

IN THE SUPREME APPELLATE COURT GILGIT-BALTISTAN AT GILGIT

H.R.C. NO. 09/2011

(Domestic Violence and Extension of Family laws in Gilgit-Baltistan)

Advocate General Gilgit-Baltistan

Mr. Khalid Mehmood, Secretary Law, G.B

Mr. Amir Ali, Ex-Husband

Mr. Muzzafar Ali, uncle

Mr. Wasal Khan, S.P.Gilgit

Order dated 22-11-2011

The Secretary Law stated that due to non availability of funds the process for establishment of human rights wing has not been initiated. There is no need of additional budget and staff to run the human rights wing and in any case after establishment of wing the Secretary Law may make demand accordingly in the annual or supplementary budget and may also ask for the special allocation for financial support to the victims of human rights violation.

The Secretary Law has given undertaking to take necessary action for establishment of Human Rights wing in law Department with the approval of competent authority without further loss of time and will ensure that the wing starts functioning within two months and shall also make a request to the concerned quarter for special allocation of funds for financial support of victims of human rights. The Secretary Law has informed us that due to legal complications the family courts have not so far been established, in Gilgit-Baltistan but when he was pointed out that there is no requirement of establishing separate family courts rather the existing civil courts can be notified as rent controller and family courts for the purpose of rent and family cases under Rented Premises Act 2010 and Family Law Ordinance 1961, he submitted that needful will be done accordingly in consultation with Chief Court Gilgit-Baltistan. The Civil Courts in Gilgit-Baltistan if have not been earlier notified as family courts and rent controller, the notification in this behalf shall be issued by the competent authority on priority the report regarding establishment of human Right wing and issue of notification for exercise of power of family courts and rent controller by the civil courts in Gilgit-Baltistan shall be sent to the Registrar of this court within two months.

The Registrar of the court with reference to the order of this court passed on 18-10-2011 will make contact with Managing Director Bait-ul-Maal Islamabad, for establishment of Dar-ul-Aman in Gilgit-Baltistan if possible. The copy of the said order will be enclosed for perusal of Managing Director.

The brother, and close relative of Mst. Shamila Bano, applicant and Amir Ali, her husband, are present in Court. The learned Advocate General on instruction of S.P. concerned has informed us that as directed by this court, Mst. Shamila Bano, is being paid Rs. 5000/- per month as maintenance by her husband and in addition an amount of Rs. 16,600/- has also been paid to her by Amir Ali, to meet the expenses on delivery of

child. The reconciliation proceedings between the parties through the elders of family with intervention of Ismalia Regional Council Danyore Gilgit are also in progress.

The position explained by Learned Advocate General has been confirmed by the close relatives of Mst. Shamila Bano, and consequently further proceedings in the case are closed.

Chief Judge

Judge