

PAKISTAN BAR COUNCIL

Rawalpindi, the 15th February, 1987

S.R.O. 135(1)/87. --In exercise of the powers conferred by Section 55 read with Section 13 of the Legal Practitioners and Bar Councils Act, 1973 (XXXV of 1973), and all other enabling provisions in this behalf, the Pakistan Bar Council hereby makes and notifies the following Rules:

THE PAKISTAN BAR COUNCIL

APPEAL RULES, 1986

1. Name & Commencement:

- (i) These Rules may be called the "Pakistan Bar Council Appeal Rules, 1986"
- (ii) They shall come into force at once.

2. Definitions:

In these Rules unless there is anything repugnant in the subject and context: --

- (i) "Chairman" means the Chairman of the Appeal Committee.
- (ii) "Committee" means an Appeal Committee for the respective province ¹[and the ICT] constituted by the Pakistan Bar Council.
- ²[(iii)] "Islamabad Bar Council" means the Bar Council for Islamabad Capital Territory (ICT) constituted under the Legal Practitioners & Bar Councils Act 1973"]
- ³[(iv)] "Provincial Bar Council" means a Bar Council of the respective province constituted under the Legal Practitioners & Bar Councils Act, 1973.
- ⁴[(v)] "Executive Committee" means an Executive Committee of the Islamabad Bar Council or a Provincial Bar Council constituted by the Bar Council concerned.]
- ³[(vi)] The terms, words and phrases not defined herein above shall wherever the context so permits have the same meanings as assigned to them under the Legal Practitioners and Bar Councils Act, 1973 (XXXV of 1973).

3 Constitution of Appeal Committees:

- (i) The Pakistan Bar Council shall constitute for each province ⁵[and ICT] one or more Appeal Committees from amongst its members consisting of not less than three members and not more than five members.
- (ii) The term of every Committee shall be the same as that of the Pakistan Bar Council itself unless the Bar Council when constituting the Committee provides otherwise.
- (iii) The Pakistan Bar Council shall elect a Chairman of each Committee from amongst members of each Committee constituted by it.

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- 1. Inserted vide PBC Notification Dated 28-03-2016.
 - 2. Added vide PBC Notification Dated 28-03-2016.
 - 3. Re-numbered vide PBC Notification Dated 28-03-2016.
 - 4. Substituted vide PBC Notification Dated 28-03-2016.
 - 5. Inserted vide Notification 28-03-2016.

- (iv) The quorum of the meeting of the Committee shall be one half of the total number of members of the Committee.

4 MANNER OF FILING APPEALS:

- ⁶(i) An appeal against an order or decision of the Islamabad Bar Council or a Provincial Bar Council or an Executive Committee of any of said Bar Council shall be filed with the Chairman of the respective Committee either personally or through recognized agent or through registered post.]
- (ii) Every Memorandum of Appeal shall be accompanied by a certified copy of the order or decision appealed against. If the certified copy of the order or decision appealed against is not made available to the appellant he shall furnish an affidavit duly sworn by him in this behalf.
- (iii) Every such appeal shall be accompanied by a deposit receipt of Rs. ⁷(5000) to be deposited in the collection account of the Pakistan Bar Council.
- (iv) The appellant shall submit alongwith his memorandum of appeal all the documents he wishes to produce in support of his appeal alongwith affidavits of witnesses if any.

5. FUNCTIONS OF THE APPEAL COMMITTEE:

- (i) The Appeal shall normally be laid before the Committee within ⁸(fifteen) days ⁹[of receipt of an Appeal] for admission of the appeal and grant of interim relief if prayed for:
¹⁰[Provided that the Chairman may in appropriate cases grant the interim relief and his order shall be placed before the Committee for approval in its next meeting],
- ¹¹(ii) For the admission of Appeal and grant of interim relief it shall not be necessary to call a meeting of the Committee and it will be sufficient if the appeal is circulated amongst the members of the Committee.
 Every order or decision of the Committee shall be taken by majority].
- ¹¹(iii) The Appeal Committee shall hear the appeal, examine the record of the case, and record such evidence as it may deem necessary after providing opportunity of hearing to the parties. The Appeal Committee shall decide the Appeal within two months and its decision shall be deemed to be the decision of the Pakistan Bar Council].
- (iv) The decision of the Appeal Committee shall be communicated to the parties.
¹²[Deleted].

6. Substituted vide PBC Notification Dated 28-03-2016.

7. Substituted for the figure "1000" & by Pakistan Bar Council as per its decision taken in 198th meeting on 22-01-2013. Later the figure "2000" by "5000" vide PBC Notification Dated 30-06-2017.

8. Sub. by the word "ten" as per notification of Pakistan Bar Council dated 25.7.1987

9. Inserted as per decision of P.B.C. dated 29.1.1988

10. Added as per notification of P.B.C. dated 25.7.1987

11. Sub. As per decision of Pakistan Bar Council dated 29.1.1988.

12. Deleted as per decision of Pakistan Bar Council dated 29.1.1988.