

NATIONAL ASSEMBLY SECRETARIAT

REPORT OF THE STANDING COMMITTEE ON LAW, JUSTICE AND HUMAN RIGHTS ON THE LAW REFORMS (AMENDMENT) BILL, 2015, PRIVATE MEMBER'S BILL, MOVED BY MR. MUIHAMMAD AYAZ SOOMRO, MNA.

1. Chairman of the Standing Committee on Law, Justice and Human Rights, have the honor to present this report on the Bill further to amend the Law Reforms Ordinance, 1972 (XII of 1972) [The Law Reforms (Amendment) Bill, 2015], referred to the Committee on 28th April, 2015.

2. The Committee comprises the following members:-

i)	Chaudhry Mahmood Bashir Virk	Chairman
ii)	Justice (Retd) Iftikhar Ahmad Cheema	Member
iii)	Chaudhary Muhammad Ashraf	Member
iv)	Mr. Mohsin Shah Nawaz Ranjha	Member
v)	Mr. Muhammad Moeen Wattoo	Member
vi)	Mr. Muhammad Raza Hayat Harraj	Member
vii)	Sardar Muhammad Amjad Farooq Khan Khosa	Member
viii)	Ms. Kiran Haider	Member
ix)	Syed Ayaz Ali Shah Sherazi	Member
x)	Mr. Muhammad Ayaz Soomro	Member
xi)	Syed Naveed Qamar	Member
xii)	Ms. Alizeh Iqbal Haider	Member
xiii)	Eng. Ali Muhammad Khan Advocate	Member
xiv)	Ms. Munaza Hassan	Member
xv)	Mr. S.A. Iqbal Quadri	Member
xvi)	Moulana Muhammad Khan Sherani	Member
xvii)	Ms. Aisha	Member
xviii)	Mr. Mumtaz Ahmed Tarar	Member
xix)	Ms. Asiya Naz Tanoli	Member
xx)	Minister Incharge for Law, Justice & Human Rights	Ex-officio Member

3. The Committee in its meeting held on 6th July, 2015 considered the above mentioned Bill. The Committee unanimously recommend that the Bill as introduced in the National Assembly (Annex-A) may be passed.

Sd/-
(MOHAMMAD RIAZ)
Secretary

Sd/-
(CHAUDHRY MAHMOOD BAHIR VIRK)
Chairman

Islamabad, 6th August, 2015

BILL

further to amend the Law Reforms Ordinance 1972 (XII of 1972)

WHEREAS it is expedient further to amend the Law Reforms Ordinance, 1972 (XII of 1972) for the purposes hereinafter appearing;

It is hereby enacted as follows:-

1. **Short title and commencement.**- (1) This Act may be called the Law Reforms (Amendment) Act, 2015.

(2) It shall come into force at once and shall always be deemed to have taken effect from the date of commencement of the Constitution (Eighteenth Amendment) Act, 2010.

2. **Insertion of new sections 3A and 4A Ordinance XII of 1972.**- In the Law Reforms Ordinance 1972 (XII of 1972), after sections 3 & 4 the following new sections shall be inserted, namely;

“3A. Appeal to Supreme Court in certain cases.- An appeal shall lie to a larger bench of Supreme Court of Pakistan against any order or judgment made by a bench of that Court in *suo moto* proceedings initiated under original jurisdiction or arising out of petitions under Article 184 of the Constitution of the Islamic Republic of Pakistan.

4A. Computation of period of limitation.- In the period of limitation for filing an appeal under the provisions of section 3A, the period shall be 60 days from the date of the order or judgment or commencement of this Act.”

STATEMENT OF OBJECTS AND REASONS

At present there is no right of appeal against the decision of the Supreme Court in *suo moto* cases or against orders or judgments made in other cases directly taken up by the Supreme Court under Article 184 of the Constitution of the Islamic Republic of Pakistan. The only option available to an aggrieved person is of review provided under Supreme Court of Pakistan Rules, 1980. The scope of review is limited to correction of errors, if any. Further, the review is heard by the same bench/judges and as such can neither be equated nor considered to be an appeal, nor can it afford a fair opportunity to defend a cause in the light of Article 10-A inserted through the Eighteenth Amendment in the Constitution. Since *suo moto* cases and petitions under Article 184 of the Constitution are dealt with by the Supreme Court in its original jurisdiction directly, justice demands that a right to appeal may be afforded to adversely affected litigants, as envisaged under the proposed legislation.

2. The Bill seeks to achieve the aforesaid object.

Sd/-

Mr. MUHAMMAD AYAZ SOOMRO,
Member, National Assembly.