

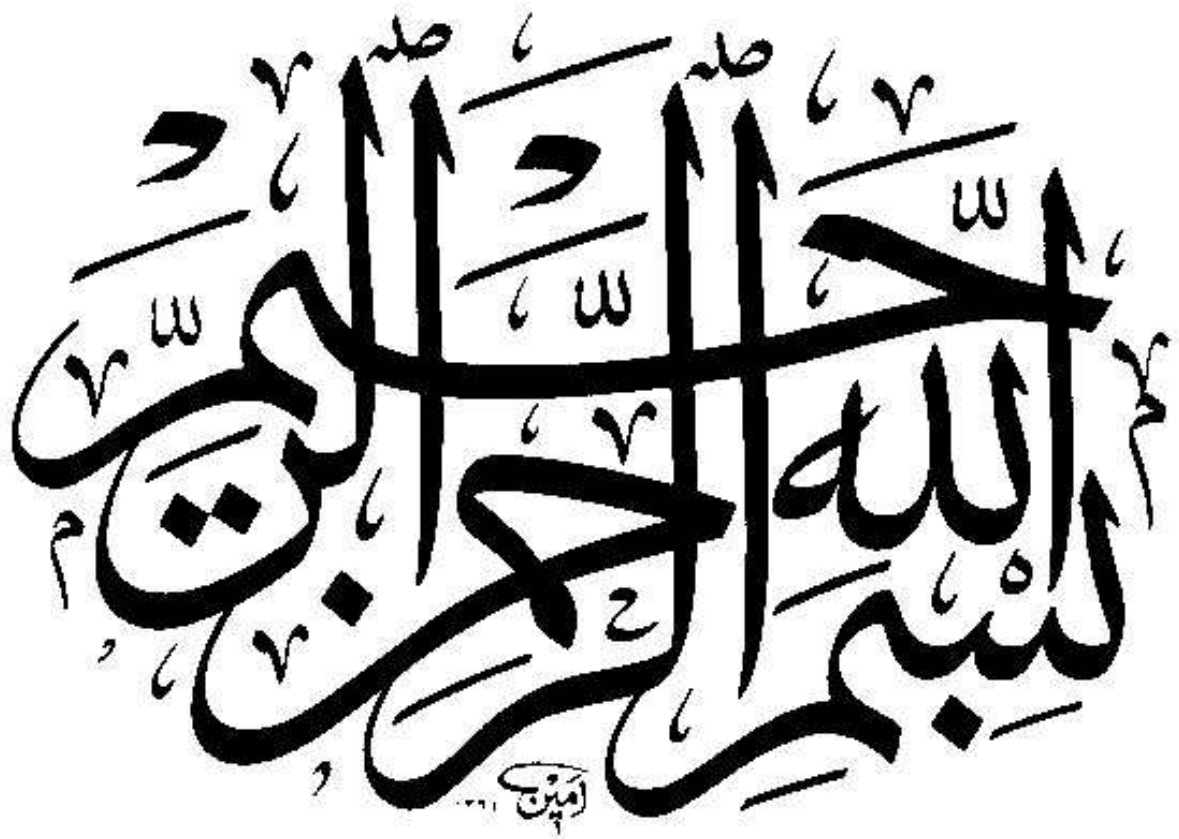


28- 30 July 2015

**Report on
Training Course
“Etiquette and Mannerism”
For Civil Judges / Magistrates/Allaqa Qazis**

Prepared by: Qazi Ataullah

Finalized by: Dr. Khurshid Iqbal



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Foreword

The theme of current course is ‘*Judicial Ethics, Etiquettes and Mannerism*’. The moral principles that control or influence a person’s behavior are called ‘*Ethics*’. Code of conduct establishing standards and norms, laying down guidelines for ethical and moral values in the judicial system are ‘*Judicial Ethics*’. A gentleman behavior and sobriety is required to be observed by the members of District Judiciary in and outside the court and proceedings should be conducted by them in a respectful manner, maintaining judicial norms and dignity of the court for better administration of justice. It is in this background that this Academy in pursuance of instructions of Hon’ble Peshawar High Court, Peshawar vide letter No.11002/Admn dated 12.07.2014 has designed this course, in the first instance for learned civil judges/Judicial Magistrates/Ilaqa qazis.

I have observed that the course contents were fairly wide and comprehensive. There were discourses on the subject of judicial ethics, etiquettes and mannerism. The participants have also had the opportunity of group work. They discussed the relevant subject and also made presentations on the significant issues. In the process they were exposed to a wide reservoir of knowledge. Skills and knowledge imparted during training enhance the professional caliber and abilities of judges. Only this way, may the judges keep the streams of justice flowing unpolluted and uncontaminated. For judges, there can be nothing of greater consequence than to keep the stream of justice clear and pure. The civil judges being nucleus of the district judiciary by their conduct must ensure that ‘*justice is not only done but seen to have been done*’. It is a cardinal principle which cannot be relaxed and upon which there can be no compromise. I am sure, the knowledge and experience gained by the participants during three days stay at the Academy will prove a valuable asset in their judicial career in future.

Zia-Ud-Din Khattak

Director General.

Dean's Note

It is, indeed, a matter of great honor for me to pen down this note on 03- day training on Etiquette and Mannerism. The training was conducted in compliance with the instructions of honorable Chairman Academy. * The significance of the subject is self evident. Legal education cannot prove fruitful without judicial education. Admittedly, judicial ethics is an important discipline of judicial education.

Ethics shape the conduct of a human being. It is the proper course of behavior that distinguishes him from other creatures. The issue becomes more sensitive in case of persons whose job is divine: the dispensation of justice. A judge/qazi should, therefore, be more conscious about his conduct both inside and outside the courtroom, for his conduct plays an eye-catching role in building of confidence upon institution.

Keeping the above importance of the subject in view, the Academic wing of the Academy has designed a course on the subject. The details of the course could be seen in the concept note in this report. By now, the first batch comprising of 26 Civil Judges/Allaqa Qazis have successfully completed the training. I appreciate the utmost efforts of my team members for timely preparing the course and productively conducting the training.

This report documents the whole proceedings carried out at the training. The whole of it is worth reading. The part that carries recommendations of the trainees, nonetheless, demands for due- heed by the competent authorities.

Dr. Khurshid Iqbal

Dean Faculty.

* Please see PHC letter no. 11002/Admin dated 12-7-2014. The letter has been annexed to this report.

Introduction

The significance of role of ethics in judicial performance needs no argument. Observance of moral virtues and avoidance of evils and vices is the fundamental norm of human society. The matter becomes more sensitive in case of persons in whose hands the fortunes of the people/litigants lie.

In pursuance of this importance, and in compliance with the instructions of honorable Chairman of the Academy, the Academic wing has prepared a proper course on the subject. The concept note (annexed) contains the various themes of the course. 06 lectures on various topics on the subject could be observed in the schedule attached to this report.

This report documents the activities and proceedings carried out in 03- day training on the subject conducted during 28th to 30th July 2015. 26 out of 30 nominated judicial officers participated in the course (Annex-B). The details about the remaining 04 nominees appear in the page titled as ‘Tabulated Data of Training on Etiquette & Mannerism’, prepared by the Admin branch of the Academy (Annex-D). Judicial officer Ms. Javeria Sartaj Khan, remained on leave and could not attend the session on its final day. All participants performed up to the mark and that no unwanted behavior was noticed.

All the lectures were delivered timely. No activity was missed. All the trainees participated actively in the panel discussions. Their recommendations on the subject form part of this report (Annex-C). The report also contains synopses of various lectures, questionnaires of pre and post training evaluation with its result and recommendations of the participants. We thank Al-Mighty Allah that the average score of the final result appeared as 89%.

The peculiarity of this training course was twofold. First, almost all lectures were delivered by the faculty members themselves. Practical activity was also conducted by them. Secondly, a new mechanism of evaluation named as ‘Activity Management System [AMS]’ was introduced during the training. The program works online and generates results in real time. Though, it was done on experimental basis but thanks to Al-Mighty that our experiment proved quite fruitful. The average result would have been more than 89% if one of the devices had not gone out of order due to a single syntax error. The error was, however, rectified later on. The relevant result sheet has been included in the annexure. The Faculty

would apply this mechanism of evaluation to all future enterprises: trainings, workshops and seminars.

Qazi Ataullah

Director Instructions

Program Document

Concept Note

Reference	T-1/2015/Etiquette and Mannerism/03-days
<i>Training</i>	<i>Etiquette and Mannerism</i>
<i>Duration</i>	<i>03 days</i>
<i>Participants</i>	<i>Civil Judges/Judicial Magistrates/Illaq Qazis</i>
<i>No. of participants</i>	<i>30</i>
<i>Lectures per day</i>	<i>30</i>
<i>Practical activity</i>	<i>Panel Discussion</i>
<i>Method</i>	<i>Participatory, practical</i>
<i>Assessment</i>	<i>Gradation by the Academy, Via online evaluation</i>
<i>Designed by</i>	<i>Qazi Ataullah</i>

Aims and Objectives

The etiquettes and mannerism shape the conduct of a person. These either bring him respect or degrade him in the society. One should, therefore, be conscious about what ought to be the proper course of his actions. He must be mindful of the acts that promote values and, of course, of the acts that result in vices. This observance of the values and avoidance of the vices become more significant in case of persons who decide the fortunes of the people under the noble trait of ‘dispensation of Justice: the Judges and the *Qazis*.

The conduct of a judge, both inside and outside the court, plays significant role in creating litigant’s trust in the judges and building of public confidence on the institution. A judge must know that it is not only he, who holds a pair of scales; he should rather realize that every attendant of his court has a pair of scales and weighs his performance. Judicial proceedings and Openness go together. A judge always remains exposed to public scrutiny. This is why we hear that his reputation travels with him. This is why we admit that a judge should be a gentleman first and a gentleman last.

Above all, a judge is not only answerable to his high-ups; he is accountable before the Lord of lords for all his actions. Under Islamic law and jurisprudence, his accountability is far drastic than that of any other public servant. The liberties which a common man enjoys could be enjoyed by *qazis* with several mandatory restrictions. In order to keep his dignity and integrity above board, his entitlement to some of fundamental freedoms is kept highly

limited.

No doubt effectiveness and efficiency both are necessary. These traits, nevertheless, must also remain governed by principles of good conduct. Judges are the vehicles of the Institution/Judiciary; vehicles which could not be susceptible to any sort of wear and tear.

Keeping in view the above significance of the subject, and in compliance with the orders of the honorable Chairman, the Academy intends to impart 03-day training to the learned officers of first tier of judicial hierarchy. The success of this enterprise would, *inter alia*, depend on the active and meaningful participation of the trainees

Key outcomes

On completion of the training, the participants shall be able to:

- Understand the concept of ethics in general.
- Know the concept of judicial ethics.
- Realize the role of etiquettes and mannerism in judicial performance.
- Practically observe the principles of good conduct inside and outside the court.
- Practically avoid evils, vices and wanton practices.
- Learn the necessary techniques for maintaining decorum of the court.
- Be sensitive about his accountability, both in this world and on the Day of Judgment.

Requirements

- The participants are advised to critically read all letters of PHC on the subject, sent off and on to the Divisional Headquarters.
- They are also advised to bring Judicial Estacode and other statutes relating to performance and conduct of Public servants.
- A cursory study of the book '*Adab-ul-Qazi*' by Mahmood Ahmad Ghazi is also recommended.

Lectures break up

1	The subject under Islamic Law & Jurisprudence Resource Person: Qazi Ataullah	Lecture 1: Ethics in General
		Lecture 2: Judicial Ethics: An introduction
2	The subject under other laws, statutes, and international instruments	Lecture 3: Code of Conduct for judges: Introduction, need and significance
		Lecture 4: International Standards of judicial ethics
		Lecture 5: Analysis of the provisions of various statues pertaining to conduct of judges
		Lecture 6: Case law on judicial ethics

- ❖ As a practical activity, there is a group-based plenary session for discussion to pin point the grey areas and sort them out for future course of action.

Synopses of Lectures

Adab-ul-Qazi [Conduct of Qazi/Judge]

By: Qazi Ataullah[†]

Introduction

The phrase *Adab-ul-Qazi* means judicial and procedural law of Islam. *Adab* refers to conduct, course and *modus operandi*, whereas *Qazi* means a judge and includes *Hakim*/magistrate. The topic would, therefore, refer to the procedure that should be adapted by *Qazi* while hearing a case. It provides for appointment and removal of *Qazis*. Nonetheless, it also covers all aspects of judicial proceedings; commencing from pleadings and ending on judgment. Besides, rules relating to evidence and modes of proof form part of *Adab-ul-Qazi*. So it is more comprehensive than contemporary procedural codes. In today's lecture, our focus would be on the conduct of a judge/qazi inside and outside the court. The rules that govern his conduct are known as judicial ethics.

Methodology

During the lecture, a comparison was made between Islamic Jurisprudence and English Jurisprudence regarding procedure of trial. To this end, methodology during the lecture was comparative. For the reason that the participants shared their knowledge and experiences on the subject, therefore, the methodology was also bearing a color of participative approach. Moreover, at the end of the lecture, sufficient time was specified to queries and questions of the participants. More importantly, the participants were familiarized with the subject by using a comprehensive flow chart that forms part of this synopsis.

Outcomes

After the lecture, the participants will be able:

- To have a full concept of the 'code of conduct' prescribed for *Qazis*.
- To know the trial procedure under Islamic Law.
- To understand the qualifications of *Qazi* in Islamic Jurisprudence.
- Jurisprudence.
- To realize the need, significance and sensitivity of the conduct, behavior and way of life of a qazi.

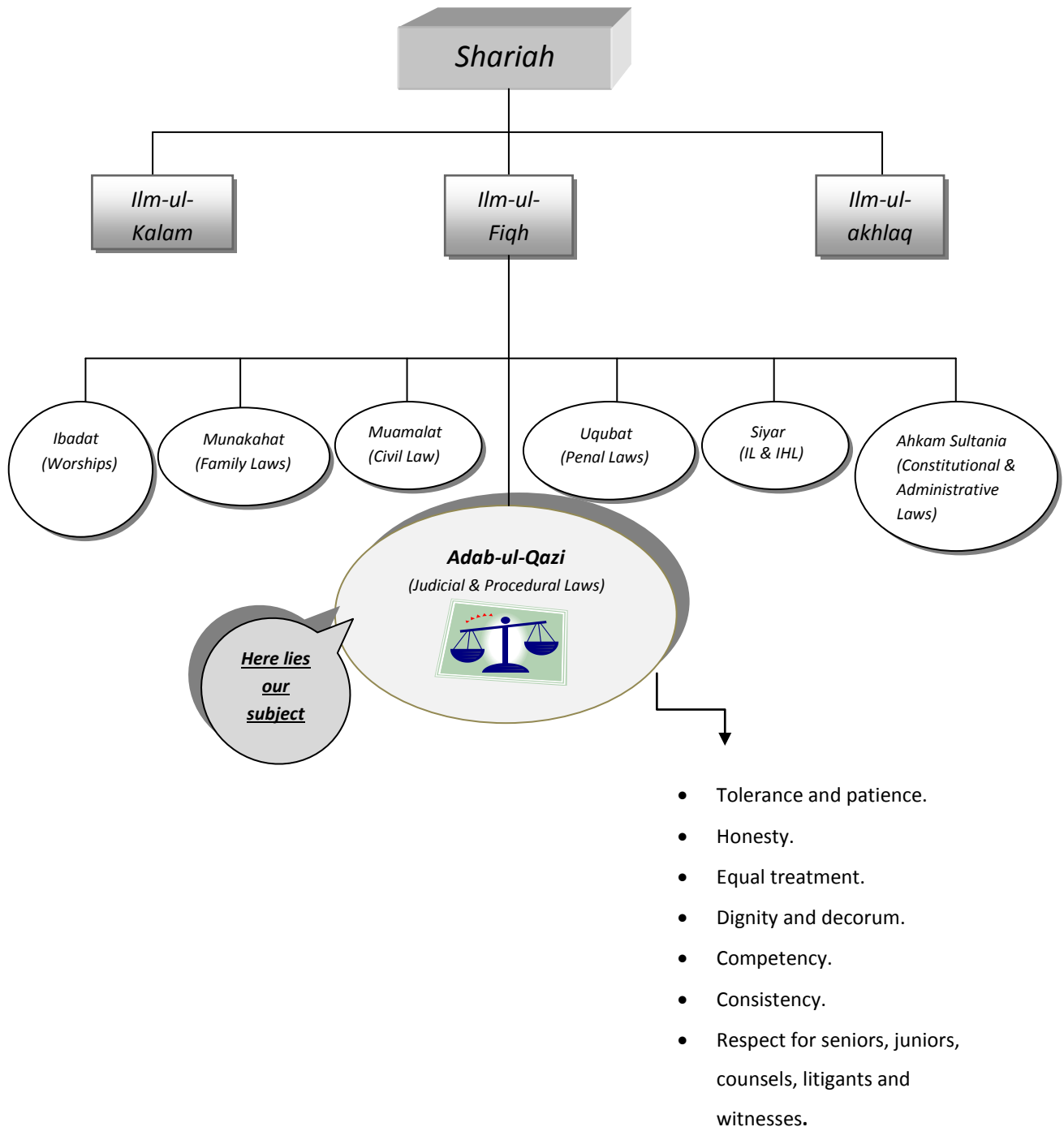
[†] Director Instructions, KP Judicial Academy; Civil Judge; PhD scholar, International Islamic university, Islamabad.

Preliminaries I

The significance of distinctions between the following terms:

- *Shariah*; Its literal and technical sense.
- *Fiqh* (Islamic Law),
- *Usul-al-Fiqh* (Islamic Jurisprudence)

Preliminaries II



Original Topics

➤ *Adab-ul-Qazi:*

- (a) Meaning & Definition.
- (b) Historical Evolution.
- (c) Famous books of classic jurists on the subject.
- (d) Main subjects.
- (e) Sub branches.
- (f) Available Urdu Literature on the subject.

➤ Hearing:

- (1) Appearance in the Court.
- (2) Opportunity of hearing to both parties.
- (3) Encouragement of disputants for amicable settlement.
- (4) Court is to rely on the material available on file.
- (5) Impartiality of the court.
- (6) Costs for frivolous litigation.
- (7) The role of precedents.
- (8) No judgment during stress etc.

➤ Qualifications of Qazis:

- (a) Religion.
- (b) Gender.
- (c) Age.
- (d) Wisdom.
- (e) Knowledge.

➤ Refusal to hear a case and its transfer to other courts.

➤ Inclination of a judge/qazi towards particular advocate or a specific group of advocates.

Readings:

1. Ghazi, Mahmud Ahmad, *Adab-ul-Qazi* (Islamabad: IRI Press IIUI, 1999).
2. Kandhlawi, Muhammad Malik, *Islam Ka Adalati Nizam* (Lahore: Kitabistan Paper Products, 1403 A.H).
3. Ghazi, Mahmud Ahmad, *Asr-i-Hazir Awr Shariat-i-Islami* (Islamabad: IPS, 2009)
4. Amir, Ali Sayyed, *Fatawa Alamgiri* [Urdu translation] (Lahore: Ali Ijaz Printers, n.d.).
5. Tanzil-ur-Rahman, Justice, *Islam ka Nizam-e-Adalat* (Rawalpindi: Hurmat Publications, n.d.)

The International Standards of Judicial Ethics

Dr Khurshid Iqbal[‡]

Introduction

The lecture focuses on a critical study of the Bangalore Principles of Judicial Conduct (Principles), 2002. It studies why and who felt the need and importance of drafting the Principles; who prepared the draft; what key controversial issues were discussed during the drafting process; what does its text speak and why it was considered to write a commentary on the Principles in 2007. The adoption of the Principles has successfully highlighted judicial ethics as an important issue of the rule of law and justice at the global level. The participants should be able to appreciate that first, the Principles reflects global concern about judicial ethics, and second, the ethical values enshrined in the principles are most relevant to several national judicial codes, including Pakistan's.

Methodology

The lecture is descriptive as it focuses on the drafting history, the text and the commentary on the Principles referred to above. It is also critical, for it discusses the critique that surfaced during the drafting process. The holding of plenary sessions at the end shapes the lecture as participatory one.

Outcomes

After the lecture, the participants will be able to:

- Have good knowledge of the international standards of judicial conduct.
- Know the reason for adopting international judicial ethical values.
- Realize the dispensation of justice in a global context.
- Compare the Bangalore Principles of Judicial Conduct, 2002 with our ethical principles contained in their own code of judicial conduct, including the Islamic principles of judicial ethics.

[‡] Dean of Faculty, KP Judicial Academy.

Reading material

1. Text of the Bangalore Principles of Judicial Conduct, 2002.
2. United Nations on Drugs and Crime, *Commentary on the Bangalore Principles of Judicial Conduct*, 2007.

Case laws on Judicial Ethics

By M Zeb Khan [§]

Introduction

The main focus of this lecture is to bridge the canons of judicial ethics with the case laws developed on the subject. It studies the practical application of the code of conduct on judicial officers. The instances of its violations are highlighted and its enforcement is illustrated by citing both National and International precedents. Key concepts, such as misconduct, mode of appraisal of evidence of disciplinary proceedings and the scope of judicial review is explained in depth. Emphasis is laid on developing a practical understanding of judicial ethics.

Methodology

This lecture is an interactive practical exercise. At the outset a summary of the key concepts of judicial ethics is outlined. It includes a preview of the KPK Government Servant (conduct) Rules, 1987 and Code of conduct for Judicial officers of KP District Judiciary. A comparative cursory examination of the Indian standards on judicial ethics is carried out. Thereafter, real life reported cases of breach of judicial ethics is placed before the participants for deliberations. At the end, their findings and recommendations are examined in juxtaposition with the Judicial reviews carried out in the reported cases.

Outcomes

After the lecture, the participants will be able to:

Have good knowledge of judicial ethics

Know the key rules and regulations prescribing the code of conduct.

Compare the Indian standards on judicial ethics with our code of conduct.

Understand the practical application of judicial ethics through a study of case laws.

[§] Director Instructions - I, KP Judicial Academy

Reading material

1. Code of Conduct for Judicial Officers of KP District Judiciary. PHC letter no. 10367-10390/Admn: Dated Pesh: the 25th Nov 2005
2. KPK Government Servant (conduct) Rules, 1987.
3. Saad salam ansari vs chief justice, high court of sindh, karachi. 2006 plc (c.s.) 938
4. Ardeshir Cowasjee's case [2000 CLC 606 Kar]
5. Amanullah khan Yousufzai's case [PLD 2011 Kar 451]
6. Ishwar chand jain's case [1988 air 1395 supreme court of india]
7. Sikandar a. Karim's case [1995 scmr 387]
8. 'k' a Judicial Officer Vs. Registrar General, High Court of Andhra Pradesh [2001 (3) SCC 54]
9. Ishwar chand jain's case [1988 AIR 1395 Supreme Court of India]
10. Praveen bhatia's case [2009 AIR SUPREME COURT 2626]

Code of Conduct, Introduction, Need and Significance.

*By Niaz Muhammad Khan ***

Introduction

The topic is based on the philosophical and rational basis of the Code of Conduct. The participants are involved in discussion qua the need of any such Code. Then the talk goes on to explain the intrinsic and extrinsic value of judgments and decisions made by an arbiter and how far the Code influences both the values. The confidence of public in general and litigant in particular is discussed and the role which the Code plays in building such confidence. The linkage of Ethics with the Code is also deliberated upon. The Code being a part of normative ethics is discussed with comparison to integrity and character. The different aspects of morality as a standard for the Code are also a necessary part of the discussion. The psychological barriers in following the Code are also highlighted with focus on the gap between theory and practice and how to bridge this gap.

In this perspective, the main objectives of the lecture are—

- To understand the need of a Code of Conduct;
- To make the participants know the impact of the Code on building confidence of Public in the Judge and the Judiciary ;
- To highlight the impact of the Code on quality of judgments and decisions;

Methodology

The participants are involved in deliberation in the beginning by giving their inputs qua the need of the Code. This helps in making the resource person understand the level of participants in understanding the topic and as a basis of participatory deliberations. Power point presentation is displayed with all necessary details in bullet points. Each point is taken for discussion in the light of input of the participants and explanation by the resource person. This method leads to logical conclusions of the points involved which is a best way of convincing the participants.

****** Special Customs , Anti Smuggling and Taxation Judge, Peshawar.

Learning outcomes

- At the end of the session, the participant shall be able-
- To know the importance of the subject;
- To know that how confidence of public is increased in judges and judiciary by following the Code ;
- To know that how the quality of judgments and decisions can be improved by following the Code;
- To know the difference between concepts like integrity, ethics ,character and morality;
- To convert himself to an ideal gentleman and a judge for that matter.

Reading list

1. Code of Conduct for District Judiciary Document C.No.23(4-2) of Peshawar High Court Judicial Estacode.
2. Code of Conduct for Judges of Superior Judiciary C.No.3(1-3) of Peshawar High Court Judicial Estacode.
3. Global Ethics and Integrity Benchmarks by Loan Elise Dubinsky and Alan Rircher .

Analysis of Provisions of Various Statutes Pertaining to Conduct Of Judges

By Niaz Muhammad Khan

Introduction

The lecture is mainly focused on analysis of various codes of conduct pertaining to conduct of judges. For the purpose three documents are taken for the analysis. These are Code of Conduct for District Judiciary as framed by the Peshawar High Court, the Code of Conduct framed by the Supreme Judicial Council under Article 209 of the Constitution and the Khyber Pakhtunkhwa Government Servants (Conduct) Rules, 1987. Each and every provision of all these documents is discussed with comparative study. The commonalities and dissimilarities in the documents are further discussed with reasons. This study gives a clear picture of the job requirement of the participants as compared to other Judges of Superior Judiciary and Civil Servants. Each and every rule is discussed in threadbare manner with the full participation of the participants. The impact of failure to comply with a particular rule is discussed.

In this perspective, the main objectives of the lecture are—

- To understand the details of all important Codes of Conduct of the Province;
- To make a comparative study of all important Codes in order to comprehend the similarities and dissimilarities in them;
- To highlight that how the job of the participants is linked to the Code;

Methodology

The participants are involved in deliberation in the beginning by giving their inputs qua their understanding of the subject. This helps in making the resource person understand the level of participants in understanding the topic and as a basis of participatory deliberations. Power point presentation is displayed with all necessary details in bullet points. Each point is taken for discussion in the light of input of the participants and explanation by the resource person.

This method leads to logical conclusions of the points involved which is a best way of convincing the participants.

Learning outcomes

- At the end of the session, the participant shall be able-
- To know the importance of the subject;
- To know the different provisions of different Codes enabling them to have comparative analysis ;
- To know the wisdom behind each and every rule;

Reading list

1. Code of Conduct for District Judiciary Document C.No.23(4-2) of Peshawar High Court Judicial Estacode.
2. Code of Conduct for Judges of Superior Judiciary C.No.3(1-3) of Peshawar High Court Judicial Estacode.
3. Khyber Pakhtunkhwa Civil Servants (Conduct) Rules,1987
4. Section 2 of Chapter IV of Peshawar High Court Judicial Estacode

Annexure

Annex-A

Schedule of Activities

Day -1 Tuesday (28th July 2015)			
S.No	Topic	Resource Person	Duration
1.1	Registration Recitation from the Holy Qur'an & Duaa	Director General	08:00 – 08:45
1.2	Introductory Remarks - DG, KPJA		08:45 – 09:00
1.3	Ethics in General	Qazi Ataullah	09:00 – 10:30
Tea Break 10:30 to 11:00			
1.4	Judicial Ethics: An introduction	Qazi Ataullah	11:00 – 12:30
Prayer & Lunch Break 12:30 to 01:30			
1.5	International Standards of judicial ethics	Dr. Khurshid Iqbal	01:30 – 03:00
Day -2 Wednesday (29th July 2015)			
S.No	Topic	Resource Person	Duration
2.1	Recitation from the Holy Qur'an & Duaa		08:55 – 09:00
2.2	Case law on judicial ethics	Muhammad Zeb Khan	09:00 – 10:30
Tea Break 10:30 - 11:00			
2.3	Practical Activity - i (deliberation)		11:00 – 12:30
Prayer & Lunch Break 12:30 - 01:30			
2.4	Code of Conduct for judges: Introduction, need and significance	Niaz Muhammad Khan	01:30 – 03:00
Day – 3 Thursday (30th July 2015)			
S.No	Topic	Resource Person	Duration
3.1	Recitation from the Holy Qur'an & Duaa		08:55 – 09:00
3.2	Analysis of the provisions of various statutes pertaining to conduct of judges	Niaz Muhammad Khan	09:00 – 10:30
3.3	Practical Activity : ii (Presentation)		10:30 – 12:30
Concluding Ceremony & Hi Tea			

Annex-B

List of participates

S.No	Judicial Officer	Designation	Posted At
1	Mr. Muhammad Jamshed	Civil Judge/JM	Upper Dir
2	Mr. Malik Muhammad Hassnain	Civil Judge/JM	Charsadda
3	Mr. Ijaz ul Haq Awan	Civil Judge/JM	Bannu
4	Mr. Tasawar Hussain	Civil Judge/JM	Lakki
5	Mr. Mian Zahidullah Jan	Civil Judge/JM	Haripur
6	Mr. Asim Riaz	Civil Judge/JM	Kohat
7	Mr. Abdul Basit	Civil Judge/JM	Hangu
8	Mr. Sultan Hussain	Civil Judge/JM	Swat
9	Mr. Adil Zeb Khan	Civil Judge/JM	Haripur
10	Syed Zahid Shah	Civil Judge/JM	Swabi
11	Mr. Amin Said	Civil Judge/JM	Haripur
12	Mr. Faisal Anjum	Civil Judge/JM	Charsadda
13	Raja Muhammad Shoaib Khan	Civil Judge/JM	Haripur
14	Mr. Alamgir Shah	Civil Judge/JM	Swat
15	Mr. Nisar Muhammad Khan	Civil Judge/JM	Mardan
16	Ms. Javeria Sartaj	Civil Judge/JM	Haripur
17	Ms. Kiran Naz	Civil Judge/JM	Peshawar
18	Syed Mudassir Shah Termizi	Civil Judge/JM	Kohat
19	Mr. Muhammad Ghayas Khan	Civil Judge/JM	Swabi
20	Mr. Muhammad Fiaz	Civil Judge/JM	Peshawar
21	Syed Shaukat ullah Shah	Civil Judge/JM	Abbotabad

22	Mr. Abdul Wahab Qureshi	Civil Judge/JM	Nowshera
23	Mr. Zaeem Ahmad	Civil Judge/JM	Kohat
24	Mr. Abdul Majid	Civil Judge/JM	Abbotabad
25	Mr. Fida Muhammad	Civil Judge/JM	D.I Khan
26	Mr. Aman Ullah Khan	Civil Judge/JM	Battagram

Annex-C

Consolidated Recommendations

The 3-day training on ‘Judicial Ethics, Etiquette, and Mannerism’ had a group activity for the participants, wherein they had to deliberate upon practical problems faced by them which has a direct or indirect effect on their conduct. Group leaders from each group (six in total) presented their recommendations, which have been consolidated as follow:

As a presiding officer:

- No compromise on impartiality, integrity, independence, and decency.
- No ex-parte hearing: Every effort should be made to avoid hearing a party in the absence of its adversary.
- A party or its counsel should not be heard in the retiring room.
- Parties should be given equal opportunity of hearing.
- While in court, discussion with lawyers on their private lives or other irrelevant topics including politics should be avoided. Such discussions with the court staff should also be avoided.
- Date of hearing should be fixed as per diaries of the counsels, however, frequent adjournments should be avoided.
- No phone calls should be received during the proceedings, even if it is official, because it creates very wrong impression.
- One should not be so strict to look rude and not so lenient to look weak. A balanced behavior should be adopted.
- Parties should not be kept too long to wait if proceedings are possible in early hours of the day.

As a judicial officer:

- Attending private functions must be avoided not to mix up with people.
- Social contacts with lawyers in terms of friendships should be avoided.
- Superdari vehicles should not be used.
- Police vehicles for spot inspection, identification parade, exhumation etc. should not be used.
- Staying at government rest houses at a place of posting should be avoided.

For the high ups:

- Provision of official accommodation is the foremost necessity because most of the judicial officers have suffered due to its non-provision.
- Court infrastructure should be properly maintained at all places of postings.
- No court should have a case pendency above 250 cases, because more than that it is extremely hard to manage the cases, which results in multifarious problems.
- To avoid mixing up with common people, a servant should be provided to each judicial officer who would bring him daily necessary items from the market.
- Judicial officers should not be influenced to seek favors for the bar.

Annex-D

Tabulated Data of Training on Etiquette & Mannerism

Administrative Report:

- Number of Days: 03 days
- Number of Participants nominated by High Court: 30
- Category of Judicial Officers: Civil Judge / Judicial Magistrate
- Total number (male participants): 27
- Total Number (female participants): 03
- Total Number Participants Present at the Training: 26
- Exemption granted by High Court: 01
(Mr. Sher Aziz)
- Exemption regretted by High Court: 02
(Mr. Johar Ijaz Ali shah & Ms. Hina Mehwish)
- Nomination withdraw by High Court: 01
(Mr. Wajid Ali)
- Leave Granted to the participants: 01
(On third day to Ms. Javeria Sartaj)

Annex-E

Pre-Evaluation and Post Evaluation Questionnaires

1. Whether judicial ethics is of considerable importance? *
<input type="radio"/> Yes
<input type="radio"/> No
2. Judicial officer ought to follow the code of conduct strictly? *
<input type="radio"/> True
<input type="radio"/> False
3. Whether KP Government servants (conduct) Rules, 1987 are binding on district judiciary *
<input type="radio"/> Yes
<input type="radio"/> No
4. Judicial review of disciplinary proceedings means: *
<input type="radio"/> Representation to the competent authority
<input type="radio"/> Appeal before Service Tribunal
<input type="radio"/> None of the above
5. Define "misconduct" *
<div style="border: 1px solid black; height: 100px; width: 100%;"></div>
6. Ethics form part of Shari'ah *
<input type="radio"/> Half
<input type="radio"/> One third
<input type="radio"/> One fourth
<input type="radio"/> One fifth
7. Adab-ul-Qazi means *
<input type="radio"/> Code of conduct for judges
<input type="radio"/> Judicial Procedure
<input type="radio"/> Law of qualifications of judge
<input type="radio"/> Administration of justice
8. Qazis are of kinds *

<input type="radio"/> Two
<input type="radio"/> Three
<input type="radio"/> Five
<input type="radio"/> Seven
9. A non-Muslim qazi may adjudicate between Muslim disputants *
<input type="radio"/> Civil cases only
<input type="radio"/> Criminal cases only
<input type="radio"/> Both of the above
<input type="radio"/> None of the above
10. The age of a qazi should not be, principally, less than *
<input type="radio"/> 21
<input type="radio"/> 25
<input type="radio"/> 28
<input type="radio"/> 40
11. A person below 40, may be appointed as qazi for *
<input type="radio"/> Civil cases
<input type="radio"/> Criminal cases
<input type="radio"/> Both of the above with the exception of hudud
<input type="radio"/> Cases of every nature provided he posses extra-ordinary qualifications.
12. In case of objection by a party, refusal to hear a case and its transfer is *
<input type="radio"/> Always recommended
<input type="radio"/> Not always recommended
<input type="radio"/> Not recommended
<input type="radio"/> None of the above
13. According to hadith, a qazi must not hear a case when *
<input type="radio"/> He is severely sick
<input type="radio"/> He is fasting during hot summer
<input type="radio"/> one of the disputants happens to be his relative
<input type="radio"/> He is sure that he would not arrive at right conclusion

Annex-F

Activity Management System [AMS]

Online – Real time Evaluation

Topic: **Case Laws: Judicial Ethics**
 Resource Person: **Mohammad Zeb Khan**
 Designation: **Director Instructions – I**
 Duration: **08 minutes**
 Total MCQs: **20**
 Average score: **89%**

S.No	Participant	Marks Obtained	Total Marks	Percentage (%)
1	Mr. Adil Zeb Khan	19	20	95
2	Mr. Tasawar Hussain	19	20	95
3	Mr. Muhammad Jamshed Khan Kundi	19	20	95
4	Mr. Asim Riaz	18	20	90
5	Mr. Faisal Anjum	18	20	90
6	Mr. Muhammad Ghayas Khan	17	20	85
7	Mian Zahidullah Jan	13	20	65
8	Mr. Zaeem Ahmed	20	20	100
9	Raja Muhammad Shoaib Khan	19	20	95
10	Mr. Aman Ullah Khan	16	20	80
11	Mr. Alamgir Shah	18	20	90
12	Mr. Ijaz-ul-Haq Awan	20	20	100
13	Mr. Abdul Majid	17	20	85
14	Mr. Amin Said	15	20	75
15	Mr. Abdul Basit	19	20	95
16	Mr. Muhammad Fiaz	18	20	90
17	Mr. Nisar Muhammad Khan	20	20	100
18	Syed Zahid Shah	18	20	90
19	Malik Muhammad Hassnain	14	20	70
20	Syed Shaukatullah Shah	19	20	95
21	Mr. Fida Muhammad	18	20	90
22	Syed Mudassir Shah Termizi	18	20	90
23	Mr. Abdul Wahab Qureshi	16	20	80
24	Mr. Sultan Hussain	19	20	95
25	Ms. Kiran Naz	19	20	95
26	Ms. Javeria Sartaj Khan	18	20	90



KHYBER PAKHTUNKHWA JUDICIAL ACADEMY

3-Day Training Course on “Judicial Ethics, Etiquette and Mannerism” for Civil Judges/Judicial Magistrates

July 28-30, 2015

Group Photo



Sitting L to R

Mr. Zaheer Ahmed, Mr. Muhammad Ghayas Khan, Mr. Syed Shaukat Ullah Shah, Mr. Adil Zeb Khan, Mr. Asim Riaz, Mr. Muhammad Zeb Khan (Dir. Ins. I),
Mr. Zia ud Din Khattak (Director General), Dr. Khurshid Iqbal (Dean Faculty), Mr. Syed Mudassir Shah Termizi, Mr. Raja Muhammad Shoaib Khan, Mr. Abdul Basit,
Mrs. Kiran Naz, Mrs. Javeria Sartaj Khan.

Standing Row 1 L to R

Mr. Muhammad Jamshed Kundi, Mr. Muhammad Faiz, Mr. Alamgir Shah, Mr. Faisal Anjum, Mr. Syed Zahid Shah, Mr. Nisar Muhammad Khan, Mr. Ijaz ul Haq Awan,
Mr. Tasawar Hussain, Mr. Muhammad Hasnain, Mr. Mian Zahid Ullah Jan, Mr. Sultan Hussain, Mr. Abdul Maajid, Mr. Aman Ullah Khan, Mr. Fida Muhammad, Mr. Amin Said.

