PART III

Other Notifications, Orders, etc.

SENATE SECRETARIAT

Islamabad, the 14th July, 2020

No. F. 24(28)/2020-Legis.—The following Bill were introduced in the Senate on 13th July, 2020:—

SENATE BILL NO. XXIV OF 2020

further to amend the Drug Regulatory Authority of Pakistan Act, 2012

WHEREAS it is expedient further to amend the Drug Regulatory Authority of Pakistan Act, 2012 (XXI of 2012), for the purposes hereinafter appearing;

It is hereby enacted as follows:—

1. **Short title and commencement.**—(1) This Act may be called the Drug Regulatory Authority of Pakistan (Amendment) Act, 2020.

   (2) It shall come into force at once.

1027 (1—22)

Price: Rs. 40.00

[5731(2020)/Ex. Gaz.]
2. **Amendment of section 2, Act XXI of 2012.**—In the Drug Regulatory Authority of Pakistan Act, 2012 (XXI of 2012), hereinafter to referred to as the said Act, in section 2, in clause (xv), the brackets and the word “(non-drugs)”, shall be omitted.

3. **Amendment of section 4, Act XXI of 2012.**—In the said Act, in section 4, in sub-section (1), in clause (h) the brackets and the word “(non-drugs)”, occurring twice, shall be omitted.

---

**STATEMENT OF OBJECTS AND REASONS**

The word “non-drug” after the words Health and OTC Products are inconsistent to the definition of the term ‘DRUG’ given under SCHEDULE-1 of the Drug Regulatory Authority of Pakistan Act, 2012 and also misused in case of assurance of safeness, effectiveness and reasonable pricing of drugs and therapeutic goods.

SENIOR MUHAMMAD JAVED ABBASI,  
*Member-in-Charge.*

---

[Senate Bill No. XXV of 2020]

A

BILL

*Further to amend the Pakistan Commissions of Inquiry Act, 2017*

WHEREAS it is expedient further to amend the Pakistan Commissions of Inquiry Act, 2017, (IX of 2017) for the purposes hereinafter appearing;

It is hereby enacted as follows:—

1. **Short title and commencement.**—(1) This Act may be called the Pakistan Commissions of Inquiry (Amendment) Act, 2020.

(2) It shall come into force at once.

2. **Amendment of section 15, Act IX of 2017.**—In the Pakistan Commissions of Inquiry Act, 2017 (IX of 2017), in section 15,-

(i) the existing section shall be numbered as sub-section (1);
(ii) for the second proviso, the following shall be substituted, namely:—

“Provided further that the Commission may, in the public interest, recommend to the Federal Government that all or any part of the Final Report or interim report may not be made public, in such case the Federal Government shall present such report before the in-camera Session of the National Assembly and the senate within two weeks of the submission of the report to the Federal Government.”

(iii) after sub-section (1) numbered as aforesaid, the following new sub-section (2), shall be added, namely:—

“(2) Notwithstanding anything contained in this Act or any other law for the time being in force, the reports of all the previous commissions constituted under the Commissions of Inquiry Act, 1956 (VI of 1956-Repealed), and have been submitted to Federal Government with the recommendations that all or any part of the Final Report or interim report may not be made public or the Federal Government had decided that such reports shall not be made public, all such reports shall be presented before the in-camera session of the National Assembly and the Senate within the period of three months.”

STATEMENT OF OBJECTS AND REASONS

In order to ensure accountability, transparency and the right to information of the public the disclosure of the reports of Inquiry Commissions before the in-camera sessions of the National Assembly and the Senate will not only safeguard principles of transparency, accountability and the right to information but also maintain the secrecy and confidentiality of the reports on sensitive matters.

SENATOR MUHAMMAD JAVED ABBASI,
Member-in-Charge.
[Senate Bill No. XXVI of 2020]

A

BILL

to provide a law for the appointment of Law Officers in the Islamabad Capital Territory and for matters connected therewith and ancillary thereto

WHEREAS it is expedient to provide a law for the appointment of the Law Officers and facilitating other matters related to their appointment in the Islamabad Capital Territory;

It is hereby enacted as follows:—

1. Short title, extent and commencement.—(1) This Act may be called the Islamabad Capital Territory Law Officers Act, 2020.

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

(3) It shall come into force at once.

2. Definitions.—In this Act, unless the context otherwise requires, the following expressions shall have the meanings hereby respectively assigned to them,—

(a) “Government” means the Federal Government;

(b) “High Court” means any High Court in Pakistan;

(c) “Law Officer” means an Additional Advocate General and an Assistant Advocate General appointed under this Act; and

(d) “Supreme Court” means the Supreme Court of Pakistan.

3. Appointment of Law Officers.—(1) The Government may appoint such number of Law Officers in the Islamabad Capital Territory as it may consider necessary, for conducting Government litigation in the Supreme Court, High Court, Federal Shariat Court, Federal Service Tribunal and in any other Court in Islamabad Capital Territory.

(2) A Law Officer appointed under sub-section (1), shall hold office during the pleasure of Government and may be removed from office at any time without notice.
3. A Law Officer shall receive such pay and allowances as the Government may determine.

4. **Qualification of Law Officers.**—(1) No person shall be qualified for appointment under sub-section (1) of section 3, unless:

(a) in case of Additional Advocate General:

(i) he is a citizen of Pakistan;

(ii) he is enrolled as an Advocate of Supreme Court or High Court and has for a period of not less than twelve years been an Advocate of the High Court;

(iii) furnish a list of twenty-five cases conducted by him in the Supreme Court or the High Court; and

(iv) he is registered voter member of the Islamabad Bar Council.

(b) in case of Assistant Advocate General:

(i) he is a citizen of Pakistan;

(ii) he has for a period of not less than ten years been an Advocate of High Court;

(iii) furnish a list of twenty cases conducted by him in the High Court; and

(iv) he is registered voter member of the Islamabad Bar Council.

(2) No person shall be appointed as a Law Officer, if he is or has been a judge of the Supreme Court or the High Court.

(3) An Additional Advocate General shall not hold office, if he attains the age of sixty-five years and an Assistant Advocate General shall not hold office, if he attains the age of sixty-two years, unless they resign or are removed from office, as the case may be.

5. **Resignation.**—A Law Officer, may at any time by writing under his hand, submit his resignation to the Government.
6. **Condition for services.**—(1) A Law Officer shall not engage in private practice so long as he holds the office of Law Officer.

(2) A Law Officer shall be liable to serve in the Islamabad Capital Territory and may from time to time be deputed either at Islamabad High Court or that of the Supreme Court or Federal Shariat Court and Federal Service Tribunal.

(3) A Law Officer shall perform such functions and duties as may be assigned to him, and in the performance of such functions and duties, he shall be subject to the general supervision and control of the Advocate General Islamabad Capital Territory and the Government.

(4) A Law Officer appointed under this Act, shall be assigned such criminal or civil work during vacations as the Advocate General Islamabad Capital Territory may deem fit.

7. **Ban on appointment of Legal Advisors.**—After the commencement of this Act, no Legal Advisor or Special counsel shall be appointed by the Government for conducting the litigation concerning the departments under administrative control of the Islamabad Capital Territory except in circumstances which are unavoidable and necessary in the public interest.

8. **Powers to make Rules.**—The Federal Government may, from time to time, make and amend Rules for the effective implementation and enforcement of the Act.

STATEMENT OF OBJECTS AND REASONS

The Islamabad Capital Territory has its own High Court and setup of the lower courts working under the Islamabad High Court. But there is no effective and sufficient law specifically dealing with the appointment of the law officers in the Islamabad Capital Territory. Hence, a law is immediately needed to deal with the issues related to the appointment of the law officers in the Islamabad Capital Territory.

SENIOR MUHAMMAD JAVED ABBASI,
Member-in-Charge.
[SENATE BILL NO. XXVII OF 2020]

A

BILL

further to amend the Press Council of Pakistan Ordinance, 2002

WHEREAS it is expedient further to amend the Press Council of Pakistan Ordinance, 2002 (Ordinance No. XCVII of 2002), for the purposes hereinafter appearing:

It is hereby enacted as follows:—

1. **Short title and commencement.**—(1) This Act may be called the Press Council of Pakistan (Amendment) Act, 2020.

   (2) It shall come into force at once.

2. **Substitution of section 6, Ordinance No. XCVII of 2002.**—In the Press Council of Pakistan Ordinance, 2002 (Ordinance No. XCVII of 2002), for section 6, the following shall be substituted, namely:

   “6. **Composition of the Council.**—(1) The Council shall consist of twenty one members including a Chairman. The Chairman shall be appointed by the President of Pakistan. The Chairman of the press council shall be an eminent professional of known integrity and competence having at least sixteen years education from Higher Education Commission (HEC) recognized university and substantial experience in media or law or academia and other members shall be nominated as follows:—

   (a) Four members by the All Pakistan Newspapers Society;

   (b) Four members by the Council of Pakistan Newspaper Editors;

   (c) Four members by the Professional bodies of journalists:

   Provided that none of the organizations mentioned above shall nominate any member from its office bearers, nor any member of the Press Council shall contest an office of the Organization;

   (d) Vice-Chairman Pakistan Bar Council;
(e) Chairperson or nominee of the Higher Education Commission;

(f) one member to be nominated by the Leader of the House in the National Assembly;

(g) one member to be nominated by the Leader of the Opposition in the National Assembly;

(h) one member to be nominated by the Leader of the House in Senate of Pakistan;

(i) one member to be nominated by the Leader of the Opposition in the Senate of Pakistan;

(j) one mass media educationist to be nominated by the Council; and

(k) one women member to be nominated by the National Commission on the Status of Women in Pakistan.

(2) The members of Council, excluding the Chairman, shall not be entitled to any salary and shall function in honorary capacity except out of pocket expenses as may be prescribed. The Chairman shall be entitled to such salary, allowances and privileges as may be prescribed.”

STATEMENT OF OBJECTS AND REASONS

The people having research and education in the media shall also be given the opportunity to head the Council as they have comparatively better understanding of the field. Also members from Senate of Pakistan shall also have the representation in the council as the members from National Assembly are already represented.

SENATOR MUHAMMAD JAVED ABBASI,

Member-in-Charge.
[SENATE BILL NO.XXVIII OF 2020]

A

BILL

to establish a Criminal Prosecution Service in the Islamabad Capital Territory

WHEREAS it is expedient to establish an independent, effective and efficient service for prosecution of criminal cases, to ensure prosecutorial independence, for better coordination in the criminal justice system of Islamabad Capital Territory and matters incidental thereto;

It is hereby enacted as follows:—

1. Short title, extent and commencement.—(1) This Act may be called the Islamabad Capital Territory Criminal Prosecution Service (Constitution, Functions and Powers) Act, 2020.

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

(3) It shall come into force at once.

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

(a) “Act” means the Criminal Prosecution Service (Constitution, Functions and Powers) Act, 2020;

(b) “District” means the district defined in the ICT Local Government Act, 2015 or notified by the Islamabad High Court for judicial and administrative purposes;

(c) “Code” means the Code of Criminal Procedure, 1898 (Act V of 1898);

(d) “First Information Report” means information recorded under section 154 of the Code;

(e) “Government” means the Federal Government;

(f) “High Court” means the Islamabad High Court;
(g) “Investigation officer” means an officer of a law enforcement agency competent under any law, for the time being in force, to investigate an offence;

(h) “Law Enforcement Agency” includes the Islamabad Capital Territory Police and any other agency established under any law, as may be notified by the Government;

(i) “Police Rules” means the Police Rules, 1934;

(j) “Prescribed” means prescribed by rules or regulations made under this Act;

(k) “Prosecution” means the prosecution of a criminal case;

(l) “Prosecutor” means the Prosecutor General, Additional Prosecutor General, Deputy Prosecutor General, District Public Prosecutor, Deputy District Public Prosecutor, Assistant District Public Prosecutor and a Public Prosecutor appointed under this Act and shall be deemed to be the public prosecutor under the Code;

(m) “Prosecutor General” means the Prosecutor General appointed under section 6;

(n) “Regulations” means the regulations framed under this Act;

(o) “Rules” means rules made under this Act;

(p) “Service” means the Islamabad Capital Territory Criminal Prosecution Service; and

(q) “Supreme Court” means the Supreme Court of Pakistan.

(2) The words and expressions used herein but not defined shall have the same meaning as are assigned to them in the Code or the Rules.

3. Establishment of the Service.—The Government shall establish and maintain a Service to be called the Islamabad Capital Territory Criminal Prosecution Service.

4. Constitution.—The Service shall consist of the Prosecutor General, Additional Prosecutors General, Deputy Prosecutors General, District Public Prosecutors, Deputy District Public Prosecutors and Assistant District Public Prosecutors.
5. **Superintendence and administration.**—(1) The Government shall exercise superintendence over the Service to achieve the objectives of this Act.

   (2) The administration of the Service shall, in the prescribed manner, vest in the Prosecutor General.

   (3) A Public Prosecutor, an Additional Prosecutor General and a Deputy Prosecutor General shall perform functions under the directions of the Prosecutor General.

   (4) Subject to the general directions of the Prosecutor General, all other Prosecutors within a district shall perform functions under the control of the District Public Prosecutor.

6. **Prosecutor General.**—(1) The Prosecutor General shall be the head of the Service and shall be appointed by the Government on such terms and conditions as the Government may determine:

   Provided that the terms and conditions of service of the Prosecutor General shall not be varied during the initial or extended term of his office.

   (2) The Prosecutor General shall hold office for a term of three years, but the Government may, after evaluation of the performance of the Prosecutor General in the prescribed manner, extend that term for a further period of two years.

   (3) The Prosecutor General may resign from his post during the tenure of his office by submitting his resignation in writing to the Government.

   (4) The Government may, for reasons to be recorded in writing and after providing him an opportunity of being heard, remove the Prosecutor General prior to the completion of his tenure, on the ground of misconduct or physical infirmity.

   (5) The Prosecutor General shall have a right of representation and audience on behalf of the Government in all courts including the High Court, the Federal Shariat Court and the Supreme Court.

   (6) The Prosecutor General may delegate any of his functions to an Additional Prosecutor General or to a Deputy Prosecutor General.
7. Qualifications for the appointment of Prosecutor General.—A person shall not be appointed as Prosecutor General unless he is a citizen of Pakistan, and is not less than forty-five years of age, and-

(a) he has, for a period of, or for the periods aggregating, not less than ten years, been an advocate of the High Court; or

(b) he has, for a period of not less than ten years, held a judicial office in Islamabad Capital Territory; or

(c) he has, for a period of not less than five years, performed functions of an Additional Prosecutor General; or

(d) he has, for a period of not less than seven years, performed the functions of a District Public Prosecutor or has performed functions of a Prosecutor in the Islamabad Capital Territory, under any law, for a period of not less than fifteen years.

(e) he has the license from Islamabad Bar Council to practice as an advocate.

Explanation.—In computing the period during which a person has been an advocate of the High Court or held judicial office, there shall be included any period during which he has held judicial office after he became an advocate or, as the case may be, the period during which he has been an advocate after having held judicial office.

8. Appointments.—(1) The Government may appoint Additional Prosecutors General and Deputy Prosecutors General to conduct criminal cases in the Supreme Court, the High Court, the Federal Shariat Court or any other Special Court.

(2) The Government shall appoint a District Public Prosecutor in each district who shall be the officer in charge of the prosecution in the district within the meanings of the Code.

(3) Appointments to the Service, except appointment of the Prosecutor General, Additional Prosecutor General shall be either by initial recruitment or by promotion or by transfer as prescribed.

(4) All appointments by initial recruitment shall be made on the recommendation of Federal Public Service Commission.

9. Conduct of prosecution.—(1) The Prosecutors shall be responsible for the conduct of prosecution on behalf of the Government.
(2) The Prosecutor General or, if so authorized by him, an Additional Prosecutor General shall distribute work to the Prosecutors in the Supreme Court, the High Court, the Federal Shariat Court or a Special Court established under any law for the time being in force.

(3) A District Public Prosecutor shall distribute work to the Prosecutors with respect to the Courts of Session and Courts of Magistrates within a district.

(4) A police report under section 173 of the Code including a report of cancellation of the First Information Report or a request for discharge of a suspect or an accused shall be submitted to a Court through the Prosecutor appointed under this Act.

(5) The Prosecutor shall scrutinize the report or the request and may—

(a) return the same within three days to the officer in charge of police station or investigation officer, as the case may be, if he finds the same to be defective, for removal of such defects as may be identified by him; or

(b) if it is fit for submission, file it before the Court of competent jurisdiction.

(6) On receipt of an interim police report under section 173 of the Code, the Prosecutor shall—

(a) examine the reasons assigned for the delay in the completion of investigation and if he considers the reasons compelling, request the Court for the postponement of trial and in case investigation is not completed within reasonable time, request the Court for commencement of trial; and

(b) in cases where reasons assigned for delay in the completion of investigation are not compelling, request the Court for commencement of trial on the basis of the evidence available on record.

(7) The Prosecutor shall submit, in writing, to the Magistrate or the Court, the result of his assessment as to the available evidence and applicability of offences against all or any of the accused as per facts and circumstances of the case and the Magistrate or the Court shall give due consideration to such submission.
(8) If an accused pleads guilty or, as the case may be, at the time the Prosecutor sums up the case, the Prosecutor shall propose to the Magistrate or the Court the punishment which, in his opinion, the accused should be awarded.

10. **Powers of Prosecutor.**—(1) The Prosecutor General may issue general guidelines to the Prosecutors or officers responsible for investigation for effective and efficient prosecution.

(2) The Prosecutor General or the District Public Prosecutor may refer to the competent authority to initiate disciplinary proceedings under any law for the time being in force, to take disciplinary action against any public servant working in connection with investigation or prosecution, for any act committed by him and is prejudicial to the prosecution.

(3) A Prosecutor may—

(a) exercise all or any of the powers mentioned in section 9;

(b) call for a report within a specified time from any officer of Law Enforcing Agency in relation to an investigation;

(c) call for record or any other document within a specified, time from a Law Enforcement Agency and if necessary, from any other Government department or agency as may be necessary for the purposes of prosecution;

(d) perform such functions and exercise such powers as may be entrusted to him under the Code and any other law for the time being in force;

(e) with the consent of the Court, withdraw from prosecution of any person either generally or in respect of any one or more of the offences for which he is being tried, after obtaining prior approval of—

(i) the District Public Prosecutor where the offence is punishable up to three years;

(ii) the Prosecutor General, where the offence is punishable upto seven years; and

(iii) the Government, in all other offences and for the offences triable by the Special Courts; and
at any stage of a trial before any trial court sub-ordinate to the High Court before the judgment is passed, the Prosecutor General or any Prosecutor specifically authorized by him, may, for reasons to be recorded in writing, inform the court on behalf of the Government that the Prosecutor shall not prosecute the accused upon the charge and thereupon all proceedings against the accused shall be stayed and he shall be discharged from the same:

Provided that such discharge shall not amount to an acquittal unless the court directs otherwise.

11. Conduct of Prosecution before Superior Courts.—(1) Without prejudice to the powers conferred under any law on the office of the Attorney General of Pakistan and the Advocate General, the Prosecutor General and the Additional Prosecutor General may depute any Prosecutor, otherwise qualified, for conducting prosecution before the Supreme Court, the High Court or the Federal Shariat Court.

(2) The Prosecutor General shall keep liaison with the office of the Attorney General of Pakistan and the Advocate General in relation to criminal matters pending in any such Court.

12. Responsibilities of Police towards Prosecutors.—(1) An officer in-charge of a police station or the investigation officer shall—

(a) immediately report to the District Public Prosecutor, the registration of each criminal case by sending a copy of the First Information Report;

(b) send the police report under section 173 of the Code, to the concerned Prosecutor within the period prescribed by law; and

(c) if an investigation is not completed or cannot be completed within the time provided under the law record reasons for the delay and inform the Prosecutor.

(2) An officer in-charge of the police station or investigation officer shall, within the time specified by the Prosecutor, comply with the directions and rectify the defects pointed out by the Prosecutor in a police report under section 173 of the Code including report for cancellation of the First Information Report or request for discharge of an accused or suspect.
13. **Duties of the Prosecutors.**—(1) The Prosecutor General shall—

(a) submit an annual report of the Service to the Government within three months of the conclusion of the calendar year to which the report pertains:—

Provided that the Government shall lay the report before the National Assembly and Senate within two months of its receipt; and

(b) keep the Government informed about the performance of the Service.

(2) A Prosecutor, working under the directions of the Prosecutor General, shall keep the Prosecutor General informed about the progress of all the cases under his charge.

(3) The District Prosecutor shall keep the Prosecutor General informed about the progress of all criminal cases in the district.

(4) A Prosecutor, working under the supervision and control of the District Public Prosecutor, shall keep the concerned District Public Prosecutor informed about the progress of all criminal cases under his charge.

(5) Where a Prosecutor is of the opinion that an application for enhancement of sentence or a revision should be filed in any case, he shall refer the matter to the District Public Prosecutor or the Prosecutor General; who shall take appropriate measures thereon under the law.

(6) In case of acquittal by a—

(i) Court in a district, the concerned District Public Prosecutor; and

(ii) Special Court, the concerned Prosecutor, shall report the details of the case to the Prosecutor General along-with grounds for appeal and the Prosecutor General may request the Government for preferring an appeal.

(7) A Prosecutor shall maintain an independent file in the prescribed manner of each case assigned to him for prosecution.

(8) A Prosecutor shall—

(a) in all matters, perform his functions and exercise his powers fairly, honestly, with due diligence, in the public interest and to uphold justice;
(b) on receipt of the police report, final or interim, including a report for cancellation of first information report or request for discharge of an accused, scrutinize the same and process it under section 9;

(c) make such entries in the record and registers as may be prescribed;

(d) report to the District Public Prosecutor, details of investigations, if any, conducted in violation of law or instructions issued by the Prosecutor General or not completed in the time provided under law without reasonable cause and the District Public. Prosecutor may inform the head of investigation and the Prosecutor General for appropriate action; and

(e) perform such other duties as may be assigned to him under this Act by the Government or the Prosecutor General.

14. Establishment of agency.—(1) The Government may establish a criminal process serving agency to perform such process serving functions as may be prescribed.

(2) The criteria for appointment and terms and conditions of service of the members of criminal process serving agency shall be such, as may be prescribed.

15. Power to make rules and regulations.—(1) The Government may, by notification, make rules for carrying out the purposes of this Act.

(2) The Prosecutor General may, subject to rules and with the prior approval of the Government, frame regulations for giving effect to the provisions of this Act.

16. Terms and conditions of Service.—Subject to the provisions of this Act and the rules, members of the Service, including the staff, shall be appointed and governed under the Civil Servants Act, 1973 and rules made thereunder.

17. Code of conduct.—(1) The Prosecutor General shall, with the prior approval of Government, issue a code of conduct for the Prosecutors.

(2) A Prosecutor shall perform functions under this Act in accordance with the code of conduct issued under sub-section (1).

18. Indemnity.—(1) No suit, prosecution or other legal proceedings, shall lie against a Prosecutor in respect of anything done or attempted to be done by him in good faith under this Act.
(2) A Prosecutor appointed under this Act shall be deemed to be a public servant within the meanings of section 21 of the Pakistan Penal Code, 1860 (Act XLV of 1860).

19. **Removal of difficulties.**—The Government may, by order, provide for the removal of any difficulty which may arise in giving effect to the provisions of this Act.

20. **Savings.**—All appointments made, actions taken, and notifications issued by the Government before the commencement of this Act, with respect to prosecution of criminal cases, shall be deemed to have been made, taken and issued under this Act.

_____

**STATEMENT OF OBJECTS AND REASONS**

The prosecution department is one of the key departments facilitating the administration of the criminal justice system. In the absence of any law dealing specifically with the issues related to the criminal prosecution, the prosecution department cannot work effectively and efficiently. For a better coordination, comparatively effective, active and well-established prosecution department in Islamabad Capital Territory, there is a dire need to make a law dealing with the said issue.

SENATOR MUHAMMAD JAVED ABBASI,
Member-in-Charge.

_____

**[SENATE BILL NO. XXIX OF 2020]**

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, 2020.

   (2) It shall come into force at once.
2. **Amendment of Article 73 of the Constitution.**—In the Constitution of the Islamic Republic of Pakistan, in Article 73, in clause (1A), for the full stop (.) occurring at the end, a colon (:) shall be substituted and thereafter the following proviso shall be inserted, namely:—

“Provided that at least twenty percent of the total recommendations made by the Senate shall be incorporated in the Bill.”

**STATEMENT OF OBJECTS AND REASONS**

The Senate of Pakistan, House of the Federation, ensures protection of interest and rights of the provinces and work as a safeguard of against the tyranny of majority. One of the major and perhaps the single most important interest and areas of concern and deprivation in federating units is to have some if not equal say in money matters. As per the constitutional scheme passing of money bill is prerogative of one House i.e. National Assembly, yet, Senate has been given role by making recommendations to ensure protection of all federating units. Undeniably, the House of the Federation can make recommendations but data and record of acceptance of any meaningful / major recommendations shows a very discouraging picture. Therefore, in order to ensure protection of interests of all provinces in the Money Bill it is essential to amend Article 73 of the Constitution of Pakistan so that minimum twenty percent of the total recommendations shall be constitutionally protection and become part of the Bill.

2. The Bill is designed to achieve the aforesaid objects.

SENATOR MANZOOR AHMED
SENATOR KALSOOM PERVEEN
SENATOR MOLANA ABDUL GHAFOOR HAIDERI
SENATOR MUHAMMAD AKRAM
SENATOR SARDAR MUHAMMAD SHAFIQ TAREEN
SENATOR MIR KABEER AHMED MUHAMMAD SHAHI
SENATOR NASEEBULLAH BAZAI
SENATOR MUHAMMAD USMAN KHAAN KAKAR
SENATOR GHOUS MUHAMMAD KHAN NIAZI
SENATOR ABIDA MUHAMMAD AZEEM
SENATOR SAJJAD HUSSAIN TURI
SENATOR HILLAL-UR-REHMAN
SENATOR MIAN MUHAMMAD ATEEQ SHAikh
SENATOR MIRZA MUHAMMAD AFRIDI
SENATOR GUL BASHRA AND
SENATOR MUSHTAQ AHMED
SENATOR MUHAMMAD JAVED ABBASI
MEMBERS-IN-CHARGE
[Senate Bill No.XXX of 2020]

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, 2020.

   (2) It shall come into force at once.

2. **Amendment of Article 140 of the Constitution.**—In the Constitution of the Islamic Republic of Pakistan, in Article 140,-

   (i) for the marginal note “Advocate General for a Province”, the “Advocate General for the Islamabad Capital Territory and Provinces” shall be substituted; and

   (ii) in clause (4) for the full-stop “.” occurring at the end a colon “:” shall be substituted and thereafter the following provisos shall be added, namely:-

   “Provided that there shall be an Advocate General for the Islamabad Capital Territory, who shall be appointed by the President and may by writing under his hand addressed to the President resign from his office:

   Provided further that the other terms and conditions laid down in this Article shall also apply to the Advocate General for the Islamabad Capital Territory, and in their application to the Islamabad Capital Territory and shall have effect as if the references therein to the Governor and Provincial Government, were references respectively to the President and the Islamabad Capital Territory Administration.”
STATEMENT OF OBJECTS AND REASONS

The Islamabad Capital Territory (ICT) is a separate administrative unit. It has its own High Court and Bar Council. Bar Councils are statutory bodies headed by the Advocate General of every province as *Ex-officio* Chairman of the respective Council. Advocate General is a Constitutional post and there is no provision in the Constitution for the Advocate General exclusively for Islamabad Capital Territory. An Advocate General of a province cannot perform dual responsibilities in one time due to practical limitations and at times due to conflict of interest. Appointment of Advocate General in Islamabad Capital Territory is a Constitutional and legal requirement to represent ICT in Islamabad High Court and to complete formation of Islamabad Bar Council.

Therefore, this Bill seeks to provide or the appointment of Advocate General Exclusively for the Islamabad Capital Territory.

SENATOR MUHAMMAD JAVED ABBASI,
*Member-in-Charge.*

——

[SENATE BILL NO. XXXI OF 2020]

A

BILL

*Further to amend the Islamabad Wildlife (Protection, Preservation, Conservation and Management) Ordinance, 1979*

WHEREAS it is expedient further to amend the Islamabad Wildlife (Protection, Preservation, Conservation and Management) Ordinance, 1979 (Ordinance No. LXX of 1979), for the purposes hereinafter appearing;

It is hereby enacted as follows:—

1. **Short title and commencement.**—(1) This Act may be called the Islamabad Wildlife (Protection, Preservation, Conservation and Management) (Amendment) Bill, 2020.

    (2) It shall come into force at once.

2. **Substitution of section 4, Ordinance No. LXX of 1979.**—In the Islamabad Wildlife (Protection, Preservation, Conservation and Management) Ordinance, 1979 (Ordinance No. LXX of 1979), for section 4, the following shall be substituted, namely:—
“4. Terms and Conditions of the Board.—(1) The Federal Government shall constitute a Board of Wildlife Management, consisting of a Chairman and ten members.

(2) The Chairman of the Board shall be an eminent professional of known integrity and competence having Masters degree and substantial experience in the field of wildlife, environmental management or environmental laws.

(3) One member each shall be appointed from the National Assembly and the Senate of Pakistan.

(4) Mayor of the Metropolitan Corporation Islamabad shall be the member.

(5) Seven Members shall be from the civil society, wildlife right activists, wildlife journalist and legal experts on Wildlife.

(6) The Chairman and members, unless removed earlier on charges of misconduct, corruption, physical or mental disability, shall hold office for four years.

(7) The Board shall exercise such powers and perform such functions as may be prescribed.”

STATEMENT OF OBJECTS AND REASONS

In order to ensure transparent, effective and smooth functioning the composition and process of appointment and tenure of the boards and its members is a fundamental requirement. This amendment is aimed to clarify and define the constitution and the tenure of the board members and the chairperson in the current situations that the authority is not misused and law is implemented in its true letter and spirit.

SENATOR MUHAMMAD JAVED ABBASI,
Member-In-Charge.

DR. SYED PERVAIZ ABBAS,
Secretary.