No. F. 23(75)/2018-Lagis.—The following Reports were presented in the National Assembly on 8th January, 2020:—

REPORT OF THE STANDING COMMITTEE ON INTERIOR ON THE NATIONAL DATABASE AND REGISTRATION AUTHORITY (AMENDMENT) BILL, 2019

I, Chairman of the Standing Committee on Interior, have the honour in present this report on the Bill further to amend the National Database and Registration Authority Ordinance, 2000, (VIII of 2000) [The National Database and Registration Authority (Amendment) Bill, 2019] (Private Member’s Bill) referred to the Committee on 24th January, 2019:—

2. The Committee comprises the following:—

49(1—72)

Price : Rs. 100.00

[5040(2020)/Ex. Gaz.]
3. The Committee considered the Bill as introduced in the National Assembly placed at Annex-A, in its meetings held on 08-03-2019 and 27-03-2019 and recommended that the Bill may not be passed by the National Assembly.

Sd/-

TAHIR HUSSAIN, Secretary

Islamabad, the 3rd May, 2019.

Sd/-

RAJA KHURRAM SHAHZAD NAWAZ, Chairman

Standing Committee on Interior.

Annexure-A

(ASS REPORTED BY THE STANDING COMMITTEE)

A

BILL

further to amend the National Database and Registration Authority Ordinance, 2000

WHEREAS it is expedient further to amend the National Database and Registration Authority Ordinance, 2000 (VIII of 2000), for the purposes hereinafter appearing:
It is hereby enacted as follows:

1. **Short title and commencement.**—(1) This Act may be called the National Database and Registration Authority (Amendment) Act, 2019.

   (2) It shall come into force at once.

2. **Insertion of new Section 10-A, Ordinance VIII of 2000.**—In the National Database and Registration Authority Ordinance, 2000 (VIII of 2000), after Section 10, the following new section shall be inserted, namely:

   “10-A. **Clearance of National Identity Cards.**—A National Identity Card shall be issued and objections, if any, shall be treated as clear when the applicant provides one or more of the following documents:

   (a) Land Record Registered prior to thirty years (verified by Revenue Department);

   (b) Local/ Domicile Certificate issued prior to thirty years and verified by the issuing authority;

   (c) Pedigree (Shajra-e-Nasab) issued and verified by the Revenue Department;

   (d) Government Employment Certificate of Applicant or of blood-relative, employed before twenty five years;

   (e) Verified Education Certificate issued prior to thirty years;

   (f) Passport issued to applicant prior to thirty years; and

   (g) other documents issued by Government of Pakistan prior to thirty years and verified by issuing authority containing Arms license, driving license or manual NIC issued prior to thirty years duly verified by record).

   ———

   **STATEMENT OF OBJECTS AND REASONS**

Committee, the Federal Government was pleased to approve the mechanism for clearance of National Identity Cards.

In a welfare State, the inhabitants are treated on the basis of their living behaviors in that country. A person residing in a country and follows the constitution, laws and rules of that country and is not involved in any anti-state activities should have the right to get issued National Identity Card as a citizen of Pakistan.

This amendment seeks to achieve the afore-said objectives:

Sd/-
MOULANA ABDUL AKBAR CHITRALI,
Member National Assembly.

REPORT OF THE STANDING COMMITTEE ON LAW AND JUSTICE ON THE CONSTITUTION (AMENDMENT) BILL, 2019

I, Chairman of the Standing Committee on Law and Justice, have the honour to present this report on the Bill further to amend the Constitution of the Islamic Republic of Pakistan [The Constitution (Amendment) Bill, 2019] (Private Member’s Bill) referred to the Committee on 23rd April, 2019.

2. The Committee comprises the following:—

1. Mr. Riaz Fatyana  
   Chairman
2. Mr. Atta Ullah  
   Member
3. Mr. Lal Chand  
   Member
4. Mr. Muhammad Farooq Azam Malik  
   Member
5. Ms. Kishwer Zehra  
   Member
6. Ms. Maleeka Ali Bokhari  
   Member
7. Mr. Muhammad Sana Ullah Khan Masti Khel  
   Member
8. Malik Muhammad Ehsan Ullah Tiwana  
   Member
9. Agha Hassan Baloch  
   Member
10. Mr. Sher Ali Arbab  
    Member
11. Ms. Shunila Ruth  
    Member
12. Mr. Saad Waseem  
    Member
13. Rana Sana Ullah Khan  
    Member
14. Ch. Mehmoood Bashir Virk  
    Member
15. Mr. Usman Ibrahim  
    Member
16. Khawaja Saad Rafique  
    Member
17. Syed Hussain Tariq  
    Member
18. Syed Naveed Qamar  
    Member
PART III  THE GAZETTE OF PAKISTAN, EXTRA., JAN. 14, 2020  49(5)

19. Dr. Nafisa Shah  
   Member

20. Ms. Aliya Kamran  
   Member

21. Barrister Dr. Muhammad Farogh Naseem,  
   Ex-Officio Member
   Minister for Law and Justice

3. The Committee considered the Bill as introduced in the National Assembly placed at (Annex-A), in its meetings held on 2nd and 7th May, 2019 and recommends that the Bill may not be passed by the Assembly.

Sd/-

TAHIR HUSSAIN,  
Secretary.

RIAZ FATYANA,  
Chairman.

Islamabad, the 20th May 2019.

Annex-A

[AS REPORTED BY THE STANDING COMMITTEE]

A

BILL

further to amend the Constitution of the Islamic Republic of Pakistan

WHEREAS it is expedient further to amend the Constitution of the Islamic Republic of Pakistan for the purposes hereinafter appearing;

It is hereby enacted as follows:—

1. Short title and commencement.—(1) This Act may be called the Constitution (Amendment) Act, 2019.

   (2) It shall come into force at once.

2. Amendment of Articles 51 of the Constitution.—In the Constitution of Islamic Republic of Pakistan, hereinafter referred to as the Constitution, in Article 51, for clause (3A), the following shall be substituted, namely;—

   “(3A) The seats for the Province of Khyber Pakhtunkhwa, referred to in clause (3), include twelve general seats, in respect of the Federally Administered Tribal Areas.”

3. Amendment of Articles 106 of the Constitution.—In the Constitution, in Article 106,
(1) in clause (1A),

(i) for the word “sixteen” the word “twenty four” shall be substituted;

(ii) for the words “four” the word “six” shall be substituted; and

(iii) The proviso shall be omitted.

(2) Clause (IB) shall be omitted.

STATEMENT OF OBJECT AND REASONS

Under the Constitution of the Islamic Republic of Pakistan, the State is responsible to protect the rights of all citizens and to give them just representations in all walks of life. To ensure proper representation of the areas that were part of Federally Administered Tribal Areas, erstwhile (FATA), it is necessary that the number of general seats specified for those areas of election of the Members of National Assembly of Pakistan remains intact. The current allocation of the said general seats made on the basis of provincial results of the National Census-2017 did not include Internally Displaced Persons (IDP’s) in population of the areas that were previously part of erstwhile FATA. Therefore, for proper representation of people of those areas, this Bill is proposed.

Sd/-

MR. SAJID KHAN,
Member National Assembly.

REPORT OF THE STANDING COMMITTEE ON FEDERAL EDUCATION AND PROFESSIONAL TRAINING ON THE ISLAMABAD CAPITAL TERRITORY PROHIBITION OF CORPORAL PUNISHMENT BILL, 2019

I, Chairman of the Standing Committee on Federal Education and Professional Training, have the honour to present this report on the Bill to make provisions for prohibition of corporal punishment against children [the Islamabad Capital Territory Prohibition of Corporal Punishment Bill, 2019] (Private Member’s Bill), referred to the Standing Committee on 30th April, 2019.

2. The Committee comprises the following Members:—

(1) Mian Najeeb-ud-Din Awaisi  
Chairman
(2) Mr. Ali Nawaz Awan  
Member
3. The Committee considered the Bill, placed at Annex-A, in its meeting held on 20th May, 2019 and recommends that the Bill as introduced in the National Assembly may be passed by the Assembly.

Sd/-
TAHIR HUSSAIN,
Secretary.
Islamabad the 17th July, 2019.
Standing Committee on Federal Education and Professional Training.

Sd/-
MIAN NAJEEB-UD-DIN AWAISI,
Chairman.

Annex-A

[AS REPORTED BY THE STANDING COMMITTEE]

A BILL

to make provisions for prohibition of corporal punishment against children.

WHEREAS the Constitution recognizes the inviolability of dignity of a person as fundamental right;

WHEREAS it is necessary to make provisions for the protection of children against corporal punishment by any person, at work place, in all types of
educational institutions including formal, non-formal, and religious both public and private, in child care institutions including foster care, rehabilitation centers and any other alternative care settings both public and private, and in the Juvenile Justice System;

AND WHEREAS Pakistan has ratified United Nations Convention on Rights of the Child (1989) and in accordance with Article 19 of this Convention, Government of Pakistan has committed to taking all appropriate legislative, administrative, social and educational measures to protect the child from all forms of physical or mental violence, injury or abuse, neglect or negligent treatment, maltreatment or exploitation;

It is hereby enacted as follows:—

1. **Short title, extent and Commencement.**—(1) This Act may be called the Islamabad Capital Territory Prohibition of Corporal Punishment Act, 2019.

   (2) It extends to the Islamabad Capital Territory.

   (3) It shall come into force at once.

2. **Definitions.**—(1) In this Act, unless the context otherwise requires,—

   (a) “care institutions” means an educational institution, an orphanage or a place of safety for one or more children for the purposes of providing alternative care or foster care; it may include a children’s home, rehabilitation center or shelter either on permanent or temporary basis whether public or private; registered or un-registered;

   (b) “child” means any person under the age of eighteen years;

   (c) “corporal” or “physical” means any punishment in which physical force is used and intended to cause some degree of pain or discomfort, however light it may be, which may involve hitting (“smacking”, “slapping”, “Spanking”) a child, with the hand or with an implement (a whip, stick, belt, shoe, wooden spoon, etc.) including kicking, shaking or throwing a child, scratching, pinching, biting, pulling hair or boxing ears. Forcing a child to stay in un-comfortable positions, burning, scalding or forced ingestion for example, washing a child’s mouth out with soap or forcing him
to swallow hot spices, including mental abuse or any other kind of punishment but not limited to:

(i) “assault” as defined in section 351 of the Pakistan Penal Code (Act XLV of 1860) hereinafter referred to in this section as “the said Code”;

(ii) “hurt” as defined in section 332 of the said Code;

(iii) “criminal force” as defined in section 350 of the said Code; and other non-physical forms of punishment which are cruel and degrading, for example, punishment which belittles, humiliates, denigrates, scapegoats, threatens, scares or ridicules the child;

(d) “educational institution” means any institution where any kind of instruction is imparted in a formal or non-formal way whether it is on a full time or part time basis; including boarding houses, both public or private; registered or un-registered;

(e) “work place” means the place of work or the premises where an organization or employer operates and includes building, factory, shop, commercial establishment, workshop, farm, residential hotel or restaurant, open area or a larger geographical area where the activities of the organization or of employer are carried out and including any situation that is linked to official work or official activity outside the office.

(2) “words and expression” used but not defined shall have the same meaning as assigned in the respective laws.

3. Prohibition of Corporal Punishment.—(1) The child has the right to be shown respect for his personality and individuality and shall not be made subject to corporal punishment or any other humiliating or degrading treatment.

(2) Notwithstanding anything contained in section 89 of the Pakistan Penal code, 1860 and any other law and regulation for the time being in force, corporal punishment of children by any person is prohibited in all its forms, at work place, in schools and other educational institutions including formal, non-formal, and religious, both public and private, in child care institutions including foster care, rehabilitation centers and any other alternative care settings, both public and private, and in the Juvenile Justice System.
(3) Disciplinary measures concerning the child can only be taken in accordance with the child’s dignity, and under no circumstances corporal punishments, or punishments which relate to the child’s physical and mental development or which may affect the child’s emotional status are allowed.

4. Penalties.—(1) Whoever violates the provisions of section 3 of this Act shall be liable to the punishments prescribed for the said offences in the Pakistan Penal Code, 1860 and in other enactments.

(2) The following minor and major penalties shall be in addition to other enactment, who violate the provisions of section 3 of this Act in educational, care institutions, and in other alternative care setting:—

(a) Minor penalties:

(i) censure;

(ii) withholding, for a specific period, promotion or increment, otherwise than for unfitness for promotion or financial advancement in accordance with the rules or orders pertaining to the service or post;

(iii) stoppage from promotion, for a specific period, at an efficiency bar in the time-scale, otherwise than for unfitness to cross such bar; and

(iv) recovery from pay of the whole or any part of any pecuniary loss caused to government by negligence or breach of orders;

(b) Major penalties:

(i) demotion to a lower post or time-scale, or to a lower stage in a time scale;

(ii) compulsory retirement;

(iii) removal from service; and

(iv) dismissal from service.

(3) Removal from service does not, but dismissal from service does, disqualify for future employment.

(4) In this section removal or dismissal from service does not include the discharge of a person—
(a) appointed on probation, during the period of probation, or in accordance with the probation or training rules applicable to him; or

(b) appointed, otherwise than under a contract, to hold a temporary appointment, on the expiration of the period of appointment; or

(c) engaged under a contract in accordance with the terms of the contract.

5. **Complaint procedure in the cases of corporal punishment.**—The Federal Government shall prescribe a complaint procedure in coordination with other line departments, to entertain complaints of corporal punishment by children or by any other person.

6. **Enforcement of the provisions of this Act to private institutions.**—(1) The Federal Government shall devise a comprehensive system for the enforcement and monitoring of the Act in private institutions whether registered or un-registered.

   (2) All private institutions shall formulate a complaint system to address corporal punishment.

   (3) At the time of registration the private institutions will have to submit an undertaking in writing that they will be responsible for the formulation of complaint system in line with the Act and Rules made there under for entertaining complaints of corporal punishment; failing which will make them liable to the cancelation of registration. The form of undertaking will be prescribed.

   (4) In case of a private institution the complaint of corporal punishment may also be filed for invoking the provisions of the Act before an authority which may be prescribed.

7. **This Act to override all other laws.**—The provisions of this Act shall override all other laws for the time being in force.

8. **Rules.**—(1) The Federal Government may make rules, by official notification under the Act, within six months after promulgation of this Act.

   (2) The Federal Government shall amend the Code of Conduct for teachers and the relevant Rules etc. to include the prohibition of corporal punishment against children at workplace and in all educational institutions including formal, non-formal, and religious, both public and private, and in child
 care institutions including foster care, rehabilitation centers, and any other alternative care settings, both public and private and in Juvenile Justice System.

STATEMENT OF OBJECTS AND REASONS

Physicians, psychologists, and educationists around the globe have pointed out towards negative effects of physical punishment of children on their mental and cognitive development. Countless studies have proved that corporal punishment and un-congenial learning environment creates a number of psychosocial imbalances in the personalities of children including aggression. Experts have consensus that physical punishment can have adverse consequences on the child’s health, particularly their behavior and emotional wellbeing. One of the reasons attributed to the higher drop-out rate in schools and low learning outcomes of students is physical punishment and castigation of pupils by the teachers.

The cases of injuries inflicted by teachers on their students are regularly reported by the media. In accordance with United Nations Convention on Rights of Child (1989) ratified by Pakistan, it is now the responsibility of the state to protect children from all forms of physical and mental violence and maltreatment. Therefore, it is desirable that corporal punishment is banned legally and declared an offense through an Act.

Sd/-
MS. MEHNAZ AKBER AZIZ,
Member, National Assembly.

REPORT OF THE STANDING COMMITTEE ON FEDERAL EDUCATION AND PROFESSIONAL TRAINING ON THE DISABLED PERSONS (EMPLOYMENT AND REHABILITATION) (AMENDMENT) BILL, 2019

I, Chairman of the Standing Committee on Federal Education and Professional Training, have the honour to present this report on the Bill further to amend the Disabled Persons (Employment and Rehabilitation) (Amendment) Ordinance, 1981 (XL of 1981) [the Disabled Persons (Employment and Rehabilitation) (Amendment) Bill, 2019] (Private Member’s Bill), referred to the Standing Committee on 30th April, 2019.

2. The Committee comprises the following Members:—
3. The Committee considered the Bill, placed at Annex-A, in its meeting held on 20th May, 2019 and recommends that the Bill as introduced in the National Assembly may be passed by the Assembly.

Ms. Tahira Aurangzeb, MNA  Mover of the Bill

Sd/-
TAHIR HUSSAIN,
Secretary.
Islamabad the 17th July, 2019.

Sd/-
MIAN NAJEEB-UD-DIN AWAISI,
Chairman.
Standing Committee on Federal Education and Professional Training.
Annex-A

[AS REPORTED BY THE STANDING COMMITTEE]

A

BILL

further to amend the Disabled Persons (Employment and Rehabilitation) Ordinance, 1981

WHEREAS it is expedient further to amend the Disabled Persons (Employment and Rehabilitation) Ordinance, 1981 (XL of 1981) for the purposes hereinafter appearing;

It is hereby enacted as under:

1. Short title, extent and commencement.—(1) This Act may be called the Disabled Persons (Employment and Rehabilitation) (Amendment) Act, 2019.

   (2) It extends to the Islamabad Capital Territory.

   (3) It shall come into force at once.

2. Insertion of new section 10A, Ordinance XL of 1981.—In the Disabled Persons (Employment and Rehabilitation) Ordinance, 1981 (XL of 1981), hereinafter referred to as the said Ordinance, after section 10, the following new section 10A, shall be added, namely—

   “10A. Effective Access to the disabled persons.—(1) Notwithstanding anything contained in this Ordinance or any other law for the time being in force, the Government shall approve construction plans for new public and privately owned buildings to be used for public offices, which ensure provision of effective access of wheelchair and other assisted mode used by the disabled persons.

   (2) The Government organizations shall bring necessary changes in the existing public and privately owned buildings housing public offices for effective access to disabled persons.”.

3. Amendment of section 20, Ordinance XL of 1981.—In the said Ordinance, the existing provision of section 20 shall be re-numbered as sub-section (1) thereof, and thereafter the following new sub-section (2), shall be inserted, namely:—
“(2) Notwithstanding anything contained in this Ordinance or any other law for the time being in force, a person found guilty of misusing any provision of the Ordinance or any law, rule or regulation to fraudulently offer employment or extend right thereunder to a person who does not fall within the meanings of disabled person, both of them shall be punished with rigorous imprisonment for a term which may extend to two years but not less than three months.”

STATEMENT OF OBJECTS AND REASONS

The Government of Pakistan promulgated Disabled Persons (Employment and Rehabilitation) Ordinance, 1981 (Ordinance XL of 1981) with an objective to economically and socially empower the persons with disabilities by providing job quota in the public organization. It has been observed that due to ineffective enforcement the authorities were not enforcing the law effectively. In addition due to lack of appropriate physical access to the work place, the employed persons are not able to discharge their duties effectively.

It is also needed that in order to make the disable persons effective and inclusive part of the society, the private sector should also provide employment to such persons.

Furthermore, it is a growing practice that the legal provision have been misused and people who are not qualified to be called as persons with disabilities are getting benefit of law prescribed for such persons.

This Bill is designed to achieve the purpose to expand the scope of the law to make physical access easy for the disabled persons, encourage private sector for job provision, and to make the misuse of law punishable.

Sd/-
MS. TAHIRA AURANGZEB,
Member, National Assembly.

REPORT OF THE STANDING COMMITTEE ON LAW AND JUSTICE ON THE LEGAL PRACTITIONERS AND BAR COUNCILS (AMENDMENT) BILL, 2019

I, the Chairman of Standing Committee on Law and Justice, have the honour to present this report on the Bill further to amend the Legal Practitioners
and Bar Councils Act, 1973, (Act XXXV of 1973) [The Legal Practitioners and Bar Councils (Amendment) Bill, 2019] (Private Member Bill) referred to the Committee on 11th December, 2018.

2. The Committee comprises of the following:

1. Mr. Riaz Fatyana Chairman
2. Mr. Atta Ullah Member
3. Mr. Lal Chand Member
4. Mr. Muhammad Farooq Azam Malik Member
5. Ms. Kishwer Zehra Member
6. Ms. Maleeka Ali Bokhari Member
7. Mr. Muhammad Sana Ullah Khan Masti Khel Member
8. Malik Muhammad Ehsan Ullah Tiwana Member
9. Agha Hassan Baloch Member
10. Mr. Sher Ali Arbab Member
11. Ms. Shunila Ruth Member
12. Mr. Saad Waseem Member
13. Ch. Mehmood Bashir Virk Member
14. Khawaja Saad Rafique Member
15. Mr. Usman Ibrahim Member
16. Syed Hussain Tariq Member
17. Syed Naveed Qamar Member
18. Dr. Nafisa Shah Member
19. Ms. Aliya Kamran Member
20. Barrister Dr. Muhammad Farogh Naseem Ex-Officio Member
21. Minister for Law and Justice

3. The Committee considered the Bill as introduced in the National Assembly placed at Annex-A, in its meetings held on 03rd January, 15th January, 2nd May, 7th May, 15th May, 10th June, 2nd July and 20th August, 2019. The Committee recommends that the Bill as introduced may be passed by the National Assembly.

Sd/-
TAHIR HUSSAIN,
Secretary.
Islamabad, the 28th August, 2019.

Sd/-
RIAZ FATYANA,
Chairman.
Annex-A

[AS REPORTED BY THE STANDING COMMITTEE]

A

BILL

further to amend the Legal Practitioners and Bar Councils Act, 1973

WHEREAS it is expedient further to amend the Legal Practitioners and Bar Councils Act, 1973, (Act XXXV of 1973) for the purposes hereinafter appearing:

It is hereby enacted as follows:—

1. Short title and commencement.—(1) This Act may be called the Legal Practitioners and Bar Councils (Amendment) Act, 2019.

(2) It shall come into force at once.

2. Amendment of section 5 Act XXXV of 1973.—In the Legal Practitioners and Bar Councils Act 1973, hereinafter referred to as the said Act, in section 5, in sub-section (2) in Paragraph (a), the entry relating to the expression “Balochistan Bar Council” for the figure “07” the figure “08” shall be substituted.

3. Amendment of Schedule Act XXXV of 1973.—In the said Act, in Schedule, for the “Balochistan Bar Council” and corresponding entries relating there to the following shall be substituted, namely:—

“BALOCHISTAN BAR COUNCIL

GROUP OF DISTRICTS-I
Name of the Districts
Quetta+Chaghi+Noshki+Pashin+Killa Abdullah  Seats 04

GROUP OF DISTRICTS-II
Name of the Districts
Zhob + Loralai + Killa Saifullah + Ziarat ± Musakhel and Barkhan  Seats 01

GROUP OF DISTRICTS-III
Name of Districts
Kech + Panjgor ± Gawadar and Lasbela  Seats 01
GROUP OF DISTRICTS-IV
Name of Districts                      Seats
Kalat + Khuzdar + Mastung ± Kharan and Awaran          01

GROUP OF DISTRICTS-V
Name of districts                      Seats
Sibi + Bolan + Nasirabad + Jafarabad + Jhal Magsi ± Kohlu and Dera Bugti”          01

STATEMENT OF OBJECTS AND REASONS

Prior to 3rd November, 2004, there were five seats of Balochistan Bar Council but it felt necessary to change the composition of Bar Councils in the country so Ordinance-Iil of 2004 was promulgated making some changes in the Legal Practitioners and Bar Councils Act, 1973 (XXXV of 1973) whereby eight seats were allocated to Balochistan Bar Council with five groups of Districts but on laying the Ordinance before the Parliament the seats of Balochistan Bar Council were reduced from eight to seven and the groups of Districts were substituted from five to four due to which there is resentment in the Advocates of the area even otherwise when a group of Districts qualifies to have a seat then taking it back is not justified, hence this amendment.

Sd/-
MS. ALIYA KAMRAN,
Member, National Assembly.

REPORT OF THE STANDING COMMITTEE ON LAW AND JUSTICE ON THE CHILD MARRIAGE RESTRAIN (AMEMENT) BILL, 2019

I, the Chairman of Standing Committee on Law and Justice, have the honour to present this report on the Bill further to amend the Child Marriage Restraint Act, 1929 (XIX of 1929) [The Child Marriage Restraint (Amendment) Bill, 2019] (Private Member Bill) referred to the Committee on 30th April, 2019.

2. The Committee comprises of the following:—

1. Mr. Riaz Fatyana                Chairman
2. Mr. Atta Ullah                 Member
3. Mr. Lal Chand                  Member
4. Mr. Muhammad Farooq Azam Malik Member
5. Ms. Kishwer Zehra             Member
6. Ms. Maleeka Ali Bokhari        Member
3. The Committee considered the Bill as introduced in the National Assembly placed at Annex-A, in its meetings held on 03rd July and 21st August, 2019. The Committee recommends that the Bill as introduced may not be passed by the National Assembly.

Sd/-

TAHIR HUSSAIN,
Secretary.

Islamabad, the 28th August, 2019.

Annex-A

[AS REPORTED BY THE STANDING COMMITTEE]

A

BILL

Further to amend the Child Marriage Restraint Act, 1929 (XIX of 1929)

Whereas it is expedient further to amend the Child Marriage Restraint Act, 1929 (XIX of 1929) for the purposes hereinafter appearing;

It is hereby enacted as follows:—

1. **Short title and commencement.**—(1) This Act may be called the Child Marriage Restraint (Amendment) Act, 2019.
(2) It shall come into force at once.

2. **Amendment of section 2, Act XIX of 1929.**—In the Child Marriage Restraint Act, 1929 (XIX of 1929), hereinafter referred to as the said Act, in section 2, for clause (a), the following shall be substituted, namely:

“(a) “child” means a person who is under eighteen years of age;”

3. **Amendment of section 4, of Act XIX of 1929.**—In the said Act, in section 4,—

   (i) for the word “simple” the word “rigorous” shall be substituted;

   (ii) for the words “one month” the words “three years” shall be substituted; and

   (iii) for the words “one thousand rupees” the words “two hundred thousand rupees” shall be substituted.

4. **Amendment of section 5, Act XIX of 1929.**—In the said Act, in section 5,—

   (i) for the word “simple” the word “rigorous” shall be substituted;

   (ii) for the words “one month” the words “two years” shall be substituted; and

   (iii) for the words “one thousand rupees” the words “two hundred thousand rupees” shall be substituted.

5. **Amendment of section 6, Act XIX of 1929.**—In the said Act, in section 6, in sub-section (1),—

   (i) for the word “simple” the word “rigorous” shall be substituted;

   (ii) for the words “one month” the words “three years” shall be substituted; and

   (iii) for the words “one thousand rupees” the words “two hundred thousand rupees” shall be substituted.

6. **Substitution of section 8, Act XIX of 1929.**—In the said Act, for section 8, the following shall be substituted, namely:—
“8. Jurisdiction under this Act.—The Family Court, established under section 3 of the West Pakistan Family Courts Act, 1964 (XXXV of 1964) shall exercise jurisdiction under this Act and may take cognizance of an offence in the manner provided by section 190 of the Code of Criminal Procedure, 1898 (V of 1898).”

7. Substitution of section 9, Act XIX of 1929.—In the said Act, for section 9, the following shall be substituted, namely:—

“9. Offences under this Act shall be cognizable.—All offences under this Act shall be cognizable such cognizance with in no case be taken after the expiry of one year from the date on which the offence is alleged to have been committed.”

8. Substitution of section 12, Act XIX of 1929.—In the said Act, for section 12, the following shall be substituted, namely:—

“12. Power to issue injunction prohibiting marriage in Contravention of this Act.—(1) Notwithstanding anything to the contrary of this Act, contained in any other law, the court may, if satisfied from information laid before its through a complaint or otherwise that a child marriage in contravention of thus Act is going to be arranged or is about to be solemnized, issue an injunction against any person or authority involved therein, including an injunction against any of the persons mentioned in sections 3, 4, 5 and 6 of this Act, prohibiting such marriage.

(2) Whoever, knowing that an injunction has been issued against him under sub-section (1) of this section, disobeys such injunction, shall be punished with imprisonment of either description for a term which may extend to one year or with fine which may extend to one hundred thousand rupees, or with both.”

STATEMENT OF OBJECTS AND REASONS

Poverty and illiteracy, are factors cited for the prevalence of child marriage. An early marriage leads to early conception, which ultimately affects the health of the teenage girl. Typically enormous pressure to bear children is put on child brides. In developing countries, the leading cause of death for young girls between the age of 15 and 18 is early pregnancy. A child according to the UN Convention on the Rights of the Child is any person under the age of 18.

Unfortunately the practice of child marriage is common in all parts of Pakistan particularly in the poor areas but the act of solemnizing child marriage is not cognizable and the police cannot take actions against the offenders. The amendment is intended to serve as a deterrent and to remove the existing gender disparity in age.
2. The Bill seeks to achieve the above-said objectives.

Sd/-

DR. RAMESH KUMAR VANKWANI,
Member, National Assembly.

REPORT OF THE STANDING COMMITTEE ON INTERIOR ON THE
PAKISTAN CITIZENSHIP (AMENDMENT) BILL, 2019

I, the Chairman of Standing Committee on Interior, have the honor to present this report on the Bill further to amend the Pakistan Citizenship Act, 1951, [Pakistan Citizenship (Amendment) Bill, 2019] (Private Member’s Bill), referred to the Committee on 30th April, 2019.

2. The Committee comprises of the following:—

(1) **Raja Khurram Shahzad Nawaz**  
    *Chairman*
(2) Mr. Sher Akbar Khan  
    *Member*
(3) Mehar Ghulam Muhammad Lali  
    *Member*
(4) Mr. Raza Nasrullah  
    *Member*
(5) Khawaja Sheraz Mehmood  
    *Member*
(6) Mr. Rahat Aman Ullah Bhatti  
    *Member*
(7) Malik Karamat Ali Khokhar  
    *Member*
(8) Sardar Talib Hassan Nakai  
    *Member*
(9) Ms. Nafeesaa Inayatullah Khan Khattak  
    *Member*
(10) Mr. Muhammad Akhtar Mengal  
    *Member*
(11) Malik Sohail Khan  
    *Member*
(12) Syed Iftikhar Ul Hassan  
    *Member*
(13) Mr. Mohammad Pervaiz Malik  
    *Member*
(14) Mr. Nadeem Abbas  
    *Member*
(15) Ms. Maryam Aurangzaib  
    *Member*
(16) Syed Agha Rafiullah  
    *Member*
(17) Nawab Muhammad Yousuf Talpur  
    *Member*
(18) Mr. Abdul Qadir Patel  
    *Member*
(19) Mr. Asmatullah  
    *Member*
(20) Mr. Ijaz Ahmad Shah Minister for Interior  
    *Ex-Officio Member*

3. The Committee considered the Bill placed at Annex-A in its meetings held on 29-07-2019 and 30-08-2019. The Committee recommends that the Bill may not be passed by the Assembly.

-Sd/-

TAHIR HUSSAIN,  
Secretary.

Islamabad, the 30th Oct, 2019.

-Sd/-

RAJA KHURRAM SHAHZAD NAWAZ,  
Chairman

Standing Committee on Interior.
Annex—“A”

[AS REPORTED BY THE STANDING COMMITTEE]

A

BILL

further to amend the Pakistan Citizenship Act, 1951

WHEREAS it is expedient further to amend the Pakistan Citizenship Act, 1951 for the purposes hereinafter appearing;

It is hereby enacted as follows:

1. Short title and commencement.—(1) This Act may be called the Pakistan Citizenship (Amendment) Act, 2019.

   (2) It shall come into force at once.

2. Amendment of section 2, Act II of 1951.—In Section 2 of the Pakistan Citizenship Act, 1951 (II of 1951) hereinafter referred to as the said Act, after the definition of ‘Commonwealth citizen’, the following definition shall be inserted, namely:

   “Certificate of Pakistan citizenship” means a certificate of Pakistan Citizenship granted under this Act and includes a certificate of naturalization or a certificate of registration granted under the Nationality and Citizenship Act, 1951;”

3. Substitution of Section 4, Act II of 1951.—In the said Act, for section 4, the following new section shall be substituted, namely:

   “4. Citizenship by birth.—(1) Every person born in Pakistan after the commencement of this Act shall be a citizen of Pakistan by birth, if:

      (a) any one of the parent of the person was, at the time of birth a citizen of Pakistan or a permanent resident of Pakistan; or;

      (b) he has been ordinarily residing in Pakistan, for the period of ten years commencing from the date of his birth.

   (2) A person shall not be a citizen of Pakistan by virtue of this section if, at the time of birth, the parents were alien enemy and such birth had taken place while such parents were under occupation of the enemy:
Provided that permanent resident does not include a reference to a person who is, for the purposes of the Migration Act 1958, an exempt non-citizen.

(3) The persons residing in Pakistan, for a continuous period of 20 years or by birth and are registered with the alien registration authority as provided in Section 14(D)(1) of The Foreigners Act, (1946, Act No. XXXI of 1946), or NADRA, or UNCHR or any other government department or authority, on their presence in Pakistan, shall have the right to seek nationality through application submitted to the Federal Government, accompanied with affidavit to remain sincere and loyal to the country.

(4) The Federal Government may by order either generally or with respect to particular class of foreigners or any specific class of foreigners may grant nationality to those foreigners who fulfill the criteria set out in Sub-Section (1) and (2) in pursuance of powers vested in the Federal Government under Section 8(1) read with Section 3(1) of the Foreigners Act, 1946, (No. XXXI of 1946)."

4. **Substitution of Section 5, Act II of 1951.**—In the said Act, for section 5, the following new section shall be substituted, namely:—

5. **Citizenship by descent.**—(1) Subject to the provisions of section (3), a person born after the commencement of this Act shall be a citizen of Pakistan by descent if his father is a citizen of Pakistan at the time of his birth:

   Provided that if the father of such a person is a citizen of Pakistan by descent only, that person shall not be a citizen of Pakistan by virtue of this section unless—

   (a) that person is born or his father was born in a protectorate, protected state, mandated territory or trust territory or any place in a foreign country where by treaty, capitulation, grant, usage, sufferance, or other lawful means, the Federal Government has jurisdiction; or

   (b) that person’s birth having occurred in a place in a foreign country other than a place such as is mentioned in the last foregoing paragraph, the birth is registered at Pakistan consulate within one year of birth or with the permission of the foreign office; or

   (c) If the foreign office so directs, a birth shall be deemed for the purposes of this section to have been registered with his
permission notwithstanding that his permission was not obtained before the registration.

5. **Substitution of Section 10, Act 11 of 1951.**—In the said Act, for section 10, the following new section shall be substituted, namely:—

“10. *Married Women.*—(1) Any woman who by reason of her marriage to a British subject before the first day of January, 1949, has acquired the status of a British subject shall, if her husband becomes a citizen of Pakistan, be a citizen of Pakistan.

(2) Subject to the provisions of sub-section (1) and sub-section (4) a woman who has been married to a citizen of Pakistan who but for her death would have been a citizen of Pakistan under sections 3, 4 or 5 shall be entitled, on making application therefore to the Federal Government in the prescribed manner, and if she is an alien, on obtaining a certificate of domicile and taking the oath of allegiance in the form set out in the Schedule to this Act, to be registered as a citizen of Pakistan whether or not she has completed twenty-one years of her age and is of full capacity.

(3) Subject to as aforesaid, a man or a woman who has been married to a man or woman who, but for his/her death, could have been a citizen of Pakistan under the provisions of sub-section (1) of section 6 (whether by migration as provided in the said sub-section or is deemed under the proviso to section 7 to have so migrated) shall be entitled as provided in sub-section (2) subject further, if he/she is an alien, to him/her obtaining the certificate and taken the oath mentioned therein.

(4) A person who has ceased to be a citizen of Pakistan under section 14 or who has been deprived of citizenship of Pakistan under this Act shall not be entitled to be registered as a citizen thereof under this section but may be registered with the prior permission of the Federal Government.”

STATEMENT OF OBJECTS AND REASONS

This Bill seeks to amend the Pakistan Citizenship Act, 1951 (II of 1951) to regulate the nationality of those persons who are living in Pakistan for twenty years or by birth due to political situation, war, civil war etc. The Government is worried about their this very condition. They are deprived of their fundamental rights as citizens. They have started business and purchased property in the country and have deep roots in the society by entering into marriages with the
locals. They are unable to get CNIC, open bank accounts, share property or get job and consequently they do not pay tax to the Government. After the aforesaid amendment they will become part of Pakistan and make contribution to the economy of Pakistan. In order to achieve the aforesaid objectives it is necessary to amend the Pakistan Citizenship Act, 1951 (II of 1951).

Sd/-
MR. RIAZ FATYANA,
Member National Assembly.

REPORT OF THE STANDING COMMITTEE ON NATIONAL FOOD SECURITY AND RESEARCH ON THE CHEMICAL FERTILIZERS (DEVELOPMENT SURCHARGE) (AMENDMENT) BILL, 2019

I, Chairman of the Standing Committee on National Food Security and Research, have the honor to present this report on the Bill further to amend the Chemical Fertilizers (Development Surcharge) Act, 1973 (XLI of 1973) [The Chemical Fertilizers (Development Surcharge) (Amendment) Bill, 2019], referred to the Committee on the 17th September, 2019.

2. The Committee comprises the following members:—

1. Rao Muhammad Ajmal Khan, Chairman
2. Mr. Shaukat Ali, Member
3. Rai Muhammad Murtaza Iqbal, Member
4. Mr. Zahoor Hussain Qureshi, Member
5. Mr. Ahmad Hussain Deharr, Member
6. Makhdom Zain Hussain Qureshi, Member
7. Mr. Muhammad Ibrahim Khan, Member
8. Mian Muhammad Shafiq, Member
9. Syed Mobeen Ahmed, Member
10. Sardar Muhammad Jaffar Khan Leghari, Member
11. Sardar Riaz Mehmood Khan Mazari, Member
12. Dr. Nausheen Hamid, Member
13. Mr. Ahmad Raza Maneka, Member
14. Chaudry Muhammad Ashraf, Member
15. Choudhary Faqir Ahmed, Member
16. Ms. Shahnaz Saleem Malik, Member
17. Syed Javed Ali Shah Jillani, Member
18. Pir Noor Muhammad Shah Jillani, Member
19. Syed Ayaz Ali Shah Sherazi, Member
20. Mr. Kamal Uddin, Member
21. Sahibzada Muhammad Mehboob Sultan, Ex-Officio Member

Minister for National Food Security & Research
3. The Committee in its meeting held on 17th October, 2019 considered the above mentioned Bill and approved the same unanimously. Therefore, the Committee recommends that the Bill as reported by the Standing Committee (Annexure-A) may be passed.

Sd/-
TAHIR HUSSAIN, 
Secretary.

Sd/-
RAO MUHAMMAD AJMAL KHAN, 
Chairman.

Islamabad, the 1st November, 2019.

Annexure-A

[AS INTRODUCED IN THE NATIONAL ASSEMBLY]

^ 

BILL

further to amend the Chemical Fertilizers (Development Surcharge) Act, 1973

WHEREAS it is expedient further to amend the Chemical Fertilizers (Development Surcharge) Act, 1973 (XLI of 1973), for the purposes hereinafter appearing;

It is hereby enacted as follows:—

1. **Short title and commencement.**—(1) This Act may be called the Chemical Fertilizers (Development Surcharge) (Amendment) Act, 2019.

   (2) It shall come into force at once.

2. **Substitution of section 7, Act XLI of 1973.**—In the Chemical Fertilizers (Development Surcharge) Act, 1973 (XLI of 1973), for section 7, the following shall be substituted, namely:—

   “7. **Power to make rules.**— (1) Subject to sub-sections (2) and (3), the Minister-in-charge may, by notification in the official Gazette, within six months, make rules to carry out the purposes of this Act.

   (2) Except the rules made prior to commencement of the Chemical Fertilizers (Development Surcharge) (Amendment) Act, 2019,—

   (a) the draft of the rules proposed to be made under sub-section (1) shall be published for the information of persons likely to be affected thereby;
(b) the publication of the draft rules shall be made in print and electronic media including websites in such manner as may be prescribed;

(c) a notice specifying date, on or after which the draft rules will be taken into consideration, shall be published with the draft;

(d) objections or suggestions, if any, which may be received from any person with respect to the draft rules before the date so specified, shall be considered and decided before finalizing the rules; and

(e) finally approved, in the prescribed manner, rules shall be published in the official Gazette.

(3) Rules, made after the prorogation of the last session, including rules previously published, shall be laid before the National Assembly and the Senate as soon as may be after the commencement of next session, respectively, and thereby shall stand referred to the Standing Committees concerned with the subject matter of the rules for examination, recommendations and report to the National Assembly and the Senate to the effect whether the rules,—

(a) have duly been published for considering the objections or suggestions, if any, and timely been made;

(b) have been made within the scope of the enactment;

(c) are explicit and covered all the enacted matters;

(d) relate to any taxation;

(e) bar the jurisdiction of any Court;

(f) give retrospective effect to any provision thereof;

(g) impose any punishment; and

(h) made provision for exercise of any unusual power.”.

STATEMENT OF OBJECTS AND REASONS

Subject to the Constitution, primarily Majlis-e-Shoora (Parliament) has exclusive power to make laws with respect to any matter in the Federal Legislative List. Frequently enactments empower the Government, or specified bodies or office-holders to make rules to carry out the purposes thereof popularly known as delegated, secondary, or sub-ordinate legislation.
Rules of both the National Assembly and the Senate provide that delegated legislation may be examined by the Committees concerned. But practically no effective parliamentary oversight has been made. Further, in the prevalent legal system it is also a departure from the principle of separation of powers that laws should be made by the elected representatives of the people in Parliament and not by the executive Government. In parliamentary democracies, the principle has been largely preserved through an effective system of parliamentary control of executive law-making, by making provision that copies of all subordinate legislations be laid before each House of the Parliament within prescribed sitting days thereof otherwise they cease to have effect.

Although under the Constitution, the Cabinet is collectively responsible to the Senate and the National Assembly, yet, under the Rules of Business, 1973, the Minister-in-Charge is responsible for policy concerning his Division and the business of the Division is ordinarily disposed of by, or under his authority, as he assumes primary responsibility for the disposal of business pertaining to his portfolio. Therefore it is necessary that all rules, including previously published, made after the prorogation of the last session shall be laid before both Houses as soon as may be after the commencement of a session and thereby shall stand referred to the Standing Committee concerned with the subject matter of the rules.

The proposed amendment would achieve objective of valuable participation of the people in rules making process, meaningful exercise of authority by the Minister-in-Charge to assume primary responsibility for the disposal of business pertaining to his portfolio including rule making and efficient and effective parliamentary oversight relating to delegated legislation.

Sd/-
MR. AMJID ALI KHAN,
Member-in-charge.

REPORT OF THE STANDING COMMITTEE ON CABINET SECRETARIAT ON THE ISLAMABAD CLUB (ADMINISTRATION) (AMENDMENT) BILL, 2019, [PRIVATE MEMBER’S BILL]

I, the Chairman of Standing Committee on Cabinet Secretariat have the honour to present this report on the Bill “The Islamabad Club (Administration) (Amendment) Bill, 2019”, [Private Member’s Bill], further to amend the Islamabad Club (Administration) Ordinance 1978 referred to Committee on 17th September, 2019.

2. The Committee comprises the following:—
3. The Committee considered the Bill as introduced in the National Assembly placed at ‘Annex-A’ in its meetings held on 26th September and 22nd October, 2019 and recommends that the Bill may be passed by the National Assembly.

Sd/-

TAHIR HUSSAIN,
Secretary.

SYED AMIN-UL-HAQUE,
Chairman.

Islamabad, the 11th November, 2019.

Annex-A

[AS INTRODUCED IN THE NATIONAL ASSEMBLY]

A

BILL

further to amend the Islamabad Club (Administration) Ordinance, 1978

WHEREAS it is expedient further to amend the Islamabad Club (Administration) Ordinance, 1978 (XXXIII of 1978), for the purposes hereinafter appearing:
It is hereby enacted as follows:—

1. **Short title and commencement.**—(1) This Act may be called the Islamabad Club (Administration) (Amendment) Act, 2019.

   (2) It shall come into force at once,

2. **Substitution of section 10, Ordinance XXXIII of 1978.**—In the Islamabad Club (Administration) Ordinance, 1978 (XXXIII of 1978), for section 10, the following shall be substituted, namely:—

   “10. **Power to make rules.**—(1) Subject to sub-sections (2) and (3), the Minister in-charge may, by notification in the official Gazette, within six months, make rules to carry out the purposes of this Act.

   (2) Except the rules made prior to commencement of the Islamabad Club (Administration) (Amendment) Act, 2019,—

   (a) the draft of the rules proposed to be made under sub-section (1) shall be published for the information of persons likely to be affected thereby;

   (b) the publication of the draft rules shall be made in print and electronic media including websites in such manner as may be prescribed;

   (c) a notice specifying a date, on or after which the draft rules will be taken into consideration, shall be published with the draft;

   (d) objections or suggestions, if any, which may be received from any person with respect to the draft rules before the date so specified, shall be considered and decided before finalizing the rules; and

   (e) finally approved, in the prescribed manner, rules shall be published in the official Gazette.

(3) Rules, made after the prorogation of the last session, including rules previously published, shall be laid before the National Assembly and the Senate as soon as may be after the commencement of next session, respectively, and thereby shall stand referred to the Standing Committees concerned with the subject matter of the rules for examination, recommendations and report to the National Assembly and the Senate to the effect whether the rules,—
STATEMENT OF OBJECTS AND REASONS

Subject to the Constitution, primarily Majlis-e-Shoora (Parliament) has exclusive power to make laws with respect to any matter in the Federal Legislative List. Frequently enactments empower the Government, or specified bodies or office-holders to make rules to carry out the purposes thereof popularly known as delegated, secondary, or subordinate legislation.

Rules of both the National Assembly and the Senate provide that delegated legislation may be examined by the Committees concerned. But practically no effective parliamentary oversight has been made. Further, in the prevalent legal system it is also a departure from the principle of separation of powers that laws should be made by the elected representatives of the people in Parliament and not by the executive Government. In parliamentary democracies, the principle has been largely preserved through an effective system of parliamentary control of executive law-making, by making provision that copies of all subordinate legislations be laid before each House of the Parliament within prescribed sitting days thereof otherwise they cease to have effect.

Although under the Constitution, the Cabinet is collectively responsible to the Senate and the National Assembly, yet, under the Rules of Business, 1973, the Minister-in-Charge is responsible for policy concerning his Division and the business of the Division is ordinarily disposed of by, or under his authority, as he assumes primary responsibility for the disposal of business pertaining to his portfolio. Therefore it is necessary that all rules, including previously published, made after the prorogation of the last session shall be laid before both Houses as soon as may be after the commencement of a session and thereby shall stand.
referred to the Standing Committee concerned with the subject matter of the rules.

The proposed amendment would achieve objective of valuable participation of the people in rules making process, meaningful exercise of authority by the Minister-in-Charge to assume primary responsibility for the disposal of business pertaining to his portfolio including rule making and efficient and effective parliamentary oversight relating to delegated legislation.

Sd/-

MR AMJID ALI KHAN,
Member-in-charge.

REPORT OF THE STANDING COMMITTEE ON INTERIOR ON THE CRIMINAL LAW (AMENDMENT) BILL, 2019

I, the Chairman of Standing Committee on Interior have the honor to present this report on the Bill further to amend the Pakistan Penal Code, 1860 (Act XLV of 1860) and the Code of Criminal Procedure, 1898 (Act V of 1898), [The Criminal Law (Amendment) Bill, 2019] (Private Member’s Bill), referred to the Committee on 28th May, 2019.

2. The Committee comprises of the following:

(1) **Raja Khurram Shahzad Nawaz**  
Chairman

(2) Mr. Sher Akbar Khan  
Member

(3) Mehar Ghulam Muhammad Lali  
Member

(4) Mr. Raza Nasrullah  
Member

(5) Khawaja Sheraz Mehmood  
Member

(6) Mr. Rahat Aman Ullah Bhatti  
Member

(7) Malik Karamat Ali Khokhar  
Member

(8) Sardar Talib Hassan Nakai  
Member

(9) Ms. Nafeesa Inayatullah Khan Khattak  
Member

(10) Mr. Muhammad Akhtar Mengal  
Member

(11) Malik Sohail Khan  
Member

(12) Syed Iftikhar-Ul-Hassan  
Member

(13) Mr. Mohammad Pervaiz Malik  
Member

(14) Mr. Nadeem Abbas  
Member

(15) Ms. Maryam Aurangzaib  
Member

(16) Syed Agha Rafiullah  
Member

(17) Nawab Muhammad Yousuf Talpur  
Member

(18) Mr. Abdul Qadir Patel  
Member

(19) Mr. Asmatullah  
Member

(20) Mr. Ijaz Ahmad Shah  
Ex-Officio Member

Minister for Interior
3. The Committee considered the Bill as introduced in the National Assembly placed at (Annex-A) in its meeting held on 19-09-2019. The Committee recommends that the Bill as introduced may be passed by the National Assembly.

Sd/-
TAHIR HUSSAIN, Secretary.
Islamabad, the 26th Nov. 2019.

Sd/-
RAJA KHURRAM SHAHZAD NAWAZ, Chairman.
Standing Committee on Interior.

Annex “A”

[AS REPORTED BY THE STANDING COMMITTEE]

A

BILL

further to amend the Pakistan Penal Code, 1860 and the Code of Criminal Procedure, 1898

WHEREAS, it is expedient to further amend the Pakistan Penal Code 1860 (Act XLV of 1860) and the Code of Criminal Procedure, 1898, (Act V of 1898) for the purposes hereinafter appearing;

It is hereby enacted as follows:—

1. **Short title and commencement.**—(1) This Act shall be called the Criminal Law (Amendment) Act, 2019.

   (2) It shall come into force at once.

2. **Insertion of new section 329A, Act XLV of 1860.**—In the Pakistan Penal Code, 1860 (Act XLV of 1860), after section 329, the following new section shall be inserted, Namely,—

   “329A. **Concealment of birth of a child.**—Whoever, intentionally conceals birth of a child or abets in such concealment intentionally shall be punishable with imprisonment of either description for a term which may extend to one year, or with fine, or with both:

   Provided that in case of illegitimacy, if such child is handed over to a Protection Centre established by Government, the provisions of this section shall not apply:
Provided further that in case of such handing over of a child, name of her mother shall be kept confidential.”

3. **Amendment of the Second Schedule, Act V of 1898.**—In the Code of Criminal Procedure, 1898 (Act V of 1898), in the Second Schedule, after the entries relating to section 329, the following shall be inserted, namely:—

<table>
<thead>
<tr>
<th>1</th>
<th>2</th>
<th>3</th>
<th>4</th>
<th>5</th>
<th>6</th>
<th>7</th>
<th>8</th>
</tr>
</thead>
<tbody>
<tr>
<td>“329A</td>
<td>Concealment of birth of a child</td>
<td>Ditto..</td>
<td>Ditto..</td>
<td>Ditto..</td>
<td>Ditto..</td>
<td>Imprisonment of either description for one year, or fine, or both.</td>
<td>Ditto..”</td>
</tr>
</tbody>
</table>

**STATEMENT OF OBJECTS AND REASONS**

Although in Pakistan’s Criminal Legal system there exist several provisions dealing with child abandonment, but still infants are dumped in a putrid heap of broken bottles, discarded sanitary items and household trash. Section 329 of the Penal Code deals with concealment of birth by secret disposal of dead body, so after the birth most of the children are left at birthplace that later on become subject to slavery, human trafficking or lose their lives in human organ transplant.

For securing such innocent lives, this amendment Bill seeks to ensure safety of innocent children by inserting a new Section 329A in the Pakistan Penal Code and entries relating to thereof in the Code of Criminal Procedure.

This Bill, therefore, seeks to achieve the aforesaid objectives.

_Sd/-_

NAFEESA INAYATULLAH KHAN KHATTAK,  
*Member, National Assembly.*

**REPORT OF THE STANDING COMMITTEE ON LAW AND JUSTICE ON THE CONSTITUTIONAL (AMENDMENT) BILL, 2019**

I, the Chairman of Standing Committee on Law and Justice, have the honour to present this report on the Bill further to amend The Constitution of the Islamic Republic of Pakistan [The Constitution (Amendment) Bill, 2019] (Private Member’s Bill) referred to the Committee on 23rd April, 2019.
2. The Committee comprises the following:

1. Mr. Riaz Fathyana
   *Chairman*
2. Mr. Atta Ullah
   *Member*
3. Mr. Lal Chand
   *Member*
4. Mr. Muhammad Farooq Azam Malik
   *Member*
5. Ms. Kishwer Zehra
   *Member*
6. Ms. Maleeka Ali Bokhari
   *Member*
7. Mr. Muhammad Sana Ullah Khan Masti Khel
   *Member*
8. Malik Muhammad Ehsan Ullah Tiwana
   *Member*
9. Agha Hassan Baloch
   *Member*
10. Mr. Sher Ali Arbab
    *Member*
11. Ms. Shunila Ruth
    *Member*
12. Mr. Saad Waseem
    *Member*
13. Rana Sana Ullah Khan
    *Member*
14. Ch. Mehmood Bashir Virk
    *Member*
15. Mr. Usman Ibrahim
    *Member*
16. Khawaja Saad Rafique
    *Member*
17. Syed Hussain Tariq
    *Member*
18. Syed Naveed Qamar
    *Member*
19. Dr. Nafisa Shah
    *Member*
20. Ms. Aliya Kamran
    *Member*
21. Barrister Dr. Muhammad Farogh Naseem
    *Ex-Officio Member*

Minister for Law and Justice

3. The Committee considered the Bill as introduced in the National Assembly placed at Annex-A, in its meetings held on the 2nd, 7th, 15th and 16th May, 10th June, 2nd and 3rd July 2019. The Committee recommends that a Parliamentary Committee/Special Committee shall be constituted to consider the Bill along with other similar Bills.

Sd/-
TAHIR HUSSAIN,
*Secretary*
Islamabad, the 25th October, 2019.

Sd/-
RIAZ FATHYANA,
*Chairman*

Annex-A

[AS REPORTED BY THE STANDING COMMITTEE]

A
BILL

further to amend the Constitution of the Islamic Republic of Pakistan

WHEREAS it is expedient further to amend the Constitution of the Islamic Republic of Pakistan for the purposes hereinafter appearing;
PART III] THE GAZETTE OF PAKISTAN, EXTRA., JAN. 14, 2020 49(37)

It is hereby enacted as follows:—

1. **Short title and commencement.**—(1) This Act may be called the Constitution (Amendment) Act, 2019.

(2) It shall come into force at once.

2. **Amendment of Article 1 of the Constitution.**—In the Constitution of Islamic Republic of Pakistan, hereinafter referred to as the Constitution, in Article 1, in clause (2), for paragraph (a) the following shall be substituted, namely,—

“(a) the Provinces of Bahawalpur, Balochistan, Janubi Punjab, Khyber Pakhtunkhwa, the Punjab, and Sindh;

**Explanation.**—The Province of Bahawalpur shall comprise the existing administrative division of Bahawalpur and the Province of Janubi Punjab shall comprise the existing administrative divisions of Dera Ghazi Khan and Multan. Bahawalpur, Dera Ghazi Khan and Multan Divisions shall stand excluded from the Province of the Punjab.”

3. **Amendment of Article 51 of the Constitution.**—In the Constitution, in Article 51,—

(a) in clause (3), for the Table the following shall be substituted, namely,—

<table>
<thead>
<tr>
<th>Province</th>
<th>General seats</th>
<th>Women seats</th>
<th>Total seats</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bahawalpur</td>
<td>15</td>
<td>3</td>
<td>18</td>
</tr>
<tr>
<td>Balochistan</td>
<td>16</td>
<td>4</td>
<td>20</td>
</tr>
<tr>
<td>Janubi Punjab</td>
<td>31</td>
<td>7</td>
<td>38</td>
</tr>
<tr>
<td>Khyber Pakhtunkhwa</td>
<td>45</td>
<td>10</td>
<td>55</td>
</tr>
<tr>
<td>Punjab</td>
<td>95</td>
<td>22</td>
<td>117</td>
</tr>
<tr>
<td>Sindh</td>
<td>61</td>
<td>14</td>
<td>75</td>
</tr>
<tr>
<td>Federal Capital</td>
<td>3</td>
<td>—</td>
<td>3</td>
</tr>
<tr>
<td><strong>Total:</strong></td>
<td><strong>266</strong></td>
<td><strong>60</strong></td>
<td><strong>326</strong></td>
</tr>
</tbody>
</table>

(b) for clause (3A) the following shall be substituted, namely,—

“(3A) Notwithstanding anything contained in clause (3) or any other law for the time being in force, the members of the National Assembly from the Federally Administered Tribal Areas
49(38) THE GAZETTE OF PAKISTAN, EXTRA., JAN. 14, 2020 [PART III

elected in the general elections, 2018 and women elected on
reserved seats from the Punjab to the National Assembly shall
continue till dissolution of the on-going National Assembly
and thereafter this clause shall stand omitted.”

4. Amendment of Article 59 of the Constitution.—In the
Constitution, in Article 59,—

(1) in clause (1),—

(a) for the words “ninety-six” the words “one hundred and forty-
two” shall be substituted;

(b) in paragraph (f), for the word “four” the word “six” shall be
substituted;

(2) in clause (3), in paragraph (f) and proviso thereto, for the word
“two” occurring thrice, the word “three” shall be substituted.

(3) after clause (3A), the following new clauses (3B) and (3C) shall be
inserted, namely,—

“(3B) Notwithstanding the provisions of clause (3) or any other law
for the time being in force, of the members elected by the
Provincial Assemblies of the new Provinces of Bahawalpur
and Janubi Punjab;

(a) under paragraph (a), seven shall retire in March, 2021
and seven shall retire in March 2024;

(b) under paragraph (d), two shall retire in March, 2021 and
two shall retire in March, 2024;

(c) under paragraph (e), two shall retire in March, 2021 and
two shall retire in March, 2024; and

(d) under paragraph (f), one shall retire in March, 2021 and
one shall retire in March, 2024;

(3C) Notwithstanding the provisions of clauses (1) and (3) or any
other law for the time being in force, members elected from
the Province of the Punjab prior to the creation of the new
Provinces of Bahawalpur and Janubi Punjab shall complete
their respective terms of office and thereafter this clause and
clause (3B) shall stand omitted.”
5. Amendment of Article 106 of the Constitution.—In the Constitution, in Article 106,—

(a) in clause (1), for the Table the following shall be substituted, namely,—

<table>
<thead>
<tr>
<th></th>
<th>General seats</th>
<th>Women</th>
<th>Non-Muslims</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bahawalpur</td>
<td>31</td>
<td>7</td>
<td>1</td>
<td>39</td>
</tr>
<tr>
<td>Balochistan</td>
<td>51</td>
<td>11</td>
<td>3</td>
<td>65</td>
</tr>
<tr>
<td>Janubi Punjab</td>
<td>64</td>
<td>14</td>
<td>2</td>
<td>80</td>
</tr>
<tr>
<td>Khyber Pakhtunkhwa</td>
<td>115</td>
<td>26</td>
<td>4</td>
<td>145</td>
</tr>
<tr>
<td>Punjab</td>
<td>202</td>
<td>45</td>
<td>5</td>
<td>252</td>
</tr>
<tr>
<td>Sindh</td>
<td>130</td>
<td>29</td>
<td>9</td>
<td>168</td>
</tr>
</tbody>
</table>

(b) after clause (1) amended as aforesaid, the following new clause (1 A) shall be inserted, namely,—

“(1A) Notwithstanding anything contained in clause (1) or any other law for the time being in force, members of the Provincial Assembly of the Punjab elected in the general elections, 2018 on reserved seats for women and Non-Muslims shall continue till dissolution of the Provincial Assembly and thereafter this clause, including the proviso, shall stand omitted:

Provided that a woman member or a Non-Muslim member elected on a reserved seat to the Provincial Assembly of the Punjab having a domicile in Bahawalpur or Janubi Punjab Province may opt to be a member of the Provincial Assembly of that Province.”

6. Amendment of Article 154 of the Constitution.—In the Constitution, in Article 154, after clause (1), the following new clauses shall be added, namely,—

“(1A) As and when new Provinces or territories are included in the territories comprising Pakistan under Article 1 the Council shall determine, within three months, the apportionment, distribution, adjustment, allocation and transfer among the Federal Government and Provincial Governments of the existing and new Provinces or territories;

(a) water and other natural resources;
(b) present employees and future job quotas in the civil bureaucracy;

(c) physical, monetary and other assets and liabilities and rights; and

(d) other ancillary matters.

(1B) The determination under clause (1) shall be based on recommendations of a National Commission for New Provinces comprising eminent and reputable technical, financial, legal and other experts to be constituted by the Speaker, National Assembly in consultation with Chairman Senate and Leaders of the House and Leaders of Opposition, for this purpose and for consideration of proposals for new Provinces referred thereto by resolutions of both Houses.”

7. **Amendment of Article 175A of the Constitution.**—In the Constitution, in Article 175A, after clause (6), the following new clause (6A) shall be inserted, namely:—

“(6A) For initial appointment of the Chief Justice and Judges of the Bahawalpur and Janubi Punjab High Courts, the Chief Justice of the Lahore High Court shall also be a member of the Commission.”

8. **Amendment of Article 198 of the Constitution.**—In the Constitution, in Article 198,—

(a) after clause (1A), the following new clause (1B) shall be inserted, namely:—

“(1B) The High Court for Bahawalpur shall have its principal seat at Bahawalpur, and the High Court for Janubi Punjab shall have its principal seat at Multan.”

(b) in clause (3), for the words “each at Bahawalpur, Multan and” the word “at” shall be substituted.

9. **Amendment of Article 218 of the Constitution.**—In the Constitution, in Article 218, in clause (2), in sub-clause (b) for the word “four” the word “six” shall be substituted.
STATEMENT OF OBJECTS AND REASONS

The Provincial Assembly of the Punjab had passed two separate Resolutions on 9th May, 2012 for the restoration of the provincial status of Bahawalpur and creation of a new province of Janubi Punjab. The Resolutions were supported by members from political parties on both sides of the House.

People from the erstwhile state of Bahawalpur and people from Janubi Punjab continue to press for establishment of new provinces of Bahawalpur and Janubi Punjab respectively. This Constitution amendment Bill seeks to meet their very genuine demand by restoring the provincial status of Bahawalpur (comprising the existing administrative division of Bahawalpur) and creating the province of Janubi Punjab (comprising the existing administrative divisions of Dera Ghazi Khan and Multan.

Sd/-
RANA SANA ULLAH KHAN,

REPORT OF THE STANDING COMMITTEE ON LAW AND JUSTICE ON THE CONSTITUTIONAL (AMENDMENT) BILL, 2019

I, the Chairman of Standing Committee on Law and Justice, have the honour to present this report on the Bill further to amend the Constitution of the Islamic Republic of Pakistan [The Constitution (Amendment) Bill, 2019] (Private Member’s Bill) referred to the Committee on 30th April, 2019.

2. The Committee comprises the following:—

1. Mr. Riaz Fatyana  
2. Mr. Atta Ullah  
3. Mr. Lal Chand  
4. Mr. Muhammad Farooq Azam Malik  
5. Ms. Kishwer Zehra  
6. Ms. Maleeka Ali Bokhari  
7. Mr. Muhammad Sana Ullah Khan Masti Khel  
8. Malik Muhammad Ehsan Ullah Tiwana  
9. Agha Hassan Baloch  
10. Mr. Sher Ali Arbab  
11. Ms. Shunila Ruth  
12. Mr. Saad Waseem  
13. Rana Sana Ullah Khan  
14. Ch. Mehmood Bashir Virk  
15. Mr. Usman Ibrahim  
16. Khawaja Saad Rafique
3. The Committee considered the Bill as introduced in the National Assembly placed at Annex-A, in its meetings held on the 2nd and 3rd July, and 20th and 21st August 2019. The Committee recommends that a Parliamentary Committee/Special Committee shall be constituted to consider the Bill along with other similar Bills.

Sd/-
TAHIR HUSSAIN,
Secretary.
Islamabad, the 25th October. 2019.

ANNEX-“A”

AS REPORTED BY THE STANDING COMMITTEE

A

BILL

further to amend the Constitution of the Islamic Republic of Pakistan

WHEREAS it is expedient further to amend the Constitution of the Islamic Republic of Pakistan for the purposes hereinafter appearing:

It is hereby enacted as follows:—

1. **Short title and Commencement.**—(1) This Act may be called the Constitution (Amendment) Act, 2019.

(2) It shall come into force at once.

2. **Amendment of Article 1 of the Constitution.**—In the Constitution of the Islamic Republic of Pakistan, hereinafter referred to as the Constitution, in Article 1, in clause (2), for paragraph (a) the following shall be substituted, namely,—
“(a) the Provinces of Balochistan, Hazara, Khyber Pakhtunkhwa, the Punjab, and Sindh;

Explanation.—The Province of Hazara shall comprise the territories of existing districts in Hazara Division shall stand excluded from the Province of Khyber Pakhtunkhwa.”

3. **Amendment of Article 51 of the Constitution.**—In the Constitution, in Article 51,—

(a) in clause (3), for the Table the following shall be substituted, namely,—

<table>
<thead>
<tr>
<th>General seats</th>
<th>Women seats</th>
<th>Total seats</th>
</tr>
</thead>
<tbody>
<tr>
<td>Balochistan</td>
<td>16</td>
<td>4</td>
</tr>
<tr>
<td>Hazara</td>
<td>5</td>
<td>2</td>
</tr>
<tr>
<td>Khyber Pakhtunkhwa</td>
<td>40</td>
<td>8</td>
</tr>
<tr>
<td>Punjab</td>
<td>141</td>
<td>32</td>
</tr>
<tr>
<td>Sindh</td>
<td>61</td>
<td>14</td>
</tr>
<tr>
<td>Federal Capital</td>
<td>3</td>
<td>–</td>
</tr>
<tr>
<td><strong>Total:</strong></td>
<td><strong>266</strong></td>
<td><strong>60</strong></td>
</tr>
</tbody>
</table>

(b) for clause (3A) the following shall be substituted, namely,—

“(3A) Notwithstanding anything contained in clause (3) or any other Law for the time being in force, the members of the National Assembly from the Federally Administered Tribal Areas and Hazara Division and women elected on reserved seats from these areas in General Elections 2018 shall continue till dissolution of the National Assembly and thereafter this clause shall stand omitted.”

4. **Amendment of Article 59 of the Constitution.**—In the Constitution, in Article 59,—

(a) in clause (1), for the words “ninety-six” the words “one hundred and nineteen” shall be substituted;

(b) after clause (3A), the following clauses shall be inserted, namely,—

“(3B) Notwithstanding the provisions of clause (1) and (3) or any other Law for the time being in force, members elected from the Province of Hazara prior to the creation of Hazara Province shall complete to their respective terms of office and thereafter this clause shall be omitted.”
5. **Amendment of Article 106 of the Constitution.**—In the Constitution, in Article 106,—

(a) in clause (1), for the Table the following shall be substituted, namely,—

<table>
<thead>
<tr>
<th>Province</th>
<th>General seats</th>
<th>Women</th>
<th>Non-Muslims</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Balochistan</td>
<td>51</td>
<td>11</td>
<td>3</td>
<td>65</td>
</tr>
<tr>
<td>Hazara</td>
<td>15</td>
<td>6</td>
<td>1</td>
<td>22</td>
</tr>
<tr>
<td>Khyber Pakhtunkhwa</td>
<td>100</td>
<td>20</td>
<td>3</td>
<td>123</td>
</tr>
<tr>
<td>Punjab</td>
<td>297</td>
<td>66</td>
<td>8</td>
<td>371</td>
</tr>
<tr>
<td>Sindh</td>
<td>130</td>
<td>29</td>
<td>9</td>
<td>168</td>
</tr>
</tbody>
</table>

(b) after clause (1) amended as aforesaid, the following new clause (1A) shall be inserted, namely,—

“(1A) Notwithstanding anything contained in clause (1) or any other law for the time being in force, members of the Provincial Assembly of the Hazara elected in the general elections, 2018 shall continue till dissolution of the Provincial Assembly and thereafter this clause, shall stand omitted.

6. **Amendment of Article 175A of the Constitution.**—In the Constitution, in Article 175A, after clause (6), the following new clause (6A) shall be inserted, namely:—

“(6A) For initial appointment of the Chief Justice and Judges of the Hazara High Court, the Chief Justice of the Peshawar High Court shall also be a member of the Commission.”

7. **Amendment of Article 218 of the Constitution.**—In the Constitution, in Article 218, in clause (2), in sub-clause (b) for the word “four” the word “five” shall be substituted.

**STATEMENT OF OBJECTS AND REASONS**

The Provincial Assembly of the Khyber Pakhtunkhwa on 31-3-2014 passed a Resolution recommending therein to the Federal Government to introduce a Bill for creation of new Province on administrative grounds including Hazara Province.

People from the Hazara Division continue to press for creation of new province of Hazara. This Constitution Amendment Bill seeks to meet very
genuine demand of people of Hazara Division by creating the Hazara province comprising the districts under the existing administrative Hazara Division.

Sd/-

MR. ALI KHAN JADOON

REPORT OF THE STANDING COMMITTEE ON LAW AND JUSTICE ON THE CONSTITUTIONAL (AMENDMENT) BILL, 2019

I, the Chairman of Standing Committee on Law and Justice, have the honour to present this report on the Bill further to amend The Constitution of the Islamic Republic of Pakistan [The Constitution (Amendment) Bill, 2019] (Private Member’s Bill) referred to the Committee on 30th April, 2019.

2. The Committee comprises the following:—

1. Mr. Riaz Fatyana                      Chairman
2. Mr. Atta Ullah                      Member
3. Mr. Lal Chand                      Member
4. Mr. Muhammad Farooq Azam Malik     Member
5. Ms. Kishwer Zehra                    Member
6. Ms. Maleeka Ali Bokhari            Member
7. Mr. Muhammad Sana Ullah Khan Masti Khel  Member
8. Malik Muhammad Ehsan Ullah Tiwana    Member
9. Agha Hassan Baloch                    Member
10. Mr. Sher Ali Arbab                   Member
11. Ms. Shunila Ruth                     Member
12. Mr. Saad Waseem                     Member
13. Rana Sana Ullah Khan                   Member
14. Ch. Mehmood Bashir Virk              Member
15. Mr. Usman Ibrahim                    Member
16. Khawaja Saad Rafique                  Member
17. Syed Hussain Tariq                     Member
18. Syed Naveed Qamar                    Member
19. Dr. Nafisa Shah                      Member
20. Ms. Aliya Kamran                    Member
21. Barrister Dr. Muhammad Farogh Naseem     Ex-Officio Member
    Minister for Law and Justice.

3. The Committee considered the Bill as introduced in the National Assembly placed at Annex-A, in its meetings held on the 2nd and 3rd July, and 20th and 21st August 2019. The Committee recommends that a Parliamentary
Committee/Special Committee shall be constituted to consider the Bill along-with other similar Bills.

Sd/-
TAHIR HUSSAIN,
Secretary.
Islamabad, the 25th October, 2019.

Sd/-
RIAZ FATYANA,
Chairman.

ANNEX-“A”

[AS REPORTED BY THE STANDING COMMITTEE]

A

BILL

further to amend the Constitution of the Islamic Republic of Pakistan

WHEREAS it is expedient further to amend the Constitution of the Islamic Republic of Pakistan for the purposes hereinafter appearing;

It is hereby enacted as follows:—

1. Short title and commencement.—(1) This Act may be called the Constitution (Amendment) Act, 2019.

(2) It shall come into force at once.

2. Amendment of Article 1 of the Constitution.—In the Constitution of Islamic Republic of Pakistan, hereinafter referred to as the Constitution, in Article 1, in clause (2), for paragraph (a) the following shall be substituted, namely;—

“(a) The provinces of Bahawalpur, Balochistan, Hazara, Janubi Punjab, Khyber Pakthunkhwa, the Punjab, and Sindh;

Explanation.—The Province of Bahawalpur shall comprise the existing administrative division of Bahawalpur; the Province of Hazara shall comprise the existing administrative division of Hazara; and the Province of Janubi Punjab shall comprise the existing administrative divisions of Dera Ghazi Khan and Multan. Bahawalpur, Dera Ghazi Khan and Multan Divisions shall stand excluded from the Province of the Punjab and Hazara Division shall stand excluded from the Province of Khyber Pakthunkhwa.”
3. Amendment of Article 51 of the Constitution.—In the Constitution, in Article 51,—

(a) in clause (3), for the table the following shall be substituted, namely:

<table>
<thead>
<tr>
<th>Province</th>
<th>General seats</th>
<th>Women seats</th>
<th>Total seats</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bahawalpur</td>
<td>15</td>
<td>3</td>
<td>18</td>
</tr>
<tr>
<td>Balochistan</td>
<td>16</td>
<td>4</td>
<td>20</td>
</tr>
<tr>
<td>Hazara</td>
<td>7</td>
<td>2</td>
<td>9</td>
</tr>
<tr>
<td>Janubi Punjab</td>
<td>31</td>
<td>7</td>
<td>38</td>
</tr>
<tr>
<td>Khyber Pakhtunkhwa</td>
<td>38</td>
<td>8</td>
<td>46</td>
</tr>
<tr>
<td>Punjab</td>
<td>95</td>
<td>22</td>
<td>117</td>
</tr>
<tr>
<td>Sindh</td>
<td>61</td>
<td>14</td>
<td>75</td>
</tr>
<tr>
<td>Federal Capital</td>
<td>3</td>
<td>-</td>
<td>3</td>
</tr>
<tr>
<td><strong>Total:</strong></td>
<td><strong>266</strong></td>
<td><strong>60</strong></td>
<td><strong>326</strong></td>
</tr>
</tbody>
</table>

(b) for clause (3A) the following shall be substituted namely:

“(3A) Notwithstanding anything contained in clause (3) or any other law for the time being in force, the members of the National Assembly from the Federally Administered Tribal Areas elected in the general elections, 2018 and women elected on reserved seats from the Punjab and Khyber Pakhtunkhwa to the National Assembly shall continue till dissolution of the National Assembly and thereafter this clause shall stand omitted.”

4. Amendment of Article 59 of the Constitution.—In the Constitution, in Article 59,—

(1) in clause (1),—

(a) for the words “ninety-six” the words “one hundred and sixty-five” shall be substituted;

(b) in paragraph (f), for the word “four” the word “seven” shall be substituted;

(2) in clause (3), for paragraph (f), the following shall be substituted, namely,—

“(f) of the members referred to in paragraph (f) of the aforesaid clause, three shall retire after the expiration of first three years and four shall retire after the expiration of next three years.”
(3) after clause (3A), the following new clauses (3B) and (3C) shall be inserted, namely,—

“(3B) Notwithstanding the provisions of clause (3) or any other law for the time being in force, of the members elected by the Provincial Assemblies of the new Provinces of Bahawalpur, Hazara and Janubi Punjab,

(a) under paragraph (a), seven will retire in March, 2021 and seven in March, 2024;

(b) under paragraph (d), two will retire in March, 2021 and two in March, 2024;

(c) under paragraph (e), two will retire in March, 2021 and two in March, 2024; and

(d) under paragraph (f), one will retire in March, 2021 and one in March, 2024;

and thereafter this clause shall stand omitted.

(3C) Notwithstanding the provisions of clauses (1) and (3) or any other law for the time being in force, members elected from the Provinces of the Punjab and Khyber Pakhtunkhwa prior to the creation of the new Provinces of Bahawalpur, Hazara and Janubi Punjab shall complete their respective terms of office and thereafter this clause shall be omitted.”

5. **Amendment of Article 106 of the Constitution.**—In the Constitution, in Article 106;—

(a) in clause (1), for the Table the following shall be substituted namely,—

<table>
<thead>
<tr>
<th>Province</th>
<th>General seats</th>
<th>Women</th>
<th>Non-Muslims</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bahawalpur</td>
<td>31</td>
<td>7</td>
<td>1</td>
<td>39</td>
</tr>
<tr>
<td>Balochistan</td>
<td>51</td>
<td>11</td>
<td>3</td>
<td>65</td>
</tr>
<tr>
<td>Hazara</td>
<td>18</td>
<td>4</td>
<td>1</td>
<td>23</td>
</tr>
<tr>
<td>Janubi Punjab</td>
<td>64</td>
<td>14</td>
<td>2</td>
<td>80</td>
</tr>
<tr>
<td>Khyber Pakhtunkhwa</td>
<td>97</td>
<td>22</td>
<td>3</td>
<td>122</td>
</tr>
<tr>
<td>Punjab</td>
<td>202</td>
<td>45</td>
<td>5</td>
<td>252</td>
</tr>
<tr>
<td>Sindh</td>
<td>130</td>
<td>29</td>
<td>9</td>
<td>168</td>
</tr>
</tbody>
</table>
(b) after clause (1) amended as aforesaid, the following new clause (1A) shall be inserted, namely:

“(1A) Notwithstanding anything contained in clause (1) or any other law for the time being in force, members of the Provincial Assembly of the Punjab and Khyber Pakhtunkhawa elected in the general elections, 2018 on reserved seats for women and Non-Muslims shall continue till dissolution of the Provincial Assembly and thereafter this clause, including the proviso, shall stand omitted:

Provided that a woman member or a Non-Muslim member elected on a reserved seat to the Provincial Assembly having a domicile in Bahawalpur or Hazara or Janubi Punjab may opt to be a member of the Provincial Assembly of that Province.”

6. Amendment of Article 154 of the Constitution.—In the Constitution, in Article 154, after clause (1), the following new clause (1A) shall be added, namely:

“(1A) (a) As and when new Province or territories are included in the territories comprising Pakistan under Article 1, the Council shall determine, within three months, the apportionment, distribution, adjustment, allocation and transfer among the Federal Government and Provincial Governments of the existing and new Provinces or territories, of (a) water and other natural resources; (b) present employees and future job quotas in the civil bureaucracy; (c) physical, monetary and other assets and liabilities and rights, and (d) other ancillary matters.

(b) The determination under clause (1) shall be based on recommendations of a National Commission for New Provinces comprising eminent technical, financial, legal and other experts to be constituted by the Speaker, National Assembly in consultation with the Chairman, Senate and the Leaders of the House and Leaders of the Opposition, for this purpose and for consideration of proposals for new Provinces referred to it by resolutions of both Houses.”

7. Amendment of Article 175A of the Constitution.—In the Constitution, in Article 175A, after clause (6), the following new clause (6A) shall be inserted, namely:

“(6A) For initial appointment of the Chief Justice and Judges of the Bahawalpur and Janubi Punjab High Courts the Chief Justice of the Lahore High Court shall also be a member of the Commission, and
for initial appointment of the Chief Justice and Judges of the Hazara High Court, the Chief Justice of the Peshawar High Court shall also be a member of the Commission.”

8. **Amendment of Article 198 of the Constitution.**—In the Constitution, in Article 198,—

(a) after clause (1A), the following new clause (1B) shall be inserted, namely,—

“(1B) The High Courts for Bahawalpur, Hazara and Janubi Punjab shall have their principal seats at Bahawalpur, Abbottabad and Multan respectively.

(b) in clause (3), the words “each”, “Bahawalpur, Multan and”, and the word and comma “Abbottabad,” shall be omitted.

9. **Amendment of Article 218 of the Constitution.**—In the Constitution, in Article 218, in clause (2), in paragraph (b), for the word “four” the word “seven” shall be substituted.

STATEMENT OF OBJECT AND REASONS

The Provincial Assembly of the Punjab had passed two separate Resolutions on 9th May 2012 for the restoration of the provincial status of Bahawalpur and creation of a new province of Janubi Punjab. The Resolutions were supported by members from political parties on both sides of the House.

The Provincial Assembly of Khyber Pakhtunkhwa had passed a Resolution on 25th March, 2014 for creation of a new province of Hazara. This Resolution was also supported by members from political parties on both sides of the House.

People from the erstwhile state of Bahawalpur and people from Hazara and Janubi Punjab continue to press for establishment of the new provinces of Bahawalpur, Hazara and Janubi Punjab respectively. This Constitution Amendment Bill seeks to meet their very genuine demands by restoring the provincial status of Bahawalpur (comprising the existing administrative division of Bahawalpur) and creating the provinces of Hazara (comprising the existing administrative
division of Hazara) and Janubi Punjab (comprising the existing administrative divisions of Dera Ghazi Khan and Multan.

Sd/-
MR. MURTaza JAVEd ABBASi.

REPORT OF THE STANDING COMMITTEE ON LAW AND JUSTICE ON THE FAMILY COURTS (AMENDMENT) BILL, 2019

I, the Chairman of Standing Committee on Law and Justice, have the honour to present this report on the Bill further to amend the Family Courts Act, 1964 (XXXV of 1964) [(The Family Courts) (Amendment) Bill, 2019] (Private Member’s Bill) referred to the Committee on 23rd April, 2019.

2. The Committee comprises the following:—

1. Mr. Riaz Fatyana  
2. Mr. Atta Ullah  
3. Mr. Lal Chand  
4. Mr. Muhammad Farooq Azam Malik  
5. Ms. Kishwer Zehra  
6. Ms. Maleeka Ali Bokhari  
7. Mr. Muhammad Sana Ullah Khan Masti Khel  
8. Malik Muhammad Ehsan Ullah Tiwana  
9. Agha Hassan Baloch  
10. Mr. Sher Ali Arbab  
11. Ms. Shunila Ruth  
12. Mr. Saad Waseem  
13. Rana Sana Ullah Khan  
14. Ch. Mehmood Bashir Virk  
15. Mr. Usman Ibrahim  
16. Khawaja Saad Rafique  
17. Syed Hussain Tariq  
18. Syed Naveed Qamar  
19. Dr. Nafisa Shah  
20. Ms. Aliya Kamran  
21. Barrister Dr. Muhammad Farogh Naseem  

Minister for Law and Justice

Ex-Officio Member

3. The Committee considered the Bill as introduced in the National Assembly placed at Annex-A, in its meetings held on 5th September, 2019 and
30th October, 2019. The Committee recommends that the Bill may not be passed by the Assembly.

Sd/-

TAHIR HUSSAIN,
Secretary.
Islamabad, the 26th October, 2019.

Sd/-

RIAZ FATYANA,
Chairman.

ANNEX-A

[AS REPORTED BY THE STANDING COMMITTEE]

A

BILL

further to amend the Family Courts Act, 1964

WHEREAS, it is expedient further to amend the Family Courts, Act, 1964 (XXXV of 1964) for the purposes hereinafter appearing;

It is hereby enacted as follows:—

1. **Short title, extent and Commencement.**—(1) This Act may be called the Family Courts (Amendment) Act, 2019.

   (2) It shall extend to the Islamabad Capital Territory.

   (3) It shall come into force at once.

2. **Amendment of section 10, Act XXXV of 1964.**—In the Family Courts Act, 1964 (XXXV of 1964), in section 10, for sub-section (3), the following shall be substituted:—

   “(3) At the pre-trial stage, the Court shall ascertain the points at issue between the parties and nominate one person each from the families of the parties with their consent for conciliation.”

STATEMENT OF OBJECTS AND REASONS

Article 227 of the Constitution provides for all existing laws to be brought in conformity with the Injunctions of Islam as laid down in the Holy Quran and Sunnah and that no law shall be enacted which is repugnant to such Injunctions.
According to injunctions of the Holy Quran (Sura-An-Nisa, verse 35) regarding appointment of an arbitrator from the families of spouses in case of any conflict between the parties for the purpose of conciliation, this amendment has been proposed so that rate of divorce shall be decreased.

This Bill seeks to achieve the aforesaid objectives.

Sd/-
SYED JAVED HUSNAIN,
Member, National Assembly.
3. The Committee considered the Bill as introduced in the National Assembly, placed at Annexure-‘A’ in its meetings held on 18th April, 2019, 20th and 29th May, 2019 and 8th August, 2019 and recommends that the Bill as introduced may be passed by the Assembly.

Sd/-
TAHIR HUSSAIN,
Secretary.
Islamabad, the 9th December, 2019.

Sd/-
BILAWAL BHUTTO ZARDARI,
Chairman.

ANNEXURE-“A”

[AS REPORTED BY THE STANDING COMMITTEE]

A

BILL

_further to amend the National Commission on the Status of Women Act, 2012_

WHEREAS it is expedient further to amend the National Commission on the Status of Women Act, 2012 (VIII of 2012) for the purposes hereinafter appearing:

It is hereby enacted as follows:—

2. _Short title and commencement._—(1) This Act may be called the National Commission on the Status of Women (Amendment) Act, 2019.

(2) It shall come into force at once.

2. _Amendment of section 6, Act VIII of 2012._—In the National Commission on the Status of Women Act, 2012 (VIII of 2012), in section 6, in sub-section (1), the expression “the term of the office may be extended only once”, shall be omitted.

STATEMENT OF OBJECTS AND REASONS

National Commission on the Status of Women should benefit from experience of new members as they would bring fresh ideas about uplifting the status of women. It is vital that more opportunity is provided to new members.
The Bill aims to provide more opportunity to new members so that they may be able to bring a new pragmatic approach to the Commission.

Sd/-
MS. ALIYA KAMRAN,
Member National Assembly.

REPORT OF THE STANDING COMMITTEE ON LAW AND JUSTICE ON THE CONSTITUTIONAL (AMENDMENT) BILL, 2019

I, the Chairman of Standing Committee on Law and Justice, have the honour to present this report on the Bill further to amend The Constitution of the Islamic Republic of Pakistan [The Constitution (Amendment) Bill, 2019] (Private Member’s Bill) referred to the Committee on 30th April, 2018.

2. The Committee comprises the following:—

1. **Mr. Riaz Fatyana**
2. Mr. Atta Ullah
3. Mr. Lal Chand
4. Mr. Muhammad Farooq Azam Malik
5. Ms. Kishwer Zehra
6. Ms. Maleeka Ali Bokhari
7. Mr. Muhammad Sana Ullah Khan Masti Khel
8. Malik Muhammad Ehsan Ullah Tiwana
9. Agha Hassan Baloch
10. Mr. Sher Ali Arbab
11. Ms. Shunila Ruth
12. Mr. Saad Waseem
13. Rana Sana Ullah Khan
14. Ch. Mehmood Bashir Virk
15. Mr. Usman Ibrahim
16. Khawaja Saad Rafique
17. Syed Hussain Tariq
18. Syed Naveed Qamar
19. Dr. Nafisa Shah
20. Ms. Aliya Kamran
21. Barrister Dr. Muhammad Farogh Naseem

Chairman
Member
Member
Member
Member
Member
Member
Member
Member
Member
Member
Member
Member
Member
Member
Member
Member
Member
Member
Member
Member
Ex-Officio Member

Minister for Law and Justice.

3. The Committee considered the Bill as introduced in the National Assembly placed at Annex-A, in its meetings held on the 20th August, 2019 and 28th November, 2019. The Committee recommends that a Parliamentary
Committee/Special Committee shall be constituted to consider the Bill along-
with other similar Bills.

Sd/-
TAHIR HUSSAIN,
Secretary.

Riaz Fatyana,
Chairman.

Islamabad, the 12th December, 2019.

ANNEX-A

[AS REPORTED BY THE STANDING COMMITTEE]

A

BILL

further to amend the Constitution of the Islamic Republic of Pakistan

WHEREAS it is expedient further to amend the Constitution of the Islamic
Republic of Pakistan, for the purposes hereinafter appearing:

It is hereby enacted as follows:

1. **Short title and commencement.**—(1) This Act may be called the

   (2) It shall come into force at once.

2. **Amendment of Article 51 of the Constitution.**—In the Constitution
of the Islamic Republic of Pakistan, hereinafter referred to as the Constitution, in
Article 51,—

   (a) in clause (1), for the words “three hundred and thirty six” the words
   “three hundred and forty one” shall be substituted; and

   (b) in clause (4) for the word “ten” the word “fifteen” shall be
   substituted.

3. **Amendment of Article 106, of the Constitution.**—In the
Constitution, in Article 106 in clause (1), for the table the following shall be
substituted, namely:—
STATEMENT OF OBJECTS AND REASONS

Under Article 36 of the Constitution, the State is obliged to safeguard the legitimate rights and interests of minorities. Presently under Article 51(4) of the Constitution, ten seats are reserved for non-Muslims in the National Assembly. As per Article 106 the table indicates the number of seats in the Provincial Assembly to be allocated to non-Muslims. There were ten reserved seats for non-Muslims when the number of general seats were 207. When general seats were increased to 272 in 2002, the number of seats reserved for non-Muslims remained the same i.e. 10. The Minority Community strongly feels that minorities representation in National and Provincial Assemblies may be increased according to the proportion to the population of non-Muslims.

2. The Bill seeks to achieve the above-said objectives.

Sd/-
DR. DARSHAN.

REPORT OF THE STANDING COMMITTEE ON LAW AND JUSTICE ON THE CONSTITUTIONAL (AMENDMENT) BILL, 2019

I, the Chairman of Standing Committee on Law and Justice, have the honour to present this report on the Bill further to amend The Constitution of the Islamic Republic of Pakistan [The Constitution (Amendment) Bill, 2019] (Private Member’s Bill) referred to the Committee on 06th November, 2018.

2. The Committee comprises the following:—

1. **Mr. Riaz Fattyana**  
2. Mr. Atta Ullah  
3. Mr. Lal Chand  
4. Mr. Muhammad Farooq Azam Malik  
5. Ms. Kishwer Zehra  
6. Ms. Maleeka Ali Bokhari  
7. Mr. Muhammad Sana Ullah Khan Masti Khel  
8. Malik Muhammad Ehsan Ullah Tiwana  
9. Agha Hassan Baloch  
10. Mr. Sher Ali Arbab

Chairman
Member
Member
Member
Member
Member
Member
Member
Member
Member
3. The Committee considered the Bill as introduced in the National Assembly placed at Annex-A, in its meetings held on the 3rd January, 2019, 15th January, 2019 and 28th November, 2019. The Committee recommends that a Parliamentary Committee/Special Committee shall be constituted to consider the Bill along-with other similar Bills.

Sd/-
TAHIR HUSSAIN,
Secretary.
Islamabad, the 12th December, 2019.

Sd/-
RIAZ FATYANA,
Chairman.

ANNEX-‘A’

[AS REPORTED BY THE STANDING COMMITTEE]

A

BILL

further to amend the Constitution of the Islamic Republic of Pakistan

WHEREAS it is expedient further to amend the Constitution of the Islamic Republic of Pakistan for the purposes hereinafter appearing:

It is hereby enacted as follows:

3. **Short title and commencement.**— (1) This Act may be called the Constitution (Amendment) Act, 2018.

(2) It shall come into force from the next general election.
PART III] THE GAZETTE OF PAKISTAN, EXTRA., JAN. 14, 2020 49(59)

2. **Amendment of Article 51 of the Constitution.**—In the Constitution of the Islamic Republic of Pakistan, hereinafter referred to as the Constitution, in Article 51, in clause (4), for the words “ten”, the words “twenty” shall be substituted.

4. **Amendment of Article 106 of the Constitution.**—In the Constitution, in Article 106 in clause (1), for the table, the following shall be substituted, namely:

<table>
<thead>
<tr>
<th>Province</th>
<th>General Seats</th>
<th>Women</th>
<th>Non-Muslims</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Balochistan</td>
<td>51</td>
<td>11</td>
<td>6</td>
<td>68</td>
</tr>
<tr>
<td>Khyber Pakhtunkhwa</td>
<td>115</td>
<td>26</td>
<td>8</td>
<td>149</td>
</tr>
<tr>
<td>Punjab</td>
<td>297</td>
<td>66</td>
<td>16</td>
<td>379</td>
</tr>
<tr>
<td>Sindh</td>
<td>130</td>
<td>29</td>
<td>18</td>
<td>177</td>
</tr>
</tbody>
</table>

---

**STATEMENT OF OBJECTS AND REASONS**

The State is obliged under the Constitution for the promotion and protection of rights and interests of Non-Muslims including their representation in the legislature. The Non-Muslim community strongly feels that they are under-representation, since no increase was made in their seats, as it was done for general seats, hence, their representation needs to be increased in the National Assembly and Provincial Assemblies.

2. This Bill seeks to achieve the above-said objectives.

Sd/-
MR. NAVEED AAMIR JEEVA,
Member National Assembly.

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**REPORT OF THE STANDING COMMITTEE ON LAW AND JUSTICE ON THE CONSTITUTIONAL (AMENDMENT) BILL, 2019**

I, the Chairman of Standing Committee on Law and Justice, have the honour to present this report on the Bill further to amend the Constitution of the Islamic Republic of Pakistan [The Constitution (Amendment) Bill, 2019] (Private Member’s Bill) referred to the Committee on 11th December, 2018.

2. The Committee comprises the following:—

1. **Mr. Riaz Fathyana**  
   _Chairman_
2. Mr. Atta Ullah  
   _Member_
3. Mr. Lal Chand  
   _Member_
4. Mr. Muhammad Farooq Azam Malik  
   _Member_
5. Ms. Kishwer Zehra  
   _Member_
6. Ms. Maleeka Ali Bokhari  
   _Member_
3. The Committee considered the Bill as introduced in the National Assembly placed at Annex-A, in its meetings held on the 3rd January, 2019, 15th January, 2019, and 28th November, 2019. The Committee recommends that Bill to the extent of Clauses, 2, 4 and 5 may not be passed by the Assembly.

4. The Committee further recommends that a Parliamentary Committee/Special Committee shall be constituted to consider the Bill along-with other similar Bills, to the extent of amendments in Articles 51 and 106 of the Constitution of the Islamic Republic of Pakistan.

Sd/-
TAHIR HUSAIN,
Secretary.
Riaz Fatyana,
Chairman.
Islamabad the 12th December, 2019.

ANNEX-‘A’

[AS REPORTED BY THE STANDING COMMITTEE]

A

BILL

further to amend the Constitution of the Islamic Republic of Pakistan

WHEREAS it is expedient further to amend the Constitution of the Islamic Republic of Pakistan, for the purposes hereinafter appearing:
It is hereby enacted as follows:—

1. **Short title and commencement.**—(1) This Act may be called the Constitution (Amendment) Act, 2018.

   (2) It shall come into force at once.

2. **Insertion of Article 25B of the Constitution.**—In the Constitution of the Islamic Republic of Pakistan, hereinafter referred to as the Constitution, after Article 25A, the following new Article shall be inserted, namely:

   “25B. Establishment of Women Universities. The State shall take necessary steps to establish women university in each city of the country having population of 5,00,000 or more by, 2020:

   Provided that a completely separate women campus of a university will suffice in this regard:

   Provided further that this Article shall not prevent the government to establish women universities in smaller cities.”.

3. **Amendment of Article 51 of the Constitution.**—In the Constitution, in Article 51,—

   (a) in clause (1), for the expression “three hundred and thirty-six” the expression “three hundred and forty one” shall be substituted;

   (b) in clause (4),—

      (i) for the word “ten” the word “fifteen” shall be substituted; and

      (ii) after clause (4), the following new clause, shall be inserted, namely:—

      “(4A) The members to fill the seats referred to in clause (4) shall be elected through direct election by casting free vote by minority communities in accordance with law.”;

   (c) In clause (6)—

      (i) for paragraph (e), the following shall be substituted, namely:—

      “(e) Non-Muslim shall have the right to cast dual vote; one vote for general seat and second vote for reserved seat in accordance with the law; and”; and
(ii) after paragraph (e), the following new paragraph (f), shall be inserted, namely:

“(f) “Delimitation of constituencies for National Assembly and Provincial Assemblies shall be made on Provincial basis by Election Commission of Pakistan as proposed in the following table:—

<table>
<thead>
<tr>
<th>Province</th>
<th>Balochistan</th>
<th>KPK</th>
<th>Punjab</th>
<th>Sindh</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Seats for NA</td>
<td>1</td>
<td>1</td>
<td>5</td>
<td>8</td>
<td>15</td>
</tr>
</tbody>
</table>

4. **Insertion of Article 63B of the Constitution.**—In the Constitution, after Article 63A, the following new Article shall be inserted, namely:—

“63B. **Disqualification.**—A member shall permanently be disqualified to be elected as member of Majlis-e-Shoora (Parliament) or of a Provincial Assembly if he is elected or attempts to be elected or elects or attempts to elect a member by way of bribery of any kind:

Provided that a member who is already a member or elected as a member and commits the act of bribery as aforesaid, shall be de-seated forthwith.”.

5. **Amendment of Article 92 of the Constitution.**—In the Constitution, in Article 92, in clause (1), for the expression “and Ministers of State” the expression”, Ministers of State and Parliamentary Secretaries” shall be substituted.

6. **Amendment of Article 106 of the Constitution.**—In the Constitution, in clause (1), for the table, the following shall be substituted, namely:—

<table>
<thead>
<tr>
<th>Province</th>
<th>General Seats</th>
<th>Women</th>
<th>Non-Muslims</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Balochistan</td>
<td>51</td>
<td>11</td>
<td>04</td>
<td>66</td>
</tr>
<tr>
<td>Khyber Pakhtunkhwa</td>
<td>99</td>
<td>22</td>
<td>04</td>
<td>125</td>
</tr>
<tr>
<td>Punjab</td>
<td>297</td>
<td>66</td>
<td>10</td>
<td>373</td>
</tr>
<tr>
<td>Sindh</td>
<td>130</td>
<td>29</td>
<td>14</td>
<td>173</td>
</tr>
</tbody>
</table>

**STATEMENT OF OBJECTS AND REASONS**

The women are most neglected segment of Pakistani society. There is no concept of women empowerment without higher education. So, insertion of Article 25B will open new avenues for women education and empowerment.
Under Article 36 of the Constitution, the State is obliged to safeguard the legitimate rights and interests of minorities. Presently under Article 51(4) of the Constitution, ten seats are reserved for non Muslims in the National Assembly. As regards seats for non-Muslims in Provincial Assemblies, under Article 106 of the Constitution, three seats are reserved in the Provincial Assembly of Balochistan, three in Khyber Pakhtunkhwa, eight in Punjab and nine seats in the Provincial Assembly of Sindh. These seats were added/increased long back.

There were ten reserved seats for non-Muslims when the numbers of general seats were 207. When general seats were increased to 272 in 2002; the number of seats reserved for non Muslims remained the same, i.e. 10. Minority community strongly feels that minority’s representation in National and Provincial assemblies may be increased according to the proportion to the population of non-Muslims.

Direct Electorate Instead of Choosing from Party List:

By choosing from party list the minority community has no say in as to who occupies the 10 reserved seats in the National Assembly. Instead, these seats become a tool for victorious parties to pick their favorites. Moreover, there is fragile relation between these elected and reserved seats and those who active member of the minority community.

Sensing the sentiments of the minority communities in Pakistan it’s time to end the party list system. Changing the election procedure of reserved seats for Non-Muslim is not a new phenomenon. In 1985, separate electorate was introduced for non-Muslim and on the basis of separate electorate five elections were held which were totally abolished in 2002. On top of that, in the Global community religious and ethnic minority communities are represented in the parliament through direct election. Taking example of Jordan, Lebanon, India; New Zealand, Fiji, Croatia, Iran and Belgium m where religious and ethnic minorities are elected through direct electorate.

Dual Vote System for non-Muslims

Besides changing the election criteria of reserved seats for non-Muslims, it is also proposed to give the right to the non-Muslims to cast double vote. This means dual franchise and enables non-Muslims to cast one vote to a general seat candidate and the second to a member of their own community. This way they would remain integrated with the mainstream politics and true representatives of their communities would surface. The representative would be answerable to their community and take keen interest in the welfare and development of their communities. The argument of double vote cites the example of the residents of
Azad Jammu & Kashmir who cast votes both in their AJK hometown constituencies and in Pakistani constituencies where they reside.

**Constituency on Divisional Basis:**

For election on reserved seats for non-Muslims the delimitation of constituencies may be made on divisional basis by the Election Commission of Pakistan. The number of Divisions included in each constituency shall be on the basis of Non-Muslim population, so as to make a total of 15 constituencies for the National Assemblies.

Using the same mechanism 4 constituencies shall be formed in Balochistan, 4 in KPK, 10 in Punjab, and 14 in Sindh for Provincial Assemblies. Since 2002 the electoral role in general election do not identify voter by their religion. In this regard NADRA is the only source to track down Non-Muslim population in all divisions of Pakistan because NADRA has documented the religion of every citizen who applies for NADRA CNIC.

In order to bring transparency in the election process, especially, for those of reserved seats for Minorities, Women and election of Senate of Pakistan, insertion of Article 63-B is necessary. Similarly, to promote the culture of honesty, transparency, merit and fair play, in general, in the country, this amendment will play vital role.

Article 92 of the Constitution explains the procedure of appointment of Federal Minister and Ministers of State form amongst the members of Parliament. The Constitution of Islamic Republic of Pakistan does not explain the appointment method of the Parliamentary Secretaries. On the other hand, every Government appoints Parliamentary Secretaries who work as a Minister in the august House, during the session. Such appointments of Parliamentary Secretaries are not in conformity of the Constitution. In order to remove such legal ambiguity it is necessary to make adequate amendment in the Constitution as proposed.

Sd/-

DR. RAMESH KUMAR VANKWANI,
Member, National Assembly.

**REPORT OF THE STANDING COMMITTEE ON LAW AND JUSTICE**

**ON THE CONSTITUTIONAL (AMENDMENT) BILL, 2019**

I, the Chairman of Standing Committee on Law and Justice, have the honour to present this report on the Bill further to amend the Constitution of the Islamic Republic of Pakistan [The Constitution (Amendment) Bill, 2019] (Private Member’s Bill) referred to the Committee on 30th April, 2019.
2. The Committee comprises the following:

1. Mr. Riaz Fatyana  
2. Mr. Atta Ullah  
3. Mr. Lal Chand  
4. Mr. Muhammad Farooq Azam Malik  
5. Ms. Kishwer Zehra  
6. Ms. Maleeka Ali Bokhari  
7. Mr. Muhammad Sana Ullah Khan Masti Khel  
8. Malik Muhammad Ehsan Ullah Tiwana  
9. Agha Hassan Baloch  
10. Mr. Sher Ali Arbab  
11. Ms. Shunila Ruth  
12. Mr. Saad Waseem  
13. Rana Sana Ullah Khan  
14. Ch. Mehmood Bashir Virk  
15. Mr. Usman Ibrahim  
16. Khawaja Saad Rafique  
17. Syed Hussain Tariq  
18. Syed Naveed Qamar  
19. Dr. Nafisa Shah  
20. Ms. Aliya Kamran  
21. Barrister Dr. Muhammad Farogh Naseem  

Chairman  
Member  
Member  
Member  
Member  
Member  
Member  
Member  
Member  
Member  
Member  
Member  
Member  
Member  
Member  
Member  
Member  
Member  
Ex-Officio Member  
Minister for Law and Justice.

3. The Committee considered the Bill as introduced in the National Assembly placed at Annex-A, in its meetings held on the 20th August, 2019, 31st October 2019 and 27th November, 2019. The Mover had withdrawn the Amendment of Article 76 of the Constitution of the Islamic Republic of Pakistan; hence, the Committee recommends that the Bill to the extent of said amendment may not be passed by the assembly.

4. The Committee further recommends that a Parliamentary Committee/Special Committee shall be constituted to consider the Bill along with other similar Bills, to the extent of amendments in Articles 51 and 106 of the Constitution of the Islamic Republic of Pakistan.

Sd/-
TAHIR HUSSAIN,
Secretary.

Sd/-
RIAZ FATYANA.
Chairman.

Islamabad, the 12th December, 2019.
further to amend the Constitution of the Islamic Republic of Pakistan

WHEREAS it is expedient further to amend the Constitution of the Islamic Republic of Pakistan, for the purposes hereinafter appearing;

It is hereby enacted as follows:—

1. **Short title and commencement.**—(1) This Act may be called Constitution (Amendment) Act, 2019.

   (2) It shall come into force at once.

2. **Amendment of Article 51 of the Constitution.**—In the Constitution of the Islamic Republic of Pakistan, hereinafter referred to as the Constitution, in Article 51, in clause (5), before the colon appearing at the end the following expression shall be added, namely:

   “and within the province(s) and Federal Capital all the seats be based on equal number of voters”.

3. **Amendment in Article 76 of the Constitution.**—In the Constitution of the Islamic Republic of Pakistan, in Article 76, in clause (3), the expression “or a Bill which having been passed by the National Assembly is pending in the Senate,” shall be omitted.

4. **Amendment of Article 106 of the Constitution.**—In the Constitution, in Article 106, in clause (3), in paragraph (a), before the semicolon appearing at the end the expression, “all the seats shall be based on equal number of voters”, shall be added.

   -------

   **STATEMENT OF OBJECTS AND REASONS**

   Democracy is based on mandate of people through their representatives elected by eligible voters entered in the electoral rolls of the constituencies. Only voters are entitled to elect their representatives during the general elections or for filling of casual vacancies. However, there are disparities in number of voters in
the constituencies which is in violation of principle of equality guaranteed in Article 25 of the Constitution. There is a difference of more than millions of voters i.e. fifty percent seats are with highest number of voters and fifty percent seats are with lowest number of voters. This amounts to dis-enfranchising millions of valid rightful voters and wasting their precious votes when many seats in the same House is allocated to the voters who are 300% more whereas in the same House other seats are allocated to the voters who are 300% less. There are cases in which the difference is more than 300%. There are different numbers of votes for different constituencies in different provinces, areas or territories of Pakistan. Due to this reason there is dis-proportionate representation of people or voters belonging to different Provinces, areas or territories becoming cause of concern and frustration. Article 25 of the Constitution provides for equality but the same principle of equality is not being applied for allocation of seats on the basis of equal number of voters into electoral constituencies.

2. The amendment in Article 76 is proposed so that the Bills passed by the Assembly and pending in the Senate may not lapse on dissolution of the Assembly.

3. The Bill seeks to achieve the aforesaid objectives.

Sd/-
MS. KISHWER ZEHRA,
Members, National Assembly.

REPORT OF THE STANDING COMMITTEE ON LAW AND JUSTICE ON THE CONSTITUTIONAL (AMENDMENT) BILL, 2019

I, the Chairman of Standing Committee on Law and Justice, have the honour to present this report on the Bill further to amend the Constitution of the Islamic Republic of Pakistan [The Constitution (Amendment) Bill, 2019] (Private Member’s Bill) referred to the Committee on 8th May, 2019.

2. The Committee comprises the following:—

1. Mr. Riaz Fatyana  
2. Mr. Atta Ullah  
3. Mr. Lal Chand  
4. Mr. Muhammad Farooq Azam Malik  
5. Ms. Kishwer Zehra  
6. Ms. Maleeka Ali Bokhari  
7. Mr. Muhammad Sana Ullah Khan Masti Khel  
8. Malik Muhammad Ehsan Ullah Tiwana  

Chairman  
Member  
Member  
Member  
Member  
Member  
Member  
Member
3. The Committee considered the Bill as introduced in the National Assembly placed at Annex-A, in its meetings held on the 5th September, 2019, 30th October 2019 and 27th November, 2019. The Committee recommends that the Bill as introduced may be passed by the National Assembly.

Sd/-
TAHIR HUSSAIN,
Secretary.
Islamabad, the 12th December, 2019.

Sd/-
RIAZ FATYANA,
Chairman.

[TO BE INTRODUCED IN THE NATIONAL ASSEMBLY]

A

BILL

further to amend the Constitution of the Islamic Republic of Pakistan

WHEREAS it is expedient further to amend the Constitution of the Islamic Republic of Pakistan for the purposes hereinafter appearing:

It is hereby enacted as follows:—

1. **Short title and commencement.**—(1) This Act may be called the Constitution (Amendment) Act, 2019.

   (2) It shall come into force at once,
2. **Amendment of Article 51 of the Constitution.**—In the Constitution of the Islamic Republic of Pakistan, hereinafter referred to as the Constitution, in Article 51,—

   (a) in clause (1), for the words “thirty-six”, the word “forty” shall be substituted; and

   (b) in clause (3), for the table, the following shall be substituted.—

<table>
<thead>
<tr>
<th>Province</th>
<th>General Seats</th>
<th>Women</th>
<th>Disabled Person</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Balochistan</td>
<td>16</td>
<td>4</td>
<td>1</td>
<td>21</td>
</tr>
<tr>
<td>Khyber Pakhtunkhwa</td>
<td>45</td>
<td>10</td>
<td>1</td>
<td>56</td>
</tr>
<tr>
<td>Punjab</td>
<td>141</td>
<td>32</td>
<td>1</td>
<td>174</td>
</tr>
<tr>
<td>Sindh</td>
<td>61</td>
<td>14</td>
<td>1</td>
<td>76</td>
</tr>
<tr>
<td>Federal Capital</td>
<td>3</td>
<td>-</td>
<td>-</td>
<td>3</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>266</strong></td>
<td><strong>60</strong></td>
<td><strong>4</strong></td>
<td><strong>330</strong></td>
</tr>
</tbody>
</table>

3. **Amendment of Article 59 of the Constitution.**—In the Constitution, in Article 59,—

   (a) in clause (1),—

   (i) for the word “ninety-six” the word “one hundred” shall be substituted;

   (ii) in paragraph (e), the word “and” at the end shall be omitted;

   (iii) in paragraph (f), in the proviso for the full stop at the end, the expression “; and” shall be substituted; and

   (iv) after paragraph (f), as amended aforesaid, the following paragraph (g) shall be added, namely:—

   “(g) four disabled persons, who shall be mentally sound and graduated in any discipline of education, shall be elected by the members of each Provincial Assembly.”

   (b) in clause (3),—

   (i) in paragraph (e), the word “and” at the end shall be omitted;

   (ii) in paragraph (f), in the proviso for the full stop at the end, the expression “; and” shall be substituted; and
(iii) after paragraph (f), as amended aforesaid, the following paragraph (g) shall be added, namely:—

“(g) of the members referred to in paragraph (g) of the aforesaid clause, two shall retire after the expiration of first three years and two shall retire after the expiration of next three years:

Provided that the Election Commission for the first term of seats for disabled person shall draw a lot as to which two members shall retire after the first three years.”.

STATEMENT OF OBJECTS AND REASONS

Presently Majlis-e-Shoora (Parliament) is representing all the segments of our society except representation from disabled persons. Due to which the voice of disabled persons is not suitably raised about the problems and other social constraints being faced by them. Therefore, it is necessary and expedient to provide for representation of disabled persons in the Senate and National Assembly.

2. The Bill seeks to achieve the above-said objective.

Sd/-
MS. KISHWER ZEHRA,
Member, National Assembly.

REPORT OF THE STANDING COMMITTEE ON LAW AND JUSTICE ON THE CONSTITUTION (AMENDMENT) BILL, 2019

I, the Chairman of the Standing Committee on Law and Justice, have the honour to present this report on the Bill further to amend the Constitution of the Islamic Republic of Pakistan [The Constitution (Amendment) Bill, 2019] (Private Member’s Bill) referred to the Committee on 1st October, 2019.

2. The Committee comprises the following:—

1. **Mr. Riaz Fatyana**  **Chairman**
2. Mr. Atta Ullah  **Member**
3. Mr. Lal Chand  **Member**
4. Mr. Muhammad Farooq Azam Malik  **Member**
5. Ms. Kishwer Zehra  **Member**
6. Ms. Maleeka Ali Bokhari  **Member**
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7. Mr. Muhammad Sana Ullah Khan Masti Khel  Member
8. Malik Muhammad Ehsan Ullah Tiwana  Member
9. Agha Hassan Baloch  Member
10. Mr. Sher Ali Arbab  Member
11. Ms. Shunila Ruth  Member
12. Mr. Saad Waseem  Member
13. Rana Sana Ullah Khan  Member
14. Ch. Mehmood Bashir Virk  Member
15. Mr. Usman Ibrahim  Member
16. Khawaja Saad Rafique  Member
17. Syed Hussain Tariq  Member
18. Syed Naveed Qamar  Member
19. Dr. Nafisa Shah  Member
20. Ms. Aliya Kamran  Member
21. Barrister Dr. Muhammad Farogh Naseem  Ex-Officio Member
  Minister for Law and Justice.

3. The Committee considered the Bill as introduced in the National Assembly placed at (Annex-A), in its meetings held on 30th October, 2019 and 28th November, 2019. The Committee recommends that the Bill as introduced may not be passed by the National Assembly.

Sd/-

TAHIR HUSSAIN,
Secretary.

Islamabad, the 12th December, 2019.

Sd/-

RIAZ FATYANA,
Chairman.

ANNEX-A

[AS REPORTED BY THE STANDING COMMITTEE]

A

BILL

further to amend the Constitution of the Islamic Republic of Pakistan

WHEREAS it is expedient further to amend the Constitution of the Islamic Republic of Pakistan for the purpose hereinafter appearing;

It is hereby enacted as follows:—

1. Short title and commencement.—(1) This Act may be called the Constitution (Amendment) Act, 2019.
(2) It shall come into force at once.

2. **Amendment of Article 31 of the Constitution.**—In the Constitution of the Islamic Republic of Pakistan, in Article 31, after clause (2), the following new clause shall be inserted, namely:—

“(3) The State shall also take steps to enable the muslims for offering of *fard* prayers/Salah in public and private offices during working hours.”

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**STATEMENT OF OBJECTS AND REASONS**

After insertion of Article 2A, in the Constitution of the Islamic Republic of Pakistan, the Holy Qur’an and Sunnah have become the Supreme Law of Pakistan and the State is assured to enforce the existing laws and provisions of the Constitution of Islamic Republic of Pakistan with such adaptations as are necessary in the light of the Holy Qur’an and Sunnah.

In view of Article 2A of the Constitution, every organ of the State is duty bound to act and implement the Islamic principles as enshrined in the Holy Qur’an and Sunnah.

The Bill seeks to achieve the aforesaid objectives.

Sd/-

MR. FAHEEM KHAN,
*Member, National Assembly.*

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TAHIR HUSSAIN,
*Secretary.*