

Passed on 25-05-2018

[AS PASSED BY THE SENATE]

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 (Twenty-fifth Amendment) Act, 2018.

(2) Except as provided in this Act, 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),—

- (i) in paragraph (b), after semi-colon the word “and” shall be inserted;
- (ii) paragraph (c) shall be omitted; and
- (iii) paragraph (d) shall be renumbered as paragraph (c).

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

- (i) in clause (1), for the expression “three hundred and forty-two” the expression “three hundred and thirty-six” shall be substituted;
- (ii) for clause (3) and the Table thereunder, the following shall be substituted, namely:-

“(3) The seats in the National Assembly referred to in clause (1), except the seats mentioned in clause (4), shall be allocated to each Province and the Federal Capital as under:-

	General Seats	Women Seats	Total Seats
Balochistan	16	4	20
Khyber Pakhtunkhwa	45	10	55
Punjab	141	32	173
Sindh	61	14	75
Federal Capital	3	-	3
Total	266	60	326

- (iii) after clause (3), substituted as aforesaid, the following new clause shall be inserted, 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 to be elected in the general elections, 2018 shall continue till dissolution of the National Assembly and thereafter this clause shall stand omitted.”; and

- (iv) in clause 5, the words, brackets, figure and comma “Save as provided in clause (3) in respect of the Federally Administered Tribal Areas,” shall be omitted and for the word “the”, occurring for the first time, the word “The” shall be substituted.

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

- (1) in clause (1), —

- (a) for the words “one hundred and four” the word “ninety-six” shall be substituted; and
- (b) paragraph (b) shall be omitted;

- (2) in clause (3), paragraph (b) shall be omitted; and

- (3) after clause (3), amended as aforesaid, the following new clause shall be inserted, namely:-

“(3A) Notwithstanding the omission of paragraph (b) of clause (1) and the omission of paragraph (b) of clause (3), the existing members of the Senate from the Federally Administered Tribal Areas shall continue till expiry of their respective terms of office and on the expiry of the aforesaid terms this clause shall stand omitted.”.

5. Amendment of Article 62 of the Constitution,— In the Constitution, in Article 62, in clause (1), in paragraph (c), the words “or the Federally Administered Tribal Areas” shall be omitted.

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(iii) after paragraph (c), as amended herein above, the following new paragraph shall be added, namely:-

“(d) On the commencement of the Constitution (Twenty-fifth Amendment) Act, 2018, the areas mentioned in-

(i) paragraph (b),-

(a) in sub-paragraph (i), shall stand merged in the Province of Khyber Pakhtunkhwa; and

(b) in sub-paragraph (ii), shall stand merged in the Province of Balochistan; and

(ii) paragraph (c), shall stand merged in the Province of Khyber Pakhtunkhwa.”.

9. Omission of Article 247 of the Constitution.- In the Constitution, Article 247 shall be omitted.

STATEMENT OF OBJECTS AND REASONS

The Federal Cabinet in its earlier meeting in 2017 in principle approved the integration of FATA with the Province of Khyber Pakhtunkhwa and the Constitution (Thirtieth Amendment) Bill, 2017 was introduced in the National Assembly which is still pending with its Standing Committee now to be withdrawn.

2. On reconsideration and in consultation with the parliamentary leaders of different Political Parties and the representatives from the Tribal Areas the Cabinet in its meeting held on 22.05.2018 decided to prepare a comprehensive Bill to integrate the Provincially Administered Tribal Areas with the respective Provinces and the Federally Administered Tribal Areas with the Province of Khyber Pakhtunkhwa to bring the people of Tribal Areas in the main stream. Accordingly, the Constitution (Twenty-Fifth Amendment) Bill, 2018 has been prepared.

The Bill is designed to achieve the aforesaid objects.

Minister-in-charge