

**A**

**BILL**

*to provide for a system of administration of justice, maintenance of peace and good governance in the Federally Administered Tribal Areas and Protected or Administered Areas*

**WHEREAS** it is expedient to provide for a system of administration of justice, maintenance of peace and good governance in the Federally Administered Tribal Areas and Protected or Administered Areas for matters connected therewith and ancillary thereto;

It is hereby enacted as follows:—

**1. Short title and commencement.**—(1) This Act may be called the Tribal Areas *Rewaj* Act, 2017.

(2) It shall come into force in such Federally Administered Tribal Area or Areas mentioned in the First Schedule as Protected or Administered Areas or any part thereof as the Federal Government may, by notification in the official Gazette, determine.

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

- (a) "Council of Elders" means a *jirga* of four or more respectable elders appointed under sections 8 or 10, as the case may be, and presided over by the Judge;
- (b) "Court" means the Court comprising,—
  - (i) the Judge; and
  - (ii) the Council of Elders;
- (b) "CPC" means the Code of Civil Procedure, 1908 (Act V of 1908) as applicable in the Province of Khyber Pakhtunkhwa;
- (d) "Cr.P.C" means the Code of Criminal Procedure, 1898 (Act V of

1898);

- (e) "FATA" means the Federally Administered Tribal Areas and such other areas as specified in the First Schedule;
- (f) "Judge" means a judicial officer appointed by the Federal Government to exercise powers under this Act, Cr.P.C and CPC;
- (g) "prescribed" means prescribed by rules made under this Act;
- (h) "Protected Area or Administered Area" means the Areas specified in the First Schedule;
- (i) "*Qaumi Jirga*" means a *jirga* consisting of respectable elders and representatives of the tribes;
- (j) "*Rewaj*" means customs, traditions and usages of the tribes in vogue in FATA; and
- (k) "Schedule" means a Schedule to this Act.

**3. Relation to other laws.—** (1) The provisions of this Act shall have effect notwithstanding anything contained in any other law for the time being in force.

(2) In case there is any conflict between the provisions of this Act and any other law, including the CPC, Cr.P.C and the *Qanun-e-Shahadat*, 1984 (P.O. No. 10 of 1984), for the time being in force, the provisions of this Act shall prevail to the extent of the inconsistency.

(3) The laws and offences as specified in the Second Schedule shall apply to FATA.

**4. Application of CPC.—** (1) Application of the CPC to FATA shall be subject to the following modifications, namely:-

- (a) reference therein to the Civil Judge, Civil Judge of the First Class, Civil Judge of the Second Class, Civil Judge of the Third Class or Senior Civil Judge shall be construed to be a reference to the Judge;
- (b) reference therein to the Provincial Government or Government shall be construed to be a reference to the

Federal Government; and

- (c) reference therein to the Civil Court shall be construed to be a reference to the Judge.

(2) Notwithstanding anything contained in the CPC, the Judge shall adopt such procedure which facilitates compliance with the provisions of this Act and secures the ends of justice in accordance with *Rewaj*.

**5. Application of the Cr.P.C.—**(1) Application of the Cr.P.C to FATA shall be subject to the following modifications, namely: -

- (a) reference therein to the Magistrate, Magistrate of the First Class, Magistrate of the Second Class, Magistrate of the Third Class or Magistrate having power under section 30 shall be construed to be a reference to the Judge;
- (b) reference therein to the Provincial Government or Government shall be construed to be a reference to the Federal Government;
- (c) reference therein to the District Magistrate shall be construed to be a reference to the Political Agent; and
- (d) reference therein to the officer-in-charge of the Police Station shall be construed to be a reference to the officer-in-charge of the concerned Levies or *Khasadars* Post, as the case may be, in the areas of their respective jurisdiction.

(2) Notwithstanding anything contained in the Cr.P.C, the Judge shall adopt such procedure which facilitates compliance with the provisions of this Act and secures the ends of justice in accordance with *Rewaj*.

**6. Judge.—** (1) The Federal Government shall appoint such number of Judges in such manner and on such terms and conditions as may be prescribed.

(2) Every Judge shall exercise his powers in such cases or class of cases and within such local limits as the Federal Government may, from

time-to-time and by order in writing, direct.

**7. Civil reference to the Court.**—(1) Any party to a civil dispute may make an application to the Court for decision in accordance with *Rewaj*.

(2) Within seven days of the receipt of an application under sub-section (1), the Judge shall nominate a Council of Elders and communicate their names to the parties.

(3) Objection by any party to any member of the Council of Elders shall be filed within three days of the receipt of communication under sub-section (2).

(4) The Judge shall dispose of the objections filed under sub-section (3) within four days after giving the parties an opportunity of being heard and recording reasons for his decision and shall appoint the members of the Council accordingly.

(5) The Judge shall call the party complained against to file a written reply within seven days of the receipt of the application under sub-section (1) and on receipt of the reply shall forthwith frame the legal and factual issues or which finding of the Court is required.

(6) The Judge shall refer the matter to the Council of Elders within two days of the order under sub-section (4), which shall determine the factual issues in accordance with the *Rewaj* and submit its findings to the Judge within thirty days.

(7) On receipt of findings, the Judge shall decide the legal issues, if any, within seven days and—

- (a) pass a decree in accordance with the findings of the Council of Elders; or
- (b) except where the findings are unanimous, require the

Council of Elders to review their determination within thirty days or re-constitute the Council of Elders as provided in this section and require the aforesaid Council to determine the matter again within thirty days:

Provided that re-constitution of the Council of Elders shall be made once only.

**8. Effect of decree.**— A decree passed under clause (a) of sub-section (4) of section 9 shall—

- (a) be a final settlement of the case so far as the decree relates to the matter stated in the reference; and
- (b) have, to that extent and subject to the provisions of this Act with respect to the filing of appeal, the same effect as a decree of a Civil Court and shall be executed by the Court through the Political Agent or the Deputy Commissioner, as the case may be, as a decree of such Court.

**9. Criminal references to Court.**—(1) When a criminal case is sent to the Court for trial, the Judge shall appoint the members of the Council of Elders in the same manner and within the same period as specified in sub-sections (2) , (3) and (4) of section 8.

(2) The Judge shall refer the case to the Council of Elders immediately on its appointment for determination of factual aspects of the case as specified by him.

(3) The Council shall determine the factual aspects in accordance with *Rewaj* and submit its findings to the Judge within thirty days.

(4) On receipt of the findings, the Judge shall decide the legal issues, if any, within seven days and—

- (a) pass an order in accordance with the findings of the Council of Elders and applicable law; or
- (b) except where the findings are unanimous, require the Council of Elders to review their determination within thirty days or re-constitute the Council of Elders as provided in this section

and require the aforesaid Council to determine the matter again within thirty days:

Provided that re-constitution of the Council of Elders shall be made once only.

**10. Bail.**— Where any person accused of non-bailable offence is arrested or detained or appears or is brought before the Judge he may be released on bail in accordance with the provisions of section 497 of Cr.P.C, except that for the purposes of this Act surety includes personal surety or such other surety as is permissible in accordance with the *Rewaj*.

**11. Reference by Qaumi Jirga in exceptional cases.**—The Political Agent or Deputy Commissioner, as the case may be, may in exceptional circumstances, if so recommended by a *Qaumi Jirga* of the Tribe in the interest of justice and public peace, refer any offence or civil dispute to the Court for decision thereon.

**12. Power to direct removal of structures and encroachments.**— (1) Where it is considered necessary in the interests of national security, the Federal Government may, by order in writing, direct the removal of any structures and encroachments situated in close proximity to the frontiers of the Islamic Republic of Pakistan to any other suitable site and award to the inhabitants such compensation for any loss which may have been occasioned to them by the removal of their structures and encroachments as, in the opinion of the Federal Government, is just and adequate.

(2) Whoever contravenes the provisions of sub-section (1) shall be punished with imprisonment for a term which may extend to one year and shall also be liable to fine which may extend to fifty thousand Rupees:

Provided that any such penalty shall be awarded by the Court in accordance with the provisions of section 10.

**13. Power of Federal Government to transfer the case.—**

The Federal Government may, on the application of any of the parties, after notice to the other party and giving them an opportunity of being heard, transfer any civil or criminal matter to any Judge, within seven days from the appointment of the Council of Elders.

**14. Extension of Jurisdiction of the Supreme Court and the Peshawar High Court.—** (1) The Supreme Court of Pakistan shall have, in relation to the Federally Administered Tribal Areas, the same jurisdiction as it has in relation to other areas of the Province of Khyber Pakhtunkhwa.

(2) The Peshawar High Court shall have, in relation to the Federally Administered Tribal Areas, the same jurisdiction as it has in relation to other areas of the Province of Khyber Pakhtunkhwa.

**15. Appeal and review.—** (1) An aggrieved person may file an appeal before such court as provided for in the CPC or Cr.P.C, as the case may be, within thirty days from the date of any decree or sentence passed or final order made by the Court or Political Agent or Deputy Commissioner, as the case may be, under this Act.

(2) An aggrieved party may file a review petition before the Court within seven days of the impugned decree or final order.

(3) No revision petition shall lie against any interlocutory order of the Court.

(4) The appeal or review petition shall be decided within thirty days of its filing.

**16. Power to amend Schedule.—**The Federal Government may, by notification in the official Gazette, amend the Schedule.

**17. Power to make rules.**— The Federal Government may, by notification in the official Gazette, make rules to carry out the purposes and objects of this Act.

**18. Indemnity.**— No suit or other legal proceedings shall lie against any person for anything done or intended to be done in good faith under this Act.

**19. Removal of difficulties.**— If any difficulty arises in giving effect to any provision of this Act, the Federal Government may, within a period not exceeding two years from the commencement of this Act and by order in the official Gazette, make such provisions not inconsistent with the provisions of this Act as it may consider necessary for the removal of such difficulty.

**20. Repeal.**— The Frontier Crimes Regulation, 1901 is hereby repealed.



## **THE FIRST SCHEDULE**

*[see section 1(2)]*

Federally Administrated Tribal Areas include-

- (a) Tribal Areas adjoining Peshawar district;
- (b) Tribal Areas adjoining Kohat district;
- (c) Tribal Areas adjoining Bannu district;
- (d) Tribal Areas adjoining Lakki Marwat district;
- (e) Tribal Areas adjoining Dera Ismail Khan district;
- (f) Tribal Areas adjoining Tank district;
- (g) Bajaur Agency;
- (h) Orakzai Agency;
- (i) Mohmand Agency;
- (j) Khyber Agency;
- (k) Kurram Agency;
- (l) North Waziristan Agency; and
- (m) South Waziristan Agency.

### **PART II**

#### **Protected/Administered Areas**

- (a) Tribal Areas adjoining Kohat district,-
  - (i) Northern end of Kohat tunnel, including access road up to Abbas Chowk; and
  - (ii) Akhurwal area extending from Levies post, Spina Thana up to FATA University on the northern side of the Indus Highway;
- (b) Tribal Areas adjoining Tank district,-  
Jandola town and Camp and Khargai;
- (c) Bajaur Agency, except Utmankhel and Barang Tehsils;
- (d) Orakzai Agency, town and camp areas of Kalaya and Ghaljo.
- (e) Mohmand Agency,-

- (i) Ekka Ghund town and camp area;
  - (ii) Ghalanai town and camp area;
  - (iii) Yousufkhel camp area ; and
  - (iv) Mohmad Gat area.;
- (f) Khyber Agency,-
- (i) Towns and camps of Bara, Jamrud, Landi Kotal ; and
  - (ii) Torkham area of Landi Kotal Tehsil;
- (g) Kurram Agency,-
- entire Upper and Lower Kurram sub-divisions;
- (h) North Waziristan Agency,-
- (i) town and camp of Miransha including the villages of Miranshah, Danday, Darpakhel and Tabitolkhel;
  - (ii) Town and camp of Mir Ali; and
  - (iii) Razmak town and cantonment; and
- (i) South Waziristan Agency;
- (i) Wana bazaar and camp;
  - (ii) Sarwakai camp;
  - (iii) Ladda town and camp;
  - (iv) Toikhulla camp; and
  - (v) Azam Warsak and border crossing point at Angoor Adda.

## **SECOND SCHEDULE**

*[see section 3 (3)]*

### **PART I**

#### **Procedural laws**

1. The Code of Criminal Procedure, 1898 (Act V of 1898) as applicable in the Islamabad Capital Territory and as modified for the purpose of this Act;

2. The Code of Civil Procedure, 1908 (Act V of 1908); and
3. The *Qanun-e-Shahadat*, 1984 (P.O.No. 10 of 1984).

**PART-II**  
**Other laws**

1. The Pakistan Penal Code (Act XLV of 1860) with the modification that in all cases punishable with death the punishment shall be imprisonment for life;
2. the National Accountability Ordinance, 1999 (XVIII of 1999);
3. the Anti-money Laundering Act, 2010 (VII of 201);
4. the Anti-Narcotics Force Act, 1997 (III of 1997);
5. the Cigarettes (Printing of Warning) Ordinance, 1979 (LXXIII of 1979);
6. the Contempt of Court Ordinance, 2003 (IV of 2003);
7. the Control of Narcotic Substances Act, 1997 (XXV of 1997);
8. the Cutting of Trees (Prohibition) Act, 1992 (XVIII of 1992);
9. the Drug Regulatory Authority of Pakistan Act, 2012 (XXI of 2012);
10. the Drugs Act, 1976 (XXXI of 1976) and the rules made thereunder;
11. the Electricity Act, 1910 (IX of 1910);
12. the Electronic Transactions Ordinance, 2002 (LI of 2002);
13. the Emigration Ordinance, 1979 (XVIII of 1979);
14. the Employment of Children Act, 1991 (V of 1991);
15. the Epidemic Diseases Act, 1958 (III of 1958);
16. the Exit from Pakistan (Control) Ordinance, 1981 (XLVI of 1981) and the rules made thereunder;
17. the Explosive Substances Act, 1908 (VI of 1908);
18. the Explosives Act, 1884 (IV of 1884);
19. the Extradition Act, 1972 (XXI of 1972);
20. the Federal Investigation Agency Act, 1974 (VIII of 1975);
21. the West Pakistan Foodstuffs (Control) Act, 1958 (WP Act No. XX of 1958);
22. the Foreign Exchange Regulation Act, 1947 (VII of 1947) and the rules made thereunder;
23. the Foreigners Act, 1946 (XXXI of 1946);
24. the West Pakistan Good Conduct Prisoners' Probationer Release Act, 1926 (WP Act No. X of 1926) and the rules made thereunder;
25. the Identification of Prisoners Act, 1920 (XXXIII of 1920);
26. the Illegal Dispossession Act, 2005 (XI of 2005);

27. the Indecent Advertisements Prohibition Act, 1963 (XII of 1963);
28. the Industrial Relations Act, 2012 (X of 2012);
29. the Investigation for Fair Trial Act, 2013 (I of 2013);
30. the Juvenile Justice System Ordinance, 2000 (XX of 2000) and the rules made thereunder;
31. the Khyber Pakhtunkhwa Appointment of Law Officers Act, 2014 (Khyber Pakhtunkhwa Act No. XXXVII of 2014);
32. the Khyber Pakhtunkhwa Environmental Protection Act, 2014 (Khyber Pakhtunkhwa Act No. XXXVIII of 2014);
33. the Khyber Pakhtunkhwa Explosive Act, 2013 (Khyber Pakhtunkhwa Act No. XXIV of 2013);
34. the Khyber Pakhtunkhwa Explosive Substances Act, 2013 (Khyber Pakhtunkhwa Act No. XXV of 2013);
35. the Khyber Pakhtunkhwa Prevention of Gambling Ordinance, 1978 (Khyber Pakhtunkhwa Ordinance No. V of 1978);
36. the Khyber Pakhtunkhwa Protection of Breast-Feeding and Child Nutrition Act, 2015 (Khyber Pakhtunkhwa Act No. VII of 2015);
37. the Limitation Act, 1908 (IX of 1908);
38. the National Commission for Human Rights Act, 2012 (XVI of 2012);
39. the Offence of *Qazf* (Enforcement of *Hadd*) Ordinance, 1979 (VIII of 1979);
40. the Offence Against Property (Enforcement of *Hadd*) Ordinance, 1979 (VI of 1979);
41. the Offences in Respect of Banks (Special Courts) Ordinance, 1984 (IX of 1984);
42. the Offences of Zina (Enforcement of *Hadd*) Ordinance, 1979 (VII of 1979);
43. the Pakistan Citizenship Act, 1951 (II of 1951);
44. the Pakistan Environmental Protection Act, 1997 (XXXIII of 1997);
45. the Pakistan Hotels and Restaurants Act, 1976 (LXXXI of 1976);
46. the Parks and Horticulture Authority Act, 2012 (Punjab Act No. XLVII of 2012);
47. the Passports Act, 1974 (XX of 1974) and the rules made thereunder;
48. the Payment Systems and Electronic Fund Transfers Act, 2007 (IV of 2007);
49. the Press, Newspapers, News Agencies and Books Registration

- Ordinance, 2002 (XCVIII of 2002) and the rules made thereunder;
50. the Prevention and Control of Human Trafficking Ordinance, 2002 (LIX of 2002) and the rules made thereunder;
  51. the Prevention of Anti-National Activities Act, 1974 (VII of 1974);
  52. the Prevention of Corruption Act, 1947 ( II of 1947);
  53. the Prevention of Cruelty to Animals Act, 1890 (XI of 1890);
  54. the Prevention of Electronic Crimes Act, 2016 (XL of 2016);
  55. the Prevention of Gambling Act, 1977 (XXVIII of 1977);
  56. the Prevention of Seditious Meetings Act, 1911 (X of 1911);
  57. the Prisoners Act, 1900 (III of 1900);
  58. the Prohibition of Smoking and Protection of Non-Smokers Health Ordinance, 2002 (LXXIV of 2002);
  59. the Protection Against Harassment of Woman at the Workplace Act, 2010 (IV of 2010);
  60. the Security of Pakistan Act, 1952 (XXXV of 1952);
  61. the Telegraph Act, 1885 (XIII of 1885);
  62. the Terrorist Affected Areas (Special Courts) Act, 1992 (X of 1992);
  63. the Traffic Offences (Special Courts) Ordinance, 1981 (XXXIX of 1981);
  64. the Transfer of Offenders Ordinance, 2002 (XXXVII of 2002);
  65. the Transplantation of Human Organs and Tissues Act, 2010 (VI of 2010);
  66. the Vaccination Act, 1880 (XIII of 1880);
  67. the West Pakistan Water and Power Development Authority Act, 1958 (WP Act No. XXXI of 1958);
  68. the Weights and Measures (International System) Act, 1967 (V of 1967) and the rules made thereunder;
  69. the West Pakistan Anti-Corruption Establishment Ordinance, 1961 (WP Ordinance No. XX of 1961);
  70. the West Pakistan Epidemic Disease Act, 1958 (WP Act No. XXVI of 1958);
  71. the West Pakistan Regulation and Control of Loudspeakers and Sound Amplifiers Ordinance, 1965 (WP Ordinance No. II of 1965);
  72. the West Pakistan Tribunal of Inquiry Ordinance, 1969 (WP Ordinance No. II of 1969);

73. the Wild Birds and Animals Protection Act, 1912 (VIII of 1912);
74. the Wireless Telegraphy Act, 1933 (XVII of 1933);
75. the Abandoned Properties (Taking Over and Management) Act, 1975 (XX of 1975);
76. the Agricultural Pesticides Ordinance, 1971 (II of 1971);
77. the Aircrafts (Removal of Danger to Safety) Ordinance, 1965 (XII of 1965);
78. the Airports Security Force Act, 1975 (LXXVII of 1975) and the rules made thereunder;
79. the Allopathic System (Prevention of Misuse) Ordinance, 1962 (LXV of 1962);
80. the Anti-dumping Duties Act, 2015 (XIV of 2015);
81. the Antiquities Act, 1975 (VII of 1976);
82. the Armed Forces Civil General Transport Companies and Requisition of Civil Transport Ordinance, 2002 (XXII of 2002);
83. the Associated Press of Pakistan Corporation Ordinance, 2002 (LXXX of 2002);
84. the Carriage by Air Act, 2012 (IV of 2012);
85. the Child Marriage Restraint Act, 1929 ((XIX of 1929);
86. the Civil Aviation Ordinance, 1960 ((XXXII of 1960);
87. the Civil Defence Act, 1952 (XXXI of 1952);
88. the Coal Mines (Fixation of Rates of Wages) Ordinance, 1960 (XXXIX of 1960);
89. the Control of Employment Ordinance, 1965 (XXXII of 1965);
90. the Copyright Ordinance, 1962 (XXXIV of 1962) and the rules made thereunder;
91. the Decorations Act, 1975 (XLIII of 1975);
92. the Destruction of Records Act, 1917 (V of 1917);
93. the Destructive Insects and Pests Act, 1914;
94. the Enemy Property (Continuance of Emergency Provisions) Ordinance, 1977 (XXXIV of 1977);
95. the Factories Act, 1934 (XXV of 1934);
96. the Fatal Accidents Act, 1855 (XIII of 1855);
97. the Federal Employees Benevolent Fund and Group Insurance Act, 1969 (II of 1969);
98. the Freedom of Information Ordinance, 2002 (XCVI of 2002) and the rules made thereunder;
99. the Government Savings Banks Act, 1873 (V of 1873);
100. the Hindu Disposition of Property Act, 1916 (XV of 1916);
101. the Hindu Widows Re-Marriage Act, 1856 (XV of 1856);
102. the House Building Finance Corporation Act, 1952 (XVIII of

- 1952);
103. the Injured Persons (Medical Aid), Act 2004 (XII of 2004);
  104. the Intellectual Property Organization of Pakistan Act, 2012 (XXII of 2012);
  105. the Khyber Pakhtunkhwa Sugar Factories Control Act, 1950;
  106. the Khyber Pakhtunkhwa Tenancy Act, 1950;
  107. the Law Reports Act, 1875 (XVIII of 1875);
  108. the Legal Practitioners and Bar Councils Acts, 1973 (XXXV of 1973) and rules made thereunder;
  109. the Mines Act, 1923 (IV of 1923);
  110. the Mines Maternity Benefit Act, 1941 (XIX of 1941);
  111. the Motor Vehicles (Drivers) Ordinance, 1942 (V of 1942);
  112. the National Database and Registration Authority Ordinance, 2000 (VIII of 2000) and the rules made thereunder;
  113. the National Highway Authority Act, 1991 (XI of 1991);
  114. the Notaries Ordinance, 1961 (XIX of 1961);
  115. the Oath Act, 1873 (X of 1873);
  116. the Official Secrets Act, 1923 (XIX of 1923);
  117. the Pakistan Air Force Act, 1953 (VI of 1953);
  118. the Pakistan Electronic Media Regulatory Authority Ordinance, 2002 (XIII of 2002);
  119. the Pakistan Madrash Education (Establishment and Affiliation of Model Dini Madaris Board) Ordinance, 2001 (XL of 2001);
  120. the Pakistan Telecommunication (Re-Organization) Act, 1996 (XVII of 1996);
  121. the Pakistan Trade Control of Wild Fauna and Flora Act, 2012 (XIV of 2012);
  122. the Patents Ordinance, 2000 (LXI of 2000);
  123. the Pensions Act, 1871 (XXXIII of 1871);
  124. the Power of Attorney Act, 1882 (VII of 1882);
  125. the Press Council of Pakistan Ordinance, 2002 (XCVII of 2002);
  126. the Provincial Employee Social Security Ordinance, 1965 (WP X of 1965);
  127. the Provincial Motor Vehicles Ordinance, 1965 (XIX of 1965);
  128. the Public Procurement Regulatory Authority Ordinance, 2002 (XXII of 2002);
  129. the Registration of Foreigners Act, 1939 (XVII of 1939) and the rules made thereunder;
  130. the Regulation of Generation, Transmission and Distribution of Electric Power Act, 1997 (XL of 1997);
  131. the Sacked Employees (Re-Instatement) Act, 2010 (XXII of

- 2010);
132. the Sarais Act, 1867 (XXI of 1867);
  133. the Securities and Exchange Commission of Pakistan Act, 1997 (XLII of 1997);
  134. the Small and Medium Enterprises Development Authority Ordinance, 2002 (XXXIX of 2002);
  135. the Small Claims and Minor Offences Courts Ordinance, 2002 (XXVI of 2002);
  136. the Societies Registration Act, 1860 (XXI of 1860);
  137. the Trade Marks Ordinance, 2001(XIX of 2001);
  138. the Travel Agencies Act, 1976 (XXX of 1976) and the rules made thereunder;
  139. the Trust Act, 1882 (II of 1882);
  140. the Unani, Ayurvedic and Homeopathic Practitioners Act, 1965 (II of 1965) and the rules made thereunder; and
  141. the *Zakat* and *Ushr* Ordinance, 1980 (XVIII of 1980).



## **STATEMENT OF OBJECTS AND REASONS**

The Rewaj Act for Tribal Areas, 2017 (RRTA) focuses on the introduction of a legal system which will provide for retaining the Rewaj in accordance with the aspirations of the tribal people while safeguarding their fundamental rights. It envisages that certain amendments may be incorporated in CrPC and CPC for customization and shaping it to incorporate the traditional Jirga system for adjudication in the Federally Administered Tribal Areas (FATA), thereby, determining the roles and fixing responsibilities between the executive and judicial officers. The Act is designed to be promulgated in the protected areas of FATA in a gradual manner, for which the availability and the provision of a necessary judicial and prosecution infrastructure coupled with a well-trained levies force is of paramount importance. The Rewaj Act in its essence, thus provides for the extension of the jurisdiction of the Supreme Court of Pakistan and Peshawar High Court which in collaboration with an alternate system of dispute resolution in the form of a Jirga system for provision of a speedy justice system to the people of the area to which this Act shall apply.

**LT. GEN.(RETD) ABDUL QADIR BALOCH,**  
**Minister for States and Frontier Regions,**  
**Minister-in-Charge**