

**PUNJAB CRIMINAL PROSECUTION SERVICE**

**ANNUAL REPORT, 2011**



Submitted By:  
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(Note: This Report is submitted to the Government by Prosecutor General Punjab as required under section 13 (1) (a) of The Punjab Criminal Prosecution Service (Constitution, Functions and Powers) Act, 2006)

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## **PROSECUTOR GENERAL'S MESSAGE**



In the history of Punjab Prosecution service, 2011 is yet another year of successive evolutionary developments. In spite of formidable odds, the young organization which took a humble start in 2006, has gone from strength to strength in a short span of few years because its members, the Prosecutors have not only held their ground firmly but also marched forward with inspiring zeal and zest.

The organization sticks to its slogan:

**“Quest for Justice”**

The unhindered quest for justice demands gigantic socio-political and cultural change in the contemporary milieu. That is why the legendary slogan dictates the Prosecution Service to go a long way from where it stands today. Struggling side by side with other institutions for achieving the desired environment, it also falls to the share of a prosecutor to create a regime of trust with the public. This struggle for creating a reservoir of trust in the public will only be possible with the collective efforts of my team of Prosecutors and their Successors in interest.

The important landmarks like developing of the Code of Conduct, Guidelines on Prosecutorial Decision-Making and Scrutiny of Police Reports, SOPs for Police Prosecutor Cooperation, Performance Standard Document and Prosecutor File have already been achieved. Now it is the time to develop the adequate capacity of the Service and a well-planned and phased strategy for optimum utilization of that capacity.

The institutional goals to be achieved by 2015 include: infrastructural support, office automation, skill-enrichment of Prosecutors, and training of subordinate staff for enforcement of the set performance and accountability standards. The successful achievement of these goals relies heavily on the team work within the Prosecution Service, Prosecution Department and Directorate of Inspection. A significant step has already been

taken in the form of establishing a Provincial Coordination Center. It has developed its network at all levels and with all tiers of the Prosecution Service. This nerve center shall assume the important role of intra departmental coordination.

I take this opportunity to acknowledge the important role played by the Punjab Prosecution Department which performs able superintendence over the Prosecution Service while its allied wing - the Directorate of Inspection facilitates Prosecution Service as a third party evaluator and thus helps in reviewing our shortfalls and improving the professional working standards.

I am very hopeful that we will achieve our cherished goals with the Grace of Allah and I trust my team of young and highly committed Prosecutors who possess the innovative edge to accomplish this uphill task.

**Sadaqat Ali Khan**  
Prosecutor General Punjab

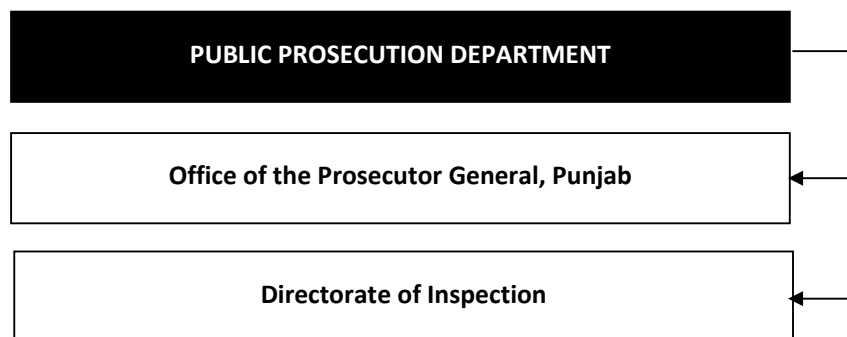
## **2 - INTRODUCTION TO PROSECUTION SERVICE**

### **2.1 Genesis**

**Public Prosecution Department (PPD)** was established on 18-10-2005. The Punjab Government Rules of Business 1974 were amended, whereby the function of public prosecution was excluded from the Home Department and entrusted to an independent Public Prosecution Department (PPD). The first Secretary, PPD was posted vide notification dated 07-11-2005.

PPD has two attached departments i.e.

1. Punjab Criminal Prosecution Service, headed by Prosecutor General, Punjab
2. Directorate General of Inspection, headed by Director General (Inspection)



Broadly, PPD's main functions are legislation matters, policy formulation and planning for Public Prosecution Service. The Department also supervises/superintends administration, service delivery, inspection and monitoring of the Punjab Criminal Service.

**Punjab Criminal Prosecution Service** (Prosecution Service) was established on April 08, 2006 under the Punjab Criminal Prosecution Service (Constitution, Functions and Powers) Act, 2006. First Prosecutor General assumed the office on 11.02.2006. The vision, mission and values of Prosecution Service are briefly outlined as:

### **2.2 Vision**

***"No innocent shall be persecuted but no culprit shall go scot-free"***

## **2.3 Mission**

1. Effective and efficient prosecution of criminal cases
2. Ensure prosecutorial independence
3. Better coordination in criminal justice system.

## **2.4 Values**

The core value of the functionaries of Prosecution Service is that they perform their functions and exercise their powers fairly, honestly, with due diligence, in public interest and to uphold justice.

It is duty of every prosecutor to maintain honor and dignity of his profession. He shall perform his functions independently, freely, objectively without fear or fervour. He shall always conduct himself professionally in accordance with law, rules and ethics. It is obligatory on the part of a prosecutor to follow the guidelines issued by the Prosecutor General in public interest and keep himself well informed and abreast of relevant legal developments. He is expected to be respectful to the courts, to the parties to the proceeding, opposing counsels and he shall never loose temper while performing his official duty. In order to ensure the fairness and effectiveness of prosecution, prosecutors' cooperation with the Police, the Courts, the Legal Profession, Defense Counsels and other Government Agencies and render assistance to the other prosecution services and colleagues of other jurisdictions in accordance with law and in a spirit of mutual cooperation. They observe the dress code and the code of conduct prescribed by the Prosecution Service, Punjab Bar Council and Pakistan Bar Council where applicable. It is their duty to uphold the rule of law and protect the enforcement of fundamental rights as guaranteed under the Constitution of Islamic Republic of Pakistan, 1973.

## **3 - HISTORICAL BACKGROUND**

The concept of public prosecution derives its origin on the famous dictum that “crimes are acts against the state” and not simple wrongs inflicted upon individual victims. After independence in 1947, Pakistan inherited British system of criminal justice. Under section 492 of Code of Criminal Procedure, 1898, Provincial Government is empowered to appoint generally or for any class of cases in any local area one or more Public Prosecutors,

Section 495 of the Code allows any police officer not below the rank prescribed by the Provincial Government who has not taken part in investigation of the case being tried by that court, to conduct prosecution. In the light of these provisions, the Punjab Government appointed Law Officers (Deputy District Attorneys and Assistant District Attorneys) from Law Department as prosecutors in Session Courts, whereas Police Legal Inspectors were allowed to conduct prosecutions as Public Prosecutors in Magisterial Courts. In superior courts, prosecution in criminal cases was conducted by Advocate General and State Counsels. In courts of special criminal jurisdiction like Anti-Terrorism Courts, special public prosecutors were appointed on contract basis to conduct prosecution of terrorism cases. Prior to 2006, prosecution was scattered over different segments and authorities with no uniformity, thereby adversely affecting the quality of prosecution in criminal justice system. A comparative analysis of administrative set up of criminal prosecutions is given below;

<b>COURT</b>	<b>PROSECUTING OFFICER</b>	<b>DEPARTMENT</b>
Magisterial Courts	Police Prosecutors/Inspector Legal	Police Service
Sessions Courts	District Attorney/ Deputy District Attorney	Law & Parliamentary Affair Department Government of the Punjab
Special Courts (Anti-Terrorism, Anti-Corruption, Drug Courts, Environmental Tribunal, Special Judicial Magistrate, Consumer Courts)	Special Prosecutors	Law & Parliamentary Affair Department Government of the Punjab / Home Department
High Courts	Advocate General/ Additional Advocate General/ Assistant Advocate General/ State Counsel	Office of Advocate General Punjab
Federal Shariat Court of Pakistan	Advocate General/ Additional Advocate General Assistant Advocate General	Office of Advocate General Punjab
Supreme Court of Pakistan	Advocate General/ Additional Advocate General	Office of Advocate General Punjab

Hamood-ur-Rehman Law Commission Report published in 1971 emphasized separation of prosecution from the Police Establishment but it was not until 2006 that prosecution under the control and supervision of the Police and was separated and brought under one

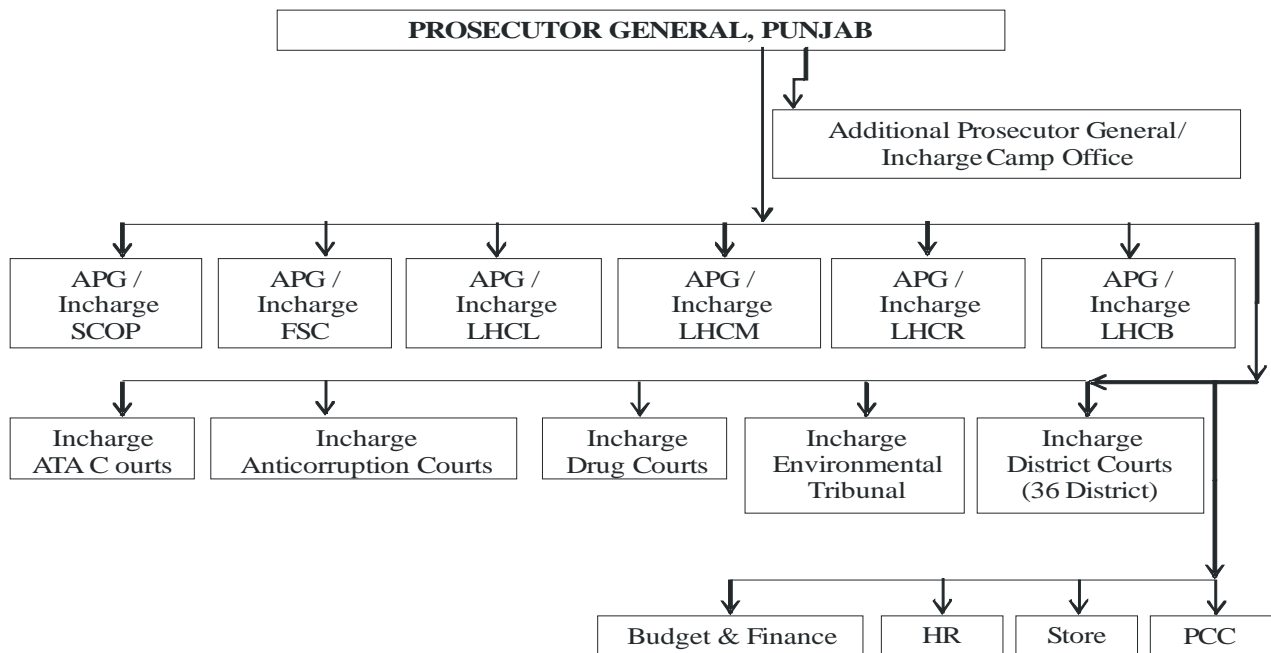


umbrella of an independent and effective Prosecution Service at all the tiers of the judicial hierarchy in Punjab.

After the emergence of Punjab Criminal Prosecution Service, following prosecutors became responsible for prosecution of criminal cases before all levels of superior and subordinate judiciary under one roof.

COURT	PROSECUTING OFFICER	DEPARTMENT
Magisterial Courts	- Assistant District Public Prosecutors	Prosecution Department
Sessions Courts	- District Public Prosecutor - Deputy District Public Prosecutor	Prosecution Department
Special Courts	- Assistant District Public Prosecutor/ - Deputy District Public Prosecutor	Prosecution Department
High Courts	- Additional Prosecutor General / - Deputy Prosecutor General/	Prosecution Department
Federal Shariat Court of Pakistan	- Additional Prosecutor General / - Deputy Prosecutor General	Prosecution Department
Supreme Court of Pakistan	- Additional Prosecutor General / - Deputy Prosecutor General	Prosecution Department

#### 4 - ORGANIZATION AND STRUCTURE



#### **4.1 Prosecution Officers**

Prosecution Service became functional in January, 2007. The initial inductees in Prosecution Service were the former officers performing the functions of prosecutors in Police and Law Departments. They were given one time option to join newly established Prosecution Service. The induction of regular employees was followed by prosecutors on temporary contracts as stop gap arrangement till the arrival of regular selectees of Punjab Public Service Commission. As a result of judgment of the august Supreme Court of Pakistan and initiative of the present Government, the process of replacing prosecution officers on contract basis with regular selectees of Punjab Public Service Commission has almost been completed and more than 500 prosecutors selected on merit based policy of the Government are now functioning in the Service.

#### **4.2 Prosecution Offices**

Presently the Punjab Criminal Prosecution Service comprises 2800 employees. The existing strength of 800 Officers and 2000 Officials is stationed in 142 offices of the Service throughout the province of the Punjab.

A precise list of offices is as follows:

- i. Prosecutor General Punjab, Head Office, Lahore
- ii. Prosecutor General Office Supreme Court of Pakistan / Federal Shariat Court, Islamabad
- iii. Camp Office Prosecutor General Punjab, (LHC) Lahore
- iv. Prosecutor General Office, (LHC), Rawalpindi Bench, Rawalpindi
- v. Prosecutor General Office, (LHC), Multan Bench, Multan
- vi. Prosecutor General Office, (LHC), Bahawalpur Bench, Bahawalpur
- vii. 09 Prosecution Offices, Anti-Terrorism Court
- viii. 07, Prosecution Offices, Drug Court
- ix. 36 Prosecution Offices, District Head Quarter
- x. 84 Sub-Divisional Prosecution Offices.

Current status of the sanctioned and working strength of the Prosecutors in Prosecution Service is as under:

<b>Designation</b>	<b>Sanctioned Strength</b>	<b>Working Strength</b>	<b>GAP</b>
Prosecutor General	01	01	<b>00</b>
Additional Prosecutor General	18	09	<b>09</b>
Deputy Prosecutor General	50	24	<b>26</b>
Assistant Prosecutor General	03	01	<b>02</b>
District Public Prosecutor	40	28	<b>12</b>
Deputy District Public Prosecutor	328	135	<b>193</b>
Assistant District Public Prosecutor	795	602	<b>193</b>
<b>TOTAL:</b>	<b>1,235</b>	<b>800</b>	<b>435</b>

## **5 - FUNCTIONAL AND OPERATIONAL MECHANISM**

Main function of a Public Prosecutor under Prosecution Act is to conduct prosecution of criminal cases on behalf of the Government. Prosecutor handles prosecution at both the administrative stage of criminal process (Scrutiny of Police Reports) and at the judicial stage (Trials and Appeals).

### **5.1 Functions of different levels of Officers is as follows;**

#### **5.1.1. Prosecutor General**

Administration of the Prosecution Service vests in the Prosecutor General. The Additional Prosecutors General, Deputy Prosecutors General and Public Prosecutors in Special Courts are under direct supervision of the Prosecutor General whereas all the Prosecutors in the districts are under his general control. He distributes prosecutorial work to different Prosecutors in the Supreme Court, Federal Shariat Court, High Court and Special Courts of criminal jurisdiction (Anti-Terrorism Courts, Anti-Corruption Courts, Drug Courts, etc.). He has right of audience and representation on behalf of the Government in all the Courts of the country. He may delegate any of his powers to an Additional Prosecutor General or Deputy Prosecutor General. He is empowered to issue guidelines to Prosecutors and Investigation Officers of Police for better and efficient prosecution of criminal cases. He can recommend initiation of disciplinary proceedings against any public servant connected with

investigation or prosecution of criminal cases for defective investigation or prosecution. He is competent to withdraw from prosecution of any person either generally or in respect of any one or more offences for which he is being tried where the offences punishable up to seven years and stop prosecution in any case on behalf of the Government. The Prosecutor General shall submit an Annual Report of the Service and keep the Government informed about the performance of the Service.

The Prosecutor Generals who have served the Service from 2006 to 2011

SR #.	NAME OF THE PROSECUTOR GENERALS	FROM	TO
1.	Justice (R) Ch. Mushtaq A. Khan	February, 11, 2006	August 18, 2008
2.	Justice (R) Zahid H. Bokhari	March 02, 2009	November 01, 2010
3.	Ashtar Ausaf Ali	October 26, 2011	January 31, 2012
4.	Sadaqat Ali Khan	February 14, 2012	Continuing

#### **5.1.2. Additional Prosecutor General & Deputy Prosecutor General**

Additional Prosecutors General and Deputy Prosecutors General conduct prosecution (appellate work) before superior courts i.e. Supreme Court, Federal Shariat Court and High Court under section 11 of the Prosecution Act, 2006. They are responsible to perform any of the delegated powers of the Prosecutor General. Presently there are 09 Additional Prosecutors General working in the Supreme Court and Federal Shariat Court. Additionally they are also supervising prosecutorial work at all the benches of the High Court.

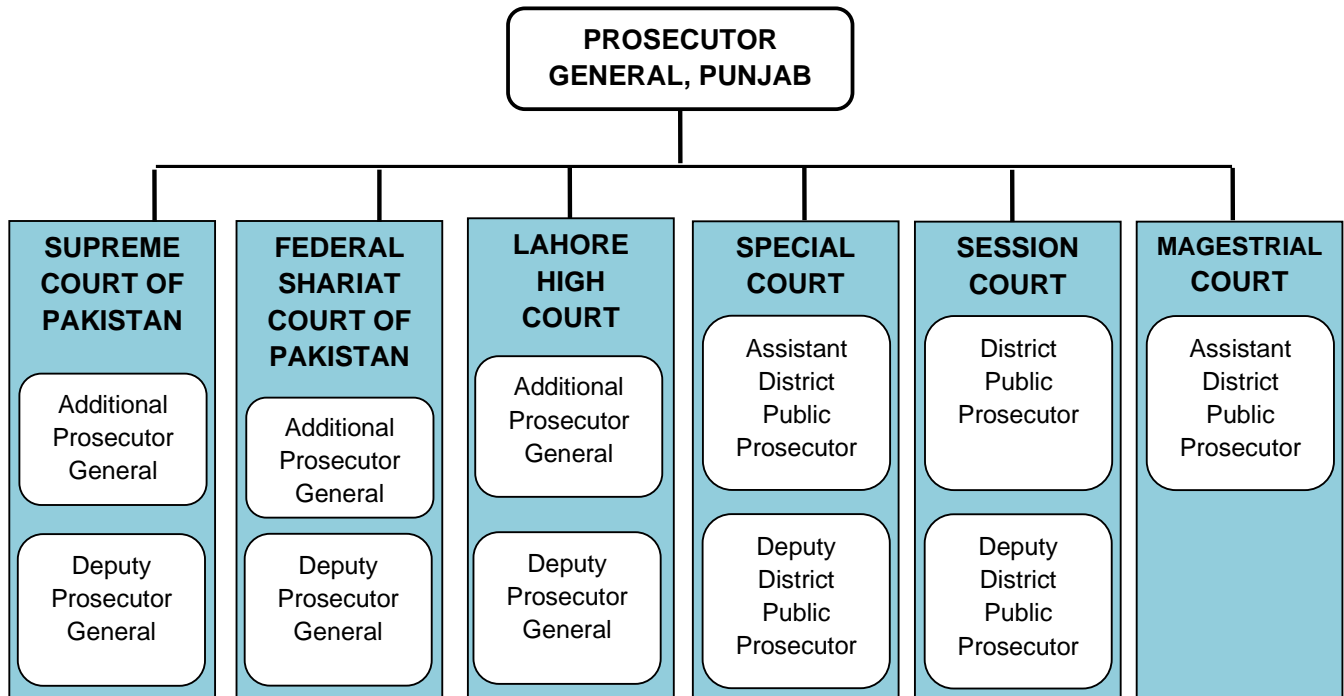
#### **5.1.3. District Public Prosecutors**

The District Public Prosecutor (DPP) is the administrative head of the Prosecution Service in the district. The important function of a District Public Prosecutor (DPP) is to distribute prosecutorial work to the subordinate Prosecutors in Session and Magisterial Courts in a district. He also supervises prosecutorial work of the subordinate Prosecutors and exercises authority over administrative and financial functions of prosecution in a district.

#### **5.1.4. Deputy District Public Prosecutors & Assistant Public Prosecutors**

Tender advice to Police and scrutinize the Police Reports. Conduct prosecution of criminal cases in Session and Magisterial Courts in the districts.

## 5.2 Operational Mechanism



Exceptional adjustment of officers in different hierarchy of Courts is practiced as per need

## 6 - ACHIEVEMENTS

### 6.1 Before 2011

In 2011, the Prosecution Service is still at its nascent stage. Saddled with huge responsibilities, the Punjab Prosecution Service became operational in 2007, but unfortunately it was unable to perform the entire gamut/scope of its functions due to deficient structural, financial and organizational resources and lack of skilled manpower in the beginning. During 2008, the Prosecution Service established its key administrative structure and most of the court work was handled, but the contours of new relationship with Investigation Agencies were yet to be defined. Liaison with Police authorities started taking shape in 2009 which paved way for 4 top level Police Prosecutor Coordination Conferences during 2010. However, institutional tug of war among difference stakeholders continued though with lesser intensity. The various factors such as capacity issues of the Prosecution Department, lack of a well-defined development policy and jurisdictional ambiguities hindered stability and smooth working in the relationship. The major breakthrough came through removal of Contract Officers and their replacement by the selectees from the

Punjab Public Service Commission in 2010. The constructive process of capacity building started in 2009, continued in the year 2010. In short, the Prosecution Service girded itself in 2010 and was ready to take off vigorously. Trainings were mostly conducted by international organizations like Asian Development Bank and the United States Department of Justice. Civilian Capacity Building for Law Enforcement Agencies in Pakistan (CCBLE) was an initiative of the European Union. Training program conducted by Civilian Capacity Building for Law Enforcement Agencies in Pakistan (CCBLE), during 2011 was also planned in 2010. The Directorate of Inspection established on 01.07.2006, was declared as an attached department on 28.02.2008 and it became functional on 17.04.2009. No well-defined set of instructions like Performance Standards Document, Guidelines for Prosecutors etc. were formally developed or issued by the Prosecution Service till 2011.

## **6.2 Highlights of 2011**

### **6.2.1. Prosecution of cases – A performance review**

According to the commonplace perception, the rate of conviction is generally considered a crucial criterion for evaluating performance of prosecutors in criminal cases. The successful prosecution, however, should not be assessed merely by rate of conviction of the criminal cases. Effective prosecution implies victory of justice, fairness and equity. Several factors contribute for dispensation of wholesome justice in the criminal justice system such as neutral, objective and thorough investigation by professionally mature, well-trained and impartial investigators, fair, independent and just trial and strict adherence to the best practices and standards of due process of law. Sound prosecution is integral part of a successful criminal justice system. The existence of comprehensive and well-developed investigative and legal framework/institutions is pivotally important before rational measurement of prosecutorial performance. Institutional imbalance of the different parts of our criminal justice system and lack of proper coordination of the different stakeholders i.e. Police, Prosecution and Judiciary are some of the important factors which have impacted performance of the newly created Prosecution Service.

In the prevailing circumstances and due to lack of any specified standard of performance evaluation, the performance of the Prosecutors in Punjab is no less encouraging even if the conviction rate performance is chosen as a yardstick. A statistical synopsis of the actually

contested cases by the parties and decided at the following level of the Judiciary will show the analytic picture of the prosecutorial performance.

1. Supreme Court of Pakistan
2. Federal Shariat Court
3. High Court
4. Special Courts i.e. Anti-Terrorism, Drug Courts etc.
5. District Courts

A gist of the current performance and review of the cases conducted by Prosecutors of the Service is highlighted as under:

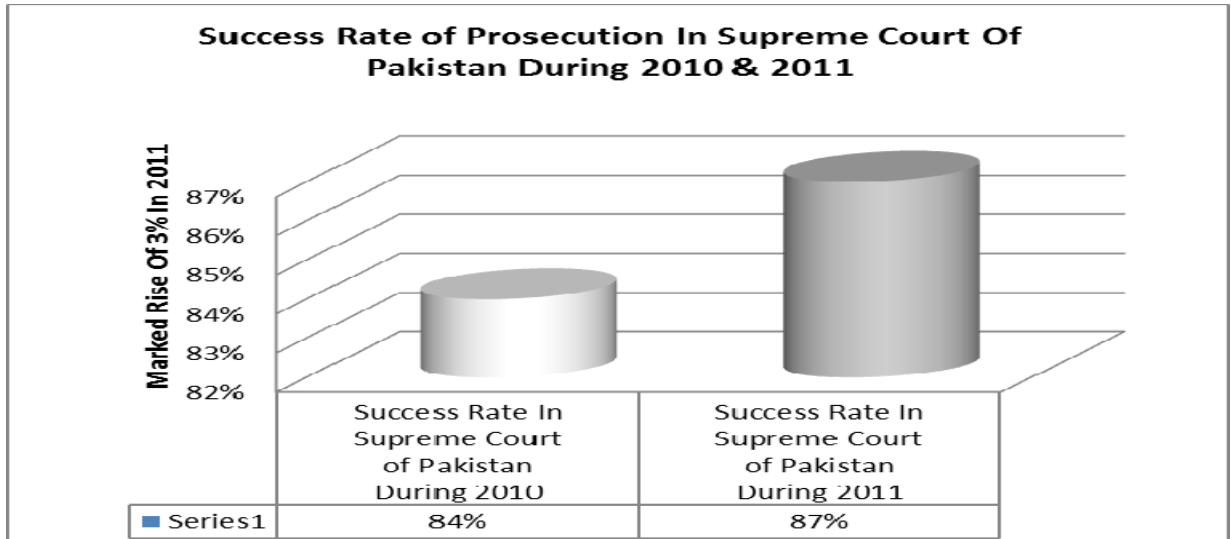
**6.2.1.1. Supreme Court of Pakistan.**

In August, 2011, the success rate of prosecution in the Supreme Court of Pakistan was recorded as 87 %.

**SUPREME COURT OF PAKISTAN**

**Petitions against Conviction (Death, Life Imprisonment and Other Sentences)**

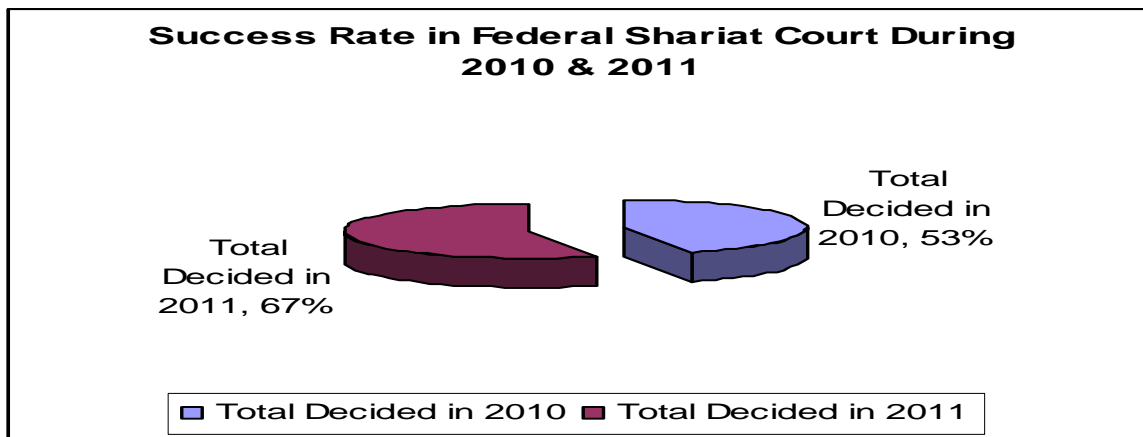
<b>Years</b>	<b>Total Decided</b>	<b>Dismissed</b>	<b>Dismissed as Withdrawn</b>	<b>Compromised</b>	<b>Allowed</b>	<b>Success Rate %</b>
<b>2011</b>	596	516	17	0	63	87%
<b>2010</b>	605	507	2	2	94	84%



Since the quantum of the workload is larger than the one depicted above therefore, the selected sample represents only the petitions filed against conviction in case of death, life and other sentences decided in the provincial High Court as critical indicators.

**6.2.1.2. Federal Shariat Court Of Pakistan**

Year	Total	Dismissed	Disposed	Allowed	Sentence Reduced	Undergone	Compromise
2011	224	137	9	68	3	2	5
2010	194	84	21	76	8	3	2





### 6.2.1.3. Lahore High Court

Lahore High Court has a principal seat and three benches at Rawalpindi, Multan and Bahawalpur. Current performance in Murder References, Appeals against Conviction and Bail matters etc. is briefly analyzed as follows:

#### LAHORE HIGH COURT Principal Seat

<b>Murder References</b>	Converted /Confirmed	239
	Acquitted	237
<b>Appeals Against Acquittals</b>	Allowed	8
	Dismissed	16
<b>Appeals Against Convictions</b>	Allowed	419
	Dismissed	570
<b>Bail</b>	Allowed	5136
	Dismissed	5713
<b>Cancellation of Bail</b>	Allowed	57
	Dismissed	248
<b>Revision</b>	Accept	68
	Dismissed	211
<b>Misc</b>	Allowed	596
	Dismissed	1175
<b>State</b>	Allowed	0
	Dismissed	7
<b>Grand Total</b>	<b>Allowed</b>	<b>6729</b>
	<b>Dismissed</b>	<b>7971</b>
<b>Total Case Decided</b>		<b>14700</b>

#### LAHORE HIGH COURT Rawalpindi Bench

<b>Murder References</b>	Converted /Confirmed	18
	Acquitted	38
<b>Appeals Against Acquittals</b>	Allowed	4
	Dismissed	1
<b>Appeals Against Convictions</b>	Allowed	66
	Dismissed	207
<b>Bail</b>	Allowed	696
	Dismissed	817
<b>Cancellation of Bail</b>	Allowed	3
	Dismissed	70

<b>Revision</b>	Accept	42
	Dismissed	80
<b>Misc</b>	Allowed	102
	Dismissed	270
<b>State</b>	Allowed	0
	Dismissed	0
<b>Grand Total</b>	<b>Allowed</b>	<b>995</b>
	<b>Dismissed</b>	<b>1419</b>
<b>Total Case Decided</b>		<b>2414</b>

**LAHORE HIGH COURT  
Multan Bench**

<b>Murder References</b>	Converted /Confirmed	46
	Acquitted	25
<b>Appeals Against Acquittals</b>	Allowed	6
	Dismissed	5
<b>Appeals Against Convictions</b>	Allowed	59
	Dismissed	197
<b>Bail</b>	Allowed	1515
	Dismissed	2025
<b>Cancellation of Bail</b>	Allowed	14
	Dismissed	145
<b>Revision</b>	Accept	20
	Dismissed	72
<b>Misc</b>	Allowed	244
	Dismissed	671
<b>State</b>	Allowed	0
	Dismissed	0
<b>Grand Total</b>	<b>Allowed</b>	<b>2034</b>
	<b>Dismissed</b>	<b>3010</b>
<b>Total Case Decided</b>		<b>5044</b>

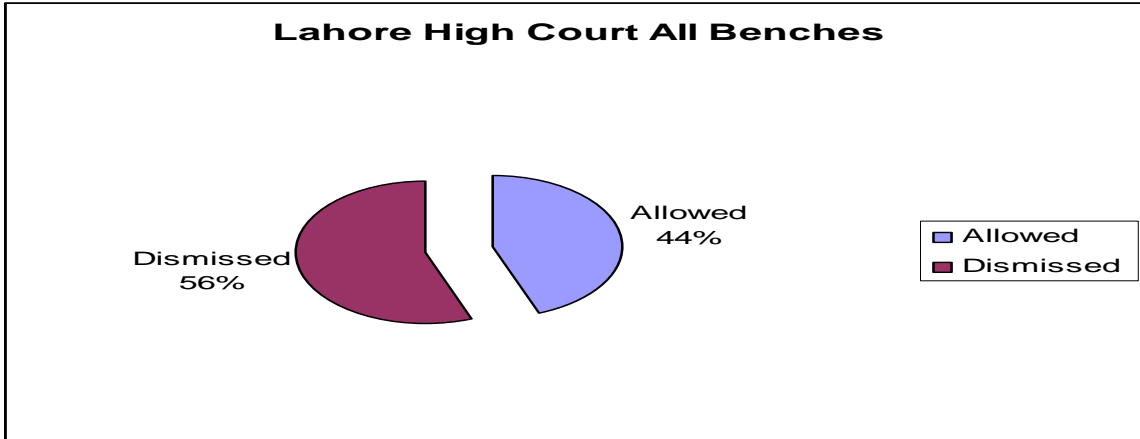
**LAHORE HIGH COURT  
Bahawalpur Bench**

<b>Murder References</b>	Converted /Confirmed	17
	Acquitted	14
<b>Appeals Against Acquittals</b>	Allowed	7
	Dismissed	51
<b>Appeals Against Convictions</b>	Allowed	38

	Dismissed	93
<b>Bail</b>	Allowed	836
	Dismissed	936
<b>Cancellation of Bail</b>	Allowed	0
	Dismissed	12
<b>Revision</b>	Accept	8
	Dismissed	34
<b>Misc</b>	Allowed	41
	Dismissed	113
<b>State</b>	Allowed	0
	Dismissed	0
<b>Grand Total</b>	<b>Allowed</b>	<b>1003</b>
	<b>Dismissed</b>	<b>1197</b>
<b>Total Case Decided</b>		<b>2200</b>

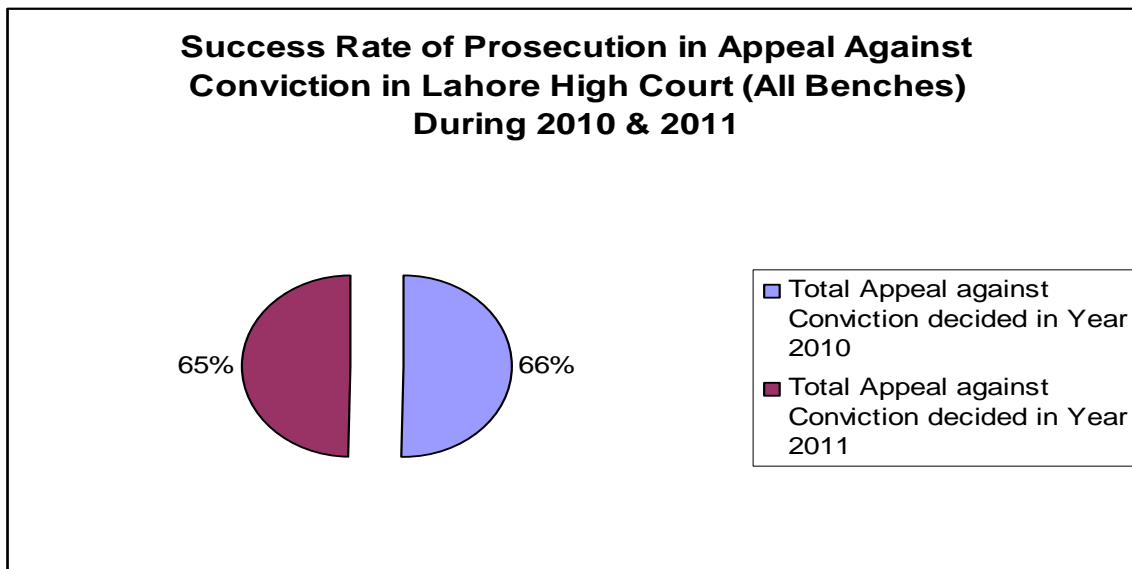
**LAHORE HIGH COURT  
Consolidated**

<b>Murder References</b>	Converted /Confirmed	320
	Acquitted	314
<b>Appeals Against Acquittals</b>	Allowed	25
	Dismissed	73
<b>Appeals Against Convictions</b>	Allowed	582
	Dismissed	1067
<b>Bail</b>	Allowed	8183
	Dismissed	9491
<b>Cancellation of Bail</b>	Allowed	74
	Dismissed	475
<b>Revision</b>	Accept	138
	Dismissed	397
<b>Misc</b>	Allowed	983
	Dismissed	2229
<b>State</b>	Allowed	0
	Dismissed	7
<b>Grand Total</b>	<b>Allowed</b>	<b>10761</b>
	<b>Dismissed</b>	<b>13597</b>
<b>Total Case Decided</b>		<b>24358</b>



**Appeals against Conviction in Lahore High Court, During 2010 & 2011**

Total Appeal against Conviction decided in Year 2010	Success Rate %	Total Appeal against Conviction decided in Year 2011	Success Rate %
1622	66%	1067	65%



**6.2.1.4. Special Courts**

There are four different categories of the Special Courts where criminal prosecution is conducted by the Prosecutors of the Service;

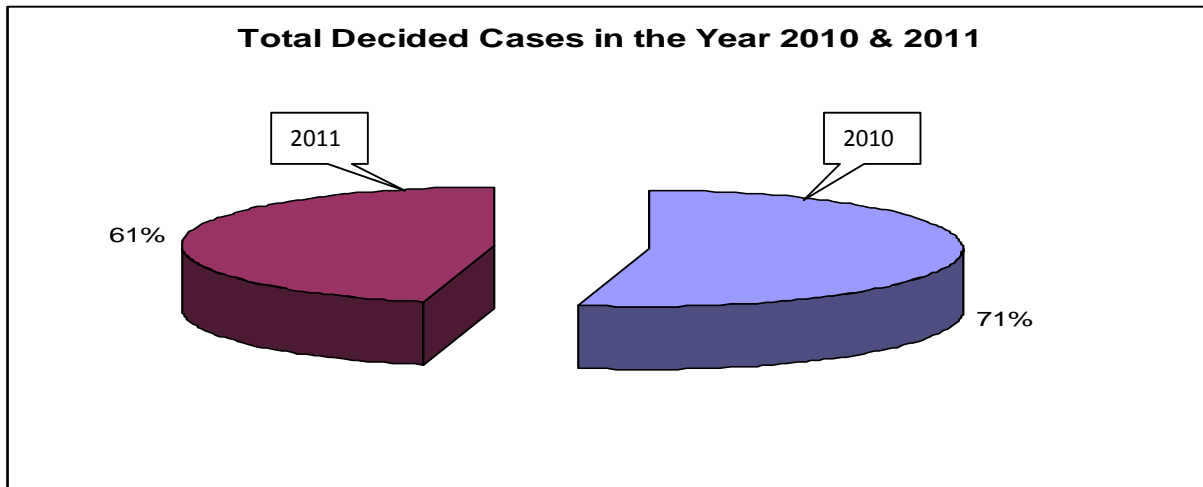
- 1 **Anti-Terrorism Courts**
- 2 **Drug Courts**
- 3 **Environmental Tribunal**
- 4 **Courts of Special Judicial Magistrates**

Prosecution working in the Special Courts falls under the direct supervision of the Prosecutor General. Although prosecution in Anti-Terrorism Courts and Drug courts are fully looked after by the Prosecution Service, however, prosecution of cases in **Anti-Corruption Courts** is being conducted by the officers authorized by the Director General, Anti-Corruption Establishment, Punjab. As far as the Environmental Tribunal is concerned, at present only one Tribunal is working at Lahore and a prosecutor is attached with the same. Courts of Special Judicial Magistrates and the Environmental Tribunal, which were unattended before 2011 by the Service are now being attended by the Prosecutors as a special initiative of the Punjab Government due to increasing public awareness in human rights and public perception/sensitivity to the environmental hazards.

#### **6.2.1.4.1. Anti - Terrorism Courts**

Terrorism being an aggravating dilemma of the modern times is an enormous challenge facing law enforcement agencies and the nation as a whole. It is nearly a global phenomenon which has international dimensions too. In order to uproot this evil, the Punjab Criminal Prosecution Service has put up a specialized outfit of professional and skilled Prosecutors under a Chief Public Prosecutor to conduct prosecution in anti-terrorism cases. As soon as a case of terrorism is registered, the challan is routed through the Incharge Anti-Terrorism Courts to the concerned prosecutor of the Anti-Terrorism Court. The concerned prosecutor immediately assumes the responsibility for conducting effective and efficient prosecution for early outcome of the case. A strict and target-oriented mechanism of monitoring is in place to ensure that a flawless and speedy prosecution is conducted through all the phases of a trial under ATA. During 01.01.2011 to 31.12.2011, 268 cases under ATA were contested out of which prosecution secured conviction in 163 cases.

Year	Opening Balance	Fresh institution	Total Cases	Acquittal		Contested		Total Decided	Consigned/ Transferred to Ordinary Courts	Pending
				Compromise in compoundable cases	Witnesses resiled due to compromise outside the Court	Acquitted	Convicted			
2010	469	885	1354	17	392	112	268	789	219	346
2011	346	671	1017	15	295	105	163	578	103	336



### Cases of Acid Throwing

The Prosecution Department has successfully brought the cases of acid throwing on women from the jurisdiction of ordinary courts to the ambit of Anti-Terrorism courts. This is a great achievement of the Public Prosecution Department as this decision was upheld by the Hon'ble Lahore High Court.

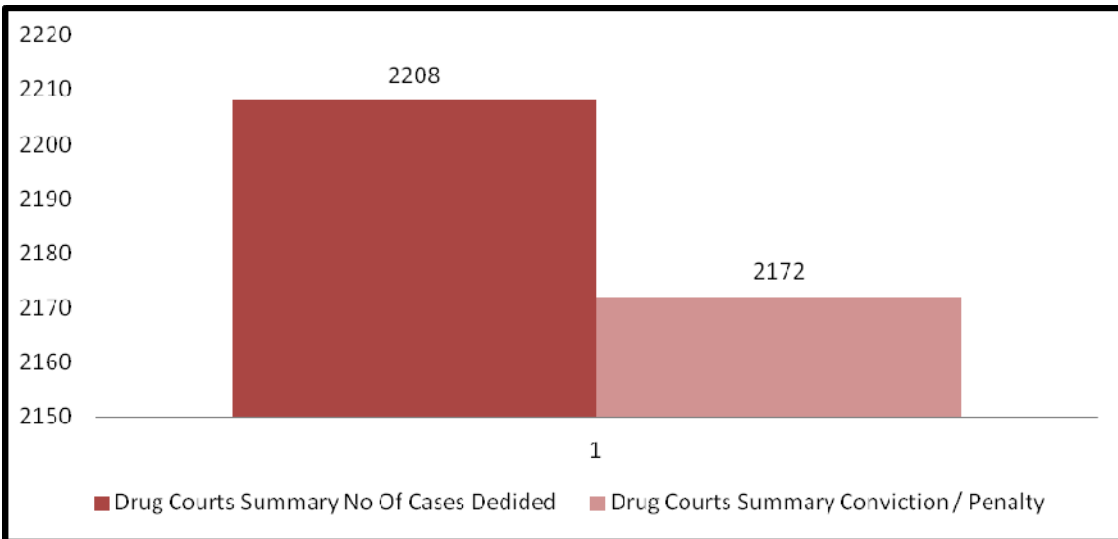
One case of acid throwing had been tried and convicted under Section 7 of Anti-Terrorism Act, 1997 during 2010. It relates to the accused Shahid Aziz and Muhammad Imran who were convicted and sentenced for 10 years rigorous imprisonment on two counts for throwing acid on the body of Mst. Najma Bibi in case FIR No. 382/2009, P.S. Kameer, Sahiwal by Anti-Terrorism Court, Multan. The convict was also fined of Rs. 50,000/- vide judgment dated 25-05-2011.

### Successful Prosecution of Sialkot Incident Case

A cold-blooded episode of the high profile case i.e. Sialkot Incident Case, occurred in 2011, which not only attracted attention of the public at large and the local media but also came under international spotlight. The accused gathered in shape of a mob killed two young boys Hafiz Muneeb and Hafiz Mughees in a brutal manner. Thereafter, the dead bodies were hanged outside the office of Rescue 1122. It was tried by the Anti-Terrorism Court, Gujranwala. The accused were convicted and sentenced to death on four counts in case FIR No. 449/2010 dated 20-08-2010, Police Station Sadar Sialkot vide judgment dated 20-09-2011.

#### 6.2.1.4.2. Drug Courts

The Drug Courts decided 2,208 cases in 2011. Fines and convictions were awarded in 2,110 cases whereas in 62 cases, sentence of imprisonment was given that indicates conviction rate of 98% which is absolutely up to the mark by any standard.



#### 6.2.1.4.3. Prosecution of cases in Special Magisterial Courts

Courts of Special Judicial Magistrates deal with price control, weights and measures, food adulteration, provision of essential commodities and hoarding. Formerly these Courts were unattended by the Prosecution Service but the increasing public outcry for effective remedy and relief against the consistent rise of petty crimes of adulteration, overcharging, hoarding, defective weights and measures urged the present Government to hand over prosecution of these cases to the Prosecution Service. Functions of monitoring, reporting and superintendence of these cases in special courts are entrusted to the Chief Public

Prosecutor as an administrative arrangement in addition to the Anti-Terrorism cases. The respective data and monitoring results are available with the office of the Prosecutor General Punjab. Performance analysis of the cases in special courts during the year 2011 is enumerated as under:

<b>Courts / Category</b>	<b>Cases Contested On Merit</b>	<b>Convicted</b>	<b>Success Rate %</b>
Price Control	4,662	4,559	98%
Essential Commodity	154	142	92%
Adulteration of Food Items	731	673	92%
Weights & Measure	1,245	1,228	99%
Hoarding	351	338	96%

#### **6.2.1.5. District Courts**

During the year 2011, 419365 FIRs were registered whereas, 382354 Police Reports were submitted in the Courts. 94,748 cases were decided in the Sessions and Magisterial Courts, out of which prosecution successfully secured a conviction rate of 84% as compared to 77% conviction rate in 2010. The remarkable achievement viewed against the backdrop of partial or incomplete investigations, lack of prosecutorial capacity and non-conducive working environment due to poor infrastructure and supportive legal framework is quite appreciable.

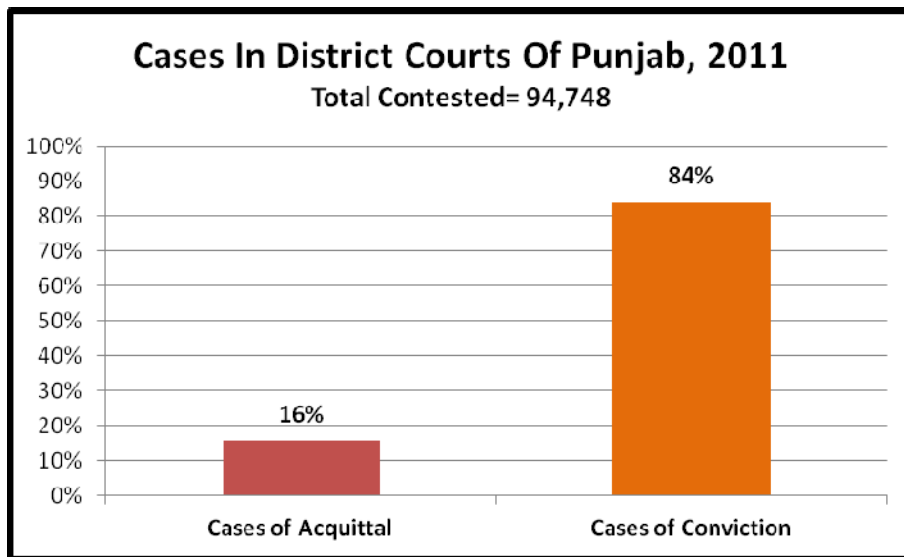
The criterion for performance of prosecution in the Districts again depends on the contested cases by the parties and decided by the Courts. The following analysis pertains to the number of cases that enter the judicial process after investigation by the Police Authorities and scrutiny of Police Reports by the Prosecutors. The breakdown consist of cases consigned to record by the Courts due to lack of inspiring or believable evidence or decided due to resiling of witnesses, compromises in compoundable cases or decided after contest by the parties to the case.

#### **Consolidated Report of Cases in the District Courts**

<b>Consigned Cases</b> Where cases are filed for the time being and will stand reopened when evidence is available	<b>Total Consigned Cases</b>	<b>127,540</b>
<b>Uncontested Cases</b>	Cases of Acquittal on Compromise of	31,095



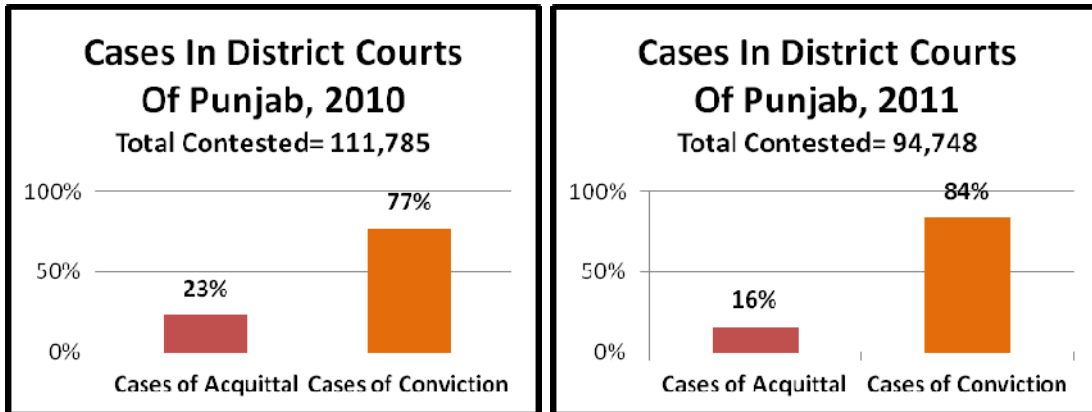
Cases Decided but not Contested	Parties before the Courts	
	Cases of Acquittal on account of resiling of witnesses	28,064
	<b>Total Uncontested Cases</b>	<b>59,159</b>
<b>Cases Contested and Decided</b> Cases decided after Contest by Prosecution and Defense side	Cases of Acquittal	15,001
	Cases of Conviction	79,747
	<b>Cases Contested and Decided</b>	<b>94,748</b>
	<b>Success Rate %</b>	<b>84%</b>



#### A COMPARATIVE STUDY OF RATE OF CONVICTIONS DURING 2010 & 2011

Cases of Acquittal - 2010	25,488
Cases of Conviction - 2010	86,297

Cases of Acquittal - 2011	15,001
Cases of Conviction - 2011	79,747



### 6.2.2. Recruitment of Prosecutors through Public Service Commission

The process of recruitment started in 2010, continued during 2011 and 184 more prosecutors were selected by Punjab Public Service Commission to fill the vacant posts in addition to 363 prosecutors recruited in 2010.

### 6.2.3. Development of basic documents of Prosecution Service

Subsequent to the recommendations of the Departmental Committee constituted to devise a monitoring mechanism and performance evaluation standards, following documents were developed during 2011:

- (i) Code of Conduct for Public Prosecutors in Punjab
- (ii) Prosecutorial Decision-Making Guidelines
- (iii) Performance Standards Document
- (iv) Prosecution File

All four documents are in the process of approval by the competent authority and would be implemented during 2012.

Another document on Standard Operating Procedures for Police Prosecutor Cooperation in the province of Punjab was compiled by a Joint Committee of Police and Prosecutors during 2011. The document is signed by the two organizations and would be implemented.

Some of these documents are reproduced in the Appendices.

#### **6.2.4. Departmental Vigilance**

The Prosecutors have been guided regularly as the departmental instructions touching some core issues on the conduct of criminal cases at pre-trial and trial stage have been issued to the Prosecutors at the district level from time to time. At the same time, all the District Public Prosecutors have been directed to constitute committees to ensure random checking of scrutiny of police reports to bring uniformity in the prosecutorial practices.

#### **6.2.5. Capacity Building Activity**

278 prosecutors have been trained in various trainings of different durations in 2011. These trainings covered areas like Trial Advocacy, Police Prosecution Cooperation, Crime Scene Management, Accumulation and Use of Forensic Evidence, Exhibits, Marks , Effective Use of Documentary Evidence during Testimony, DNA Testimony, Anti-Terrorism Prosecution, Scrutiny of Challan, Prosecutorial Decision Making, Test of Evidence and Human Resource Management. The trainings have been supported by the Punjab Police, Asian Development Bank, U.S. Department of Justice and European Union.

##### **6.2.5.1. TRAININGS ORGANIZED IN 2011**

<b>Sr. #.</b>	<b>Location</b>	<b>Sponsoring Agency</b>	<b>Date</b>	<b>Duration (Days)</b>	<b>Subject</b>	<b>Number of Participants</b>
1.	Lahore	US Department of Justice	31.01.11 to 04.01.11	5	Trial Advocacy Skills Training Program	42 (DDPPs and ADPPs)
2.	Lahore	CCBLE	07.02.11 to 11.02.11	5	Terrorist related Criminality	30 (DPPs, DDPPs, Public Prosecutors of ATC and ADPPs)
3.	Lahore	CCBLE	14.02.11 to 18.02.11	5	Terrorist related Criminality	30 (DPPs, DDPPs, Public Prosecutors of ATC and ADPPs)

4.	Lahore	CCBLE	21.02.11 to 25.02.11	5	Terrorist related Criminality	30 (DPPs, DDPPs, Public Prosecutors of ATC and ADPPs)
5.	Lahore	CCBLE	28.02.11 to 04.03.11	5	Organizational Development and Human Resource Management	25 (DPPs, DDPPs, and ADPPs)
6.	Lahore	CCBLE	07.03.11 to 11.03.11	5	Organizational Development and Human Resource Management	30 (DPPs, DDPPs, and ADPPs)
7.	Lahore	CCBLE	09.05.11 to 13.05.11	5	Police Prosecutor Cooperation relating Cases of Terrorism	15 (PP of ATC, DDPPs)
8.	Lahore	CCBLE	16.05.11 to 20.05.11	5	Police Prosecutor Cooperation relating Cases of Terrorism	15 (PP of ATC, DDPPs)
9.	Lahore	CCBLE	23.05.11 to 27.05.11	5	Police Prosecutor Cooperation relating Cases of Terrorism	15 (PP of ATC, DDPPs)
10.	Lahore	CCBLE	30.05.11 to 03.06.11	5	Police Prosecutor Cooperation relating Cases of Terrorism	14 DDPPs
11.	Lahore	CCBLE	30.05.11 to 01.06.11	3	Crime Scene Management and Forensic Science	10 (CPP, DPPs, DDPPs, and Director Appeal)
12.	Lahore	CCBLE	06.06.11 to 08.06.11	3	Crime Scene Management and Forensic Science	11 (DPPs, DDPPs, Asst. PG and Director O&R)
13.	Lahore	CCBLE	13.06.11 to 17.06.11	5	Management of Investigation and Prosecution with focus on Terrorist related Criminality	11 (DPPs, DDPPs, & ADPPs)
14.	Lahore	CCBLE	23.05.11 to 27.05.11	5	Police Prosecutor Cooperation relating Cases of Terrorism	15 (PP of ATC, DDPPs)
15.	Lahore	CCBLE	30.05.11 to 03.06.11	5	Police Prosecutor Cooperation relating Cases of Terrorism	14 DDPPs
16.	Lahore	CCBLE	30.05.11 to	3	Crime Scene Management and	10 (CPP, DPPs, DDPPs,

			01.06.11		Forensic Science	and Director Appeal)
17.	Lahore	CCBLE	06.06.11 to 08.06.11	3	Crime Scene Management and Forensic Science	11 (DPPs, DDPPs, Asst. PG and Director O&R)
18.	Lahore	CCBLE	13.06.11 to 17.06.11	5	Management of Investigation and Prosecution with focus on Terrorist related Criminality	11 (DPPs, DDPPs, & ADPPs)
<b>Total Beneficiaries:</b>						<b>278</b>

The contribution of European Union through its program, Civilian Capacity Building for Law Enforcement (CCBLE) played a vital role in this formative phase of the Service throughout the year 2011. They carried out 17 short training courses for 200 prosecutors in order to make them familiar with the international best practices in different areas of prosecutorial and managerial skills and competencies. CCBLE team also assisted the Department in developing Code of Conduct for the Prosecutors and Prosecutorial Decision Making Guidelines for critical decision making in prosecuting criminal cases.

As shown above, each training session was brief and short timed but as a matter of fact it was very effective and enriching experience for the trainees. It provided an opportunity to our Prosecutors to interact with the trainers from different countries where prosecution systems are quite advanced and developed.

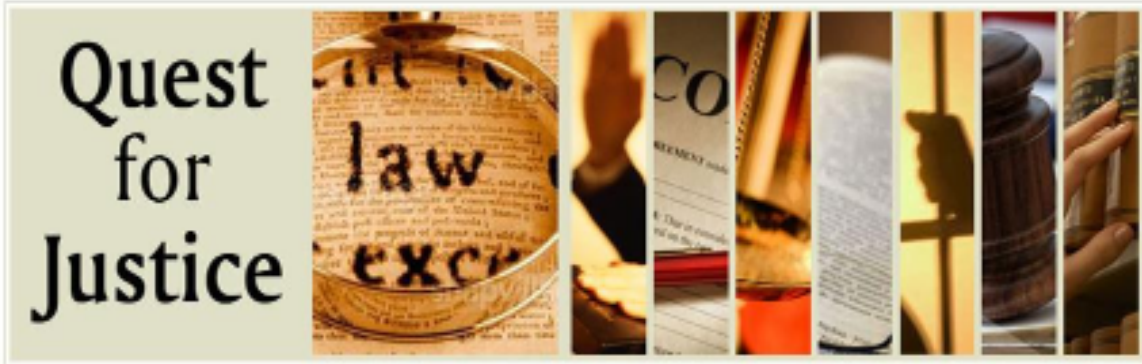
A 12-Weeks Pre-Service Training for the newly appointed ADPP's was arranged by the Department at Punjab Judicial Academy for the first time which was highly educative and enlightening. The departmental training covered important practical aspects of prosecution like medical jurisprudence, importance of forensic evidence, case presentation skills before the courts, effective trial prosecution skills, intellectual property laws and communication skills etc.

To make the trainings more effective, the Department is making efforts to arrange more comprehensive induction trainings at Management & Professional Development Department on regular basis. As a part of long term policy for capacity building of Prosecutors, the Department is also working actively in collaboration with German Government to establish its independent Training Institute for Prosecutors in Punjab.

### **6.2.5.2. Prosecution Web site**

This is information age. In order to meet the communication requirements of today's world and to provide efficient and transparent access to information to public, Punjab Prosecution Department has developed its own website [prosecution.punjab.gov.pk](http://prosecution.punjab.gov.pk). This website contains information about case laws, information about all the line departments, various reports developed on different cases and issues, policy guidelines, available trainings and relevant data for the Prosecutors. The website does not only provide useful information to the Prosecutors and other related departments but its e-complaint section also facilitates a common man to lodge complaints against corruption, misuse of authority and maladministration of Prosecutors and Prosecution officials and express his views. Thus it is a source of suggestions for continuous improvement and a system of automatic check and balance for the Prosecution Service.

# Public Prosecution



Punjab Criminal Prosecution Service (PCPS) is an integral part of the Criminal Justice System responsible for prosecuting criminal cases investigated by the police in Punjab ... [read more](#)

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View all case laws sorted by date of hearing, name of court

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## ATTACHED DEPARTMENTS



Browse through the list of departments working with the Punjab Prosecution Department

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## Prosecutor's Corner



- [Code of Conduct](#)
- [Police Prosecution Cooperation](#)
- [Decision Making Guidelines](#)

## Our Prosecutors

[Supreme Court of Pakistan](#)

[Lahore High Court](#)

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## **7 - ON-GOING PROJECTS – DEVELOPMENT POLICY**

Punjab Criminal Prosecution Service Act, 2006 envisages development policy for efficient and effective prosecution of criminal cases. Following provisions are supportive of the policy and enable the Prosecutor General to take measures toward this end;

1. Prosecutor General shall, with the prior approval of the Government , issue a Code of Conduct for the Public Prosecutors (Section 17, Prosecution Act, 2006)
2. The Prosecutor General may, subject to rules and with prior approval of the Government, frame regulations to give effect to the provisions of Prosecution Act (Section 15 (2), Prosecution Act, 2006)
3. The Prosecutor General may issue general guidelines to the Prosecutors and officers responsible for investigation for effective and efficient prosecution (Section 10(1), Prosecution Act, 2006)

Under this scheme and the spirit of law, a Committee of experts was formed by the Department on 21.08.2011 comprising a team of seasoned and experienced Prosecutors in the Prosecution Service to devise some monitoring mechanism and performance evaluation standards for efficient and smooth functioning of prosecutorial system in the Districts. The Committee completed the assignment according to the given mandate and submitted the following documents for approval of the competent authority;

1. Final draft of the **Code of Conduct for Public Prosecutors in Punjab**. This document is a mandatory requirement under section 17 of the Prosecution Act, 2006. It is worth mentioning here that efforts have been made to develop the Code since 2006; but the same had not been successful until professional consultation with CCBLE team, whose significant input and contribution, finally enabled the Departmental Committee to develop a monitoring and performance assessment mechanism. The document provides the value-based tool for prosecutorial conduct and links it with performance-based accountability. The Code of Conduct would be implemented shortly after the approval of the Government.
2. Final draft of **Guidelines on Prosecutorial Decision Making**. The document is developed under section 10 (1) of Prosecution Act, 2006. It elaborates the methodology by which a prosecutor reaches his conclusion to prosecute or not to



prosecute a case under his charge. Since prosecutorial decision making is a substantial matter, this document will be helpful for the prosecutors in terms of policy guidelines in future.

3. Format of **Prosecution File**. Although it is mandatory requirement under section 13(7) of the Prosecution Act, 2006 for every prosecutor to maintain an independent file in a prescribed manner for all cases under his charge but no such design/pattern/format has been evolved by the Department. Presently, the Police File has been considered as prosecution file but it does not remain in the custody of the concerned Prosecutor. It is furnished by a Naib Court at the nick of time during the court hours. The prosecution file is a key document and basic record of a Prosecutor. Its proper maintenance will not only ensure availability of required information on a case round the clock but will also facilitate the Service to map true picture of the quality of prosecution in each case. Development of this fundamental document is in process, once approved, the file will be made available to every prosecutor for all cases in his custody.
4. **Performance Standard Document**. In fact, the Performance Standard Document is a comprehensive set of documents outlining the workflow management of the District Prosecution. This document portrays complete job description of the Prosecutors and the subordinate staff, workflow of the tasks, detail of records in shape of registers and files to be maintained for the prescribed duties and responsibilities. The Document segregates the quantum of work for each functionary of the District Prosecution. This segregation is extremely useful for mapping the performance of every functionary. The Performance Standard Document would be published soon.
5. A Joint Committee on Police and Prosecution Cooperation was constituted by Home Department in May 2011. The Committee developed **Standard Operating Procedures on Police Prosecution Cooperation** and placed it before the decision making authorities of the Police and Prosecutors. A document signing ceremony was held in Prosecutor General Office in December 2011 attended by Prosecutor General and Mr. Sarmad Saeed Additional I.G., Trainings on behalf of Inspector General Police Punjab. The document has been circulated to all tiers of the two organizations. This document envisions three tier coordination and cooperation between Police and Prosecution Service, i.e. Primary level- the concerned

prosecutors of the District Courts and Investigation Officers will coordinate, Mid-level where DPOs and DPPs will supervise cooperation and High level between Prosecutor General and Inspector General for policy decisions. This mechanism will be greatly helpful in improving the existing working environment of criminal justice system in the province.

## **8 - LIMITATIONS**

### **8.1 Legal**

Punjab Criminal Prosecution Service Act, 2006 is an important milestone towards realization of the dream of prosecutorial independence. Nevertheless, the situation on ground leaves much to be desired as the basic legal structure governing the criminal justice system is not robust enough for a Prosecutor's role to effectively handle the current criminal justice processes. In the historical perspective, it is quite understandable that the imperial legislation (Criminal Procedure Code) was not imagined to be really compatible with the contemporary realities/aspirations, as for the colonial vested interest, it was hard to afford fair and uninfluenced prosecution due to its extraneous considerations. Surely the stately enactments could not possibly be aligned with public demands for fair and transparent adjudication at that time. These may be the reasons that the Code of Criminal Procedure enacted in 1898 did not contemplate introduction of independent and autonomous prosecution agency. It clearly defines the role of police and judges but not of a prosecutor. Section 173 Cr.P.C. which is gateway for a case to enter judicial process from administrative criminal process, was amended in 1992 just to add the name of the Prosecutor without affirmatively defining his role. On the other hand, Punjab Criminal Prosecution Service enacted as a provincial statute in 2006, extends the leverage of discretion to a prosecutor to send a police report under section 173 Cr.P.C. to the Court, but operational statute i.e. Cr.P.C does not envisage the synchronous freedom to the prosecution as available to Judges and the Police. Whereas the independent prosecution world over enjoys the confident authority to differentiate between a prosecutable and non-prosecutable case. Prosecution is bridge between the police and the judicial authorities and it acts as a bulwark against the false, fallacious and frivolous litigation and thus reduces massive workload and burden on the courts and becomes instrumental in protection of fundamental rights from the excesses and arbitrariness of the executive power. The true independence of prosecution not only facilitates the criminal justice system to deal with the

innocent victims of false accusations justly and timely but also decreases the undue burden on the judiciary for improving its capacity to handle case load and focusing on gravity of cases. Hence purview of prosecution is definitely required to be enlarged keeping in view the public needs and sensitivities; and given the constraints if not straightaway possible, a pragmatic approach and a phased strategy may be adopted in this regard. It is therefore expedient that suitable amendments in Procedural laws as well as Prosecution Act be made to redefine the role of a prosecutor that is actually harmonious with the independent spirit of the Prosecution Service in the civilized communities.

## **8.2 Administrative**

### **8.2.1. Inexperienced Human Resource**

A redefined role of a prosecutor necessitates enhanced professional capacity of a Prosecutor. The considerable majority of the human resource presently working in the Prosecution Service is inexperienced and not up to the mark as being newly recruited and cannot be left to be self-experiencing. Their professional ability and capacity need to be increased through intensive capacity building programs and activities for which there are no special arrangements available at present. However, the Punjab Prosecution Department is proactively conscious of the problem and striving hard to address the capacity building issues and as such several capacity building initiatives are in the pipeline with the likely help of foreign assistance.

### **8.2.2. Poor working facilities**

There is a serious need to upgrade and improve the existing infrastructural facilities by providing adequate transport, suitable office space, furniture and other working tools to the Prosecutors. Lack of infrastructure and absence of reasonable working conditions for the officers and officials of the Service are adversely affecting their performance. A prosecutor on average spends 6 to 8 hours in the courts usually standing on the rostrum without any exclusive seat to occupy during breaks in the court proceedings. They have no facility of privacy for witness sessions, interaction with Police I.O.s or storage of records in the court premises. There are no independent offices for most of the prosecutors. Generally the office space provided to the subordinate staff and the other officials attached with Prosecutors at sub-divisional or even at some district headquarters, is a single room or two room office. The state of present working environment can be easily assessed from the

departmental survey on infrastructure and working facilities recently conducted during the current year.

### **8.2.3. Prosecution focused accountability system**

Zero tolerance for corruption, fool-proof transparency and enviable degree of professional integrity are hallmarks of a modern prosecutorial system. Indeed, in our context, a paradigm shift is required in the age old and hardened mindset to achieve these ideals. Therefore, it gives pain to mention that prevailing public perception does not reflect the desirable values in some cases. Law on prosecution ordains considerable degree of prosecutor's independence in his professional functioning yet it also binds him with a prescribed code of conduct and violation thereof entails penal provisions of misconduct as well. That is why there is an urgent need to enforce an organized accountability system based on systematic checks and balances to improve efficiency of the Service.

### **8.2.4. Leadership Gap**

Leadership serves as beacon light for the followers. Another serious setback to the Service was absence of leadership throughout the current year and at different intervals in the preceding years of the young Service due to non-appointment of any Prosecutor General. Mr. Ashtar Ausaf Ali, my predecessor was appointed on 26.10.2011 and in very short time available to him put the Service back on its track. Lack of supervision and direction at this early stage of organizational development with regular intervals has also affected performance of the Prosecution Service a great deal.

### **8.2.5. Low Remuneration**

Another administrative limitation is the low salary package of the employees of the Service. In comparison to other stakeholders of criminal justice system like Police and Judiciary, the emoluments of prosecutors are very low. In the days of high inflation, financial pressures upon the officers and officials hamper smooth running of the official work. Efforts are underway to address the issue which needs a wider support from different quarters.

## **8.3 Financial**

Major portion of the budget allocated to the Prosecution Service consists of salary budget. Non-salary component by no means is sufficient to cater for the requirements of the

Service. Financial constraint is the mother of so many indicated deficiencies and limitations. The inadequate funding is a great hurdle in the smooth and efficient working of the Service.

## **8.4 Others**

### **8.4.1. Frequent Policy Changes**

Since its inception, Punjab Criminal Prosecution Service has seen drastic changes. On the eve of its establishment in 2006, the human resource engaged for working was mainly employed through a stop gap arrangement. Subsequently these Prosecutors were removed from the Service as a result of the Supreme Court Judgment (**Naeem Tariq Sanghera vs The Chief Secretary, Government of the Punjab, etc.** reported as 2010 SCMR 1587). The ruling of the Apex Court and Policy of the Government resulted in merit based appointment of 547 Public Prosecutors selected through Punjab Public Service Commission. All these appointments have either been made in year 2010 or in the current year. Although the process is ultimately beneficial for the Service but it has temporarily affected prosecution in the courts due to inexperience of the fresh entrants.

### **8.4.2. Relationship with Police**

Police and Prosecutors are integral parts of criminal justice system. Especially at an early stage of investigation of criminal case a prosecutor has not only advisory but a crucial role to play. The advisory role is immensely useful because the case is ultimately handed over to him for final scrutiny before sending it to judicial process and he can timely remove defects in the investigation before developing his arguments in the court of law. The general idea behind the establishment of an independent prosecution service was to ensure that the prosecution would act as an independent filter for the police investigation in deciding how a case is to be prosecuted. Unfortunately this arrangement is not yielding desired results due to traditional, stereotype and self-styled investigative patterns instead of true fact-finding efforts made on modern scientific lines/techniques in accordance with acceptable global standards. The Police and Prosecution cooperation, however, is improving day by day due to greater interaction between the two organizations at the higher level.

Some other challenges in the department can be further summarized as:-

#### **8.4.3. Unavailability of legal resources**

There is a pressing need to create a state of the art library and update the law reporting systems for the convenience of the Prosecutors.

#### **8.4.4. Inability to retain the best legal professionals**

This is because of the less developed service structure, inadequate fringe benefits as well as poor remuneration.

#### **8.4.5. Lack of specialization in new and sophisticated forms of crime**

These include terrorism, narcotics/drug trafficking, cyber-crime and internet fraud, money laundering, organized crime, corruption and criminal fraud. There is shortage of an expert pool of prosecutors to rise and respond to new challenges and threats.

#### **8.4.6. Weak internal management and reporting systems**

There are also some problems relating to internal management and reporting system in the Service

### **9 - FUTURE VISION**

#### **9.1 Capacity Building of Human Resource**

Enablement of Prosecution Service is of prime importance to overcome deep rooted inequities in our criminal justice system. The other two organs of our system of criminal justice are far ahead of the prosecution in terms of quantum of resources. One of the express ways to attain and maintain a competitive edge with its counterparts in the judicial system is qualitative improvement of the critical manpower. No doubt a number of short and diversified trainings of Prosecutors have been undertaken by the Department frequently since 2006, yet there is a dire need to re-strategize the capacity building activity for future to make it profound and meaningful for developing its human resource. Most of the trainings conducted till now are by foreign agencies/donors and for short periods of time

(5 – 7 days). In anticipation of 500 new entrants in the Service, the Department has planned an extensive pre-induction training in 2011. In fact, the Prosecution Services requires a long term “Empowerment Package” covering multifarious needs. In this background it is imperative to focus and emphasize on long term induction and expert trainings during 2012. Another crucial skill development related aspect is off and on joint training sessions of Police and Prosecutors for better coordination and cooperation in the field. A program titled “Support Punjab Prosecution Service” is under consideration with GIZ – German Assistance Program that is to be funded by the German Government. This program also aims at the establishment of a Prosecutor Training Institute and Training of Master Trainers of the Department and development of Training Modules for induction and expert trainings.

### **9.2 Provision of infrastructural facilities to the prosecutors**

Prosecution Service considers provision of the best facilities and an attractive working environment to the Prosecutors as an essential part of its future vision. Prosecutors and their staff are performing their duties in awfully non congenial working conditions of their offices. It should be a top priority area to be addressed urgently. A need assessment survey is being conducted this year for additional allocation in the next financial year to meet the basic infrastructural needs of the Prosecutors.

### **9.3 Service structure and financial incentives of the employees**

Prosecution Department has envisioned better and improved service structure and lucrative financial incentives for its employees to increase their work efficiency. Consistent efforts will be made to gradually improve the status of the Prosecutors.

### **9.4 Digitization-Development of MIS**

MIS plays a vital role in all types of organizations in the modern world. Administrations worldwide make extensive use of MIS. It is a tool for assembling and accumulating facts & figures of all the important business processes. MIS has numerous advantages over conventional methods of governance and supervision not only in small businesses but also in large organizational set ups. There is no doubt in saying that a well-designed Management Information System facilitates business processes of planning, coordination, communication and monitoring for informed decision making.

Unfortunately our existing mechanism of reporting and co-ordination among the Districts is manual, which is highly cumbersome in collecting data, circulating necessary instructions

and monitoring the daily prosecutorial work conducted in the Districts. Consequently the process often remains cluttered, inchoate, incomplete and slow in addition to the risk of being erroneous and full of mistakes in terms of gathering data from the Districts. It is encouraging to note here that Public Prosecution Department has been planning a project to shift important reporting, co-ordination and monitoring functions online with the help of PITB (Punjab Information Technology Board).

### **9.5 Streamlining of Directorate of Inspection**

The reason for establishing Directorate General of Inspection is its role as a third party and impartial evaluator of the performance of the Prosecution Service. The Directorate is planned to assume the role of a key player, which shall not only evaluate and analyze the performance of the Prosecutors in field but also highlight the areas of improvement. Like the Prosecution Service, the Directorate of Inspection is facing capacity related issues which may be addressed in future.

### **9.6 Developing performance based accountability mechanism**

Once the Prosecution Service is upgraded in accordance with the updated infrastructural facilities, digitization, requisite capacity building, sound monitoring and inspection of the prosecutorial work, accountability is expected to improve significantly. The highly qualified and professional work force would promote institutional efficacy and effectiveness and will help improve administration of justice in the Province. The Public Prosecution Department has already started working on developing performance based accountability mechanism which will be implemented as and when the prerequisites have been put into practice and until then accountability shall be ensured by strict watch and ward of the Prosecutors conduct, vigilant response to the feedback of the supervisory staff and rapid action on public complaints.

## **10 - Conclusion**

To sum up in nutshell, our over-burdened criminal justice system is fraught with involuntary and voluntary delays and it is crying for reforms as public confidence for inexpensive and speedy justice is eroding. It has deficiencies and shortcomings as well but the Government of the Punjab is committed to building a peaceful and progressive environment by maintaining law and order in the society. The Punjab Criminal Justice System has a number of stake holders. The Punjab Criminal Prosecution Service is one of them and it



will continue to endeavor for greater efficiency, responsiveness and accountability by overcoming all the obstacles with unwavering devotion and unflinching cooperation/consultation with its partners and counterparts. We are determined to reduce crime and fear of criminals from our society and increase public confidence in our judicial system by fair, independent and effective prosecution of cases at the Courts.

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Prosecutor General Punjab