

As
[TO BE INTRODUCED IN THE SENATE]

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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 213 of the Constitution. - In the Constitution of the Islamic Republic of Pakistan, in Article 213, after clause (2B), the following new clauses shall be inserted, namely: -

“(2C) When there is no consensus among the members of Parliamentary Committee for the appointment of members, all the names proposed, from both sides in the Committee, within seven days shall become forwarded to the Committee duly constituted under clause (2D).

(2D) The Committee shall consist of the Chairman Senate and the Speaker National Assembly, who shall confirm the names for appointment from the list so forwarded within fourteen days with consensus.”

STATEMENT OF OBJECTS AND REASONS

The seats in Election Commission of Pakistan had been lying vacant since January 26; 2019, the Government was bound to fill the seats in forty five days.

The Prime Minister and Opposition Leader did not reach consensus and names were referred to the Parliamentary Committee duly constituted under Article 213 (2B).

There was no consensus in Parliamentary Committee too for appointments.

The Government had announced the appointment of two new member of the Election Commission and appointment was about seven month after the retirement of the members of Election Commission of Pakistan from Sindh and Balochistan.

The Chief Election Commissioner refused to Administrator oath to the new members stating that their appointment has not been carried out as per the Constitution of Pakistan.

In above situation, there is no provision in the Constitution to deal with the mater.

Through above amendment it is proposed that in case there is also no censuses among the members of Parliamentary Committee for the appointment of members, all the names, proposed form both sides in the Committee within seven days shall become forwarded to the Committee duly constituted under the newly inserted clause (2D) and it is proposed that the Committee shall consist of the Chairman Senate and the Speaker National Assembly, who shall confirm the names for appointment from the list so forwarded within fourteen days with consensus.

Amendment is proposed to achieve the above objects.

**SENATOR SIRAJUL HAQ
MEMBER-IN-CHARGE**