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PART II

Statutory Notifications (S.R.O.)

GOVERNMENT OF PAKISTAN
CABINET SECRETARIAT
(Cabinet Division))

NOTIFICATION

Islamabad, the 23rd July, 2022

S. R. O. 1163(I)/2022.—In exercise of the powers conferred under Section 3 of Pakistan Commissions of Inquiry Act, 2017, the Federal Government has been pleased to constitute an Inquiry Commission to probe into the allegations of sexual offences made by Ms. Tayyaba Gul against Justice (Retd) Javed Iqbal and others.

2. The Commission shall comprise of the following:

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| (i) | Ms. Rabiya Javeri Agha, Chairperson, National Commission for Human Rights. | Chairperson |
| (ii) | Ms. Anis Haroon, Member (Sindh), National Commission for Human Rights. | Member |
| (iii) | Mr. Nadeem Ashraf, Member (Punjab), National Commission for Human Rights. | Member |

(2687)

Price: Rs. 6.00

[8621(2022)/Ex. Gaz.]

3. The Commission shall conduct the inquiry and perform its functions in accordance with the following Terms of Reference (TORs), namely:

- (a) to inquire into the allegations of sexual offences including harassment, assault, outraging and insulting modesty, misdemeanor, misconduct, misuse and abuse of authority levelled by the complainant against the persons complained against;
- (b) to determine violation, if any, of integrity of the process of administration of justice, security of person, right to fair trial, absolute inviolability of dignity of person and equality of citizen;
- (c) to determine, after inquiry, as to whether criminal liability, if any, is incurred by any or all persons complained against or any other person or public office holders, by any offences so defined in the Pakistan Penal Code, 1860 (Act);
- (d) to inquire into allegations that she was prompted to provide video/audio material by some officials and same was later on leaked to a private TV channel for ulterior motive and design;
- (e) to determine, after inquiry, as to whether disciplinary proceedings, if any, are attracted by some persons complained against or any other person, by any of their act;
- (f) to fix the responsibility on any person or public office holder, aiding or abetting by any act in the Commission of any offense(s) or in violation of laws, if any, so determined;
- (g) to fix responsibility, if any, jointly and severally if any person is found delinquent;
- (h) to make clear and specific recommendations in the light of the findings of the Inquiry to take any necessary legal action, by any agency, department or any other person;
- (i) any matter ancillary or incidental thereof as the Commission deems fit to inquire into in the interest of justice.

4. The Commission shall have all the powers vested in it under the Act and the Commission shall have additional powers of a Criminal Court under Section 10 of the Act.

5. It shall be the duty of all executive authorities in the Federation and the Provinces to act in aid of the Commission in discharge of its functions and to comply with any of its directions.

6. The Secretariat of the Inquiry Commission shall be established at National Commission for Human Rights (NCHR), Head Office, Islamabad and Ministry of Human Rights (administrative Ministry of NCHR) shall provide secretariat support, necessary fundings and requisite facilities to enable the Commission to perform its functions.

7. The Commission shall initiate the inquiry immediately and upon conclusion, shall submit its report to the Federal Government.

[No. 01/08/2022/Lit-III.]

MUHAMMAD AKRAM,
Joint Secretary (Lit/Dev).