



February 04, 2026

TL2026/0204/1A

Senator Azam Nazeer Tarar
Federal Law Minister
Ministry of Law and Justice, Islamabad

Subject: Complaint Against Violation of National Judicial Policy in the Appointment of the Retired Judges to Special Courts, Undermining the Principle of Judicial Independence

Dear Sir,

Transparency International Pakistan has received a complaint against violation of National Judicial Policy in the appointment of the retired Judges to the special courts, affecting judicial independence in such cases.

The complainant has made the following allegations;

1. The National Judicial Policy, framed by the National Judicial Policy Making Committee (NJPMC), explicitly discourages the re-employment of retired judicial officers. The policy was designed to:
 - a. Ensure that serving judicial officers have a clear career path, preventing a "bottleneck" caused by the retention of retired personnel.
 - b. Guard against the perception of "executive favor," where judges may be seen as seeking post-retirement benefits through government-controlled appointments.
 - c. Maintain the integrity of the judiciary by ensuring that special courts are presided over by serving judges who are under the direct disciplinary control of the High Courts.
2. The 53rd meeting of the National Judicial Policy Making Committee (NJPMC) was held on July 11, 2025, where the Committee reiterated its long-standing stance on appointments to Special Courts and Tribunals and decided the following;

"The High Courts may recommend the serving Judicial Officers for appointment as presiding officers of special courts by transfer or on deputation."

3. The policy only allows for direct recruitment from the Bar in specific circumstances but remains silent on the re-employment of retired judges, which is generally discouraged to maintain a vibrant, career-oriented district judiciary.
4. The appointment of retired judges on a contractual basis contradicts judicial oversight, potentially blurring the lines of the Separation of Powers (Article 175 of the Constitution), as well as blocking the promotion of senior District & Sessions judges who are qualified to preside over these high-stakes courts.

Transparency International Pakistan Comments and Recommendations

Transparency International Pakistan has reviewed the allegations of the complaint, prima facie the allegations seem correct. Following are TI Pakistan comments

1. The Federal Ministry of Law and Justice must uphold the National Judicial Policy and ensure that all appointments to Special Courts strictly adhere to the uniform standards set by the NJPMC and avoid any attempt at undermining the 2009 Policy.
2. TI Pakistan also request the honorable Chief Justice of Sindh High Court to withdraw the proposal of appointment of retired judges to the Special Courts and prioritize serving District and Sessions Judges in line with the NJP Policy 2009.



Transparency International Pakistan is striving for across-the-board application of Rule of Law, which is the only way to stop corruption, and achieve Zero tolerance against corruption.

Regards,

Advocate Danial Muzaffar
Trustee/Legal Advisor
Transparency International Pakistan

Copies forwarded for the information with request to take action under their mandate:

1. Advisor to Prime Minister, PM House, Islamabad
2. Honorable Chief Justice, Supreme Court, Islamabad
3. Honorable Chief Justice, Federal Constitutional Court, Islamabad
4. Chief Justice, Sindh High Court, Karachi
5. Chief Justice, Peshawar High Court, Peshawar
6. Chief Justice, Lahore High Court, Lahore
7. Chief Justice, High Court of Balochistan, Quetta