reviewed the proposed amendments and after deliberations approved the proposal with slight changes. The relevant Rule, proposal and amendments endorsed by GB are as under:-

Existing Rule	Proposal	Amendment endorsed by GB
8(i) the Committee in consultation with the Vice Chairman, Provincial Bar Council, President DBA and approval of the Chief Justice of High Court, shall maintain a list of legal practitioners to be appointed for the purpose.	8(i) the Committee in consultation with the <b>President District Bar Association (DBA)</b> shall maintain a list of legal practitioners to be appointed for the purpose.	8(i) the Committee in consultation with the <b>President District Bar Association (DBA)</b> shall maintain a list of legal practitioners to be appointed for the purpose. <b>(i-A) The list of legal practitioners shall be notified for period of 02 years.</b>
8(ii) A legal practitioners having at least 5 years standing at the Bar would be eligible.	8(ii) A legal practitioners having at least 2 years standing at the Bar would be eligible.	8(ii) A legal practitioners having at least 03 years standing at the Bar would be eligible.
8(iii) the Committee shall determine the fee of the legal practitioner and it may vary from case to case, however, it shall not be more than Rs.20,000/- in any circumstances for a case.	8(iii) the Committee shall determine the fee of the legal practitioner and it may vary from case to case, however, it shall not be more than Rs.40,000/- in any circumstances for a case.	8(iii) the Committee shall determine the fee of the legal practitioner and it may vary from case to case, however, it shall not be more than Rs.40,000/- in any circumstances for a case.

**ACTION:**

31. The Governing Body reviewed the performance of DLECs, implementation status of awareness campaigns and accorded approval for:

- i. Increasing the outreach of awareness campaigns to the far-flung areas by using latest communication tools and advanced techniques so that benefits of free legal aid may be accessible to the deserving people of the remote areas.
- ii. Monitoring the implementation of awareness campaigns and utilization of funds by the DLECs to improve their service delivery.

32. After deliberations, the GB endorsed the following amendments proposed in the DLECs Rules, 2011:-

Existing Rule	Amendment endorsed by GB
8(i) the Committee in consultation with the Vice Chairman, Provincial Bar Council, President DBA and approval of the Chief Justice of High Court, shall maintain a list of legal practitioners to be appointed for the purpose.	8(i) the Committee in consultation with the <b>President District Bar Association (DBA)</b> shall maintain a list of legal practitioners to be appointed for the purpose. <b>(i-A) The list of legal practitioners shall be notified for period of 02 years.</b>
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8(iii) the Committee shall determine the fee of the legal practitioner and it may vary from case to case, however, it shall not be more than Rs.20,000/- in any circumstances for a case.	8(iii) the Committee shall determine the fee of the legal practitioner and it may vary from case to case, however, it shall not be more than Rs.40,000/- in any circumstances for a case.