



# Sixth Training on Judgment Writing

Report Prepared By:  
Dr. Khurshid Iqbal,  
Dean Faculty

# 2013

*From:*  
*11-16 February*  
*2013*

Old Sessions Court Building Jail Road, Peshawar  
Ph # 091-9213088-78, [www.kpja.edu.pk](http://www.kpja.edu.pk)  
E-mail: [info@kpja.edu.pk](mailto:info@kpja.edu.pk)

## Contents of Report

01	Foreword	<b>1</b>
02	Preface	<b>2-3</b>
03	Concept Note	<b>4</b>
04	Course Description	<b>5-7</b>
05	Schedule of Activities	<b>8-10</b>
<b>Day One</b>		
06	Welcome Address by the Director General	<b>11</b>
07	<b>Mr. Zia Ahmad Khan</b> <ul style="list-style-type: none"> <li>• Curriculum Vitae</li> </ul> Synopsis <ul style="list-style-type: none"> <li>• Humaneering Brochure</li> </ul>	<b>12-16</b>
<b>Day Two</b>		
08	<b>Mr. Niaz Muhammad Khan</b> <ul style="list-style-type: none"> <li>• Curriculum Vitae</li> </ul> Synopsis <ul style="list-style-type: none"> <li>• Elements of Court judgement (Power Point Presentation)</li> <li>• Admissibility of Evidence (Power Point Presentation)</li> <li>• Interpretation of Law in Judgment Writing (Missed, Time Constraints)</li> </ul> ➤ <i>Feedback</i>	<b>17-23</b>
<b>Day Three</b>		
09	<b>Prof. Dr. Ismail Wali</b> <ul style="list-style-type: none"> <li>• Curriculum Vitae</li> </ul> Synopsis <ul style="list-style-type: none"> <li>• Modern Writing Modern Strategies</li> <li>• One Word Vocabulary</li> </ul>	<b>24-31</b>
<b>Day Four</b>		
10	Synopsis: <ul style="list-style-type: none"> <li>• Principles of Effectiveness <i>by Dr. Ismail Wali</i></li> <li>• Style and Structure of Judgment: Basics <i>by Dr. Ismail Wali</i></li> </ul> ➤ <i>Feedback</i>	<b>32-33</b>
<b>Day Five</b>		
11	<b>Dr. Khurshid Iqbal</b> <ul style="list-style-type: none"> <li>• Curriculum Vitae</li> </ul> Synopsis: <ul style="list-style-type: none"> <li>• Contemporary Trends in Judgment Writing: A Literature Review</li> </ul> ➤ <i>Feedback</i>	<b>34-40</b>
12	<b>Mr. Aamir Nazir</b> <ul style="list-style-type: none"> <li>• Curriculum Vitae</li> </ul> Synopsis	<b>41-45</b>

	<ul style="list-style-type: none"> <li>• Procedural Provisions Pertaining to Judgment Writing</li> <li>➤ <i>Feedback</i></li> </ul>	
21	<b>Dr. Adnan khan</b> <ul style="list-style-type: none"> <li>• Curriculum Vitae</li> </ul> Synopsis <ul style="list-style-type: none"> <li>• Essay Writing &amp; Basic Terms in Research</li> <li>➤ <i>Feedback</i></li> </ul>	<b>46-49</b>
<b>Day Six</b>		
	<b>Qazi Attaullah</b> <ul style="list-style-type: none"> <li>• Curriculum Vitae</li> </ul> Synopsis <ul style="list-style-type: none"> <li>• Judgement writing in Islamic Perspective</li> <li>➤ <i>Feedback</i></li> </ul>	<b>50-54</b>
<b>Concluding Ceremony</b>		
<b>Annexes</b>		
A	Address of the Chairman/Hon'ble the Chief Justice	<b>55-56</b>
B	Address of the Director General	<b>57</b>
C	Address of the Class Rep (Feedback)	<b>58</b>
D	Overall Training Evaluation Graph	<b>59</b>
E	List of Participants	<b>60</b>
F	Group Picture	<b>61</b>

## **Foreword**

The report of sixth training is ready. Organizing and conducting training is indeed a laborious and time-consuming job. Our Faculty is doing its job with commitment and interest, for which it deserves appreciation and encouragement. Our new team members—Mr. Asif Rafiq, Computer Programmer and Mr. Shahid Khan, Private Secretary to my office—have helped the faculty in preparation of this report. Without the logistical support of Mr. Jamil Ahmad Qureshi, Superintendent IT branch, this report could not have been published. The report covers all activities of the training, profile of the resource persons, the facilities we provided. So it is informative by contents and fairest in format. I rightly hope that the legal fraternity in particular, and all those associated with the dispensation of justice in general, will find it useful for updating their information about the ongoing developments taking place in the legal arena.

**Hayat Ali Shah,**  
Director General

## Preface

The report of sixth one week (11—16 Feb., 2013) training on judgment writing is in your hands. Twenty five civil judges/magistrates/*IllaqaQazis*, of whom 05 were female and 03 judges from Malakand division, participated and received training successfully. What made this training distinguished from the previous ones were the significant changes in the system of feedback evaluation forms.

From a critical study of the previous trainings on the subject, it was felt necessary to revisit the evaluation form in order to make them more effective, efficient and economical. In this regard, the World Bank helped us by suggesting that three-level evaluation would be more appropriate. Level 1 evaluation was sought from the participants to explore the learning level. In this respect, resource persons were requested to prepare forms and carry out the evaluation. The evaluation form prepared by Dr. Ismail Wali was adopted by most other faculty members, except Mr. Zia Ahmad Khan and Mr. Niaz Muhammad Khan. This created confusion on the first day of the training on which Mr. Zia Ahmad Khan had to deliver lectures. As a result, the evaluation was missed. The report thus does not contain level 1 evaluation in respect of Mr. Zia Ahmad Khan. In the next training, the level 1 evaluation process will be made efficient.

The levels 2 (evaluation of training as a whole) and 3 (on job evaluation) forms were, however, developed. Each form carries concise queries almost on every aspect of training. The areas of relevancy, validity and productivity of the contents of the lecture and effectiveness and efficiency of the resource person were particularly targeted. The impact of the training was also given its due place. For rating of each given piece of information, separate independent columns were drawn up. These forms are, though small in format, but highly informative in content. Owing to this sufficiency, practice of evaluation of trainees by resource person was felt redundant and, hence, given up.

The process of post-training evaluation was continued, nonetheless, a form regarding over all evaluation of training was introduced wherein information in respect of logistics and suggestions for improvement of the course was asked. In that process, too, the World Bank provided help.

Almost all proceedings of the course were carried out successfully and timely. No lecture missed nor any activity went unperformed, nevertheless, no external visit could be arranged due to perturbed law and order situation in the city. Besides, in order to allocate proper time to lectures of Academy's staff, schedule was, timing-wise revised and redistributed to all concerned. Activities were commenced from 08:30 am, instead of 09:00 am. Owing to the busy schedule of honorable Chairman, concluding ceremony preceded its fixed time, which led to the postponement of post-evaluation assessment. The deficiency was, however, made up by asking the participants to send their compositions to academy by FAX via e-mail.

The involvement of the recently recruited IT staff remained another peculiarity of this training program. They facilitated the resource persons as well as the participants in their power-point

presentations. Besides, they were asked to keep the record of each day's activities, both in hard and soft form. In this regard, areas for improvement could be found but their capabilities would keep enhancing with the upcoming trainings. The practice is quite beneficial and would, therefore, continue.

**Qazi Attaullah,**  
Director Instructions

## **Concept Note**

### **Training Course on Judgment Writing**

‘Judgment writing is the hardest of the legal arts to master’. While there is a significant body of literature on judgment writing skills, there is a near consensus among judicial pundits that good judgment writing depends more on practice than theory. Caseloads have a telling negative impact on a sustainable good judicial style in judgment writing.

Pakistan’s 2009 National Judicial Policy and its rigorous monitoring by the judicial leadership, has generated tremendous pressure on the judges of the District Judiciary. There is a growing perception in the legal fraternity that fighting delay on war footing has led to the delivery of hasty judgments. While the avalanche of the caseload has been visibly melting down, it is now time to divert attention to improvement in the quality of judgment writing.

A quality judgment, as commonly understood, requires that it should speak for itself, be concise, reflect good writing skills, appreciate the readers’ needs and litigants’ wants. Appreciating the fact that the essence of judgeship is the delivery of judgments, the Khyber Pakhtunkhwa Judicial Academy plans to conduct its first training course on judgment writing. The underlying objective of this course is the development of one word vocabulary linked with the writing skills of judges. The guiding principle is an Arabic idiom:

يَمَلُّ خَيْرَ الْكَلَامِ مَا قَلَّ وَدَلَّ (Tr. Best speech is one which is precise, speaking and free from boring length.)

The training curriculum and module will be designed on the basis of the needs of the judges. The Academy, however, intends to follow a participatory approach by seeking the in-put of the targeted trainees. To this end, the Academy has prepared a questionnaire, which is sent herewith for your valuable responses and views. The prime objective being training needs assessment, the Academy intends to ensure anonymity of respondents. Please do not write your name, nor put your signature on the questionnaire, which may be sent on the address given in the attached letter, as soon as possible.

## Course Description

<i>Reference</i> <i>T-6/2013/JW/06 days</i>			
<b>Training</b>	<i>Judgment Writing</i>	<b>Duration</b>	<i>06 days</i>
<b>Participants</b>	<i>Civil Judges/Judicial Magistrates</i>	<b>No. of participants</b>	<i>Total 25; Male 20, Female 05</i>
<b>Method</b>	<i>Participatory, practical</i>		
<b>Designed by</b> <b>Dr Khurshid Iqbal, Dean Faculty</b>			

### ***Aims and Objectives***

While quality in judicial opinion writing has always been a top priority of the judiciary in all countries, in recent years there has been a growing concern about it in Pakistan. Arguably, one glaring reason is the mechanism of time bound disposal of cases proposed by the 2009 National Judicial Policy (Policy). The concern is that the mere disposal is and should not be enough. Another reason is a general need of capacity building as part of continuing judicial education. The main aim of this training is to build capacity of all judges of the District Judiciary, in the key area of judgment writing, both in regard to expression or language (effective communication) and substance or content (judicial aspects, such as appreciation of evidence). The principal duty of a judge is to deliver judgment after announcement of the decision in a case. Judgment writing is thus a vital part of judging or ‘judge craft’. There is no worth while training on the linguistic mechanics of judgment writing. Hence, judgment contains lapses which potentially harm judges’ credibility and efficiency as communicators of facts and legal analysis of law and evidence. It is for this reason that judgment writing has been selected as the first training at the Academy. The training has been designed in the backdrop of a questionnaire survey—an indigenous training needs assessment—of all judicial officers, including those working in the special courts and tribunals. The training will generate and encourage critical thinking about judicial opinion writing. A pluralist and diverse approach will be adopted to build professional capacity of the target participants. The participants are strongly advised to actively participate in the training, which will be firstly, graded at the Academy, and secondly, subjected to post-training impact assessment.

### ***Key outcomes***

The participants should be able to—

- Understand the basic concept and procedure of judgment/order writing.
- Learn necessary skills for appreciation of evidence and application of substantive and procedural laws and precedents.
- Explore and understand current global trends.
- Know and follow judicial opinion writing in the perspective of Islamic law.

- Strengthen theoretical foundations to know and understand the process, flow, models, mediums, types, barriers to and principles of effective communication.
- Be sensitized to the problem areas of English, and sharpen their skills for writing effective and self-contained judgments.

### **Requirements**

- Send to the Director General (DG) a copy of two judgments: one civil, one criminal, which they rank as the best. The judgments will be examined through peer review.

### **Evaluation**

- Feedback for each resource person (level 1).
- Feedback about the course on the last day (level 2).
- On job application of skills in due course of time (level 3).

## **MODULES**

### **LAGUAGE**

*Prof. Dr IsmailWali, PhD in English, Professor Institute of Management Sciences, Peshawar*

#### **Style and structure of Judgment: Basics**

*Focus:* Structural aspects and style of a judgment. *Skills:* Structuring and writing a judgment.

#### **Judgment writing: Principles of effectiveness**

*Focus:* 4Cs of effective communication. *Skills:* Concise, clear, correct and complete.

#### **Judgment writing: Modern strategies**

*Focus:* Avoidance of verbal pitfalls. *Skills:* Words to avoid.

#### **Judgment writing: One word vocabulary**

*Focus:* Consistency. *Skills:* To develop consistency.

#### **Judgment writing: Practical-I**

*Focus:* Evaluation of a judgment. *Skill:* To evaluate a judgment.

#### **Judgment writing: Practical-II**

*Focus:* Writing a judgment. *Skill:* To write a judgment, applying the skills learnt.

<b>SUBSTANCE</b>
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**Mr. Niaz Muhammad Khan, Registrar, Islamabad High Court**

**Elements of a court judgment**

*Focus:* Procedural and substantive elements of judgment. *Skill:* The Dos and donts.

**Appreciation of evidence in judgment writing**

*Focus:* Conscious understanding and application of rules of evidence. *Skill:* Avoiding irrelevant and selecting the cogent.

**Interpretation of laws in judgment writing**

*Focus:* Juristic understanding of text of laws. *Skill:* Translation into judgment writing.

<b>OTHERS</b>
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**Mr. Zia Ahmad Khan, Senior Instructor (retired), NIPA, Peshawar**

**Perception lock and its impact on judicial decision making**

*Focus:* Psychology of judicial decision-making. *Skill:* To break the psychological barriers in reaching a just conclusion.

**Mr. Amir Nazir, Senior Director Research, KP Judicial Academy**

**Procedural provisions pertaining to Judgment Writing**

*Focus:* Revisiting relevant procedural rules. *Skill:* Correct application of procedural rules.

**Dr Khurshid Iqbal, Dean Faculty, KP Judicial Academy**

**Contemporary trends in judgment writing**

*Focus:* Analysis of contemporary research. *Skill:* To know best practices.

**Qazi Attaullah, Director Instructions, KP Judicial Academy**

**Judgment writing in Islamic law**

*Focus:* The significance of judicial decision making. *Skill:* Knowledge and application of relevant rules.

**Dr Adnan Khan, Director Research, KP Judicial Academy**

**Research Skills** *Focus:* The need and importance of judicial research. *Skill:* Learning of research skills

## Schedule of Activities

### DAY-1 Monday

Registration of the Participants  
8:30 AM

Recitation from the Holy Quran  
8:45 AM

Dua  
8:45 AM

Welcome address by the Director General  
9:00 AM

Instruction  
9:15---9:25 AM (Dean)

Pre Training Evaluation  
09:25 -- 9:50  
Perception lock and it impact on judicial  
decision making  
09:50 --11:15 (By Mr. Zia Ahmad Khan)

Tea break  
11:15 -- 11:45

Perception lock and it impact on judicial  
decision making  
11:45-- 01:15

Lunch + Prayer break  
01:15 -- 02:15

Study circle: Perception lock and it impact  
on judicial decision making  
02:15—03:30

### DAY-2 Tuesday

DUA  
08:00 -- 08:05

Group Presentation  
08:05 -- 08:15

Appreciation of evidence in judgment  
writing  
08:15 -- 10-00 (By Niaz Muhammad Khan)

Tea Break  
10:00 -- 10:30

Elements of a court Judgment  
10:30 -- 12:00

Interpretation of laws in judgment writing  
12:30 -- 01:30

Lunch + Tea Break  
01:30-- -02:30

Interpretation of laws in judgment writing  
02-30 -- 04:30

**DAY-3 Wednesday**

DUA

08:00 -- 08:05AM

Group Presentation

08:05 -- 08:15AM

Judgment Writing: Modern Strategies(By  
Dr. Ismail)

08:15 -- 09:45

Judgment Writing: One Word  
Vocabulary(By Dr. Ismail)

09:45 -- 11:00

Tea Break

11:00 -- 11:30

Peer Review

11:30 -- 01:30

Lunch + Prayer break

01:30—02:30

Judgment Writing Practical 1(By Dr.  
Ismail)

02:30 -- 04:30

**DAY-5 Friday**

DUA

08:00 -- 08:05

Group Presentation

08:05 -- 08:15

Post training evaluation

08:15 – 10:00

Contemporary trends in Judgment Writing  
(By Dr. KhurshidIqbal)**DAY-4 Thursday**

DUA

08:00 -- 08:05

Group Presentation

08:05 -- 08:15

Judgment Writing: Principles of Effectiveness  
(By Dr. Ismail)

08:15 – 10:30

Tea Break

10:30 -- 11:00

Style and Structure of Judgment Writing  
11:00 -- 12:30 (By Dr. Ismail)

Lunch + Tea break

01:30---02:30

Study circle Order 20CPC

02:30 -- 04:30 (By Mr. Muhammad Aamir  
Nazir )**DAY- 6 Saturday**

DUA

08:00 -- 08:05

Group Presentation

08:05 -- 08:15

Judgment Writing---- Islamic Perspective  
(Qazi Attaullah)

08:15 -- 10:00

Break

10:00 -- 10:30

10:00 – 12:30

Academy Night to be organized  
by the participants which shall include  
a dinner with a dignitary

Arrival of the Hon'ble the Chairman  
10:30 -- 12:00

Concluding ceremony  
Certificate distribution  
Concluding address by the DG  
Concluding address by the Chairman  
Dua  
Photography

## Welcome Address by the Director General

*Dear Participants*

It is a great honor for me to welcome the 6<sup>th</sup> batch of judicial officers for this 6-day training course on JW. Last year, right in these days, we started our work at this institute. We started work in a very difficult situation. The building that you see now, was in a deteriorated condition. There was dust and debris, trash and rubbish, all around. After about 3-4 months, we were able to have this beautiful building. This is to provide you with an atmosphere in which you feel comfortable, you feel peace of mind.

We have designed this course in a period of six months. We conducted a questionnaire survey. We found that our judgments should be precise, well reasoned and free from boring length. The course also aims at bringing about an attitudinal change. We all judges are usually addressed in the court as learned people. It is imperative to prove that we are indeed learned people. Unfortunately, most often we are failing in proving this. We need to break this perception lock in the first instance. Then, we should be able to write precisely. This requires effective communication skills. Next, our judgment must be well reasoned. On this score, we need to learn proper appreciation of facts and palpable weighing of evidence. A range of seminars will be held to address these areas, reflecting on contemporary trends, research skills and also Islamic perspective.

With this, I welcome you all. We hope you have good time with us.

**Hayat Ali Shah**

**Mr. Zia Ahmad Khan****Curriculum Vitae****Zia Ahmad Khan****Profile****Addi Directing Staff, NIM, Pakistan Academy for Rural Development, University Town, Peshawar**Office: 091-9216003 **Mob: 0315-9067939** Res: 091-9216281

<b>Education</b>	1968 School Certificate O' Level 1972 Graduation in Arts 1975 Master in Public Admn-MPA	<b>Cambridge University UK</b> <b>Karachi University</b> <b>Punjab University</b>	
<b>In Country Training</b>	1983 Local Planning & Mgt. UNICEF & UNCRD 1986 Case Method Seminar: PASC Lahore 1986 Foreign Travel Integration: Islamabad 2004 Human Rights FD Training Institute	<b>Japan</b> <b>World Bank</b> <b>USAID</b> <b>Islamabad</b>	
<b>Training Abroad</b>	1985 Designing Training Programs: ITI 1986 Leadership & O.D: ITOD Pittsburgh 1986 Recognition Certificate on Leadership 2004 Self Employment: Eastham London	<b>Australia</b> <b>USA</b> <b>USAID</b> <b>UK</b>	
<b>Experience</b>	<b>Working at PARD &amp; NIPA/NIM, Peshawar since 1977</b>		
<b>Clientele</b>	Trained Thousands of Professionals such as Senior Government Officials, College Principals, University Professors, Staff of NGOs, Doctors, Bankers, Engineers, Local Councilors, Community Leaders, Teachers, Foreign Diplomats including groups from: <b>Africa, Palestine, Central Asia and Afghanistan</b>		
<b>Subjects</b>	<b>Management</b> Stress Management Crisis Management Good Governance Restructuring Orgs	<b>Humaneering - HRD</b> Poverty Reduction Gender Mainstreaming Community Development Reprogramming Behavior	<b>Leadership</b> Presentation Skills Health & Education Environmental Mgt. Reporting Writing
	<b>In addition to PARD, NIPA/NIM &amp; PSA, also worked for the following:</b>		
<b>National Orgs</b>	<b>PESHAWAR</b> Institute of Management Sc. Agriculture Training Institute Inst. Of Computers & Mgt. Sc. Peshawar Dev. Authority Coord. For Humanitarian Asstt. Sarhad Rural Support Corp. Institute of Edu. & Research Dev. Alternative Incorporation College of Home Economics Habib Bank Ltd.	<b>N.W.F.P.</b> KIDP Kalam FVDB Mingora DDDP Dir SRSC Charsadda SRSC Abbottabad SRSC Kohat PTC Hangu TSC Haripur ISSB Kohat SIAP Swabi ADC Mardan LPAP Lachi	<b>ISLAMABAD</b> NIBAF NCRD Academy for Edu. Plg. & Mgt. Foreign Service Academy WAPDA Staff College Trust for Voluntary Orgs. Women's Division, GOP <b>QUETTA</b> BCIAP World Bank <b>KARACHI</b> Karachi Metropolitan Corp. K. Water & Sewerage Board
<b>Global Orgs</b>	National Bank of Pakistan State Bank of Pakistan		
	<p><b>Member</b>, Provincial Trainers Team, Local Planning &amp; Management, Chitral, 1983, <b>UNICEF</b>  <b>Author</b>, Manual on Local Planning &amp; Management, 1984, <b>UNICEF</b>  <b>Coordinator</b>, Training Programs at NIPA FHP Health Deptt. 1984 <b>World Bank</b>  <b>Author</b>, Training Manual on Health Planning &amp; Management FHP, 1997 <b>World Bank</b>  <b>Author</b>, Training Manual on TOT FHP Health Department, 1997 <b>World Bank</b>  <b>Author</b>, Evaluation of SRSC, NGO Dev. in South Asia, Managing for Change, AKF <b>Oxford</b>  <b>Coordinator</b>, Training Task Force, BCIAP, Balochistan, 1999 <b>World Bank</b>  <b>Author</b>, Training Manual BCIAP, Irrigation Department, Balochistan, 1999 <b>World Bank</b>  <b>Leader</b>, Core Group (Nucleus) Training Programs Local Govt. (<b>Devolution</b>) 2000 <b>NRB</b>  <b>Trainer</b>, Mine Action Program for Afghanistan, Cranfield University, <b>UK UNDP</b>  <b>Moderator</b>, NWFP Education Policy and Strategy, Education Deptt. 2003 <b>GTZ &amp; DFID</b>  <b>Author</b>, NWFP Education Policy and Strategy, Education Deptt. 2003 <b>GTZ &amp; DFID</b>  <b>Coordinator</b>, Training Programs, Gender Mainstreaming, 2006, P&amp;D NWFP, <b>UNDP</b></p>		
<b>Resource Person</b>	<b>Seminar for Vice Chancellors of all Universities in Pakistan, Islamabad, 1989</b>		
<b>Publications</b>	<b>Scores of Internationally acclaimed Research Studies and Publications</b>		

Job Opportunity, Leeds Metropolitan University, 2004, **UK**  
Selected as Resource Person London Corporate College, 2004, **UK**  
Selected as HRD Specialist EIROP Peshawar, 2005, **UNDP**  
Work Permit Holder, Highly Skilled Migrant Program, **UK**

**Schooling: Lawrence College, Murree Hills**

1 of 4

**Zia Ahmad Khan** : ADS, NIM-Pak Academy for Rural Dev. Peshawar  
Mob. 0315-9067939

## International Credentials

### United Kingdom

- |     |   |               |
|-----|---|---------------|
| 01. | Work Permit , <b>Highly Skilled Migrant Programme</b> Home Office | <b>UK</b>     |
| 02. | School Certificate O'Level <b>Cambridge University</b>            | <b>UK</b>     |
| 03. | <b>Oxford Word and Language Service:</b> Humaneering              | <b>UK</b>     |
| 04. | Resource Person <b>Mine Action Prog.</b> Cranfield University     | <b>UK</b>     |
| 05. | Employment Opportunity, <b>Leeds Metropolitan University</b>      | <b>UK</b>     |
| 06. | Job Offer as Consultant <b>London Corporate College</b>           | <b>UK</b>     |
| 07. | <b>National Insurance Number Card for Life</b> Glasgow            | <b>UK</b>     |
| 08. | Training on <b>Self Employment</b> , Satsuma Consultancy, London  | <b>UK</b>     |
| 09. | Check List of <b>British High Commission</b> for Award of Visa    | <b>UK</b>     |
| 10. | Contribution of <b>Case Study to Book Managing for Change</b>     | <b>Oxford</b> |

### USA and USAID

- |     |  |              |
|-----|--|--------------|
| 01. | <b>Certificate of Recognition on Leadership &amp; Org. Development</b> | <b>USA</b>   |
| 02. | <b>Leadership and Organizational Development</b> Pittsburgh            | <b>USA</b>   |
| 03. | <b>Scholarship for Higher Studies</b> in Dev. Admin (2 years)          | <b>USA</b>   |
| 04. | <b>Letter of Tom Rogers</b> Academy for Education Development          | <b>USAID</b> |
| 05. | <b>Assessment of International Training Programmes</b> by AED          | <b>USAID</b> |
| 06. | Workshop on <b>Foreign Travel Integration</b> Academy for Edu.Dev.     | <b>USAID</b> |

### Australia & Austria

- |     |   |                  |
|-----|---|------------------|
| 01. | <b>Design &amp; Development of Training Programmes</b> ITI Sydney | <b>Australia</b> |
| 02. | Internship Program at <b>Sydney Trainer Training Centre</b>       | <b>Australia</b> |
| 03. | <b>Pak. Community Development Programme</b> , Austrian Relief Com | <b>Austria</b>   |

### UN and Others

- |     |   |                |
|-----|---|----------------|
| 01. | <b>Master Trainer Planning</b> Through Community Participation        | <b>UNICEF</b>  |
| 02. | Job offer as <b>Human Resource Development Specialist</b> EIROP       | <b>UNDP</b>    |
| 03. | <b>Training Course on MIS</b> – Cabinet Secretariat Mgt.Services Div. | <b>UNDP</b>    |
| 04. | <b>Case Study Seminar</b> , PASC, Lahore, Ec. Dev. Institute          | <b>W/ Bank</b> |
| 05. | Coordinator & Author <b>NWFP Education Policy &amp; Strategy</b>      | <b>GTZ</b>     |

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Designed & Conducted Special Courses for Participants of  
Central Asia, Africa, Palestine & Afghanistan

## Zia Ahmad Khan : Research Studies & Publications

### Rural Development

- Impact of Daudzai Pilot Project IRDP Study of (86) Village Organizations** PARD, Peshawar 1977 (Unpublished)
- Report of Conference and Workshop on Non-Formal Education and the Rural Poor** Journal of Rural Dev. and Administration Vol XIII, No.2, PARD, Peshawar (1978) Book Review
- Rural Development – View from a Farmer’s Hamlet (A Case Study)** Basic Needs and Rural Development Part-I, International Seminar Papers, PARD, Peshawar (1980) p.436
- Conflict in Management Patterns as an Impediments to Rural Dev. in Pakistan**, Management for Rural Dev. in Pak (Report of an International Seminar) PARD, Peshawar, UNICEF – Pak UNCRD Nagoya, Japan (1983) p.77
- Possibilities and Prospects of Agro-Based Industries for Rural Women in NWFP**, Women’s Division, Government of Pakistan, Islamabad (1983)
- Drift and Dissipation in Rural Development – An SOS for Survival** papers of an International Conference on Challenge of Rural Development in the Eighties, PARD, Peshawar (1985)
- Problems and Prospects of Rainfed Agriculture in NWFP (An Overview) Evaluation of Phase-II** and Future Requirements, PARD, Peshawar (1988)
- Poverty Reduction Strategy** (Manual on Integrated and Participatory Approaches), PARD, Peshawar 2001
- Storey of PARD Part-II Golden Jubilee**, Pakistan Academy for Rural Development, Peshawar, 2010

### Planning and Management

- **Decision Making in a Tribal Social System** Journal of Rural Development and Administration, Vol. XV, No.1, PARD, Peshawar (1978)
- **Five Year Plan of District Chitral, (Based on House to House Survey with Community Participation)** PARD, Peshawar, UNICEF Pakistan & UNCRD Nagoya Japan (1983-84)
- **Manual for Local Level Planning and Management through Community Participation** UNICEF Pakistan, Islamabad (1984)
- **Organizational Aspects of Kalam Farmers**, KIDP (A Pak Swiss Joint Venture), PARD, Peshawar (1986-87)
- **Wafaqi Mohtasib (Ombudsman)’s Annual Report 1986 – A Critical Appreciation**, Journal of Rural Development and Administration Volume XX, No.3, PARD, Peshawar (1988) p.107
- **Interview – A Form of Human Engineering** Paper presented at the General Seminar Inter-Services Selection Board (ISSB) Kohat (1989)
- **Humaneering – A process for Preventing Crime**, International Seminar on Criminal Justice: Asia Crime Prevention Foundation and National Police Academy, Islamabad, 1992
- **Manual on Health Planning and Management** (World Bank) for Trainers of FHP, (1997) (unpublished)
- **Evaluation of Khyber Medical College and Postgraduate Medical Institute**, Peshawar by PARD, Peshawar (FHP/World Bank) 1988 unpublished
- **NWFP Education Policy and Strategy** Education Department, GTZ and DFID, Peshawar, 2003 (unpublished)
- **PRA Techniques for Agriculture Officers and Field Assistants of FATA, ATI**, Peshawar 2003 (unpublished)
- **Cruising in Turbulence, Case Study of SRSC** Peshawar **Managing for Change, Asian NGOs AKF Oxford**

### Training

- **First Advanced Course** in Public Administration and Dev. Economics, NIPA Peshawar (1986)
- **Towards Andragogy – Second Advanced Course** NIPA, Peshawar (1987)
- **Thought of the Day – A Serendipitous Sojourn in Andragogy**, NIPA Peshawar (1988)
- **Experiential Learning – Third Advanced Course**, NIPA Peshawar (1989)
- **Career Awareness and Career Dev.** Workshop Papers on Vocational Guidance and Employment Awareness, Ministry of Manpower & Overseas Pakistanis, Government of Pakistan (1990)
- **Internal Assessment of Training Programs** PARD, NIPA, Peshawar (1990)
- **Semantic Equivalents of Learning “PRISMIRROR” Advanced Course** NIPA Peshawar (1992)
- **Milking Memories, First Re-Union** of NIPA, Peshawar (1994)
- **Manual on (TOT Course) Design and Dev. of Training Programs** NIPA & FHP (World Bank) for Trainers of FHP Peshawar (1997) (unpublished)
- **Training Manual on Community Irrigation Services**, Irrigation Department and BCIAP Quetta, Balochistan (World Bank) 1999 (unpublished).
- **Training Need Assessment Report for MCMC** Courses National Institute of Management, (2006) NSPP

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The author holds Certificates & Credentials from Cambridge University, OWLS: Oxford, Cranfield University, ITI Sydney, ITOD Pittsburgh, Pennsylvania University, USC California, World Bank, UNICEF, GTZ and **The Highly Skilled Migrant Program Work Permits UK**

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 Treat Defence Mechanism Syndromes

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 Embrace Innovative Dimensions  
 Accelerate Creative Decisions and  
 Strengthen all Strategic Options:

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 Understand Non-Verbal Languages,  
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**Avoid**  
Learning  
And  
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Elevate Managerial Excellence,  
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❖ Narcissism	❖ Hypertension
❖ Sadism	❖ Insomnia
❖ Masochism	❖ Psywar
❖ Sado-Masochism	❖ Aggression
❖ Hysteria	❖ Regression
❖ Phobia	❖ Depression
❖ Paranoia	❖ Withdrawal
❖ Epilepsy	❖ Conflict
❖ Euphoria	❖ Corruption
❖ Narcolepsy	❖ Deadlock

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## *Mr. Niaz Muhammad Khan*

### Curriculum Vitae

#### **CURRICULUM VITAE OF NIAZ MUHAMMAD KHAN**

##### **Personal Information**

- Name: Niaz Muhammad Khan
- Father's Name: Paristan Khan
- Postal Address: Niaz Muhammad Khan, Registrar, Islamabad High Court  
Peshawar High Court, Pakistan
- Permanent Address: Niaz Muhammad Khan s/o Paristan Khan village  
Ahl Tehsil & District Mansehra
- Telephone # (Office): +92-51-9108038
- Telephone # (Res): +92-51-9108030
- Mobile # +92-3009367810
- Email: niazphc@hotmail.com
- Fax# +92-51-9108039

##### **Educational Qualification**

- Matric/SSC in First Division obtaining 65.1% marks
- Intermediate/HSSC in 2nd Division obtaining 55.8 % marks
- B.A/Graduation in 2nd Division obtaining 58.6 % marks

##### **Professional Qualification**

- FEL (First Examination in Law) in 1<sup>st</sup> Division obtaining 74 % marks
- LLB (Bachelor of Laws) in 1<sup>st</sup> Division obtaining 60.7 % marks
- 1 year Post Graduate Diploma in Islamic Laws from Sharia Academy  
International Islamic University, Islamabad, Pakistan obtaining 62.37 % marks
- 3 months course from Pakistan Provincial Services Academy
- One week course of Financial Management from National Institute of  
Public Administration

##### **Academic Achievement**

- Got merit scholarship in Intermediate.
- Got merit scholarship in LLB.

##### **Professional and Service Career**

- Remained as practicing lawyer of District Courts from 1983 to 1988.
- Remained as practicing lawyer of High Court in 1988.
- Joined Judicial Service as Civil Judge in 1988 by securing 1<sup>st</sup> position in the  
exam of Provincial Civil Services (Judicial).
- Promoted to as Senior Civil Judge in 1994.
- Promoted to as Additional District & Sessions Judge in 2002.

- Promoted to as District and Sessions Judge on first of July 2010.
- Remained as Additional Member Inspection Team, Peshawar High Court for a period of 06 years.
- Remained as Additional Registrar (Admin), Peshawar High Court in 2010&2011..

#### **Achievements in Service**

- Awarded certificate of merit by the Chief Justice of Peshawar High Court Peshawar High Court in 1993 for outstanding performance as Civil Judge
- Awarded cash prize and certificate of merit for obtaining the first position in first Incentive & Reward Policy by the Peshawar High Court
- Received appreciation certificate from the Chief Election Commission of Pakistan in 1988 for conducting fair, and impartial General Election in 1988 as Returning Officer.
- Awarded Certificate of Commendation by the Chief Justice of Peshawar High Court in 2006 for rendering Services in the compilation of first ever Judicial Estacode 2006 in Pakistan and probably in the world.
- Awarded Certificate of Commendation by the Chief Justice of Peshawar High Court in 2011 for rendering Services in the compilation of second revised, and enlarged edition of Judicial Estacode 2011.

#### **Capacity Building**

- As a resources person delivered many lectures on various topics in Federal Judicial Academy Islamabad, Khyber Pakhtunkhawa Judicial Academy, Peshawar, and in other foras in connection with pre-service Orientation Training Programmes of newly appointed judges and also in service judges.

#### **Conferences, Workshops, Seminars etc.**

- Attended many conferences, workshops and seminars on legal subjects as resource person.
- Attended many conferences, workshops and seminars as facilitator, coordinator or research associate.
- Attended 2 days seminar on 24<sup>th</sup> and 25<sup>th</sup> of November 2004 at Peshawar as Research Associate on “Commercial Dispute Resolution (CDR)” in which Justice Branson of Federal Court Australia was the guest speaker.

- Attended 2 days UK Pakistan Judicial Conference as research Associate on a Protocol on “Children and Family Laws” on 22 and 23<sup>rd</sup> September 2003 at Islamabad.
- Attended seminar on “Protocol on Child Protection” jointly organized by UK Judges of Family Division, Lawyer of UK and Pakistani Judges in Jan 2005 at Peshawar as Research Associate.
- Three days training of trainers from British Council in 2004.
- One day training of trainers from British Council in 2007.

In the High Court besides Administration, the following special assignments have been given:

- Rule Making
- Litigation
- Resource person in capacity building of the Judges of District Judiciary
- Opinion
- Establishment

In the field of monitoring of District Judiciary has contributed a lot in pinpointing the deficiencies in the fields of Court & Case Management, Quick Disposal etc. and suggested some concrete proposals for improvement in Court & Case Management and Expeditious Disposal of cases. These deficiencies and proposals have been compiled in a booklet form to be known as “Consolidated Inspection Note of Inspections of Subordinate Courts, 2003”.

Computer skill- can operate computer as per requirement.

#### **Books / Compilations**

- Consolidated Inspection Note for 2003 (a book consisting of 63 pages)
- Judicial Estacode 2006 (A book consisting of 554 pages)
- Judicial Estacode 2011 (A book consisting of 679 pages)

## Elements of Judgment Writing

This topic covers the following five main areas of judgment writing:-

- i) Linkage of Judgment Writing with Law;
- ii) Linkage of Judgment Writing with Code of Conduct;
- iii) Neutrality of Judgment Writer;
- iv) Grasp of facts;
- v) Application of Law.

**i) Linkage of Judgment Writing with Law:** The participants are made aware of the different provisions of law enjoining upon a decision maker to deliver a judgment. The various legal aspects of law are discussed focusing on necessity of delivering a reasoned judgment.

**ii) Linkage of Judgment Writing with Code of Conduct:** This area covers the responsibilities of a judge who is to deliver a judgment which qualifies all the elements as reflected by the Code of Conduct for Judges. For instance, the trait of impartiality of a Judge requires a judgment to be impartial and an unbiased Judge shall deliver unbiased judgment.

**iii) Neutrality of Judgment Writer:** The participants are made conscious of the importance of the neutrality of the decision maker. The emphasis is not only on partisan tilt on material considerations such as extra judicial but also on psychological inclinations, mostly the product of unconscious evolutionary indoctrination, which leads to cognitive and implicit biases ranging from cognitive dissonance to anchoring bias and the like. The discussion also includes the techniques for reducing these biases to the minimum which include psychological catharsis, openness and impeachment of personal perceptions.

**iv) Grasp of Facts:** No Judgment can be called good judgment unless the decision maker has full grasp of the facts. The focus is on contextual understanding of the pleadings leading to understanding of core differences and then translating the same into real issues.

**v) Application of Law:** The participants are made aware of the importance of understanding the law in the decision making. The emphasis is on the understanding of both substantive and procedural laws and their application to the facts before them. A good judgment is one which makes proper nexus of law with the facts of the case. The understanding of law in factual context is an important feature of the talk.

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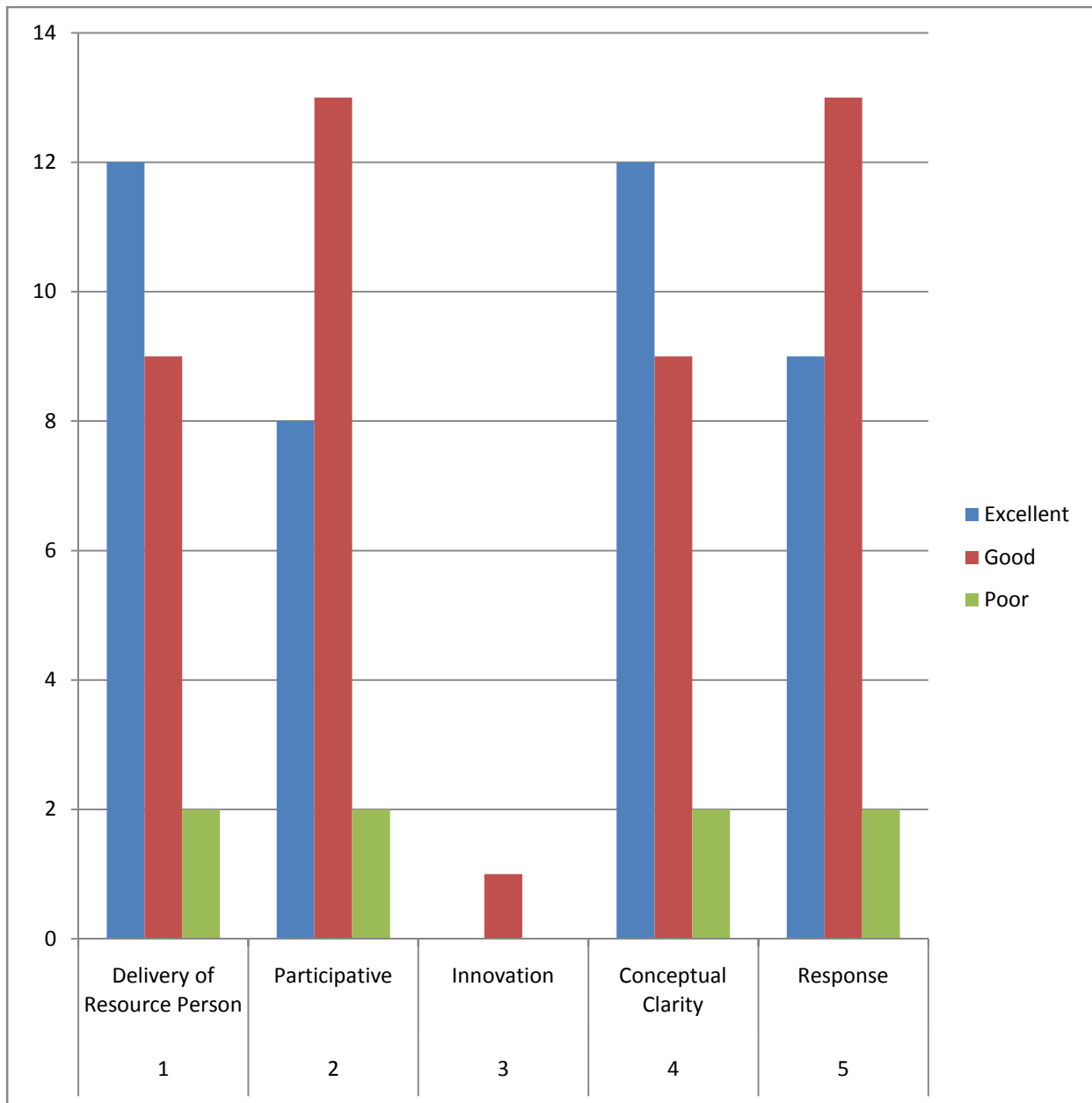
## **Appreciation of Evidence**

The Judgment Writing in judicial matters is based upon the correct appreciation of evidence. No Judicial Officer can deliver a good judgment unless he has the ability to appreciate the evidence holistically and in its true perspective. The focus is on sifting of relevancies from irrelevancies in order to avoid decision on the basis of irrelevant facts. The participants are made known the different categories of relevancies and their due weightage. They are also sensitized about the admissibility of the facts depending upon the cogency of the same. They are empowered to differentiate between rebuttable and irrebuttable presumptions about facts and also the conclusive evidence. The focus is on practical aspect of the matter enabling a Judicial officer to decide these issues at the moment when they crop up at the time of recording of evidence. They are also made conscious of the fact that how judgment is affected when an inadmissible fact is given weightage and how it goes to the root of judgment when relevancy is not appreciated.

## Interpretation of Law

The topic focuses on a good judgment in the context of interpreting the laws. A good judgment is one which is based on correct interpretation of laws as applicable to the facts of the case. The difference between the juristic and journalistic approaches is highlighted and it is emphasized that how the rules of interpretation can better be understood and applied while interpreting the laws. The discussion extends to different types of laws including Constitutional Law, Ordinary Law, Delegated Legislation and the like. The participants are also empowered to differentiate between superiority and subjection of laws, the effects of laws in retrospect and prospect; the effect of repeal of laws qua the substantive and procedural laws; the importance of words in the legislative instruments; the holistic approach in interpretation of laws and different approaches towards interpretation like purposive interpretation, contextual interpretation and the like. The participants are also made known the limitation of the courts in interpretation of laws and judicial review.

## Feedback



**Mr. Muhammad Ismail Wali****Curriculum Vitae****Name:** Muhammad Ismail Wali**Father's Name:** Mir AfzalWali**Date of Birth:** March 3, 1960**Domicile:** Chitral, KPK**Permanent Address:** PO & Village Mastuj, TehsilMastuj, District Chitral, Khyber Pakhtunkhwa**Mailing Address:** Institute of Management Sciences, Phase-7, Hayatabad, Peshawar**Email:** [ismwali@gmail.com](mailto:ismwali@gmail.com)**Mobile:** 03038330745**Academics:**

	<b>Year</b>	<b>School/College/University</b>	<b>Subject (s)</b>	<b>M O</b>	<b>Div/Gr</b>
Matric	1976	GHS Mastuj, Chitral	English, Math General Science Pak studies Persian I studies	541	1st
F A	1978	GDC, Chitral	English Urdu Economics Islamic History Persian	548	2nd
B A	1980	Private Capacity	English English Elective Islamic Ideology Islamic History Urdu	311	2nd
MA	1984	PG Jahanzeb College, UoP of Peshawar	English	2nd	
M Phil	1998	Department of English, UOP of Pesh	English		3.3 GPA
PhD	2009	Department of English, UoP of Peshawar	English		3.7 GPA

**Research Details:**

1. Awarded M Phil for research on Matthew Arnold's Poetry, *A Journey through Night: An Interpretative Study*. The study focuses on the symbolic aspects of the image of "night" in Arnold's poetry, backed by an extensive statistical analysis applied to a literary text for the first time in Pakistan.

2. Awarded PhD in English for research on a Shakespeare's comedy from a Jungian perspective: *A Midsummer Night's Dream: Shakespeare's Syzygy of Meaning*. The research work was supervised by Professor Nasir Jamal Khattak, PhD (Amherst), the Chair, Department of English and Applied Language, University of Peshawar. This is the first foreign-evaluated degree awarded to a scholar of the above department.

**Published and Prospective Papers:**

<b>S No</b>	<b>Title of Paper</b>	<b>Year</b>	<b>Journal</b>
1	Poetical Appeal in Charles Lamb's Essay "The Child Angel"	1993	Journal of English Literary Club
2	Bottom's Bottom's Dream	2003	Journal of Humanities and Social Sciences, Vol. IV, 1 & 2, 2003
3	Shakespeare's A Midsummer Night's Dream: Syzygy in Action	2005	Do Vol. XIII, 1 & 2, 2005
4	Seeing Through Shakespeare's a Midsummer Night's Dream, co-authored by Prof. Nasir Jamal Khattak, PhD	2008	Do Vol. XVI, 1, 2008
5	"Brave Night and Hideous Night:" A Jungian Reading of Shakespeare's Sonnets	Under process	
6	Shakespeare's Synergizing Potential: A Study of <i>A Midsummer Night's Dream</i> from Management Perspective	Under process	

**Track History:** Joined Education Department, NWFP, as lecturer in English in March 1986 on ad hoc basis, and worked in that capacity till regularization through NWFP Public Service Commission in 1987. I have been teaching English at FA and BA levels till my deputation to the Institute of Management Sciences, Peshawar, in November, 2009.

**Field Activities:**

Supervised a team of auditors for 3rd part validation of schools in KhyberPakhtunkhwa.

Designed a course on Language and Communication Skills for PMS Officers

Conducted a one day workshop on “psychology of Learning and Research” on 12-2-2010 in I/M Sciences

**Administrative Experience:** worked as Section Officer in Higher Education Department, Civil Secretariat, Peshawar, from Feb 2002 to Nov 2002. During this period I learned how

- to prepare briefs and summaries for Ministers/Chief Minister
- to put up cases of appointment, transfer, leave, and disciplinary action
- to work in an official environment
- deal with issues of public interest
- to put up a proposal for approval

**Social Activities:** worked as volunteer chairperson of QASADO, a local non-profit organization for human and natural resource development. In this capacity, I experienced how to

- work in a participatory environment
- formulate policies for sustainable development
- establish linkages with donors for partnership programs
- preside over meetings and lead a team

**Immediate Future Plan:**

**Vision:** to work for creating an academic environment and intellectual growth in such a way as to produce not “living copying machines” to follow a “cut and paste method” for promotion, but “creative individuals” for procreative activities in every field of human activity., and to work for living together as humans irrespective creed, caste, and culture.

## Plain English

### Brainstorming

What do we mean by Plain English?

The seminal objective of this session is to introduce the concept of Plain English Movement in the world, especially in legal/judicial contexts. It is pertinent to mention here that billions of dollars are spent on drafting legal documents, and the followers of PEM have succeeded in entering into the judicial culture for working for making legal documents easily understandable. The followers of PEM recommend to 1) use words of Anglo-Saxon origin, 2) to avoid nominalization, 3) to prefer active voice, 4) to minimize legalese and Latin terminology. The followers of PEM argue that simple words are more effective than difficult words; simple sentences (one idea one sentence) are more easily graspable than compound and complex sentences.

Plain English Movement is active in Australia, Canada, England and America. PEM focuses on easily understandable language in legal contexts including judgments. To support their view, PEM activists usually refer the judgments of Lord Denning. In this session, judgments written by Lord Denning will be used as resource to introduce participants to the concept of Plain English as reference guide for learning simple verbal strategies, avoidance of nominalization, legalese, Latin terminology, and use of active voice.

The session will enable participants to learn how to apply the strategies propounded by the followers of PEM.

## Avoidance of Pitfalls

### Brainstorming

Guess the meaning of “judicial Heroism.”

This session is complementary to the previous session on principles of effective communication. The core objective of this session is to familiarize with the concept of avoiding verbosity, unnecessary repetitions, ambiguity, overuse of legalese, and judicial heroism. The term “judicial heroism” has been coined here to epitomize the intellectual environment of a judge to impose his/her legal knowledge on the reader, which breeds verbosity, unnecessary repetitions, ambiguity, overuse of legal jargons, unwise use of modifiers with the result that the reader is impressed by the big and difficult words without being clear on what the judgment says.

This session contains sample judgments and relevant portions from world constitutions how “judicial heroism” is practiced, which makes a legal writing open to different interpretations. Through this session, participants will be sensitized to the concept of clear thought and clear language, so that common readers should understand their rights and duties, which will prepare the way for good governance, development of civic sense leading to legal empowerment.

After doing this session, participants will be able to know the problem of “judicial heroism” and make their judgments reader-friendly as far as possible.

Practical: Participants will be engaged in re-writing the samples for learning how to avoid verbosity, unnecessary repetitions, ambiguity, and overuse of legalese.

## One-Word Vocabulary

Brainstorming Question: what do we mean by One Word Vocabulary?

Language is a very complex medium of communication. Language is an ever-evolving phenomenon. Language is the product of the environment in which it evolves. As non-native users of English, we have to learn its mechanics, which is a lifelong process. English has been evolving for the last fifteen centuries with three major shifts (Old English, Middle English, and Modern English) in its history. During its evolutionary history, English has absorbed words from Latin, Greek and French including Arabic, Persian, and many other languages of the world. An introduction to the basics of etymology will help participants understand how to guess the meaning of a word.

The term “One Word Dictionary” has been coined to conceptualize all those words which compress many shades of meaning into one word, and this word makes our meaning concisely precise, saving both our time and space given the constraints of judicial officers. For example, an animal which feeds only on grass and grains is called herbivore; 10 words compressed into one word. An animal which lives both in water and on land is called (12 words) is called amphibian. The word for a person who pleads cases at courts on behalf of others is (15 words) a lawyer. In legal contexts, the term “murder” covers all shades of killing in an unlawful manner. The sentence “evidence is clear that he/she has committed murder” is enough to clarify other shades of meaning associated with the details of an individual case whose mechanics may be different from any other act of murder.

The participants will be motivated to think of and make a list of such words so that a database of “One Word Dictionary” will evolve with the passage of time for future references. This exercise will sharpen the verbal skills of the participants for saving their time and space.

Note: The participants were also given an opportunity to do reading and writing practice with a view to know and understand modern strategies.

## Style and Structure of Judgment: Basics

**Conceptual Background:** Besides legal knowledge and judicial wisdom, writing a judgment is a skill involving orthography (how thoughts are turned into symbolic patterns on paper/computer, grammar and punctuation (mechanics of English), idiomatic structures (which are governed by conventions) and semantics (study of meaning). The core objective of these lectures is to sensitize the participants to verbal strategies for writing legally effective and stylistically persuasive judgments.

### *Brainstorming*

*Question:* what psychic component governs all our activities as humans?

All human activities are governed by the ego, the regulator of our waking life. The process of judgment writing is no exception to it. If the ego malfunctions, semantic distortions occur in a judgment. Therefore a judge should empty his/her mind of all those contents which may negatively affect his/her judgment. The presence of such contents may impair their objectivity, impartiality, fairness and sense of justice. And without these values both the structure and style of a judgment lose their effectiveness.

This lecture focuses on the basics of structure and style of judgment before familiarizing the participants with the strategies of professional writing. Usually, the structure of a judgment comprises of 1) information on court, judge and his/her station; 2) case and its file No; 3) title of case; 4) introduction; 5) facts; 6) evidence analysis; 7) reasoning; 8) application of law; 9) order; 10) signature/seal/date. The style of a judgment depends upon diction, structure of sentences and paragraphing to organize ideas for an effective management of language. Words are the building blocks of a judgment; hence knowledge of words and their denotative aspect is essential for judgment writing. Collocations are fraught with difficulties for non-native users, and through this lecture participants will be sensitized to the usage of words in English. Words, phrases and clauses are combined to make sentences for generating extended units of meaning. Sentences may be simple, compound or complex, depending upon the ideas on the mind of a user. Sentences are combined to form paragraphs. A good writer organizes his/her ideas into easily graspable paragraphs, each having a thesis statement.

Writing is a difficult process, and all professional writers follow certain formal steps for producing an effective piece of writing. These steps are: 1) planning, 2) drafting/writing, 3) revising, 4) editing, and 5) making a fair copy. Like all other organized activities, judgment writing needs strategic planning for effective communication. Planning includes making an outline of paragraphing a judgment. The outline should be based on the notes of a judge which he/she has been taking for the final version. Keeping in view the contents of the outline, the writer should proceed to commit it to writing on paper/computer in detail. After writing/dictating the first draft, the writer should let it “cool off” for some time. After the “cooling” process, comes the stage of revising. Revising is usually a process of searching for gaps in

meaning and organization of ideas till the end. The third step is that of editing, which is conducted for grammatical and punctuation lapses. After editing, the writer makes a fair copy of the write-up. The fair copy should finally be read for complete satisfaction.

The outcome is that both attitude and aptitude are required for producing a legally effective and stylistically persuasive document.

## Principles of Effectiveness

### Brainstorming

What is language? Come up with a working definition.

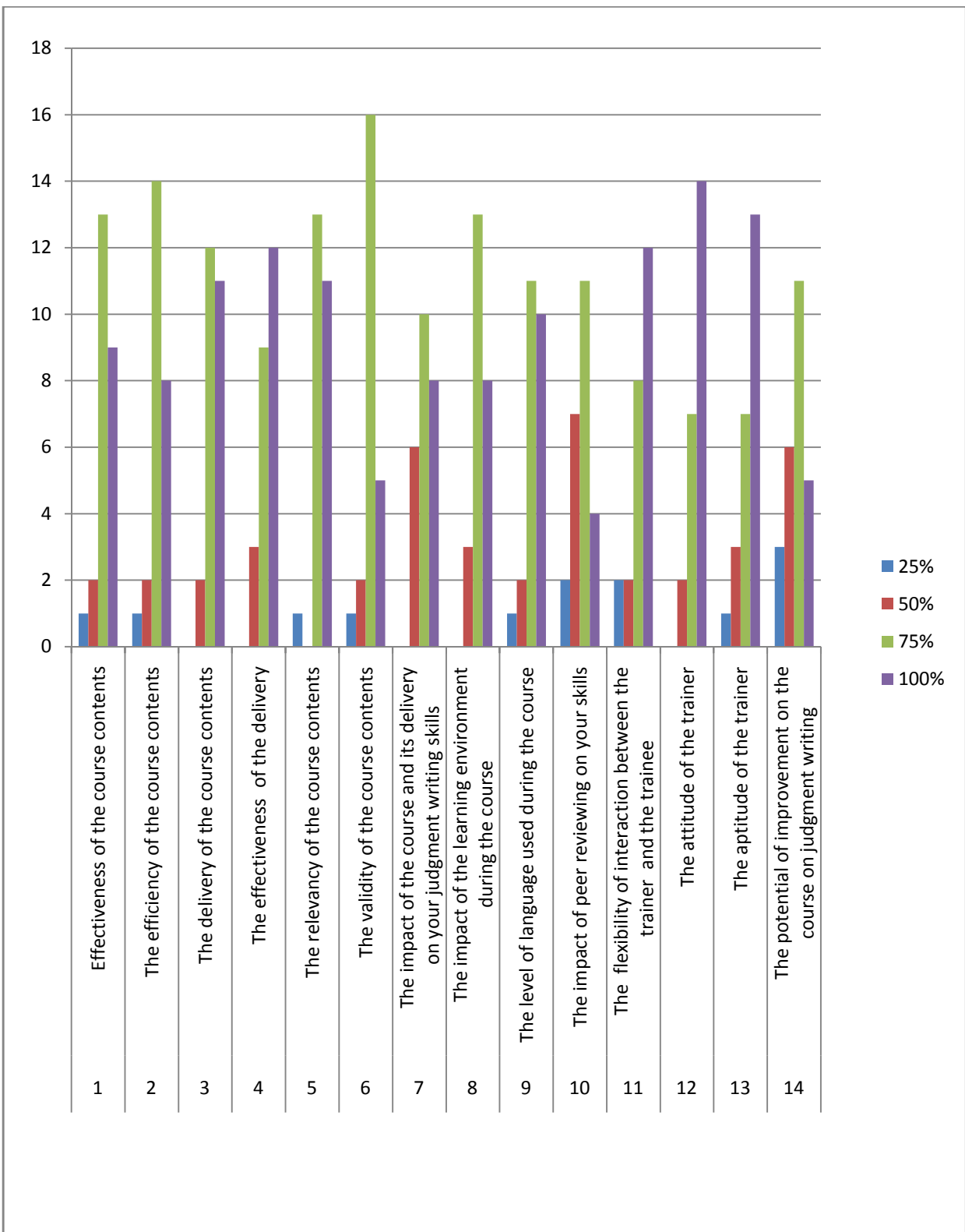
Judgment is a micro medium of communication, and communication is a process of sharing ideas with sender/writer at one end and reader/receiver at the other. The essential elements of communication are: 1) sender, 2) content, 3) medium, 4) audience, 5) context, 6) feedback. This chain completes the process of communication. The sender should have both knowledge and skill for framing his/her content according to the needs, knowledge level and cultural dynamics of the audience/receiver in the proper context. In a judicial context, the structure and style of a judgment, besides its legal and constitutional aspects, should also function as a public instrument of communication for knowledge management and research purposes. Experts in communication usually refer to certain principles for making a piece of communication effective. In this regard, conciseness, correctness, clarity, completeness, coherence, consistency and courtesy are thought to be essential for delivering a message effectively.

Conciseness refers to the economy words to make one's meaning easily understandable. Conciseness saves both our time and energy. Conciseness is attained by confining to the words for the intended meaning. Removal of redundant material and avoidance of repetitions makes a judgment concise. However, conciseness loses its value without correctness: grammar and punctuation. Conciseness and correctness refer to the verbal skills of a writer; however, clarity comes from analytical and critical thinking. Clear ideas turn into clear sentences. Completeness refers to the inclusion of all relevant facts and figures in the relevant portion of a judgment. Consistency involves both structure and style. Inconsistency in structure or in style breeds confusion, making our meaning blurred. Coherence refers to the organization of ideas in a judgment. Courtesy means that the wording of a judgment should not be discriminatory based on race, ethnicity, sex, color or creed.

This lecture also contains examples and exercises to clarify each principle. The theoretical framework as outlined above prepares the participants for peer-reviewing each other's judgments for practical purposes to internalize the principles of effective communication. After doing this session, the participants will learn skills how to apply the principles of conciseness, correctness, clarity, completeness, consistency, coherence and courtesy.

Practical: the participants will re-read rewrite their judgments to search for lapses (if any) keeping in view the principles of effective communication.

## Feedback



## ***Dr. Khurshid Iqbal***

### **Curriculum Vitae**

#### **DR KHURSHID IQBAL**

Dean Faculty

The Khyber Pakhtunkhwa Judicial Academy,  
Peshawar, Pakistan

Phone: 0092-333 92 99 326

Email: [zwnakh@hotmail.com](mailto:zwnakh@hotmail.com)

Alternate: [gulalaikhattk@yahoo.com](mailto:gulalaikhattk@yahoo.com)

Official: [Khurshid@kpkjudicialacademy.gov.pk](mailto:Khurshid@kpkjudicialacademy.gov.pk)

#### **Education**

- Sep 2004—Nov 2007: University of Ulster, UK. PhD: International Human Rights Law
- Sep 2001—Sep 2002: University of Hull, UK. LLM: International Business Law
- Oct 1993—Oct 1995: University of Peshawar, Pakistan. M.A.: Political Science
- Mar 1988—Mar 1990: University of Peshawar, Pakistan. L.L.B.

#### **Professional Qualification**

- Feb 1991—Dec 1992: Advocate, District Courts (non-practising)

#### **Employment**

- Dec 1992—Present: Judge, District Judiciary, Government of Pakistan
- Jan 2008—Present: Visiting Lecturer, Law College, University of Peshawar, Pakistan
- June 2009—Present: Visiting Lecture, International Islamic University, Islamabad, Pakistan

#### **Career progression**

I joined Provincial Judicial Service of Pakistan's Khyber Pakhtunkhwa province, as a Civil Judge, in 1992, promoted as Senior Civil Judge (1997), Additional District & Sessions Judge (2003) and the current position of District & Sessions Judge (2011).

#### **Job description**

##### **Dean**

As Dean of the Khyber Pakhtunkhwa Judicial Academy, Peshawar, I am responsible for teaching various training courses for judges, lawyers, prosecutors and other personnel of the justice system. I also design training modules, organize seminars and workshops on legal and judicial topics and produce their detailed reports for publication. As Dean I am the editor of the Academy's quarterly newsletter. I have designed the Academy's brochure. I also head the Research Wing of the Academy. Currently, I am leading two research studies of the Academy, funded by the UNDP.

##### **Judge**

I am a trial Judge for offences carrying capital punishment and first appellate Judge for private disputes, such as, contracts, torts, family, guardianship, rent, mortgage, compensation. I also

perform administrative duties such as recruitment and promotion of court staff, evaluation of performance of subordinate judges and court staff, budget and accounts.

### **Specialtasks (as a Judge)**

1. Jan 2008—March 2008: Course Coordinator for a pre-service training of newly recruited Civil Judges/Judicial Magistrates at the Federal Judicial Academy, Islamabad.
2. March 2008—August 2008: Founding Director of the Judicial Training Centre at the Peshawar High Court, Peshawar.
3. April 2008: A key member of the organizing team of the 5<sup>th</sup> Provincial Judicial Conference held at Peshawar on 7 & 8 April 2008; produced detail report of the Conference.
4. August 2009: Organized, conducted a District Judicial Conference at Dera Ismail Khan (Khyber Pakhtunkhwa, Pakistan); produced its detail report.
5. Jan 2010—June 2010: Additional Special Judge Anti-Corruption.
6. Oct 2010—May 2011: Additional Member Inspection Team; Acting Director General of the Khyber Pakhtunkhwa Judicial Academy.
7. Sep 2011—May 2012: Director Human Rights Cell, Peshawar High Court, Peshawar.
8. Sep 2011—Feb 2012: Director Human Rights Cell, Peshawar High Court, Peshawar.
9. Feb 2012—Present: Dean Faculty, the Khyber Pakhtunkhwa Judicial Academy, Peshawar

### **Supervision & administration (as a visiting Lecturer)**

- Currently, I am supervisor for three LLM and one PhD student
- I acted as an External Examiner for five LLM students.
- Member the Board of Studies of the Faculty of Law and Shari‘ah at the International Islamic University, Islamabad.
- I am also a member of the admission committee of PhD students.

### **Consultancy**

1. June 2012—I worked as Principal Facilitator at a one-day consultative of the UNDP, Islamabad and produced its detail report.
2. Dec 2009—Present. I am one of the trainers for the Society for the Protection of the Rights of the Child (SPARC), Peshawar (an Islamabad-based well known NGO). I conduct training sessions to an audience from Judges and Police Personnel.
3. Jan 2008—Present. I am one of the resource persons at the Federal Judicial Academy, Islamabad.
4. Oct 2011—Present. I am one of the resource persons at the Pakistan Provincial Services Academy, Islamabad.

### **Expertise by region: Pakistan**

I am a recognized expert on the legal system of and human rights conditions in Pakistan. I am regularly invited by the Society for the Protection for Rights of the Child (SPARC) and the Pakistan Provincial Services Academy (PPSA), Peshawar.

### **Research interests**

- Public International Law: human rights law, child rights, women’s rights, security and development
- Application of Islamic law in Muslim states especially in Pakistan.
- Judicial education

### Current research project

- Currently, I am working as a Subject Specialist with a UNDP support project: Strengthening the Khyber Pakhtunkhwa (Pakistan) Judicial Academy. Part of that project is writing a research article for a peer reviewed journal of international repute.
- My other current long term research projects are:
  - Countering Terrorism in a Post Colonial Society: the Case of Pakistan;
  - The Right to Development of the Vulnerable Poor: the Case of Pakistan's Forced Labourers.

### Publications: monograph

1. K. Iqbal, (2009) *The Right to Development in International Law: the Case of Pakistan*, London: Routledge.

### Peer reviewed articles

2. Iqbal, K. (2011), 'The Right to Development at the National Level: the Case of Pakistan's Judiciary', *The Asia-Pacific Journal on Human Rights and the Law*, pp 1-26.
3. Iqbal, K. (2010) 'Re-conceptualizing the Right to Development in Islamic Law', *International Journal of Human Rights*, Vol. 14, Issue 7, pp 1013-1041 (2010).
4. Iqbal, K. (2009) 'Judging Juvenility: Determination of Age of Juvenile Offenders under Pakistan's Juvenile Justice System', *Pakistan Journal of Criminology*, Vol. 1(3) October 2009, pp 105-118.
5. Iqbal, K. (2007) 'The Declaration on the Right to Development and its Implementation', *Political Perspective*. Vol. 1(1), pp 1-39.
6. Iqbal, K. (2005) 'The "War on Terror" and the Rights-Based Approach to Development', *Journal of Islamic States Practices in International Law (JISPIL)* Vol. 1(1), pp 23-36.
7. Iqbal, K. (2003) 'The Role of NGOs in the Dispute Settlement of the World Trade Organization', *Journal of Law and Society* (Faculty of Law, University of Peshawar), pp 11-28. Vol. XXVIII (41), pp 11-28.
8. Iqbal, K. (2004) 'Environment as a Human Right', *International Human Right Perspective*, Vol. III (1), pp 139-167. (Human Rights Centre, Faculty of Law, University of Peshawar).

### Book review

Iqbal, K (2007) 'Women, the Koran and International Human Rights Law' (by Niaz A Shah, 2006, MartinusNijhoff Publishers), *Religion & Human Rights*. Vol. 2. pp 189-193.

### Expert papers (unpublished)

1. K. Iqbal (Jan 2011), 'Comments' on Research Project-I ("Streamlining the Overlapping Mandates of Judicial Academies in Pakistan" ) and Research Project-II ("Some Observations on the Problems Facing Judicial Education in Pakistan") by Sultan Babar Mirza and Syed Ehsanullah Shah), submitted on the instruction of the Peshawar High Court, for onward discussion in Pakistan's National Judicial Policy Making Committee.
2. K. Iqbal (June 2011), 'Report on implementation of the Principles of Policy', produced on the instruction of the Peshawar High Court, for onward submission to the Khyber Pakhtunkhwa Provincial Assembly.

3. K. Iqbal (Sep 2009), 'A Review of the Juvenile Justice System Ordinance (JJSO), 2000 in Pakistan: Problems, Issues and Recommendations', commissioned by Pakistan Society of Criminology as a background paper for reviewing the JJSO.

### **Presentations/Conference Papers since 2009**

1. 'Judicial Education in Pakistan: Challenges to and Prospects of the Khyber Pakhtunkhwa Judicial Academy', International Judicial Conference, Islamabad, 13—15 April 2012, organized by the Law and Justice Commission of Pakistan.
2. 'Consultation on the draft Borstal Law and Borstal Institution', as part of law making for the protection of the rights of the child, Peshawar, 31 December 2011, arranged by Regional Directorate of the Ministry of Human Rights, Peshawar.
3. 'Judiciary and Judicial System in PATA', as a Thematic Expert at a two-day workshop on the implementation of Strengthening the Rule of Law in Malakand (SRLM), Peshawar, 15-16 December 2011, arranged by UNDP, European Union and USAID.
4. 'Determination of age of Juvenile Offenders' at one-day Consultation on the Juvenile Justice System Ordinance, 2000, for Judicial Magistrates of Malakand Division, Swat, 3 December 2011, arranged by Society for the Protection of the Rights of the Child (SPARC) in collaboration with the Khyber Pakhtunkhwa Judicial Academy.
5. 'The Concept, Evolution and Ideology of Human Rights', Guest Lecture, the University of Peshawar, 20 May 2011, arranged by the Departments of Gender Studies, Sociology and Social Work at the University of Peshawar.
6. 'The Women's Protection Act, 2006', Guest Lecture, the University of Peshawar, 9 April 2010, arranged by the Departments of Gender Studies, Sociology and Social Work at the University of Peshawar.
7. 'The Right to Development in International Law', Guest Lecture arranged by the Faculty of Law and Shari'ah, the International Islamic University, Islamabad, 10 May 2010.
8. 'Protection of Child Rights by the Police Personnel', two-day training of Police Investigators, District Battagram, 17-18 December, 2009.
9. 'Protection of Child Rights by the Police Personnel', one-day training of Police Investigators, District Peshawar, 5 April, 2010, arranged by an NGO Shehri Best Citizen for Environment.

### **General Editor**

I am acting as one of the general editors of the Pakistan Journal of Criminology.

I acted as a sub editor of the Journal of Islamic States Practices in International Law, UK

### **Funding**

1. In 2008, I won an Australian Endeavour Research Fellowship for my postdoctoral research project at the University of Melbourne, but could not avail because of refusal of leave by my employer.
2. In 2009, I won an Erasmus Mundus Research Fellowship for my postdoctoral studies at the University of Brussels, Belgium, but could not avail because of personal reasons.
3. In 2004, I won a Vice Chancellor Research studentship for my PhD at the University of Ulster, UK.
4. In 2001, I won a prestigious Britannia Chevening award for my LLM at the University of Hull, UK.

### **Membership of societies**

1. I am a member of the Pakistan Society of Criminology (2009).
2. I am a member of the Society of Legal Scholars, UK (2011).

**Teaching and developing new courses Jan 2008—present**

Since joining the Law College, the University of Peshawar and International Islamic University, Islamabad in June 2009, I have designed and developed courses on international and national protection of human rights. I have developed two new postgraduate courses on Islamic law and human rights, development and human rights and international humanitarian law.

**Postgraduate**

International Human Rights Law: Convenor

Islamic Law and Human Rights: Convenor

Human Rights and International Humanitarian: Convenor

Dispute Settlement in the WTO: Convenor

**Undergraduate**

International Human Rights Law: Convenor

Islamic Law and Human Rights: Convenor

Human Rights and International Humanitarian: Convenor

Dispute Settlement in the WTO: Convenor

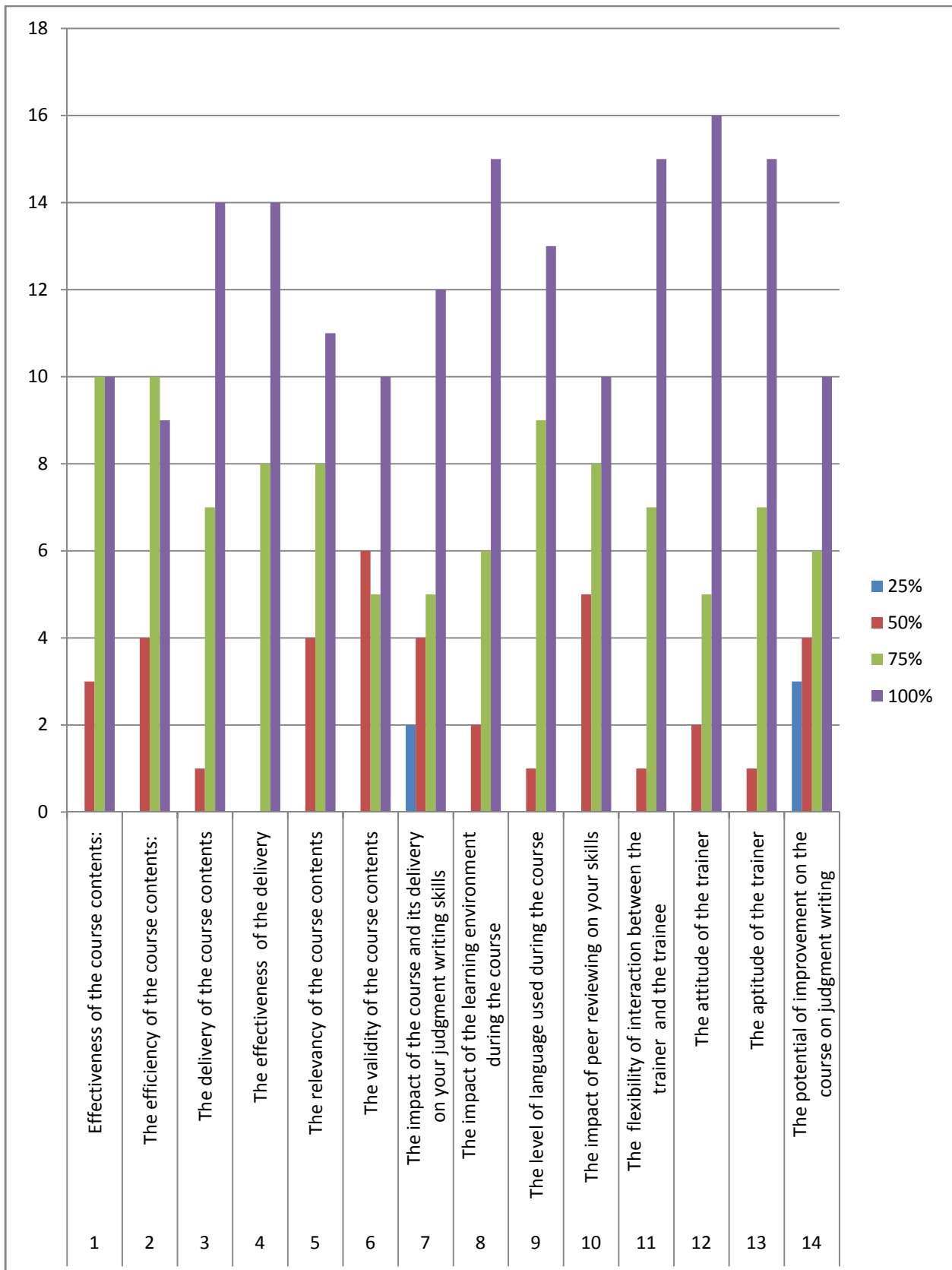
## Contemporary Trends in Judgment Writing: A Literature Review

The session aims at reviewing existing legal scholarship on the subject of judgment writing. It also seeks to inculcate a spirit of research-based reading and exploration of best practices in other jurisdictions. It argues that while the existing literature reflects that judgment writing is an art, the trend in judgment writing trainings seems to be heading in the direction of developing an inventory of skills and attributes of judgment writing. This systemization of knowledge and skills may be seen as if the art of judgment writing is being developed like a science.

The session reviews a range of key research articles under different themes: definition, reasons for writing judgments, readers of court judgments, writing style and its kinds and reasoning. It critically examines the definition of judgment given by judicial pundits in their research. It discusses various definitions of judgment from Australian, American, Indian, British and Pakistani perspectives. It then examines the reasons why judges write judgments. The bulk of literature shows that judges write judgment because judgment writing is a statutory requirement, judges are professional writers, judges write for publication, judgment writing is no less important than deciding a matter, judges must have potential readers in their mind and being a serviceable product, judgment creates respect for judiciary and inspires confidence of the public.

There are two kinds of readers of judgments: primary and secondary. Primary include parties and their lawyers and appellate judges. Secondary include all others, such as, lawyers, law teachers and students, political and social scientists, researcher, to name but a few. In any case, a judgment must be clear, concise, logical, unambiguous and free of lingua franca (the jabberwocky of legal profession). The session then discusses the style of judicial writing. They are rhetorical, literary, low or exploratory and high or declaratory. Some judges are known for their thoughts: for example, Justice V. Krishna Ayer is known as a philosopher; Justice Bagwati as a social scientist. The participants are advised to read Pakistani judgments and explore who falls in which category. The contemporary literature also contains much about the role and significance of judicial reasoning. The session highlights different methods of reasoning. They are inferential—reliance on evidence; intuitive—psychological process; neutral—non-aligned and impartiality—uncontaminated thinking. It also discusses deductive and inductive method of reasoning in the process of judicial decision making. At the end, the session shares a list of bibliography with the participants.

## Feedback



*Mr. Muhammad AamirNazir*

**Curriculum Vitae**

Name: Muhammad Aamir Nazir  
Father's Name: Muhammad Nazir Ullah Khan  
Designation: District & Sessions Judge/Senior Director Research  
Basic Pay Scale: BPS-# 21  
Parent Department: Peshawar High Court, Peshawar.  
Current Place of Posting: Peshawar.  
Date of Birth: 15<sup>th</sup> June, 1973  
N.I.C #: 17301-1678995-3  
Domicile: Peshawar, KP  
Marital Status: Married.  
Countries Visited: U.S.A, U.K, UAE, Saudi Arabia  
Email Address: aamir\_justice @ yahoo.co.uk.  
Permanent Address: QasreDilKusha, Sikandar Town, Peshawar City.

**Education Qualification**

- (01). **LL.M** Subjects: Passed with distinction from Peshawar University.  
Administrative Law, Human Rights and Corporate Law.
- (02). **LL.B.** Passed with distinction from Faculty of Law, University of Peshawar.
- (03). **B.Sc** Subjects: Mathematics, Statistics.
- (04). **Computer Skills:** Excellent Skills of desktop computer use and word processing programs.

**Professional Experience**

- (01). **Served as Civil Judge-cum-Judicial Magistrate, Rent Controller, Judge Family Court from August 1998 to July 2003.**

Performed Judicial functions as Civil Judge-cum-Judicial Magistrate, Rent Controller, Judge Family Court and decided maximum number of cases and also successfully achieved all the targets set from time to time.

**(02). Served as Senior Civil Judge From August 2003 to November 2004.**

Besides Judicial Functions, performed administration functions including recruitment of subordinate staff, imparting training to the court officials, monitoring their work and conduct and evaluation of their performance.

Being drawing and disbursing Officer participate in budgetary planning.

**(03). Served as Additional District & Sessions Judge.**

Performed Judicial functions as appellate court at district level.

*Presently serving as District & Sessions Judge/Senior Director Research & Publication at KP Judicial Academy Pakistan in BPS - 21.*

**(04). Journalist:**

Served as sub-editor in daily The Frontier Post, Pakistan Observer and staff reporter in PPI News Agency from 1995 till 1997.

**(05). Lawyer:**

As lawyer all the cases were successfully handled to the satisfaction of courts and clients during the period 1997 to 1998.

**(06). Visiting Lecturer:**

As visiting lecturer the undersigned taught Constitutional Law, Civil Law, and Criminal Law at the post graduates level from 1997 to 1998.

**SEMINARS/WORKSHOPS/CONFERENCES ATTENDED**

- 01.** Pre-services training course of Civil Judge-cum-Judicial Magistrate from September, 5<sup>th</sup>, 1998 to October, 31<sup>st</sup> 1998.
- 02.** Provincial Judicial Conference held for Establishment of the Office of District Courts Administrator in N.W.F.P held on 17<sup>th</sup> August, 2003.

- 03.** Management Orientation Workshop held at Peshawar High Court, Peshawar from 4<sup>th</sup> to 10<sup>th</sup> August 2004.
- 04.** Provincial Judicial Conference held at Peshawar on 3<sup>rd</sup> July 2004.
- 05.** Workshop for N.W.F.P Environmental Magistrates on the Pakistan Environmental Protection Act, 1997” held on May 9<sup>th</sup> 2004.
- 06.** Workshop on “Delay Reduction” organized in collaboration with Canadian International Development Agency, held on 18<sup>th</sup> September 2004.
- 07.** Workshop on "Strengthening Justice Delivery To The Poor: Options & Priorities" organized by UNOPS

## Procedural Provisions of Judgment Writing

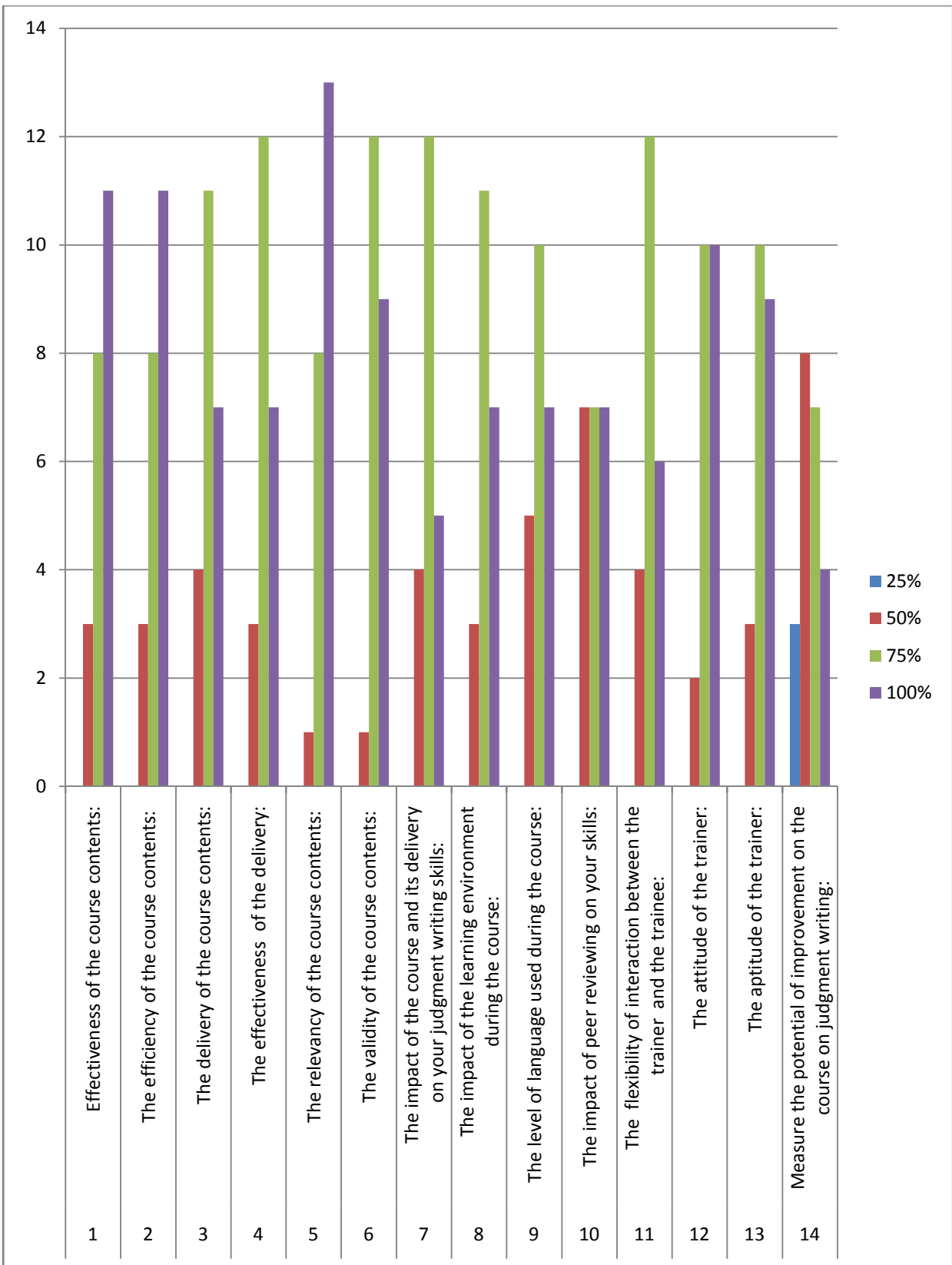
*Abstract of the lecture delivered by Muhammad Aamir Nazir, Senior Director Research & Publication.*

A judgment is the expression of the opinion of a Judge arrived at after due consideration of the evidence and of arguments, if any, advanced before him. In civil cases it is the final order passed in a suit instituted in a court, while in criminal cases it is the final order in the trial terminating either in the conviction or the acquittal of the accused as also in the appeal or revision.

In the lecture, participants were apprised at length about the procedural provisions related to judgment writing both in Civil Procedure Code as well as in the Criminal Procedure Code. The lecture also disseminated on informing the participants about the judgment in general, essential requirements of judgment including its language, important components of a good judgment and common pitfalls in the judgment.

Though judgment writing is an art, however, arriving at a just and proper decision is the primary responsibility of a Judge. A judgment may be well carved, yet if it does not coincide with the merits of the case; it is nullity in the eyes of law. A precise, concise and a balanced judgment based on evidence depend upon the knowledge, proficiency and aptitude of a Judge. For writing a good judgment, a Judge must have the knowledge of all the relevant provisions related to judgment writing. By overlooking the relevant provisions while penning down judgment, the same will lose its legal worth and would be of no legal effect.

## Feedback



***Dr. Adnan Khan***  
**Curriculum Vitae**

**Adnan Khan**

Kamarbagh, College Colony, Saidu Sharif, Swat

**Email:** [akhan@lincoln.ac.uk](mailto:akhan@lincoln.ac.uk). **Tel:** 03469415233

**DOB:** 10/01/1980

**Academic Qualification**

2012 **Bar Transfer Test**, Kaplan, UK

2012 **Qualified Lawyer's Transfer Test**, Kaplan, UK

2011 **PhD Law**, University of Lincoln, UK

2004 **LLM International Law**, University of Hull, UK

2003 **LLB (Hons) Shariah and Law**, International Islamic University Islamabad, Pakistan

2002 **MA Politics**, University of Peshawar, Pakistan

2001 **BA Law and Politics**, University of Peshawar, Pakistan

**Present Position**

Director Research & Publication, KP Judicial Academy

**Work Experience**

- Lecturer Business Law, National College of Business & Management Sciences Islamabad from Feb 2004 to Jan 2005.
- Advocate High Court registered with KPK Bar Council since 02/12/2004.
- Civil Judge-cum-Judicial Magistrate KPK Judiciary from March 2006 to Feb 2012
- Public Service Interpreter at police stations registered with Cintra Ltd. Cambridge since April 2009.
- Legal Executive, SABZ Solicitors Manchester since April 2012.

**Membership of Professional Body**

- Law Society of England and Wales as Solicitor of the Superme Court.
- KPK Bar Council as Advocate of the High Courts.

- In the process of registering as a Practicing Barrister with Bar Standard Board.

### **Research work**

- Successfully completed PhD dissertation on Blasphemy laws.
- Successfully completed LLM dissertation on Corporate Laws.
- Passed all the module essays each of approx. 5000 words on Comparative Company Law, International Law of Trade and Development, Multinational Corporations and the Law, International Environmental Law, Public International Law Human Rights Law during LLM at Hull University.

### **Publications**

- **“The Extent of Sovereign Immunity under our Legal Edifice”** in the process of publication.
- **2008“Movement for Restoration of Judiciary in Pakistan”** Conference Publication in annual research conference, University of Lincoln, Dec 2008.
- **2007 “Role of the Bench Bar Liaison Committee in the Administration of Justice”** Conference Publication at the annual conference of judges from NWFP Judiciary, Swat, Nov 2007.
- **2003“Climate Change Conventions: How effectively do they address the Issues?”** Conference Publication, University of Hull, Feb 2003.
- **2003“The Concept of Corporate Personality in Islamic Law”** Conference Publication, University of Hull, June 2003.
- Recently compiled Annual Report for the Peshawar High Court Peshawar.

### **Computer Skills:**

Have a sound knowledge of MS Word, Excel, Power Point, Internet Programs, Search Engines, Windows and other software installations, Adobe etc.

### **Language Skills:**

Proficiency in English, Arabic, Urdu and Pashto

## Essay Writing & Basic Terms in Research

*Abstract of lecture presented by Dr. Adnan Khan, Director Research.*

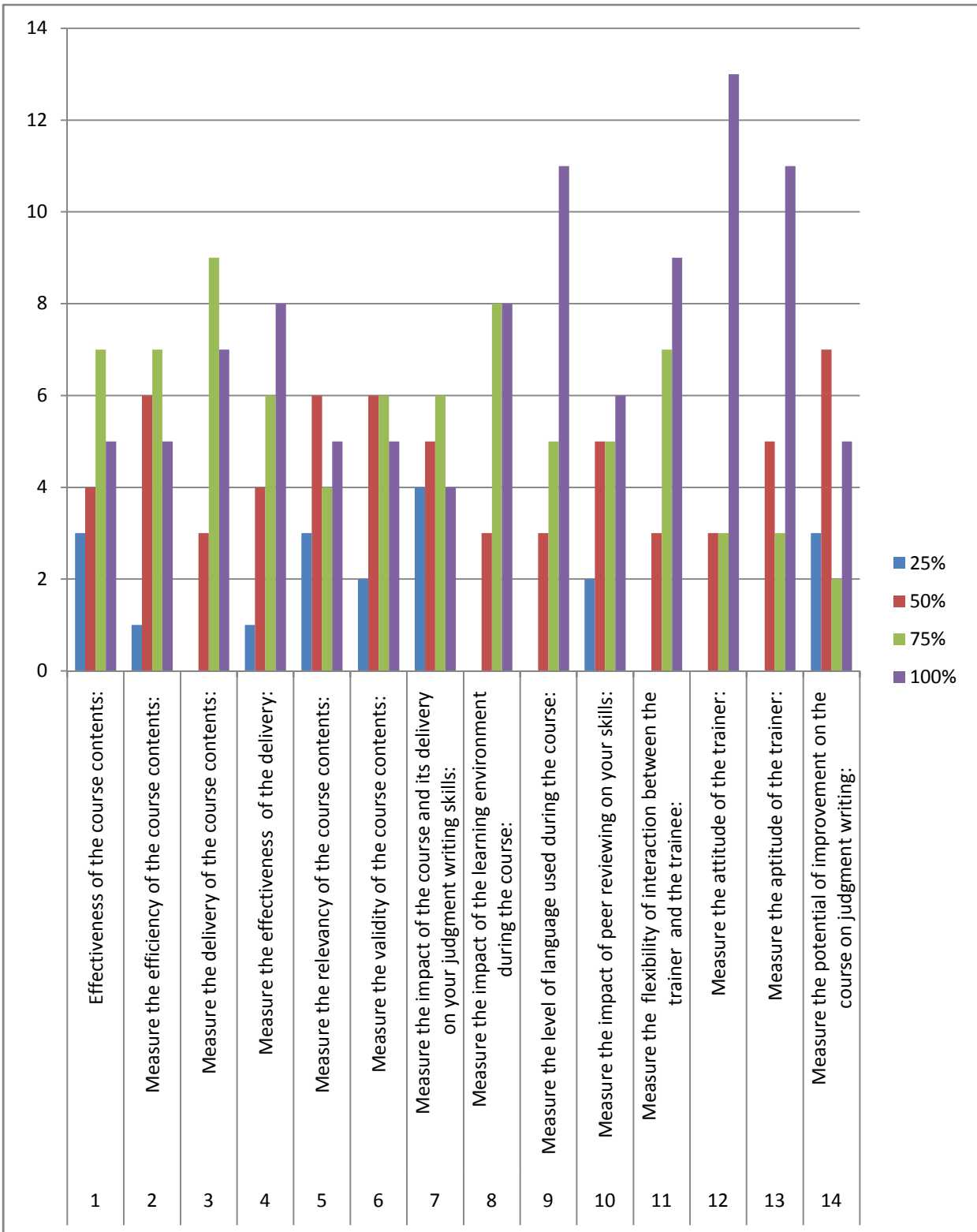
Essay refers to a piece of writing reflecting author's views about a certain thing. Generally, all essays start with an introductory part; they have a main body, and end with a conclusion. The easiest and most convenient way of writing an essay is to start with mind mapping, a technique also known as brain storming. In the process, different aspects of the subject matter of essay are noted down in the shape of mind mapping tree. Subsequently, each point is elaborated in modest sentences. One point, preferably of a generic nature is left for the conclusion.

While writing academic essays, care should always be taken to avoid plagiarism. Material quoted or referred to should be referenced properly. References may be given in the shape of footnotes or endnotes. There are different styles of putting references in a paper, and it is for the researcher to adapt a certain style; however, there must be constituency in adapting a certain pattern.

Primarily, there are two types of researches: theoretical research (also known as doctoral research) and empirical research or applied research. In the former research, secondary sources are utilized and the study takes place in a library or laboratory. In the latter type of research, the researcher has to obtain data from the field. It may be obtained in the form of questionnaires, interviews and many other modes. These two types of researches are also known as qualitative research and quantitative research.

Sources of research are divided into primary sources and secondary sources. Statistical data collected from the field, interviews, public record, statutes and courts' judgments come under the category of primary sources. Published work in the form of books, articles and other material come under the category of secondary sources. Tools of research differ from sources of research.

## Feedback



*QaziAttaullah*  
**Curriculum Vitae**

**Qazi Attaullah**

Shah Dehrai Tehsil Kabal, District Swat

**Email:**qaziofmalakand@gmail.com. **Tel:** 03005740081

**DOB:** 4 Feb 1968

**Academic Qualification (Post Hifz of Quran al Kareem)**

2012 **PhD Islamic Law & Jurisprudence** International Islamic University Islamabad (Thesis Writer)

1996 **LLM Shariah & Law**(*Gold Medalist*) International Islamic University Islamabad

1992 **LLB (Hons) Shariah & Law**(*Distinction*) International Islamic University Islamabad

1990 **BA** University of Peshawar

1988 **Shahadat al Ala'mia**(*MA Islamiyat-cum-Arabic*)Wifaaq al Madaris Multan

1988 **Dars e Nizami**(*Graduation in Islamic Sciences*) Mazhar al Uloom, Mingora Swat

**Present Position**

AlaqaQazi/Civil Judge-cum-Judicial Magistrate KPK Judiciary

**Work Experience**

- Lecturer Islamic Studies, Army Public College Peshawar from April 1994 to June 1995.
- Extra Assistant Commissioner/AlaqaQazi (Criminal) Government of NWFP From July 1995 to May 2004
- Civil Judge-cum-Judicial Magistrate KPK Judiciary from June 2004 till date
- Visiting Resource Person at Various Institutions including Federal Judicial Academy Islamabad.

**Professional & Vocational Trainings**

- Thirty Seventh Shariah Orientation Course (In Country and abroad) July 1997 to October 1997, Shariah Academy IIU Islamabad

- Pre Service Training (Attachment) at different Session Divisions of KPK June 2004 to August 2004
- Four Weeks Training for Newly Appointed Judicial Officers at Federal Judicial Academy Islamabad, April 2005

**Research work**

- PhD dissertation on Alternative Dispute Resolution in progress
- Successfully completed LLM dissertation on the concept of Trial in Absentia

**Computer Skills:**

Have knowledge of MS Word, Power Point, Internet Programs, Search Engines, Windows and other software installations, Adobe etc.

**Language Skills:**

Proficiency in:

1. English
2. Arabic
3. Urdu
4. Persian
5. Pashto

**Countries Visited:**

1. Saudi Arabia
2. Sudan
3. Egypt
4. Jordan

## Judgment Writing In Islamic Perspective

### Preliminaries

- 1- Shariah, meaning and definition.
- 2- Branches of Shariah (a) Acts (b) Faiths.
- 3- Fiqh, meaning and definition.
- 4- Branches of Fiqh (a) Worships (b) Transactions.
- 5- UsululFiqh meaning of.
- 6- Shariah, Fiqh, and UsululFiqh, distinction of.
- 7- Division of Fiqh on the basis of its subjects.

### Details of Topic

1. Judgment, meaning of.
2. Basic requirements.
3. Utilization and accommodation of Precedents.
4. Considering the material available on the record only.
5. Anger and other discomforting and irritating factors.
6. Avoiding contemptuous language.
7. Review of judgment.
8. The concept of judicial review.
9. Incorporation and non-incorporation of personal knowledge
10. Coherence and proper sequence.
11. Reasons based opinion.
12. Writing of judgment is *wajib* but it may be oral as well.
13. No value for unnecessary statements.
14. No room for retrospectivity.
15. Unnecessary delay in writing of judgment.
16. Trial in absentia and ex-party decree.
17. No room for personal ambitions in a judgment.
18. Every discretion which may lead to unjust results must be avoided and the voice versa must be exercised.
19. Judgment is act of the *qazi* however his every act shall not amount to judgment.

### Conditions

1. It must be in a case.
2. Operative part must be imperative in nature.
3. Clear and unequivocal.
4. In the presence of the litigating parties.
5. Stating of reasons to parties of the case.
6. Providing an opportunity for objections.
7. Not repugnant to primary sources of Islamic Law.

### **Kinds**

1. Express and Implied judgments.
2. Oral and act-based judgments.
3. Judgment for entitlement and preventive judgment (*qazaistihqaq* and *qazatark*).
4. Mere declaratory judgment and judgment granting consequential issues.

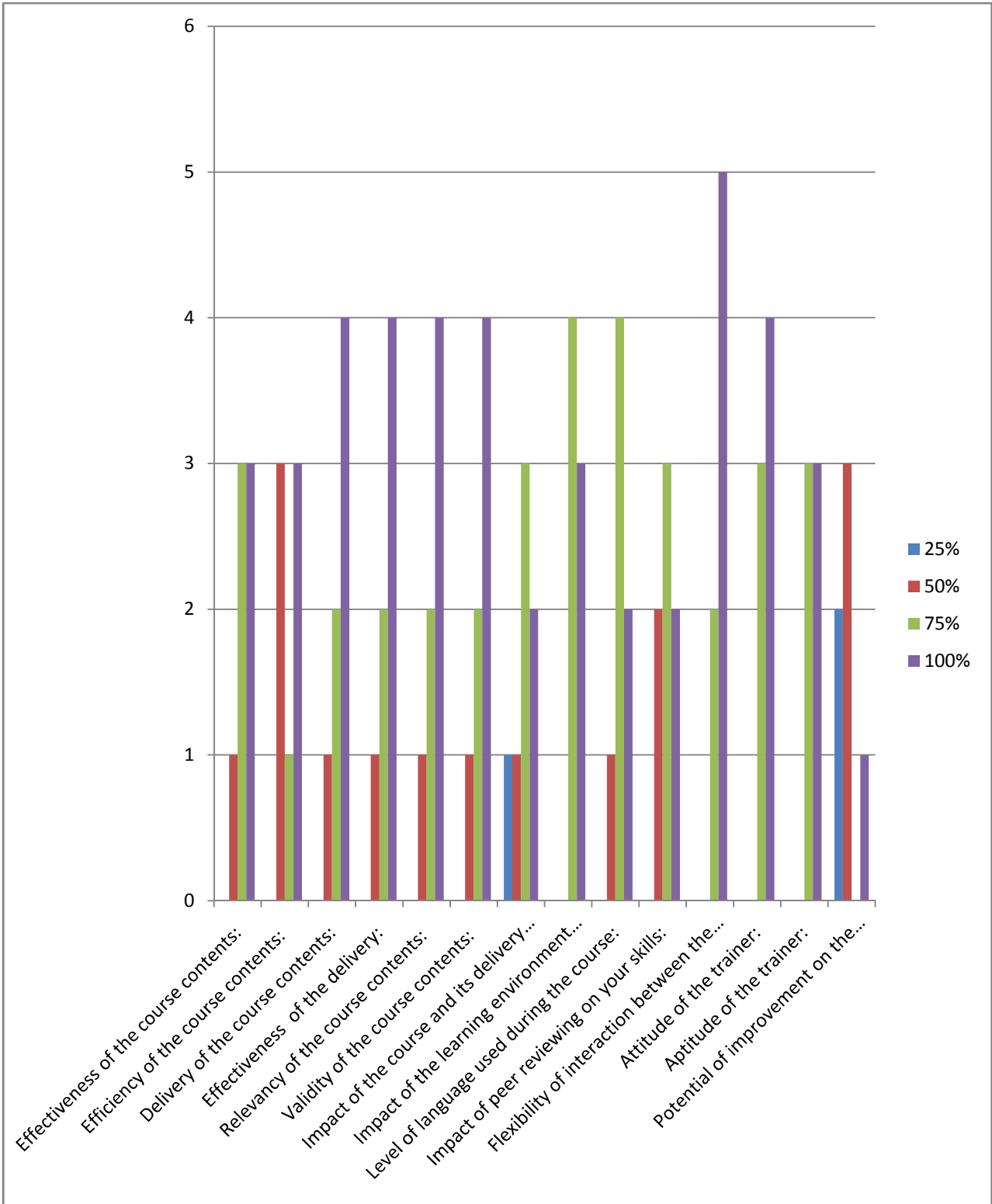
### **Judgment after pronouncement**

1. Compulsorily enforceable, not open to any sort of judicial review.
2. Unenforceable at all, compulsorily revisable by judicial review.

### **Extent of judgment**

1. Covering the disputed and litigated issue only.
2. Cannot change the Command of Shariah.

## Feedback



## **Annexure (A)**

### **Address of the Chairman/hon'ble the Chief Justice**

Director General & Staff of the KP Judicial Academy; Resource Persons; Participants of the Course; Media Persons; Administration team of Peshawar High Court; Ladies and Gentlemen

*Assalam-O-Alaikum!*

I congratulate you on successful completion of your training. It is a moment of great pleasure for me to see a spark of confidence and freshness on your faces, indicating that you were able to learn new ideas and acquire new skills.

Dispensation of justice is the sole and common objective of all messengers of Allah (SWT). Judges are the vicegerents of messengers to fulfil this objective. So, it is not an easy task. Even little negligence in this regards entails injurious consequences. A great deal of care and caution is thus a must. Hence, there seems to be no escaping from the provision of proper and regular training for judges.

Ladies and Gentlemen!

You are a responsible community. It is imperative to make you realize and understand your responsibilities. Given the fact that there is a growing public concern regarding malfunctioning of other public institutions, your responsibilities have assumed greater importance. If you are performing in an efficient manner, it is likely that the conflict, that may otherwise arise, from such malfeasance, will decrease. But the significance of your duty does not end at this instrumentalist role of your job. I must say that resolving dispute is your duty that has an intrinsic importance, for you as judges.

You must be well equipped with necessary knowledge and skills for your efficient performance. Quality judgments should be delivered, leaving a very little scope for judicial review. On our part, we will leave no stone unturned in mobilizing all our resources to build your capacity for delivering quality judgments. To this end, we may even slash our own budget. We have arranged high profile resource persons for you, so that you learn from their vast knowledge and rich experience. Note that the lectures they prepared for you have consumed their precious time, expanding over weeks and months. I rightly hope that you have learnt from them and your learning will improve the quality of your service for the litigant public.

Go back to your work stations. Apply the skills you learnt here. From now onward, your work should reflect that you are trained judicial officers. Even then if you come across an unusual incident that you feel requires my intervention, please feel free to contact me. Never be hesitant

to learn from any source of knowledge, including your colleagues, no matter senior or junior, mentors, scholars as well as good books and articles. Remember that in search of knowledge, age and time matter not. I also advise you to share your own knowledge and experience with your colleagues.

May Allah (SWT) guide and help you. I wish you a pleasant journey and safe return.

**Justice Dost Muhammad Khan,**  
Chief Justice/Chairman

**Annexure (B)****Acting DG Concluding Remarks**

I am highly privileged to express my remarks at this concluding session of the sixth Judgment Writing course. I am extremely delighted to see that this institution is becoming a seat of learning for our noble officers. I am optimistic that this practice will continue in future, and very soon we will be welcoming you here once again for training on another contemporary topic.

Being an institution that in its infant stage and in the process of development, there might have been certain shortcomings; both in terms of logistical facilities available in the premises, and quality of training imparted here. But I have no doubt that we are in the process of improvement, and our achievements so far, have been unparalleled. In this respect, we will always welcome your valuable suggestions for improving our services.

At the end I thank my team for working day and night to make this training a success. I am confident that this training will go a long way in improving your writing skills. Go to your stations, and apply the skills you learnt here with us.

May Allah help you and guide you.

**Mr. Saleem Khan,**  
Senior Director Administration

## Annexure (C)

### CR Remarks

*The honorable Chief Justice, Peshawar High court, Peshawar. The worthy Registrar, Peshawar High Court, Peshawar. The senior Director Admn, The Dean Faculty, Khyber Pakhtunkhwa Judicial Academy. The Administration of Peshawar High Court and the Academy.*

*Assalam-o-Alaikum!*

It is a moment of extreme honor and joy for me and my course mates, to extend warm welcome to his lordship, Mr. Dost Muhammad Khan, the Honorable chief Justice Peshawar High Court, Peshawar and all the distinguished guests at this auspicious occasion.

Your honor! Sir,

This academy is at its embryonic stage. It is a candle, a torch of knowledge, not only for judges but for all concerned. To me, it is a sort of workshop, where we learn new things and repair and mend the old ones. In fact the contentment in the life is not to get materialistic success but it can only be achieved through knowledge and learning, the ideal spots, for this cherished goal are the academic institutions i.e., the academies.

Your honor sir, in 1913 late Sir Sahibzada Abdul Quayyum Khan established the Islamia College Peshawar. In 1928 Allama Inayatullah Khan Al Mashraqi Founded Govt. High School Peshawar No.1 Peshawar City. Both these prestigious and glorious institutions are spreading the light of knowledge even today.

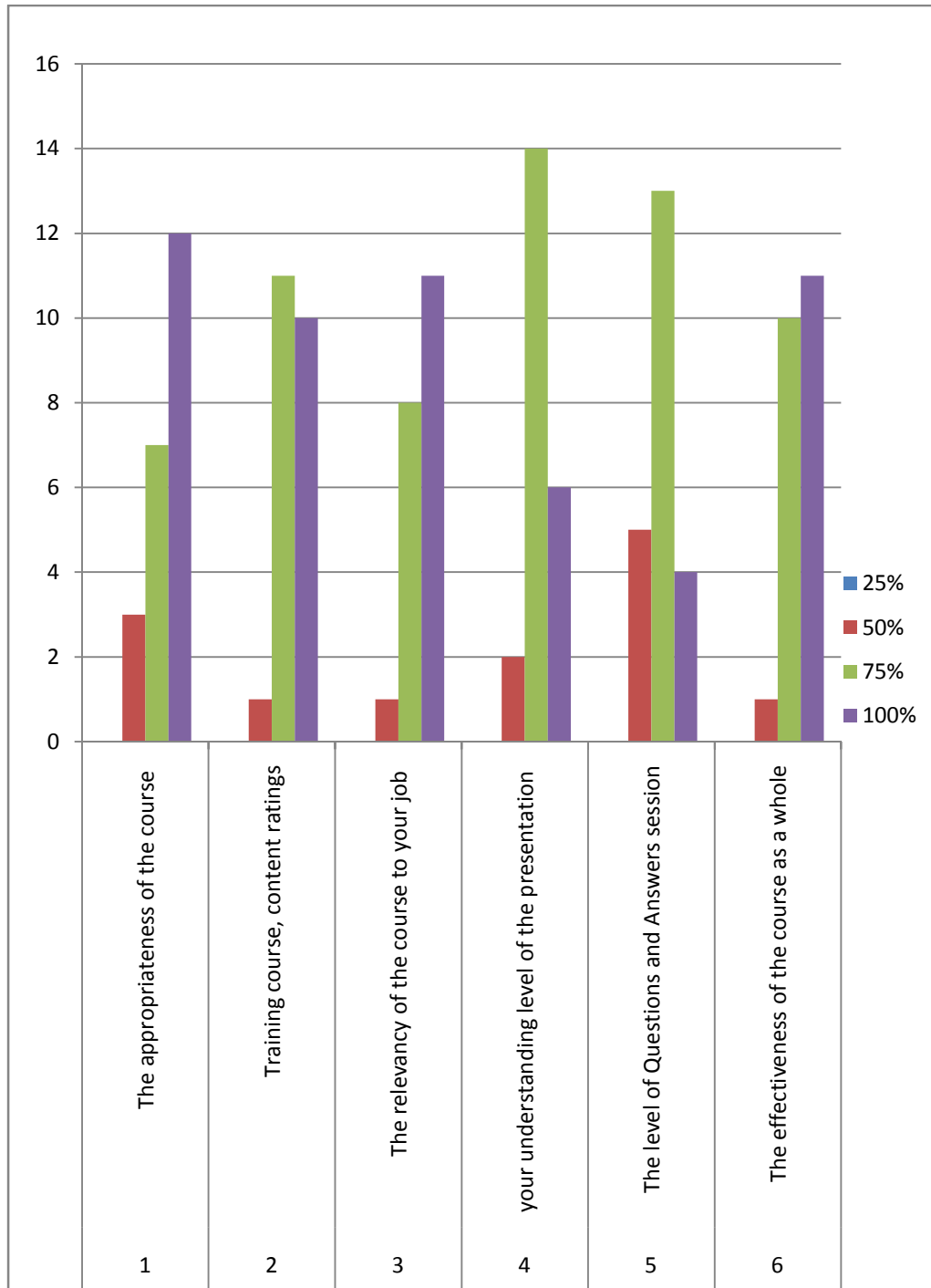
Your honor! This Academy was the need of the hour, soon after the establishment of the Peshawar High Court, Peshawar, in this province, but Allah, The Almighty was pleased to honor you to achieve this cherished goal with your blessed hands. Your love for learning would be remembered forever. I on behalf of my colleagues, my course mates would be pleased to honor you with the title, "The Sir Sayyed Ahamed Khan" of KPK Judicial Academy.

Your honor! There is no denial regarding the services rendered by the staff of this Academy. Each member/officer of the Academy is dedicated and particularly the services rendered by Mr. Muhammad Salim Khan, the Senior Director Admn; whose untiring efforts honored us with the present opportunity to sit in solace for a few moments in this suffocating world.

Regards

**Muhammad Arif Khan**

Civil Judge/Judicial Magistrate,  
Serai Naurang/Lakki Marwat

**Annexure (D)****Overall Training Evaluation Graph**

**Annexure (E)****List of Participants**

<b>S.No</b>	<b>Name</b>	<b>Posting At</b>
1	Mr. Muhammad Arif Khan	LakkiMarwat
2	Mr. Malik Muhammad Hasnain	LakkiMarwat
3	Mr. Ahmad Iftikhar	Swabi
4	Ms. HussanBano	Swabi
5	Mr. ShahidMahmood	Swabi
6	Mr. TanveerIqbal	Bunner
7	Mr. Syed Hamid Qasim	Nowshera
8	Mr. Abdul WahabQureshi	Nowshera
9	Mr. TasawarHussain	Hangu
10	Mr. Fida Muhammad	Mardan
11	Mr. AftabIqbal	Kohat
12	Mr. Tila Muhammad	Dir-Lower
13	Mr. IkramUllah	Charsadda
14	Ms. Aqsa Saeed	Chitral
15	Mr. Muhammad Asif	Haripur
16	Ms. Nadia Gul Wazir	Haripur
17	Mr. Faisal Anjum	Abbottabad
18	Ms. MahJabeen	Abbottabad
19	Mr. ShabirDurrani	Abbottabad
20	Mr. Nisar Muhammad Khan	D.I.Khan
21	Mr. ObaidUllah,	D.I.Khan
22	Mr. BakhtZada	Peshawar
23	Mr. Iftikhar Ahmad	Peshawar
24	Ms. JaveriaSartaj	Mansehra
25	Mr.SyedIftikhar Shah	Karak

## Group Photo



**KHYBER PAKHTUNKHWA JUDICIAL ACADEMY**  
6th One-Week Training Course on Judgment Writing for 25 Civil Judges / Judicial Magistrates  
(11-16 February, 2013)



String 1 to R:

Dr. Khurshid Iqbal, Mr. Altaf Jabson, Mr. Hassan Bano, Mrs. Safia Waqar Khattak, Mr. Saleem Khan, Mr. Justice Dost Muhammad Khan,  
Mr. Nisar Shahmamat Khan, Mr. Shahmamat Amir Sadiq, Mr. Javeria Saraj, Mr. Ayesha Saeed, Mr. Saeed Gul Wariz.

Standing Row-1 L to R:

Mr. Faisal Nojwan, Mr. Idriss Ullah, Mr. Saadul Farooq, Mr. Muhammad Asif Khan, Mr. Taha Muhammad, Mr. Syed Rinkar Shah, Mr. Tanzeer Hussain, Mr.  
Javeri Iqbal, Mr. Shahmamat Sadiq, Mr. Sakir Zaidi, Mr. Shahid Shahmamat, Mr. Chahal Ullah, Mr. Atiq Iqbal, Mr. Ahsan Waheed Qureshi.

Standing Row-2 L to R:

Mr. Rinkar Ahmad, Mr. Nisar Shahmamat Khan, Mr. Syed Hamid Qasim, Mr. Ahmad Rinkar, Mr. Malik Shahmamat Hussain, Mr. Fida Shahmamat.