

بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ

*CONSTITUTION
OF
THE PESHAWAR HIGH COURT BAR
ASSOCIATION 2013
AMENDED ON 29th September 2025.*

PREAMBLE:

Whereas In View Of The Changed Necessities Of The Legal Profession Today, And Its Present - Day Requirements, The Existing Constitution Of The Peshawar High Court Bar Association Needs To Be Revisited And Amended Extensively.

Whereas The Unending And Unrelenting Struggle Of The Lawyers, Originating From The Historic Lawyers Movement, For The Establishment Of Rule Of Law, Independence Of Judiciary And Preservation Of The Constitution Of The Islamic Republic Of Pakistan, 1973 Fro M Being Defaced, Also Requires Lawyers As A Whole To Align Our Ranks Accordingly, By Collctively Making Firm Commitments To Stand Against Any Adventurism, Experimentation And Foul-Play Against The Basic Law Of The Land.

Whereas It Is The Will Of The Lawyers To Establish An Order:

Wherein The Primacy And Preservation Of The Constitution Of The Islamic Republic Of Pakistan Shall Be The Ever First Priority:-

Wherein 'rule Of Law' With 'equality Before Law' And 'equal Protection Before Law' Shall Reign To The People Of All Creeds And Colors:-

Wherein The Concept Of Independence Of Judiciary Shall Be Observed And Jealously Safeguarded, And:-

Wherein The Judiciary Shall Protect The Rights Of The People Without Any Fear Or Favor, And Discrimination:-

Wherein The Concept Of Quick And Inexpensive Justice Is Not Only Praised But Practiced And Adopted At All Levels, And Particularly The Lawyers Shall Also Discipline Themselves Collectively And Endeavor To Achieve This Cherished Object:-

Now Therefore, We The Members Of The Peshawar High Court Bar Association, Peshawar:-

Conscious Of Our Professional Obligations Towards The Society, The Court, The Bar, And To Our Own Conscience;

Cognizant Of The Sacrifices Made By The Lawyers
For Securing And Restoring The Constitution Of
Pakistan And An Independent Judiciary,

Inspired By And Indebted To The Lawyers All Over The
Country, Who Gave Their Lives During The "lawyers
Movement;

Realizing That Struggle Against The Remnant Of
Dictatorship And Dictatorial Behavior Is Not Yet Over,

Expressing Our Firm Commitment And Desire, For
Upholding The Constitution Of Pakistan And Its
Protection By All Pillars Of The State;

Dedicated To The Strengthening Of Democracy
Achieved By Unrelenting Struggle Of The People;

Committed To The Welfare And Well Being Of The Legal
Fraternity And Dedicated To The Task Of Capacity
Building Of The Members Of The Peshawar High
Court Bar Association;

Do Hereby Adopt, Enact And Give To Ourselves This Constitution.

RESOLUTION

Passed In The General Body Meeting Held On 29 Th September, 2025

It Is Hereby Resolved That The Fallowing Amendment Has Been Duly Considered And Unanimously Passed In The General Body Meeting Of The Association Held On 29th September 2025.

PART I

Preamble as substantive part of the Constitution

1. Preamble as operative part:-
The preamble as aforesaid shall, for all intents and purposes, be an operative part of this Constitution.

Office and official seal

2. **OFFICE:-**
the bar association shall have its principal office at the peshawar high court, peshawar.
3. **OFFICIAL SEAL:-**
 - (1) The Bar Association Shall Have Its Own Official embossed seal which shall be in the script Shown In Appendix-I to this Constitution. The Official Seal Shall Be In The Custody of the Secretary General.
 - (2) All correspondence, minutes, resolutions and documents made, prepared or circulated in the name of the Bar Association shall be imprinted with the aforesaid embossed seal.

PART II

Membership of the Bar Association

4. Members of the Bar Association:-

An advocate admitted to the rolls of the High Court by the respective Bar Councils of the provinces shall be eligible to become a member of the Bar Association. There shall, however, be the following types of memberships of the Bar Association;

(i) Ordinary Membership:-

An advocate of the High Court or that of Supreme Court of Pakistan, may subscribe to the ordinary membership by paying Rs. 2,000/- as initial subscription fee, and Rs. 600/-per annum fee.

Provided a retired serviceman shall pay an amount of Rs. 25,000/- as initial subscription fee.

(ii) Life Membership:-

Subject to what is contained in Article 4(1) above, an advocate may, at his own option, subscribe to the life membership by paying Rs. 11,000/- for life.

(iii.) Honorary Membership:-

The Executive Council of the Bar Association may confer honorary membership upon any senior lawyer or former judge, considering his or her services and contribution made for the cause of justice and rule of law.

S. Membership Applications:-

- (i) There shall be separate Application Forms for Ordinary and Life membership described here in above, as set forth in APPENDIX II to this Constitution.
- (ii) An Advocate who intends to become a member of the Bar Association shall have to submit the respective Form as aforesaid to the Secretary General with the prescribed fee

6. Register Of Members:-

- (i) The Secretary General of the Bar Association shall maintain different Registers for the Ordinary members, Life members and honorary members of the Bar Association.
- (ii) The members shall sign their respective Register Upon Acceptance Of Their Application Field Under Article 5 hereinabove, in the presence of President and the General Secretary of the Bar Association.
- (iii) Each member shall then be issued with an identity card of the Bar Association describing the kind of membership he holds, and the format of the Identity Cards shall be as given in Appendix - III here to.
[After **Article 6 PHCBA constitution 2013, 6.A** will be added as follow:

6. A. Removal Of Membership:-¹

- (i) If any member of the Peshawar High Court Bar Association contravenes or act against the Constitution/rules/resolutions of the Peshawar High Court Bar Association, or found involved in any malpractice, tautism and unfair means the Executive council shall take disciplinary action against such member by issuing of Show cause notice and shall suspend his membership till submission of reply and order.

[Added Vide Notification Number 2565 Dated 15.09.2025 of Phcba Passed On 29.09.2025].1

- (ii) Upon receiving the reply of the member, if found satisfactory, his membership will be restored by an order with immediate effect.
- (iii) If, the Executive council found the reply non-satisfactory and found the member guilty of misconduct as mentioned in clause -i of the Article 6.A, his membership/name shall be removed from the roll of Peshawar High Court Bar Association and his case will be forwarded to the Khyber Pakhtunkhwa Bar Council (in case Advocate High Court) or to Pakistan Bar Council (in case Advocate, Supreme Court of Pakistan) for suspension of his license and initiating disciplinary proceedings against such member.

Explanation:

During the suspension such member and his associate(s) including clerks shall be debarred from appearance in any court.

PART III

CHAPTER 1

Executive Council

7. Executive Council:-

In sub- clause (ii) of Article 7 of the PHCBA Constitution, 2013, the words 'Vice President' shall stand substituted with the words 'Senior Vice President'.

In sub - clause (viii), the words 'Executive Member' shall stand substituted with the words 'Vice President', and the number of Vice Presidents shall stand enhanced from one (01) to twelve (12), with the inclusion of representatives from the newly merged districts of Khyber, Mohmand, Orakzai, and Kurram.2

Furthermore, each Tehsil Bar Association shall have one Executive Member in the Association

Explanation:

1. Peshawar High Court Bar Association shall have a Senior Vice President, each District Bar Association shall have Vice President and each Tehsil Bar Association shall have Executive Member.
- ii. The Electoral College for the offices of Senior Vice President and Vice Presidents shall comprise the

entire constituency of the Association, whereas, for the office of Executive Member, the concerned District shall constitute the Electoral College

[Added Vide Notification Number 2565 Dated 15.09.2025 of PHCBA Passed On 29.09.2025].2

There shall be an Executive Council of the Bar Association consisting of;

1. President
2. Senior Vice President
3. Secretary General
4. Joint Secretary
5. Secretary Finance
6. Secretary Library
7. Press Secretary
8. Vice Presidents i.e. One from Each District Including Newly Merged Districts
9. Executive Members one From Each Tehsil Bar Association³

[Added Vide Notification Number 2565 Dated 15.09.2025 of PHCBA Passed on 29.09.2025].3

8. Tenure of Executive Council:-

Subject to Article 31 of the Constitution, the Executive Council shall be elected for a period of one year commencing from the date of their oath.

9. Oath of office:-

Upon being elected in accordance with the provisions of this Constitution, and not later than 15 days thereof, the Executive Council shall be administered an oath in the form set forth in Appendix- IV, which oath shall be administered by the Chief Justice of Pakistan or Chief Justice of the Peshawar High Court or a former Judge of the Supreme Court or High Court, or by a senior member of the Bar Association or by any other person of repute.

10. Functions and Responsibilities:-

- i. The Executive Council shall exercise its executive authority through the President of the Bar Association.
- ii. The Executive Council shall exercise all its powers and discharge functions in the name of the Bar Association, in accordance with this Constitution and it shall be collectively responsible to the Bar Association.
- iii. The Executive Council shall conduct its official business in the name of Bar Association through Secretary General.
- iv. All legal actions and suits shall be brought and defended, as the case may be, in the name of the Peshawar High Court Bar Association through Secretary General.

Chapter 2

Office Bearers Of Executive Council

The President and Vice President

11. Powers and Functions:

- (i) The President shall preside over all meetings of the Bar Association, and in his absence it is the Vice President who shall preside over the meetings.

Provided in the absence of both President and Vice president, a senior most member of the Bar Association present in the session shall, on being duly proposed and seconded, chair the session, with all such powers and privileges as exercised by the President under the constitution.

- (ii) The President shall be responsible for managing the whole affairs of the Bar Association in accordance with this Constitution, and shall be the Chief Executive of the Executive Council.
- (iii) The President shall, with the approval of the house, have the powers to disallow and expel any member

present in a meeting or session who, in his opinion, misbehaves or attempts to disturb the proceedings.

- (iv) The President shall have the powers to adjourn or prorogue any session or meeting, if in his opinion it is so required.
- (v) The President shall have the powers to employ or remove staff for the Bar Association, in consultation with the Executive Council, whenever it is so required.
- (vi) The President shall be, incase it is necessary, authorized to incur an expenditure to the tune of Rs. 500,000/ -, in connection with the affairs of the Bar Association. 4

[Added Vide Notification Number 2565 Dated 15.09.2025 of PHCBA Passed on 29.09.2025] 4

Provided the expenses so incurred and detail thereof shall, for approval, be placed before the Bar Association in any meeting or session followed thereby.

In **Article 11 PHCBA constitution 2013, sub clause - vi**, the word 100,000/ - is replaced with 500,000/ - in connection with affairs of the Bar Associations.

12. Senior Vice President:-

Subject to Article, in the absence of President, the Senior Vice President shall have the same powers as that of the President, and shall perform all his functions as President of the Bar Association.

Secretary General and Joint Secretary

13. Functions:-

- (i) The Secretary General shall be the spokesman of The Bar Association, And All Official Functions, Duties and business of the Bar Association shall be conducted and performed in the name of Bar Association through the Secretary General.
- (ii) Secretary General shall look after and maintain all the properties of the Bar Association, its cafeteria, and the Bar Club upon its creation.
- (iii) Secretary General shall be responsible to arrange and conduct all kinds of meetings of the General Body of the Bar or the Executive Council, as the

case may be, put up prior notices of the meetings with their proposed agendas, display them on Notice Board, ensure that prior information of each and every meeting is given to all members, and cause the minutes of the meetings to be duly recorded in its respective Register

14. Duties:-

The Secretary General of the Bar Association shall be responsible to regularly maintain;

1. The Enrollment Register and Registers of respective members of the Bar Association and the Register for oath by members of the Executive Council.
11. Stock Register containing details of properties owned by the Bar Association
111. Register of employees of the Bar Association
- 1v. Account/Expenditure Register of the Bar Association containing also the receipts of expenditures incurred from time to time
- v. Register of Library containing details of all books and stocks of the library
- v1. Minutes Book Register of the General Body
- v11. Minutes Book Register of the Executive Council

- v111. Register of Requisitions moved and Resolutions passed by the Bar Association, both to be maintained separately
- ix. Register of correspondence made by or with the Bar Association
- x. Audit Register
- x1. Such other Register, book or record, as may be deemed necessary for the effective performance and running of the Bar Association.

Provided such Registers shall be open for inspection to any members of the Bar Association during working hours, upon request.

15. **Joint Secretary:-**

- {1) The Joint Secretary shall assist the Secretary General in the performance of his duties and functions.
- {2) In the absence of Secretary General the Joint Secretary shall discharge all functions and duties assigned to the Secretary General.

16. **Secretary Finance:-**

- (1) The secretary finance shall be an ex officio internal auditor of the Bar Association. He shall be responsible that all accounts of the Bar Association are properly maintained and kept in order.
- (2) Secretary Finance shall, in assistance to the Secretary General, regularly keep in order the Register of Accounts/Expenditure of the Bar Association.
- (3) Secretary Finance shall, after every three months, conduct audit of all incomes, rents, expenditures and spending of the Bar Association.
- (4) During the second last month of the tenure of the Executive Council, the Secretary Finance shall conduct Annual Audit of all the incomes, expenditures and spending of the Bar Association, which shall be placed before the General Body at the time of completion of the tenure of the Executive Council.

17. **Secretary Library:-**

- (i) Secretary Library shall be the Incharge of the Library and shall be responsible of all matters concerning the Library.
- (ii) Secretary Library shall, with the approval of the Executive Council, frame rules for the maintenance of the Library. He shall also maintain and supervise

the on -line library systems and shall make a Register showing expenditure incurred and income received from the online library.

- (iii) Secretary Library shall ensure that Register of Library is kept in order and up to date.

18. Press Secretary:-

- (1) Press Secretary shall be responsible for keeping liaison with media personnel and shall ensure that all activities of the Bar Association are given due coverage by both print and electronic media.
- (2) He shall, prepare all press releases and perform all his functions relating to media reporting, in consultation with the Secretary General.

Vice Presidents / Executive Members

19. Functions:-

- (i) Vice Presidents/ Executive Members shall assist the Secretary General in making liaison with their respective Districts Bar Association & Tehsil Bar Association.

- (ii) The Vice Presidents/ Executive members may also be made members of various Committees constituted from time to time for the effective performance of the functions of the Executive Council and its other office bearers.
- (iii) An Executive Member Of The Tehsil Bar Association Shell, An Consultation With Vice President Of District Bar Association, Be Entitled To Assits Cabinet Of Peshawar High Court Bar Association

PART IV

Chapter 1

Meetings of the Bar Association

20. Types of The Meetings:-

In accordance with the procedure laid down herein, the Bar Association shall hold the following types of meetings,

1. Annual General Meeting
2. Oath Taking Ceremony Meeting
3. Annual Budget Meeting
4. Emergency General Meeting
5. Condolence Meeting
6. Ordinary Requisitioned Meeting

21. Annual General Meeting:-

- (i) Within 30 days before the expiry of tenure of Executive Council, with at least seven days prior notice, a meeting called Annual General Meeting shall be held.
- (ii) In the meeting so convened, the President shall present Annual Report of the activities of the Bar Association during the tenure of office, and shall Also Make Public The Audit/ Financial Statement prepared by the Secretary Finance as envisaged in Article 16(iv) of the Constitution.

22. Oath Taking Ceremony Meeting:-

- (i) Subject to Article 9 hereinabove, an oath taking ceremony meeting shall be held immediately after the election of the Executive Council.
- (ii) The meeting shall be initiated by the retiring Secretary General, wherein the Election Commissioner shall read out the notification of the Election of the Executive Council.

Where after the outgoing Secretary General shall Formally hand over the official seal and the record of the Bar Association to the newly elected Secretary General

23. Annual Budget Meeting

- (1) Within 30 days after the oath, the Executive Council shall convene an Annual Budget Meeting
- (2) The Secretary General shall prepare the Annual Budget of the Bar Association, showing incomes/assets of the Bar Association during the year and the expenditures proposed to be incurred. The Budget so prepared, after being approved by the Executive Council, shall be placed before the Bar Association in the Annual Budget Meeting
- (3) The budget proposal shall be put to the vote of the members present, and upon being assented by the majority of the members present, the Budget shall be deemed to have been passed, and shall be authenticated by the President and Secretary General with their signatures and official seal of the Bar Association.

24. Emergency General Meeting:

- (1) An Emergency General meeting may be held at the initiative of the Executive Council or upon the Requisition signed by at least 50 members of the Bar Association.

- (2) It shall be ensured that the agenda of the meeting and its notice is circulated amongst the members of the Bar Association before the Emergency General Meeting.

2s. **Condolence Meeting:-**

- (i) The Bar Association may hold a meeting to condole the death of any of its member, or anyone as it deems appropriate.
- (ii) Dua-e-maghfirat shall be offered for the deceased, and copy of the condolence motion so passed be sent to the bereaved family.

26. **Ordinary Meeting:**

- (1) To discuss and dilate upon any issue, an Ordinary Meeting may be held, with at least 7 days prior notice, at the initiative of the Executive Council or upon a Requisition signed by at least 50 members of the Bar Association.

Chapter 2

Procedure in the Meetings

27. Venue of the meetings: -

Unless otherwise decided by the Executive Council, all meetings shall be held within the premises of the Bar Association.

28. Chair of The Meeting: -

The President, Or In His Absence, The Senior Vice President Shall Preside Over All The Meetings Of The Bar Association.

Provided If The President Or Senior Vice President Both Are Absent, The Meeting Shall Be Presided Over By A General Secretary In less absence then by a Senior Member Of The Bar Association Proposed And Seconded In The Meeting.

29. Quorum:-

- (i) At least 50 members shall constitute the quorum for holding a meeting under Article 21,22, 24, 25 and 26 here in above.

Provided in any meeting convened for the amendment of the Constitution 200 members shall constitute the quorum, and 100 members shall form quorum Annual Budget Meeting.

- (ii) All members attending a particular meeting shall sign a roll of attendance prepared by the Secretary General for that purpose.

30. **Proceedings, Minutes & Resolutions**

- (i) The Secretary General shall be bound to convene a meeting of the General Body within a period of 7 days of a Requisition if it is signed by at least 100 or more members of the Bar Association.
- (ii) All meetings of the Bar Association shall commence with the recitation from the Holy Quran.

- (iii) The Secretary General, or in his absence, the Joint Secretary shall conduct the proceedings in all meetings of the Bar Association.
- (iv) In the absence of both General and Joint Secretaries, the President shall nominate any member of the Executive Council or the Bar Association to conduct the proceedings
- (v) Subject to the Constitution and the rules framed there under, all decisions in a meeting shall be taken by the majority votes of the members present. The President shall, however, vote only in case of tie. The voting shall be conducted by show of hands, cept in case of Elections

PARTV

ELECTIONS

31. Annual Elections:-

- (i) The Annual Elections Of The Bar Association Shall Be Conducted In The Last Week of April Each Year After Giving A Prior Notice Of Not Less Than Thirty (30) Days To The Members.
- (ii) The Executive Council shall frame rules for the smooth and transparent conduct of the election.

32. Election Commissioner:-

- (i) For holding the Annual Election of the Bar Association an Election Commissioner shall be appointed by the outgoing Executive Council.
- (ii) The Election Commissioner so appointed shall be responsible for the conduct of election.

PART VI

ACCOUNTS AND FUNDS

33. Accounts And Funds:-

- (i) The Funds of the Bar Association shall be kept in Bank Account(s) maintained in its name in any one or more scheduled Bank (s).
- (ii) The President and the Secretary General of the Bar Association shall be the signatories of the documents pertaining to the Bank Account (s)

34. Audit:-

The Executive Council shall, within one month of Entering into office, hold an audit of the funds and accounts of the Bar Association and spending made during the previous session, which audit shall Be duly notified and disclosed to the members in the Annual Budget Meeting.

PART VII

Amendment in the Constitution

[Amended Vide Notification Number 2565 Dated 15.09.2025 of PHCBA Passed On 29.09.2025]

35. Amendment:-

- (i) This Constitution is subject to amendment, improvement and changes brought in accordance with the procedure laid down herein.
- (ii) The amendment motion shall be considered if proposed by at least 200 members.
- (iii) The amendment motion shall be notified at least 15 Days before it is formally brought on the floor of the house.
- (iv) The amendment shall be deemed to have been passed if it is approved by 3/4" of the membership present in a meeting. It shall be inserted into the Constitution and shall be considered its part after being passed.

[Amended Vide Notification Number 2565 Dated 15.09.2025 of PHCBA Passed on 29.09.2025]

PART VIII

Employees of the Bar Association

36. Employees:-

(i) The Bar Association shall have the following employees;

1. Admin Officer.s
2. Library Clerk/Librarian
3. PA to the President
4. Such numbers of peons or Naib Qasids as the Executive Council, from time to time, prescribe.

[Amended Vide Notification Number 2565 Dated 15.09.2025 of PHCBA Passed On 29.09.2025].5

In Article 36 PHCBA constitution 2013, sub clause- I at serial No. 1 the word Accountant is replaced with Admin vide notification no.2565 dated 15.09.2025.

37. Terms And Condition Of Service:-

(i) The services of all the employees of the Bar Associations shall be temporary.

[Amended Vide Notification No. 2565 Dated 15.09.2025 of PHCBA Passed on 29.09.2025].5

- (ii) The pay and allowances (if any) of the employees shall be incurred from the funds of the Bar Association.
- (iii) The employee of the Bar Association shall be Removed from office, with at least 30 days notice, on account of misconduct, negligence or other Such violation of office.
- (iv) A Resolution For The Removal Of The Admin Officer From Office Was Duly Passed By Majority In The General Body Of The Peshawar High Court Bar Association.

PART IX

Bar Cafeteria

38. Cafeteria:-

- 1. The Bar Association shall have its own cafeteria within its premises, which shall be managed by executive Council/ Cabinet
- ii. The Executive Council may decide to run the Cafeteria on its own through its employees or through a contractor.

111. The Executive Council may appoint a Committee of the members of the Bar Association to look after the affairs of the Cafeteria.

PARTX

General

Rules and Instructions

39. Rules of procedure and business:-

Subject to this Constitution, the Executive Council may frame rules to carry out the purposes of this Constitution.

40. Instructions:-

The President may, from time to time, and in consultation with the Executive Council, issue such instructions, not inconsistent with the provisions of

[Amended Vide Notification No. 2565 Dated 15.09.2025 of PHCBA Passed on 29.09.2025]

this Constitution and the rules made hereunder, as may be deemed necessary to carry out the purpose of this Constitution.

41. Removal From Office:-

- (i) A member of the Executive Council shall cease to Hold his repective office if he accepts any offic of Profit or enters into the service of pakistan or of a province.
- (ii) The President or the Secretary General shall cease To hold office if they are unable to perform their functions or are absent for a period of three months, And in that case election to their respective offices shall be held within 30 days after the expiry of three months.

42. Bar Website:-

The Executive Council shall immediately make arrangements to have, under such name as may be deemed suitable, a website of Bar Association. The web site shall contain necessary details of the Bar Association including but not limited to its Constitution and rules, the names of its office bearers, properties, assets/accounts, a resume of

the activities and programs, resolutions and requisitions, audits etc.

43. Research Journal:-

The Executive Council shall immediately, but subject to availability of resources, arrange for issuing quarterly research journal of Bar Association under such name as may be approved by the Bar Association.

44. Bar Club:-

The Executive Council shall make efforts for the foundation of a Bar Club as soon as possible.

45. Endowment Fund:-

1. The Bar Association shall form its own Endowment Fund for the purpose of financial assistance to its members or their families in the event of the illness, incapacitation, accident or sudden death of any of its members

11. The Endowment Fund Board Shall Be Comprised Of President PHCBA Being Chairman, Secretary General PHCBA As A Secretary and Three Senior Members Of The Bar Association, The Members Shall Be Appointed By The Executive Council For A Period Of 01 (one) Year].⁶
111. The deserving cases shall be placed before the Endowment Fund Board, who shall analyze the same on merit, and if approved shall give its recommendations with regard to the amount of compensation to be paid.

[Amended Vide Notification No. 2565 Dated 15.09.2025 of PHCBA Passed on 29.09.2025].⁶

46. **Bar Premises: -**

Bar premises consist and includes the following area

- a) Bar Room (Lower portion/Ground Floor)
- b) Bar Room (Upper portion/First Floor)
- c) Ladies Bar Room

[Amended Vide Notification No. 2565 Dated 15.09.2025 of PHCBA Passed on 29.09.2025].⁶

- d) Office Of President (lower Portion/Ground Floor)
- e) Consultation rooms including office of secretary general and office of senior voice president (upper portion / first floor.
- f) Refreshment Rooms for members
- g) Cafeteria Main Hall (Ground Floor)
- h) Cafeteria Attached Hall (Ground Floor)
- i) Library (Upper Portion/First Floor)
- j) Area on back of bar room and cafeteria (on left side of entrance of main gate of high court) including plaza and the shops allotted to stationers and photocopies, which was formally used appropriately for the establishment and functioning of the bar club.
- k) Car Parking Area provided for members of Bar Association outside High Court premises on back of Nishtar Hall
- l) Any other building and area to be acquired by Bar Association later on.

PART XII

Interpretation

47. Interpretation:-

In this Constitution, unless the context otherwise requires, the following expressions shall have the meanings respectively assigned to them, that is to say.

¹¹Bar Association¹¹ means Peshawar High Court Bar Association, Peshawar, ¹¹Bar¹¹ means the collective body of the Advocates practicing at the Peshawar High Court, Peshawar, within the territorial limits of its principal seat.

¹¹Bar Council" means and includes Pakistan Bar Council and all provincial Bar Councils functioning in Pakistan.

¹¹Election" means Annual General Election of Bar Association as envisaged in this Constitution and the rules made hereunder.

¹¹Bar Premises¹¹ mean and include premises mentioned in Article 44 of this Constitution.

¹¹House¹¹ means and includes members of the Bar Association present in a means General Body Meeting of Bar Association convened in accordance with the provisions of this Constitution.

PART XIII

Title, Commencement and Repeal

48. Title of Constitution and Commencement: -

- (1) This may be called the Constitution of the Peshawar High Court Bar Association, Peshawar, 2013 as amended by Executive Council on 29th September 2025
- (2) It shall come into force at once.

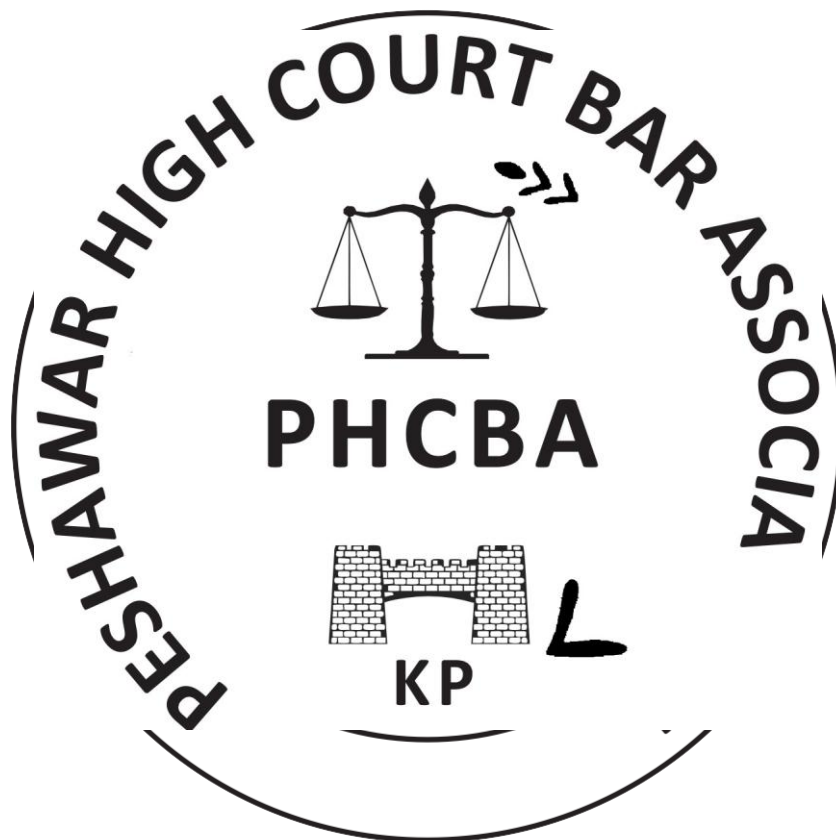
49. Repeal:-

The Constitution of the Peshawar High Court Bar Association, 1996, is hereby repealed.

50. Saving:-

- (1) The repeal shall not affect;
 - (a) The previous operation of the repealed Constitution or anything duly done there under, including elections held under the previous Constitution.
 - (b) The Elections Rules, 1999, which shall be deemed to Have been made and ratified under this Constitution, and shall continue to be in force.

Appendix-I
Official Seal Of PHCBA



PESHAWAR HIGH COURT BARASSOCIATION PESHAWAR -40-

APPLICATION FORM FOR MEMBERSHIP OF THE HIGH COURT BAR ASSOCIATION

Sir,

I have the honor to apply for registration to the high court bar association peshawar as its member. I am at The Moment Practicing At Peshawar High Court. I Am Eligible Under The Constitution And Rules Of High Court Bar Association Peshawar

I have deposited Rs. _____ In account of peshawar high court bar association at Bank of Khyber Ace No **00482000693025** as Membership Fee Via Receipt No. _____ dated. _____

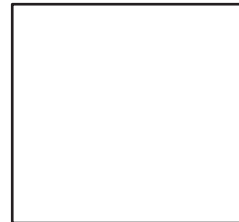
I agree to abide by the constitution and rules of the association presently in force of which may henceforth be framed under the constitution of the bar association.

Adv Signature

Membership for **Life Time**

☐

Annual



NAME _____

FATHER NAME _____

B.C. _____ LC ENROLLMENT DATE _____ HC ENROLLMENT DATE _____

CNIC NO _____ CELL NO _____

BLOOD GROUP _____ DATE OF BIRTH _____

PRESENT ADDRESS _____

PERMANENT ADDRESS _____



Propose the above named applicant for enrolment as member of the Association.

Proposer Name _____

Registration No. _____

I am Second the above proposal.

Second Name. _____

Registration No. _____

President. PHCBA

Secretary General. PHCBA

The applicant must attached copies of:

- 1 Bar Council Card
- 2 One Photograph
- 3 Bank Slip Receipt

Appendix-III

{ Article 6 }

S.No	Vote No	Registration Date From Register-II	Name	Fathers Name	Address	Date Of Enrollment As Advocate High Court	Due	Remarks

(Identity Card)

{ Article 6 }

Face Side

Monogram

Peshawar High
Court Bar Association

Name:

President

Secretary General

(Photograph)
member

Back Side

Address: _____ CNIC No: _____

Tel: _____ Mob: _____

Peshawar High Court Bar Association

Phone _____ Fax: _____

PHCBA Life Membership Certificate

{ Article 6 }

S.No _____

Monogram of Association In The Background (Light Green With Shades)

Know All By These Present That Peshawar High Court
Bar Association Confer Upon Mr _____
Membership For Life.

In witness where of, this certificate is being issued under the
seal of association on this _____ day of _____
2011

President

Secretary General

Appendix-IV
(oath Of Office)
Executive Council
{ Article 9}

OATH

I, _____ (Name) _____ do Hereby Solemnly
swear that as _____ (portfolio) _____, pehawar high
Court bar association, I will discharge my duties, and perform my functions honestly, to the
best of my ability, and faithfully in accordance with the constitution of this association:
That I will work for the achievement of the aims and objectives laid down in the consitution:
That I will safeguard and promote the interest of legal fraternity:
That I will protect the interest of the members of the bar and work for the rule of law,
supermacy of the constitution of the islamic republic of pakistan, 1973 and independence of
judiciary: and
That I will not allow my personal interest to influence my official conduct.
May allah al-mighy help and guide me (Ameen)

Signature
Person Administering Oath

Signature
office-bearer

MEMBERS

Constitutions Draft Committee

1. Qazi Jawad Ehsanullah, Secretary General PHCBA
2. Mr. Saeedullah Khalil, Joint Secretary PHCBA
3. Mr. Adnan Khan, Secretary Finance PHCBA
4. Mr. Atif Nazeer, Advocate
5. Mr. Ishaq Shah, Advocate
6. Mr. Waqar Ahmad, Advocate
7. Arbab Muhammad Usman, Advocate
8. Mr. Ubaidullah Anwar, Advocate
9. Mr. Bilal Ahmad Durrani, Advocate (member Kp Bar Council)
10. Mr. Rafiq Khan Mohmand, Advocate
11. Mr. Intikhab Khan, Advocate
12. Mr. hashim Raza, Advocate
13. Mr. shakeel Azam Awan, Advocate
14. Mr. hashim Khan Maingal, Advocate
15. Mr. Altaf Ahmed, Advocate

FINAL DRAFT COMMITTEE

1. Bahar Khan Yousafzai
2. S.M. Attique Shah, Advocate
3. Sardar Ali Raza Advocate
4. Farman Khattak, Advocate
5. Salman Fayaz Mir, Adocate
6. Malik Ajmal Khan, Advocate
7. Syed Bilal Indirabi, Advocate

Group Photo Of Constitution Draft Committee PHCBA



Sitting Left To Right

SITTING: Subhanullah, (Finance Secretary) Asad Khan Shahzada (Library), Arshad Ali Nowshervi (Vice President)
Amin Ur Rehman Yousafzai (President), Ashfaq Ahmad Daudzai (General Secretary)
Asad Zeb Khan(Joint Secretary, Malik Muhammad Nauman(General Secretary)

Standing Left To Right

Malak Behzad Khalil, Sarfaraz Khan Momand, Dr. Fawad Jan, Shabir Ahmad,

Group Photo of Executive Council PHCBA



Sitting Left To Right

Adnan Khan (finance Secretary), Babar Khan Yousafzai(vice President), Abdul Latif Afridi (president)
Qazi Jawad Ehsanullah(secretary General) Saeed Ullah Khalil (joint Secretary)

Standing Left To Right

Iftekhar Ali, Mohammad Amin Khattak, Zahnatullah Khan, Mubashir Hussain,
Malak Ajmal Khan, Salman Fayaz Mir



ELECTION RULES

2025

of

THE PESHAWAR HIGH COURT BAR ASSOCIATION PESHAWAR

ELECTION RULES - 2025
of
THE PESHAWAR HIGH COURT BAR ASSOCIATION
PESHAWAR

The elections for the Peshawar High Court Bar Association are governed primarily by:

Pakistan Legal Practitioners & Bar Councils Rules, 1976

- ✓ These rules set out the general framework for all bar association elections including voter lists, nomination, polling, conduct of elections, and eligibility of candidates.

Khyber Pakhtunkhwa Bar Council Election Rules (Provincial)

- ✓ These rules, issued by the KP Bar Council, supplement/provide procedures for bar association elections in Khyber Pakhtunkhwa (including PHCBA).

Annual Election Schedule

- ✓ **Timing:**
Elections for each High Court Bar Association in Khyber Pakhtunkhwa are held on the last Saturday of april each Year

- ✓ **Candidate Eligibility Requirements**

- ▶ To contest an election for a position in a High Court Bar Association, a candidate must typically meet the following professional standards:

- ✓ **Professional Standing:** Candidates must be regular practicing advocates of the High Court.
- ✓ **Membership Duration:** Candidates must have been a member of the association for a continuous period for 5 years.

- ▶ Provided that in case of newly registered Bar Association, constituent member shall be exempted from stipulated period and the same shall be reckoned from the date of registration of the concerned Bas Association.

Explanation: Constituent member means who has been a member since registration of the Bar Association.

- ▶ **Financial Standing:** A candidate must not be in arrears of any dues or subscriptions to the Bar Association or the Bar Council.

Election Management & Process

- ▶ **Election Commissioner:** A senior member (typically with 15+ years of practice} is appointed as the Election Commissioner to conduct and supervise the elections.
- ▶ **Polling Schedule:** The schedule including dates for nominations, Scrutiny of papers, and withdrawal is officially notified. For Peshawar High Court Bar Association elections are traditionally held on the last Saturday of April or as directed by the Bar Council.

- ✓ **Voting Method:** Voting is usually conducted through a secret ballot.

Key Disqualifications

Ad Advocate May Be Disqualified From Contesting If They:-

- ✓ Have been found guilty of professional misconduct.
- ✓ Are engaged in any other business, trade, or service (Government or NGO).
- ✓ Are an undischarged insolvent or have been convicted of an offense involving moral turpitude

Voter Eligibility

- !• **Membership Requirement:** No member has the right to vote unless they have been a member of the Peshawar High Court Bar Association for at least six months before the election to have the right to vote.
- !• **Identification:** Voters must produce a valid identity card issued by the Provincial Bar Council or the Bar Association at the time of polling.
- !• **Clearance of Dues:** Advocates must clear all outstanding enrollment fees, annual fees, and benevolent fund contributions at least 20 days before the election to be included in the voter list.

Nomination & Candidacy

- !• **Nomination Rules (General Practice)**

- ✓ Candidates Must File Nomination Papers with the Election commissioner/returning officer by the date in the election schedule, typically several weeks before polling. These include completed forms and required signatures from proposer and seconder.
- ✓ Nomination papers are **Scrutinized** and a final candidate list is published before polling.

Eligibility For Candidates

Eligibility often includes:

Under KP Bar Council {general framework - applies to PHCBA)

•!• President and other Office Bearers:-

The candidate **must be a practicing advocate** and meet Minimum experience requirements {as defined in KP Bar council rules)

•!• Experience Requirements (per KP Bar Council interpretation):

- ✓ **For High Court Bar Association posts:**
- ✓ **Chairman/Election Board Chairman:** Advocate with **15 years** standing in High Court.
- ✓ **Members of Election Board:** Advocate with **10 years** standing in High Court.
- !• These experience requirements reflect provincial rules for bar Association elections and are typically used as a benchmark for PHCBA candidature.

Election Campaign Conduct & Restrictions:

•!• **Campaigning:**

- ✓ No candidate or supporter shall solicit votes via **advertisements, banners, placards, stickers, posters, etc.**

•!• **Gifts/Meals:**

- ✓ Candidates or supporters cannot provide **meals or Gifts** (directly/indirectly) to influence voters.

•!• **Polling & Balloting**

- ✓ Polling is conducted by secret ballot on the election day set out in the schedule (e.g., last Saturday of April).
- ✓ Results are typically declared on the same day or soon after counting.

•!• **Dispute Resolution**

- ✓ Any disputes (e.g., objections to election validity or Qualification challenges) can be filed through appropriate channels such as the Election Tribunal etc. (as has happened in past PHCBA elections).

•!• **Local Constitution of PHCBA**

- ✓ The **constitution of the Peshawar Bar Association** (which PHCBA usually mirrors or refers to) may include Additional specifics about nomination forms, Campaigning rules, or fines for violations (e.g, fines for pasting posters).

Group Photo Of Constitution Draft Committee PHCBA



Sitting Left To Right

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