

**A  
BILL**

*to provide for the establishment of Khyber Pakhtunkhwa Judicial Officers Welfare Fund for the welfare of Judicial Officer in the Province of Khyber Pakhtunkhwa.*

**WHEREAS**, it is expedient to provide for the establishment of the Khyber Pakhtunkhwa Judicial Officer Welfare Fund to financially support and assist the Judicial Officers and their families in times of health emergency, accidents, deaths and post-retirement benefits, to introduce schemes for welfare of Judicial Officers and their families and to provide for the manner and mode of contribution into the Fund, the custody and management of the Fund, the mode of assistance of the Judicial Officers out of the Fund and for matters connected therewith and ancillary thereto;

It is hereby enacted by the Provincial Assembly of the Khyber Pakhtunkhwa as follows:

**CHAPTER-I  
PRELIMINARY**

**1. Short title, extent and commencement.**---(1) This Act may be called the Khyber Pakhtunkhwa Judicial Officers Welfare Fund Act, 2025.


- (2) It shall extend to the whole Province of the Khyber Pakhtunkhwa.
- (3) It shall come into force at once.

**2. Definitions.**---In this Act, unless there is anything repugnant in the subject or context, the following expressions shall have the meanings hereby respectively assigned to them, that is to say—

- (a) **“Chairperson”** means the Chairperson of the Management Committee;
- (b) **“family”** in relation to a Judicial Officer means-
- (i) dependents of a Judicial Officer which includes spouse, parents and children, if residing with and wholly dependent upon him or her; and
- (ii) any other family member of the Judicial Officer as may be determined by the Management Committee on case to case basis;
- (c) **“Fund”** means the Fund established under section 3 of this Act;

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- (d) **“Government”** means the Government of the Khyber Pakhtunkhwa Province;
- (e) **“health emergency”** includes all types of medical treatment of beneficiaries when such treatment is not possible in public or Government owned hospitals and when the expenses of such treatment is likely to exceed the minimum limit of rupees four lac even in Government hospitals, but it shall not include general outpatient department, first aid, routine tests and checkups;
- (f) **“High Court”** means the Peshawar High Court, Peshawar;
- (g) **“Judicial Officer”** means any person who is holding the post as mentioned in rule 3 of the Khyber Pakhtunkhwa Judicial Service Rules, 2001 whether working in the field or ex-cadre, as the case may be;
- (h) **“Management Committee”** means the Committee constituted under section 11 of this Act;
- (i) **“member”** means a Judicial Officer who is a member of the Fund within the meaning of section 5 of this Act and is regularly contributing to the Fund under section 6 of this Act;
- (j) **“natural disaster”** includes the losses caused to the life and property of Judicial Officers and their dependents due to earthquakes, floods, rains, pandemics or other natural disasters;
- (k) **“scheme”** means any program planned for providing periodic incentive to the Judicial Officers under section 15 of this Act;
- (l) **“prescribed”** means prescribed by regulations made under this Act;
- (m) **“Province”** means the Province of the Khyber Pakhtunkhwa;
- (n) **“regulations”** mean the regulations made by the Management Committee under section 17 of this Act; and
- (o) **“welfare”** means the financial support to the Judicial Officers and their families from the Fund in the events of health emergency, natural disasters, loans, road accidents, fire, paramedics or other natural calamities, which physically or financially affects the Judicial Officers and their families including honorarium upon superannuation or retirement.



**CHAPTER-II**  
**ESTABLISHMENT OF THE FUND**

**3. Establishment of the Fund.**---(1) Soon after the commencement of this Act, there shall be established a Fund to be known as the Khyber Pakhtunkhwa Judicial Officers Welfare Fund.

(2) The Fund shall include-

- (a) contributions made by members deducted from their monthly salary at-source or deposited into the Fund by the member through challan, bank draft or pay order etc. in accordance with section 6 of this Act;
- (b) such loans and advances as may be obtained by the Management Committee from banks or financial institutions;
- (c) other contributions, donations, gifts, endowments, etc. made by individuals, Non-Governmental Organizations, private or public philanthropic organizations or welfare organizations whether national or international; and
- (d) income and profits accruing from investments of the Fund.

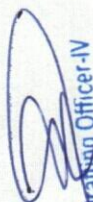
**4. Custody and management of the Fund.**---The Fund shall be kept in any scheduled bank in the name of the Management Committee and its custody and management shall be regulated in such a manner as may be prescribed.

**5. Membership of the Fund.**---Upon commencement of this Act, all Judicial Officers shall be deemed to have been registered as members of the Fund under this Act and they shall accordingly contribute to the Fund in accordance with section 6 of this Act.

**6. Contribution to the Fund and manner of collection.**---(1) The members shall be liable to contribute such monthly amount and at such rates as may be determined in the prescribed manner by the Management Committee for each category of Judicial officers as per their respective basic pay scales.

(2) All monthly contributions under sub-section (1), shall be deducted from the monthly pay of the members at source by the Accountant General or the District Accounts Officers, as the case may be, within whose jurisdiction the disbursement of salary is made to that member:

Provided that in case where a member is transferred to an autonomous body, Federal Government or other Provincial Governments, and if his contribution is not or could not be deducted at-source from his pay, his contribution shall be paid by the member concerned through bank draft, pay order, *challan* or in any other manner as may be prescribed.

  
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(3) The Accountant General shall allocate a separate sub-head for deduction of contributions from the salary of the members and pass on the credit to the Fund regularly within one month of such deduction.

(4) The Management Committee shall maintain separate account in respect of each member and be responsible to ensure that the amounts of contributions paid by the member or deducted from his salary by the Accountant General or the District Account Officers, as the case may be, have been received and accounted for in the books of accounts to be kept for the purpose.

(6) In order to accumulate a sizeable number of Funds, no disbursement shall be made from the Fund for the first six months, except in a very serious case as may be determined by the Management Committee.

7. **Financial assistance out of the Fund.**---The limit of financial assistance out of the Fund and the procedure thereof to the members or their families for their welfare or in cases of health emergency or natural disaster shall be such as may be prescribed.

8. **Maintenance of accounts.**---The accounts of the Fund shall be maintained in the manner as may be prescribed.

9. **Audit of accounts.**---The accounts of the Fund shall be audited in the manner as may be prescribed.

10. **Investment of Fund.**---(1) The Management Committee may invest proceeds of the Fund or any portion thereof in any profitable venture including stocks, bonds, mutual funds or any other mode of investment has the Management Committee may determine.

(2) For the purpose of sub-section (1), the Management Committee may formulate an investment policy covering the mode of investment of the Fund, the profitable ventures in which the Fund may be invested and any other matter incidental or ancillary to the investment of Fund.

### CHAPTER-III CONSTITUTION OF MANAGEMENT COMMITTEE

11. **Constitution of Management Committee.**---(1) For the purpose of this Act, there shall be a Committee to be known as the Management Committee of the Judicial Officers Welfare Fund which shall consist of the following:

- |     |   |                      |
|-----|---|----------------------|
| (a) | Registrar, Peshawar High Court,<br>Peshawar;                    | Chairperson          |
| (b) | Additional Registrar (Admin),<br>Peshawar High Court, Peshawar; | Vice-<br>Chairperson |

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| (c) | District and Sessions Judge, Peshawar;   | Member                       |
| (d) | two senior most District and Sessions Judge, ex-cadre at Peshawar;                         | Members                      |
| (e) | Director, Human Resource and Welfare, Secretariat of District Judiciary in the High Court; | Member<br>-cum-<br>Secretary |
| (f) | senior most Additional District and Sessions Judge at Peshawar;                            | Member                       |
| (g) | Senior Civil Judge (Admin), Peshawar; and  | Member                       |
| (h) | Senior most Civil Judge at Peshawar.   | Member.                      |

(2) The Chairperson or in his absence, the Vice-Chairperson, shall preside over meetings of the Management Committee.

(3) All members shall attend meeting of the Management Committee in person; provided that when the request of the Chairperson, Vice-Chairperson or any member of the Management Committee for financial assistance is being considered by the Management Committee, he shall not attend meeting of the Management Committee.

(4) The decisions of the Management Committee shall be taken by majority of votes of members present. In case of tie the Chairperson shall have a casting vote.

(5) The Chairperson or in his absence, the Vice-Chairperson, in case he is presiding a meeting, and any four members shall constitute a quorum.

(6) The Chairperson may co-opt any person to attend meetings of the Management Committee on special invitation:

Provided that such co-opted member may participate in the discussions but shall have no right of vote.

(7) The Management Committee shall meet at least once in a quarter and its meeting shall be held on such date, time and place as the Chairperson may determine.


(8) The Human Resource Wing of the secretariat of District Judiciary in the High Court shall provide secretariat support to the Management Committee.



**12. Powers and functions of the Management Committee.**---(1) The Management Committee shall perform such functions as may be necessary for carrying out the purposes of this Act.

(2) Without prejudice to the generality of the foregoing provision, the Management Committee shall perform the following functions, namely:

- (a) approval and evaluation of requests for financial assistance out of the Fund in the prescribed manner;
- (b) determining and review the rates of contribution to be made by the members towards the Fund;
- (c) determination of limit of financial assistance and its review out of the Fund to the members;
- (d) consideration and approval of schemes for members to be supported out of Fund;
- (e) custody and management of the Fund and its accounts in the prescribed manner; and
- (f) any other function as may be assigned to it by the Chief Justice of the High Court or as may be prescribed.

  
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**13. Inspection of Fund.**---The status of Fund and its accounts shall be open to inspection by members via any means as may be determined by the Management Committee.

**14. Power to authorize.**---For the purposes of this Act, the Management Committee may, by order in writing, authorize any officer of High Court or member of the District Judiciary to perform such functions in connection with the implementation of this Act as the Management Committee may specify in the said order.

**15. Schemes.**---For the purposes of welfare of the members and their families, the Management Committee may launch schemes in the prescribed manner including but not limited to the following, namely:

- (a) education to the children of members in the prescribed manner;
- (b) provision of health care facilities at renowned healthcare units including health insurance as well as life insurance etc.;
- (c) housing societies, plots and constructed units i.e. houses or apartments;
- (d) club(s) membership; and
- (e) post retirement benefits in the prescribed manner.



**CHAPTER-IV**  
**MISCELLANEOUS**

**16. Removal of difficulty.**---If any difficulty arises in giving effect to any of the provisions of this Act, within a period of one year after the commencement of this Act, Government may give such directions, consistent with the provisions of this Act, as it may consider necessary for removal of such difficulty.

**17. Power to make regulations.**---The Management Committee may make regulations for carrying out the purposes of this Act.

**STATEMENT OF OBJECTS AND REASONS**

There is a consistent demand for welfare and well-being of judicial officers from endowment based on own source contributions in order to support the Judicial Officers in situations such as health emergencies, accidents, natural disasters, and post-retirement needs. The Bill aims to establish the Khyber Pakhtunkhwa Judicial Officers Welfare Fund with the primary objective of providing financial support to Judicial Officers and their families in the province during times of health emergencies, accidents, death, and for post-retirement benefits.

The establishment of this Fund is considered essential for ensuring the welfare of Judicial Officers, who play a pivotal role in the administration of justice, by offering assistance during challenging times. The Fund will also enable the introduction of various welfare schemes designed to enhance the well-being of Judicial Officers and their families, including healthcare provisions, educational support for children, housing assistance, and insurance coverage.

The Bill proposes the creation of a Management Committee responsible for overseeing the custody, management, and disbursement of the Fund, along with determining the contributions from Judicial Officers. It also outlines the process for making financial assistance available from the Fund, establishing procedures for account maintenance, auditing and investments. Furthermore, the Bill provides for the formation of welfare schemes that will contribute to the long-term financial security and welfare of Judicial Officers.

The need for such a Fund arises from the importance of safeguarding the interests of Judicial Officers, ensuring that they have access to necessary resources during health crises, accidents and post-retirement stages. By providing a well-organized system of financial assistance and welfare programs, the Bill aims to ensure the welfare of Judicial Officers and their families, recognizing their dedication and service to the justice system.

The draft Bill seeks to achieve the above mentioned objectives.

Peshawar,  
dated the: 18/03/2025.

  
MINISTER-IN-CHARGE

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