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PART II

Statutory Notifications (S. R. O.)

SENATE SECRETARIAT

NOTIFICATION

Islamabad, the 29th November, 2019

S.R.O. 1488(I)/2019.—The following amendments in rules 3, 4, 5, 6, 8 and 10 of the Parliamentary Committee on Judges appointment in the superior Courts Rules, 2010:-

- (i) The existing rule 3 shall be substituted with the following, namely,—

3. “Powers of the Parliamentary Committee.— (1) The Committee shall have powers to summon, invite or interview any person, including the person nominated for vacancy of a judge, or call for any information or record required by it from any person or authority for the purpose of carrying out its functions:

Provided that if a person nominated for vacancy of a judge invited for an interview, fails to appear before the Committee, his/her nomination shall be deemed to be not confirmed.

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- (2) Any person summoned or invited by the Committee under sub-rule (1) may be required to give a statement or be examined on oath, prescribed by the Committee.”
- (ii) In rule 4, for the existing sub-rule (3) the following sub-rules shall be inserted, and thereafter the existing sub-rule (4) shall be renumbered as (5), respectively,—
- “(3) The Committee for reasons to be recorded, may not confirm the nomination by three-fourth majority of its total membership within the said period.
- (4) The Committee shall, in case of non-confirmation of as provided in sub-rule (3), forward its decision with reasons so recorded to the Commission through the Prime Minister and thereafter the Commission shall send another nomination.”
- (iii) The existing rules 5 and 6 shall be substituted with the following, namely,—

“5. Legality of decisions and proceedings of the Committee.-

(1) Notwithstanding the Judgment of any court, Decision of the Committee shall not be called in question in any court on any ground whatsoever.

(2) No action or decision taken by the Committee shall be invalid or called in question only on the ground of the existence of a vacancy therein or of the absence of any member from any meeting thereof.

6. Chairman of the Committee.—(1) The Chairman of the Committee shall be elected by the Committee from amongst its members for a period of six months, who may be re-elected thereafter:

Provided that the election of the Chairman Committee shall be held afresh after each general election to the National Assembly or an election to fill the seats in the Senate on the expiry of the term of half of the total membership of the Senate, as the case may be.

(2) If the Chairman of the Committee is not present at any sitting, the Committee shall choose one of its members present to act as Chairman for that sitting.”

- (v) after the existing rule 7, the following new rules 7A and 7B shall be inserted, namely,—

“7A.Sub-Committee.—The Chairman may constitute sub-committees consisting of three members of the Committee with such terms of reference as may be determined by him.

7B. Discharge of members due to absence.—If a member is absent from three or more consecutive meetings of the Committee, such member shall cease to be the member of the Committee:

Provided that the Committee may, on application by the Member, after being satisfied that the absence was due to the reasons beyond the control of the member, for reasons to be recorded condone the absence of the member.”

- (vi) In rule 8, after the words **“by the Secretary”**, the words **“which shall be classified”** shall be inserted.

- (vii) In rule 10, for the words **“three fourth majority of the total membership of the Committee”**, the words **“majority of the membership”** shall be substituted.

[No. F. 21(3)/2011-Legis.]

MUHAMMAD ANWAR,
Secretary.