THE EFFECTIVE ADMINISTRATION OF CRIMINAL JUSTICE FOR THE PREVENTION OF CORRUPT ACTIVITIES BY PUBLIC OFFICIALS

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I. INTRODUCTION

Corruption in different forms and shapes has existed in this World since time immemorial. It exists in the form of human deceit, wrong, treachery, unfaithfulness, intrigue and cunningness that has changed the destinies of human races, dynasties and kingdoms.

When Pakistan came into existence in the year 1947, the evils of corruption and bribery were of course there, but in a mild form. As the Nation was fighting for independence, there was a missionary spirit in every citizen, particularly the public servants. Before 1947, the CID used to have an eye on government officials, their social contacts, general reputation and efficiency. With the increase of population and with the increase of the evils, the Special Anti-corruption Police force was created, which expanded with the expansion in the government and public life. With the passage of time, as is natural with a nation achieving independence, there started a struggle for richness, and therefrom emerged selfishness. The desire to attain riches and power gave strength to pulls, fights, cliques and intrigues for promotion and for holding posts of benefit among the officials. Such a race for power and wealth was obviously at the cost of honesty and morality.

In the early stages there was lot of precaution, secrecy and shyness in the giving and taking of bribes, but gradually the officials became bold and the transactions became open, with the result that corrupt elements in government, public, trade and industry went on becoming powerful, rich and resourceful, controlling and dominating every outlet, opportunity and activity of life.

II. DEFINITION OF CORRUPTION

Bribery or corruption among public officials has multifarious manifestations and styles, like paying money to get undue advantage, creating friendship, causing undue influence and indulging in praise and undue respect to get undue advantage; having underhand connections, understandings or dealings; to overcharge, hoard, smuggle or adulterate; to exploit, swindle, misappropriate or earn fraudulently; to evade any tax or government due; to take any personal advantage or benefit from power, position or post; to give undue advantage, benefit or facility for any consideration monitory or otherwise; to neglect any duty, waste time, money and public property; to prejudice, mutilate, misguide and spoil; to intentionally give wrong and unjustified decisions, opinions, verdicts and comments; to get favour or remuneration prejudicing the right of fellow citizens; and hundreds of similar actions and omissions, are corruption.

III. INTERNATIONAL REMEDIES

With the passage of time and with society becoming complex at the international level, and with the world becoming smaller and smaller day by day,

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the octopus of corruption in every country has gone beyond previous frontiers. The proceeds of corruption, the payment of bribes, kick-backs and commissions obtained through corrupt practices are often transferred abroad in safe deposits, away from the public view. Swiss bank accounts are used for the transfer of illgotten wealth by corrupt officials, as well as by drug traffickers, arms smugglers and money launders. Kickbacks and commissions are offered by the multinationals and management officials of the developed countries to their counterparts in developing countries, for the allotment of contracts or procurement of goods.

The first resolution on corruption in government was adopted in 1990 at the 8th United Nations Congress on the Prevention of Crime and Treatment of Offenders. The resolution concedes that the problems of corruption in public administration are universal, which may have deleterious effects on nations with vulnerable economies. The resolution known as the resolution of fraudulent enrichment was passed in 1992 by the United Nations Human Rights Commission and considered such corruption to be a human rights problem. The Council of Europe introduced a framework for mutual legal assistance which provides for mutual assistance to each other in identifying persons and seizing evidence, so as to combat corruption. This procedure, having been adopted by the Commonwealth countries in 1986, attempted to facilitate the quick disposal of cases and punishment of offenders. In terms of combating corruption, provisions have been incorporated concerning the freezing, seizing and forfeiture of proceeds of the crime corruption. Similar procedures were devised in the United Nations Convention against Illicit Trafficking in Narcotics, Drugs and Psychotropic Substances 1988. As business, trade and commerce are becoming increasingly global, the effects of bribery can no longer be restricted to the confines of a particular country. In 1994, the Organization of Economic Co-operation and Development (OECD) recommended six different areas of reform for its member These included the countries. criminalization of bribery; terminating the system of tax deductibility for foreign bribes; changing the banking laws to make banks the instrument of fighting corruption, rather than being an instrument of corruption. Such recommendations asked the Member States to take specific steps to deter, prevent and combat the bribery of foreign public officials in connection with international public transactions, and further to report to each other on the efforts and meaningful steps which they have taken in reviewing/reforming their laws and procedures, to realize the objectives of the recommendations.

IV. NATIONAL REMEDIES

The Constitution of Pakistan contains specific provisions for disgualification of public representatives who indulge in corrupt practices. Article 62 provides that a person intending to become a public representative should be of good character, must abstain from major sins and be righteous, honest and trustworthy (Ameen). Article 63 provides that a person found guilty of corrupt or illegal practice would be disqualified from or from being elected as a member of the legislature. Honesty, selflessness, resistance to influence against their official conduct or decisions, are the necessary ingredients of the oaths prescribed for the president, governor, prime minister, chief ministers, federal/provincial ministers and members of parliament/provincial assemblies. Eradication of social evils and the promotion of social justice are sanctioned by Article 37 of the Constitution, while

Article 38 guarantees the promotion of the social and economic wellbeing of the people. This is so because corrupt and illegal actions affect the citizen's right to life and the enjoyment of the quality life enshrined in Article 9 of the Constitution. Our Supreme Court in *Shehla Zia vs. Water and Power Development Authority* (PLD 1994 SC 693) and *Employees P.I.C. vs. Ministry of Housing and Works* (1994 SCMR 1548) held the view that the right to life does not simply mean vegetative or animal existence, but the enjoyment of all amenities and facilities essential for quality of life and a dignified existence.

Corrupt practices are also violative of Articles 23 and 24 of the Constitution, as any loss of national resources amounts to depriving people of their right to enjoy property rights. It is thus obvious that the Constitution of Pakistan does not countenance any corrupt deed or practice by public representatives, state officials or a member of the public. Laws exist which criminalize corrupt practices and prescribe stringent punishment for infringement.

V. LEGISLATIVE MEASURES AGAINST CORRUPTION

A. Pakistan Penal Code 1860

Section 161-171 of the Pakistan Penal Code (PPC) contains a specific chapter related to offences committed by or in relation to public servants. Offering or taking gratification or anything valuable without consideration are declared as penal offences, punishable with imprisonment as well as fine. Sections 171A-171-J of the PPC provide for offences relating to elections. Thus, the grant or acceptance of a bribe, with a view to induce the exercise of electoral right, undue influence or personation at elections, and illegal payment in connection with an election, are declared as actionable wrongs, punishable by imprisonment as well as fine.

B. The Prevention of Corruption Act 1947

This Act provides for the prevention of bribery and corruption by a public servant. A public servant who accepts or obtains, or agrees to accept or attempts to obtain, any gratification, or anything valuable without consideration or for inadequate consideration, or dishonestly or fraudulently misappropriates or converts for their own use any public property entrusted to their care, or by corrupt or illegal means or by otherwise abusing their position, obtains any valuable thing or pecuniary advantage, or if s/he or any of their dependents, are in possession of assets/property for which s/he cannot give reasonable account, or possesses property dis-proportionate to known sources of income, shall be guilty of criminal misconduct, punishable with imprisonment as well as fine. Though stringent, the law provides for an adverse presumption against the public servant if it is proved that the public servant accepted or obtained any gratification or valuable thing, or the same was given or offered to them. A similar adverse presumption is drawn against them if his/her property/ assets are found to be disproportionate to their known sources of income, the presumption being that s/he had acquired such property/assets illegally or through corrupt means. In case there is any prima facie evidence against such a public servant, the burden shifts on them to prove that s/he is not guilty, i.e did not acquire the property/assets by illegal and corrupt means. The punishment prescribed for the offending public servant is imprisonment for and upto seven years, as well as fine.

C. Public and Representative Office (Disqualification) Act 1949 (Proda)

This Act provided for the debarring of public and representative office holders found guilty of misconduct. Misconduct includes bribery, corruption, robbery,

favouritism, nepotism, wilful maladministration, wilful mis-application or diversion of public money or any other abuse of official power, position or any abetment thereof. The Act applies to the prime minister, chief ministers, federal/ provincial ministers, parliamentary secretary and members of the federal/ provincial legislature. References for this purpose are filed by the Governor General or Governor in the Federal Court or a twomember tribunal established for the purpose. The jurisdiction of other courts is ousted. Persons found guilty of misconduct are debarred from holding public office or availing representative capacity for a period upto ten years.

D. Effective Bodies (Disqualification) Order, 1959 (EBDO)

This law applies to persons holding any office, post or position including membership of any elective body (federal/ provincial assembly or local government institutions), or in connection with the affairs of the federation/province.

In this law, misconduct includes all the offences mentioned in PRODA, in addition to indulgence in subversive activities, the preaching of any doctrine or the doing of any act which contributes to political instability; abuse of power; any attempt, act or abetment of such misconduct. The reference is to be filed by the President or the governor, and the case is to be decided by a tribunal consisting of three members appointed by the President or the governor, as the case may be. The punishment prescribed is disqualification from holding membership of an elective body for a period of seven years. Persons who are dismissed, removed or retired from service on a charge other than inefficiency, or are detained under the preventive detention law called the Secrecy of Pakistan Act 1952, or convicted for any offence and sentenced to imprisonment for more than two years, were also to be declared disqualified. The accused person may volunteer to retire from public life, in which case s/he stands disqualified but is not proceeded against. In case the person is found guilty, the tribunal, besides declaring him/her as disqualified, may also oblige him/her to make good any loss which s/he may have caused by their misconduct. Again, the jurisdiction of the ordinary court is ousted.

E. Holders of Representative Office (Prevention of (Misconduct) Act 1976)

This Act provides for the prevention of misconduct amongst the holders of representative offices, like federal/ provincial ministers, ministers of state, parliamentary secretaries and members of parliament or provincial assembly. The Prime Minister and chief ministers are excluded from the domain of this law. Misconduct is defined as accepting or obtaining any illegal gratification, anything valuable without consideration or for an inadequate consideration; dishonestly and fraudulently misappropriating public property by corrupt, dishonest or illegal means; obtaining any valuable thing or pecuniary advantage and possessing pecuniary resources or property disproportionate to known sources of income. An adverse presumption is to be drawn against such holders of representative office. Offences are triable exclusively by a bench of the High Court, comprising of two judges. References are to be filed with the approval of the Prime Minister. The guilty stand disqualified from being or from being chosen to be a member of parliament/ provincial assembly until the holding of the next general election.

F. Parliament and Provincial Assemblies (Disqualification for Membership) Act 1976

This Act provides for the disqualification

of a person holding the office of federal/ provincial minister, members of parliament/provincial assembly, parliamentary secretary, attorney general and advocate general. Misconduct includes all those Acts already defined in the former laws. Cases are decided by a division bench of the High Court, comprised of not less than two judges. References are filed for this purpose by the Prime Minister or Chief Minister, with the prior approval of this Prime Minister. Persons who volunteer to retire from public life are not tried, but stand disgualified. Persons found guilty of the offence stand disgualified from being or from being chosen to be a member of parliament/provincial assembly, until the holding of the next general election.

G. Holders of Representative Offices (Punishment for Miscomduct) Order, 1977 (PPO 16 of 1977)

This law was promulgated during Martial Law in 1977, providing severe punishment. It applies to the president, governor, prime minister, chief ministers, federal/provincial ministers, ministers of state, advisors, parliamentary secretary, members of parliament/provincial assembly, attorney general and advocate general. It defines misconduct as before. Offences are triable by Special Courts consisting of a judge of the High Court, with the right of appeal to the Supreme Court. The punishment prescribed is disqualification for/up to seven years from being elected as a member of parliament/ provincial assembly. Persons convicted for any of the offences listed in the schedule, e.g offences under the Income Laws, Foreign Exchange Regulation, Official Secrets Act, Customs Act, Pakistan Arms Ordinance etc are also disqualified for a period of seven years from being elected as a member of parliament/provincial assembly.

H. Parliament and Provincial Assemblies (Disqualification for Membership) Order 1977 (PPO 17 of 1977)

This law is applicable to the persons and misconduct as defined in the laws mentioned previously. Offences are triable by Special Courts consisting of a judge of the High Court, with the right of appeal to the Supreme Court. The reference is filed by the president or the governor, and the punishment prescribed is disqualification for/up to seven years from being elected as a member of parliament/provincial assembly. The jurisdiction of the other courts is barred.

I. Martial Law Regulation No. 21 (MLR 21)

Promulgated in September 1977, it applies to persons who remained members of the national assembly, senate or a provincial assembly during the period from December 1970 to July 1977. Such members were required to submit detailed statements of their properties and assets to the Martial Law Administration. After making an investigation as to the correctness of the statements, it was determined whether such property or assets were acquired by lawful or unlawful means. Furnishing false or incorrect information was made punishable with imprisonment for/up to seven years, as well as with fines, and the possible forfeiture of the whole or a part of the property and assets. An option was given to members to voluntarily surrender lawfully acquired property/assets, in which case no further action was to be taken. Any failure to surrender such property/assets was punishable with imprisonment for/up to fourteen years, in addition to fine and forfeiture of all or any part of the property. A person found to be in possession of property/assets disproportionate to known sources of income stood disgualified from being elected as a member of parliament

or provincial assembly.

J. The Representation of People Act 1976

This deals with the conduct of elections to the national/provincial assemblies. The emphasis is on the conduct of elections through a fair and impartial manner, prohibiting any use of illegal or corrupt practices. The law placed an embargo on persons from contesting elections who have either written-off any loan or have defaulted in the payment of a loan, taxes or utility expenses like telephone, electricity, gas and water charges.

A successful candidate is to submit a statement of the assets and liabilities in respect of themself, their spouse and any dependent family members. Any candidate to the election can inspect such a statement furnished by another candidate. All members of parliament/provincial assembly are required to submit a yearly statement of their assets and liabilities.

A candidate returned to an assembly is required to submit a statement of expenses incurred in connection to their election compaign. A ceiling of one million rupees is fixed for the election to national assembly and six lacs rupees (six hundred thousand) for provincial assembly. Candidates found to have incurred expenses beyond the prescribed limit stand disqualified for a period of five years.

K. Ehtesab Act 1997

For the effective administration of criminal justice, in order to check corrupt activities, the promulgation of the Ehtesab Act 1997, was a milestone in the history of the laws of accountability in Pakistan.

The public clamour for accountability became louder as the media revealed scandals and stories of the plunder of national wealth by public representatives and public officials. Repeatedly raised by the political parties, vehemently stressed by the pressure groups and the public at large, the demand for accountability became more pronounced. The government responded by introducing a bill called the Fifteenth Constitutional (Amendment) Bill, 1996. It sought to enforce the accountability of public representatives, public servants etc. It provided for the creation of a special committee of parliament to send references against corrupt persons to court, to be decided by a two-member bench of the High Court. The punishment prescribed included imprisonment for/up to seven years and the imposition of a fine. Such persons also stand disqualified from being or from being chosen to be a member of parliament/ provincial assembly for a period of five years. The bill proposed the constitution of an Ehtesab (Accountability) Commission, consisting of a serving judge of the Supreme Court as chairman, and two serving or retired judges of the Supreme Court or High Court as members, to try and decide cases of misconduct.

Due to acrimony and confrontation among the government and the opposition, no consensus could be reached in parliament on either of the two bills, and consequently no legislation could be enacted.

The newly installed care-taker government responded to public pressure for accountability by promulgating an ordinance called the Ehtesab (Accountability) Ordinance 1997. Just before the ordinance promulgated by the care-taker government could lapse (in 120 days), the government quickly moved and adopted the Ehtesab (Accountability) Act 1997.

With some variations, the Act borrowed the provisions of the Ordinance; it applies

to the holders of a public office, including a former president or governor, present or past prime minister/chief minister, federal/ provincial ministers, ministers of state, advisors, consultants, political secretarie, special assistants or holders of a post or an office with equal rank or status, secretary, members of parliament/ provincial assembly, speakers, deputy speakers of the national/provincial assembly, chairmen and deputy chairmen of the senate, attorney general and law officers of the federal government, auditor general, advocate general, additional advocate general and assistant advocate general.

The law also applies to a public servant of the federal/provincial government or a local council in basis pay scale (BPS-18) and above or equivalent thereof in corporations, banks, financial institutions. The Law is further extended to chairman/ vice chairman of Zilla (District) councils, municipal committees, municipal corporations or metropolitan corporations. The law is also made applicable to the holders of an office or post in BPS-17 or below, if such an officer is found to be involved in the commission of an offence with the public servants earlier mentioned. The Law excluded the institution of the judiciary and the members of armed forces, except when a person who is a member of any such force is holding or has held an equivalent post or office in any pubic corporation, bank, financial institution or any other institution.

There is no material deviation in the definition of corruption or corrupt practices as given in the previous laws. They also provide for a presumption against the accused, in that it is presumed that the property/assets are illegally acquired if the accused cannot satisfactorily account for them or if they are disproportionate to known sources of income. The Ehtesab (Accountability) Act assigns the responsibility of conducting enquiry into and investigating exclusively the Ehtesab (Accountability) Cell; to be completed within one month and its findings to be communicated to the Chief Ehtesab (Accountability) Commissioner. The Ehtesab (Accountability) Cell is headed by a chairman who is appointed by the governor.

It provides for the establishment of the Ehtesab (Accountability) Commission, headed by the Chief Ehtesab (Accountability) Commissioner, appointed by the Federal Government in consultation with the leader of the opposition in the National Assembly and the Chief Justice of Pakistan. Qualifications for appointment as Chief Ehtesab (Accountability) Commissioner, requires the person to be a serving or retired judge of the Supreme Court. S/he is appointed for a period of four years and cannot be removed except by the Supreme Judicial Council, on the grounds and as per the procedure prescribed in Article 209 of the Constitution.

Reference against the accused is initiated by the Chief Ehtesab (Accountability) Commissioner either on receipt of a reference from the federal/ provincial government or on a complaint from any citizen or on his/her own accord. On completion of an enquiry, the Ehtesab (Accountability) Cell communicates the findings to the Chief Ehtesab (Accountability) Commissioner, who evaluates the evidence and decides whether or not to refer the case to court. These offences are non-bailable and no court, other than the High Court, has jurisdiction to grant bail. Bail is not permissible if there are reasonable grounds for belief that the accused is prima facie guilty.

On voluntary return of the property, the trial proceedings are discontinued but the accused is required to resign from office and the court may impose an additional fine or The Chief Ehtesab penalty. (Accountability) Commissioner (CEC) can grant a pardon to an accomplice, subject to approval by the federal government. The Law applies not only to the recipient of illegal gratification and/or pecuniary advantage but also to the one who gives or offers the same. In case a complaint succeeds up to the final stage, the complainant may be entitled to such rewards as may be determined by the court. However, in case the complaint is proved to be false, malafide or made for some ulterior motive, the complainant may be punished with imprisonment for/up to three years, as well as by fine.

This law is most likely to achieve its object in eradicating corruption from society, provided the machinery thereof (constituted by the government itself) is not partisan and discriminatory with the potential to be abused and misused against opponents, dissenters and non-conformists, and provided it is given effect from a year that includes the period of the ruling government as well. The Law Commission of Pakistan has recommended that the Law of Accountability should be amended and made applicable with effect from 14th August 1947, the day the country came into existence, and that it should not grant immunity to certain incumbent holders of public office or the functionaries of certain institutions like the army and the judiciary. The immunity of the judiciary is not that alarming because it has its own system of accountability, provided in the Constitution.

L. Wafaqi Mohtasib (Federal Ombudsman)

The institution of Wafaqi Mohtasib (Ombudsman) was established in 1993 in order to check the excesses of the officials of various departments, without resorting to lengthy judicial processes. The public was to have quick and inexpensive redress of their grievances, seek rectification of wrongs and get compensation for acts of malfeasance/misfeasance on the part of a government agency or its officials. The Mohtasib (Ombudsman) has been given powers to investigate complaints against any office of the federal government, except the judiciary and the armed forces. Its functions include diagnosing, investigating, redressing and rectifying acts of injustice or mal-administration. During investigation/enquiry, the ombudsman is not bound to strictly follow judicial procedure. S/he may choose and adopt any appropriate procedure and may also seek the settlement of disputes through any informal method, e.g. conciliation. Against the orders of the Ombudsman, a representation can be filed before the President of Pakistan.

VI. CONCLUSION

The discussion so far has brought us to the conclusion that the levels of corruption are of two kinds. One is at the higher/ government level and the other is among the lower strata of government officials. Notwithstanding the plethora of criminal laws for the prevention and punishment of corruption among public representatives and government servants, the results have not been very encouraging. Hardly any prominent figure has been convicted. The reason for such dismal failure may be scribed to the selective, rather vindictive. use of the law, by the successive government against their opponents. Unfortunately, the process of accountability could never acquire the level of legitimacy and credibility which the people expected. Lack of political will to initiate the process of accountability and apply the law in earnest. without fear or favour, has

resulted in a situation where corruption is not only tolerated but allowed to spread.

I cannot avoid recalling the words of a Chinese sage philosopher, Confucius, who said in the middle of the sixth century, before Jesus, that;

> "If a ruler is himself upright, his people will do their duty without orders; but if he himself be not upright, although he may order, they will not obey".

In another place, he said:

"When a ruler loves good manners, his people will not let themselves be disrespectful; when a ruler loves justice, his people will not let themselves be unsubmissive; when a ruler loves good faith, his people will not venture to be insincere."

To give a bribe to a public servant has been considered a usual thing amongst under-developed and developing countries for centuries. As the bribes are paid secretly, it is really difficult to procure evidence in order to prove the crime. Another complicated phenomenon of corruption is that both the receiver, as well as the giver, are happy at the same time, gaining advantage simultaneously. Such crimes are difficult to identify, investigate and prove.

Experience has shown that the more stringent the laws, the higher the rate of payment. It is therefore necessary that various measures are organized as to make an appeal to the conscience and morality of the public in general, and of public servants in particular. True and undistorted religious teachings should be given to the people serving in various offices of government. Economic policies should be devised so as to eliminate poverty and to reduce the gap between the rich and the poor. Such a yawning gap between the two gives impetus to the race for money and hence, corruption. Lack of education is another factor that leads to corruption. Lack of nationalistic feelings have been observed to be the most powerful factor which makes public servants irresponsible, less honourable and more greedy. If all these factors are universally available, it would be much easier to identify the culprit, investigate the crime and to take the guilty to task.

ANEXURE I

CAUSES OF CORRUPTION

- 1. Lack of morals.
- 2. Lack of nationalism.
- 3. Poverty.
- 4. Low salary of investigating officers and judges.
- 5. Wide gap between the cross-section of people *qua* their wealth.
- 6. Sense of false standards and competition in the race for money.
- 7. Lack of education and employment protection for the children of civil servants.
- 8. Lack of protection to civil servants after retirement.
- 9. High rate of inflation.
- 10. High rate of population in developing and underdeveloped countries.
- 11. Bad customs regarding various social cultural ceremonies and a sense of false competition theirabout.
- 12. Pressure from political high-ups and their own superiors.
- 13. Lack of basic facilities.
- 14. If one can do wrong under the orders from an other, why not such dishonesty for his/her own monetary benefit.
- 15. Lack of accountability. Those who interfere, they protect from.
- 16. Uncertainty about the future.

CAUSES OF LACK OF CONVICTION

- 1. Sub-standard investigation
- 2. Lack of protection to the complainant and witnesses.
- 3. Low education of the investigating officers.
- 4. Insufficient training of investigating officers.
- 5. Complicated record of offences relating to accounts.
- 6. Lack of competence among public prosecutors.
- 7. Incompetent people appointed as public prosecutors.
- 8. Good lawyers not inclined to work in public agencies.
- 9. Witnesses transferred, influenced or won-over.
- 10. Interest lost matter forgotten by the public.
- 11. Public not vigilant nor reactive.

SOLUTIONS

- 1. Extensive teachings about honesty, morality, nationalism, good conscience, humanity and religion to children from the day they attain understanding.
- 2. Enhancement of the salaries of investigating officers, public prosecutors and court staff.
- 3. Enhancement of the salaries of judges and magistrates, and provide them free basic facilities of life like accomodation, conveyance, petrol, healthcare, telehone, gas and electricity.
- 4. Provide club and other cultural facilities to judges where they do not have to mix with other people.
- 5. Full retirement benefits to judges, as they have during service.
- 6. No allurement, i.e, judges expectation of political and other jobs after retirement.
- 7. Equip the police and court officers with the most modern electronic devices and thorough training thereof.
- 8. Fair economic standards with the gap

between the rich and poor completely eliminated.

- 9. Complete legal and physical protection to complainants and witnesses.
- 10. Strict laws be enforced to eliminate extravagant expenditure on social customs.
- 11. All political interference be discouraged, taken serious notice of and political authorities be subject to impeachment without delay.
- 12. Means of communication be improved so that witnesses are served on time to appear in court.
- 13. Number of courts to be increased, at least to double the existing number.
- 14. Strict action to be taken against lawyers at the court level, as well as Bar Council level, who are found using delaying tactics and thus impeding the course of justice.
- 15. Highly educated officers, academically as well as technically, be apointed as investigating officers.