

# Pakistani Legal System - Comprehensive Guide for Chatbot Training

## Table of Contents

1. Constitutional Law
  2. Criminal Law
  3. Civil Law
  4. Family Law
  5. Contract Law
  6. Property Law
  7. Labor Law
  8. Tax Law
  9. Corporate Law
  10. Common Legal Procedures
- 

## 1. Constitutional Law

### The Constitution of Pakistan 1973 (Official Text)

Adopted on April 14, 1973, by the National Assembly. Last amended through 26th Constitutional Amendment.

**Article 1:** Pakistan shall be a Federal Republic known as the Islamic Republic of Pakistan.

#### Fundamental Rights (Exact Article Text):

- **Article 9:** "No person shall be deprived of life or liberty save in accordance with law."
- **Article 10:** "No person who is arrested shall be detained in custody without being informed..."
- **Article 10-A:** "For the determination of his civil rights and obligations or in any criminal charge against him a person shall be entitled to a fair trial..."
- **Article 19:** "Every citizen shall have the right to freedom of speech and expression..."
- **Article 20:** "Subject to law, public order and morality every citizen shall have the right to profess, practice and propagate his religion"
- **Article 23:** "Every citizen shall have the right to acquire, hold and dispose of property..."
- **Article 25-A:** "The State shall provide free and compulsory education to all children of the age of five to sixteen years"

### Supreme Court of Pakistan

- Highest court in Pakistan
  - Final court of appeal
  - Guardian of the Constitution
  - Headed by Chief Justice of Pakistan
- 

## 2. Criminal Law

### Pakistan Penal Code 1860 (Act XLV of 1860)

Official criminal law statute as per Government of Pakistan, Ministry of Law and Justice.

#### Major Offenses (Exact Legal Definitions):

- **Murder (Section 302 PPC):** "Whoever commits murder shall be punished with death, or imprisonment for life, and shall also be liable to fine."
- **Qatl-i-Amd (Section 302-B PPC):** Under Islamic provisions - intentional murder punishable by Qisas (retaliation) or Diyat (blood money)
- **Kidnapping (Section 359 PPC):** "Kidnapping is of two kinds: kidnapping from Pakistan, and kidnapping from lawful guardianship"
- **Theft (Section 378 PPC):** "Whoever, intending to take dishonestly any movable property out of the possession of any person..."
- **Robbery (Section 390 PPC):** "In all robbery there is either theft or extortion"

### Code of Criminal Procedure 1898

Governs the procedural aspects of criminal law.

#### Key Provisions:

- Arrest procedures
- Bail provisions
- Trial procedures
- Appeal mechanisms

### Anti-Terrorism Act 1997

Addresses terrorism-related offenses and establishes special courts.

---

## 3. Civil Law

### Civil Procedure Code 1908

Governs civil litigation procedures in Pakistan.

**Key Aspects:**

- Filing of suits
- Service of process
- Evidence procedures
- Judgment execution
- Appeals process

**Types of Civil Cases:**

- Contract disputes
  - Property disputes
  - Tort claims
  - Family matters
  - Commercial disputes
- 

## 4. Family Law

### Muslim Family Laws Ordinance 1961 (Official Provisions)

Ordinance No. VIII of 1961, as per Ministry of Religious Affairs and Interfaith Harmony.

**Section 5 - Registration of Marriage:** "Every marriage solemnized under Muslim Law shall be registered in accordance with the provisions of this Ordinance."

**Section 7 - Talaq:** "Any man who wishes to divorce his wife shall, as soon as may be after the pronouncement of talaq in any form whatsoever, give the Chairman of the Union Council within whose local limits the wife resides, a notice in writing of his having done so."

**Section 8 - Effective Date:** "Talaq, unless revoked earlier, expressly or otherwise, shall not be effective until the expiration of ninety days from the day on which notice under section 7 is delivered to the Chairman."

### Marriage Requirements (Section 4):

- Nikah performed according to Muslim law
- Registration within 30 days (as per rules)
- Minimum age 18 years (Child Marriage Restraint Act 1929, amended 2019)

### Hindu Marriage Act 1955

Governs marriage and divorce for Hindu citizens.

### **Christian Marriage Act 1872**

Governs marriage for Christian citizens.

---

## **5. Contract Law**

### **Contract Act 1872**

Based on English common law principles.

#### **Essential Elements:**

- Offer and acceptance
- Consideration
- Legal capacity
- Free consent
- Legal object

#### **Types of Contracts:**

- Express contracts
- Implied contracts
- Valid contracts
- Void contracts
- Voidable contracts

#### **Breach of Contract Remedies:**

- Damages
  - Specific performance
  - Injunction
  - Quantum meruit
- 

## **6. Property Law**

### **Transfer of Property Act 1882**

Governs transfer of immovable property.

**Types of Property:**

- Movable property
- Immovable property
- Private property
- Public property

**Property Transfer Methods:**

- Sale deed
- Gift deed
- Will/inheritance
- Lease deed

**Registration Act 1908**

Requires registration of certain documents for legal validity.

---

## **7. Labor Law**

**Industrial Relations Act 2012**

Governs employer-employee relationships.

**Worker Rights:**

- Right to form unions
- Collective bargaining
- Fair wages
- Safe working conditions
- Social security

**Minimum Wages Ordinance 1961**

Sets minimum wage standards across industries.

**Factories Act 1934**

Regulates working conditions in factories.

---

## **8. Tax Law**

## **Income Tax Ordinance 2001**

Governs income taxation in Pakistan.

### **Tax Categories:**

- Individual income tax
- Corporate tax
- Capital gains tax
- Withholding tax

## **Sales Tax Act 1990**

Governs sales tax on goods and services.

## **Federal Excise Act 2005**

Covers excise duties on specific goods.

---

# **9. Corporate Law**

## **Companies Act 2017 (Official Definitions)**

Act No. XIX of 2017, Securities and Exchange Commission of Pakistan.

### **Section 2 - Definitions:**

- **"Company"** means a company incorporated under this Act or under any previous company law
- **"Private Company"** means a company which by its articles restricts the right to transfer its shares
- **"Public Company"** means a company other than a private company
- **"Director"** means a director appointed to the board of a company

**Section 12 - Incorporation Requirements:** "A company shall be incorporated by one or more persons by subscribing their names to a memorandum and complying with the requirements of this Act..."

**Section 159 - Directors' General Duties:** Directors must act within powers, promote success of company, exercise independent judgment, avoid conflicts of interest.

## **Securities Act 2015**

Regulates securities markets and public companies.

---

## 10. Common Legal Procedures

### Court System Structure

1. **Supreme Court** - Highest appellate court
2. **High Courts** - Provincial level (5 High Courts)
3. **District Courts** - District level
4. **Session Courts** - Criminal matters
5. **Magistrate Courts** - Minor offenses
6. **Family Courts** - Family disputes
7. **Special Courts** - Specific matters (Anti-terrorism, Banking, etc.)

### Legal Documentation

- Power of Attorney
- Affidavits
- Legal notices
- Agreements and contracts
- Property documents

### Limitation Periods

- Suits for compensation: 3 years
  - Contract disputes: 3 years
  - Property disputes: 12 years
  - Criminal cases: Various periods depending on offense
- 

## Frequently Asked Questions

### Q: What is the legal procedure for marriage registration in Pakistan?

**A:** Under Section 5 of Muslim Family Laws Ordinance 1961: "Every marriage solemnized under Muslim Law shall be registered." Registration must be done within 30 days with Union Council, requiring Form-1 (Nikah Registration), CNICs of parties, photographs, and prescribed fee.

### Q: What is the minimum legal age for marriage?

**A:** Under Child Marriage Restraint Act 1929 (amended 2019): 18 years for both male and female. Section 4 states: "Whoever, being a male above eighteen years contracts a child marriage

shall be punishable with simple imprisonment up to one month or fine up to one thousand rupees or both."

**Q: How to file a civil suit in Pakistani courts?**

**A:** Under Order IV of Civil Procedure Code 1908: File written plaint stating cause of action, relief sought, court fees as per Court Fees Act 1870, and serve notice under Order V CPC.

**Q: What makes a will valid under Pakistani law?**

**A:** Under Succession Act 1925 (for non-Muslims) and Islamic law (for Muslims): Must be in writing, signed by testator in presence of two witnesses, testator must be of sound mind, and for Muslims - limited to 1/3rd of estate for non-heirs.

**Q: What is the procedure for property registration?**

**A:** Under Registration Act 1908, Section 17: Immovable property transactions above Rs. 100 must be registered. Required documents: sale deed, stamp duty as per Stamp Act 1899, parties' presence or power of attorney, and registration fee.

---

## Legal Resources

### Important Legal Websites

- Supreme Court of Pakistan
- Law and Justice Division
- Pakistan Bar Council
- Legal Aid Society

### Legal Aid

Free legal aid is available through:

- District Legal Aid Committees
- Bar Associations
- Human Rights Organizations

---

**Disclaimer:** This document provides general information about Pakistani law and should not be considered as legal advice. For specific legal matters, always consult with a qualified lawyer.



