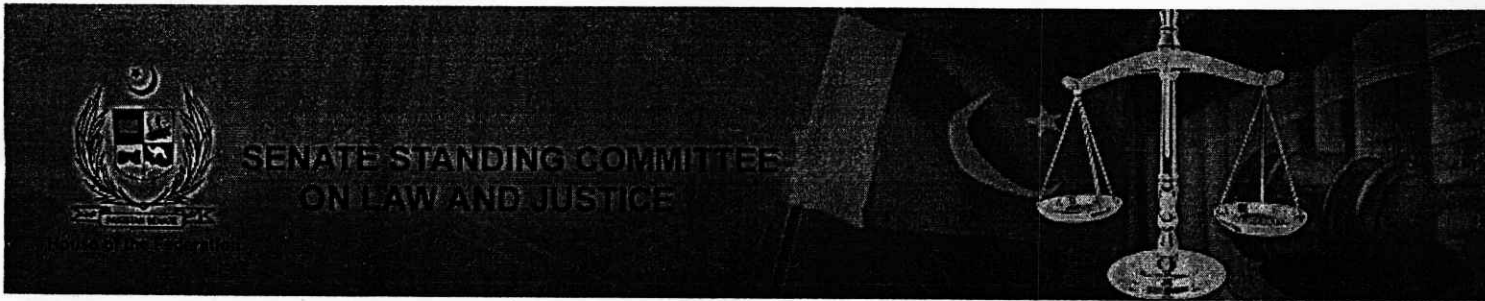


# SENATE OF PAKISTAN



**REPORT NO. 10**

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



**“THE CONSTITUTION (AMENDMENT) BILL, 2021”**

**(Amendment of Article 130)**

**PRESENTED BY**

**Senator Syed Ali Zafar**

**Chairman**

**Standing Committee on Law and Justice**

# SENATE SECRETARIAT

## REPORT OF THE STANDING COMMITTEE ON LAW AND JUSTICE ON "THE CONSTITUTION (AMENDMENT) BILL, 2021"

I, Senator Syed Ali Zafar, Chairman Standing Committee on Law and Justice, have the honor to submit, on behalf of the Committee, this report on "The Constitution (Amendment) Bill, 2021" (Amendment of Article 130) moved by Senators Kauda Babar, Naseebullah Bazai and Ahmed Khan in the Senate on 12<sup>th</sup> July, 2021 and referred to the Committee for consideration and report.

2. The composition of the Committee is as under:-

1. Senator Syed Ali Zafar	Chairman
2. Senator Syed Shibli Faraz	Member
3. Senator Azam Nazeer Tarar	Member
4. Senator Mian Raza Rabbani	Member
5. Senator Farooq Hamid Naek	Member
6. Senator Syed Muzafar Hussain Shah	Member
7. Senator Kamran Murtaza	Member
8. Senator Muhammad Azam Khan Swati	Member
9. Senator Walid Iqbal	Member
10. Senator Manzoor Ahmed Kakar	Member
11. Senator Musadik Masood Malik	Member
12. Senator Samina Mumtaz Zehri	Member
13. Senator Mustafa Nawaz Khokhar	Member
14. Minister for Law and Justice	Ex-Officio Member

3. The Committee considered the Bill in its meeting held on 3<sup>rd</sup> November, 2021, under the Chairmanship of Senator Syed Ali Zafar, with the following in attendance:

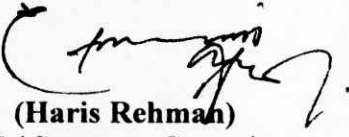
1. Senator Farooq Hamid Naek	Member
2. Senator Muhammad Azam Khan Swati	Member
3. Senator Mustafa Nawaz Khokhar	Member
4. Senator Walid Iqbal	Member
5. Senator Musadik Masood Malik	Member

6. Senator Samina Mumtaz Zehri	Member
7. Senator Kauda Babar	Member In-Charge
8. Senator Naseebullah Bazai	Member In-Charge

4. Senator Kauda Babar, while giving background of the Bill, said that similar to five Advisers to the Prime Minister, the Constitution allows appointment of five Advisers to the Chief Ministers as well, however the Advisers to the Chief Ministers have not been given the authority to speak or otherwise take part in the proceedings of the respective provincial assemblies. He added that objective of the Bill was to make provision in the Constitution to allow Advisers to the Chief Ministers to speak or otherwise take part in the proceedings of the respective provincial assemblies just like five Advisers to the Prime Minister can speak or otherwise take part in the proceedings of Parliament i.e. Senate and National Assembly.

5. The Chairman Committee agreed with the objective of the Bill. All members also supported it terming it as an effort to remove the disparity between federal and provincial Advisers with regard to performance of parliamentary functions.

6. After discussion, the Committee unanimously recommended that the "The Constitution (Amendment) Bill, 2021" (Amendment of Article 130), as introduced in the Senate by Senators Kauda Babar, Naseebullah Bazai and Ahmed Khan, may be passed by the Senate. Copy of the Bill is annexed.

  
**(Haris Rehman)**  
 DS / Secretary Committee

  
**(Senator Syed Ali Zafar)**  
 Chairman, Standing Committee on Law and Justice

<sup>As</sup>  
~~[TO BE INTRODUCED IN 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 (Amendment) Act, 2021.

(2) It shall come into force at once.

**2. Amendment of Article 130 of the Constitution.-** (1) In the Constitution of the Islamic Republic of Pakistan, in Article 130, in clause (11), after the phrase "five Advisers" occurring at the end, the following expression shall be inserted, namely:-

", who shall have the right to speak and otherwise take part in the proceedings of Assembly, or any committee thereof, but shall not by virtue of this Article be entitled to vote"

**STATEMENT OF OBJECTS AND REASONS**

Under Article 93 (2) read with Article 57 of the Constitution of the Islamic Republic of Pakistan, an Adviser to the Prime Minister is entitled to speak in proceedings of either House, or a joint sitting or any committee of the Parliament. The Advisers to Chief Ministers, however, do not have this entitlement.

To ensure participation of provincial advisers in proceedings of respective Provincial Assemblies, this amendment is proposed.

The Bill is designed to achieve the aforesaid objective.

**SENATOR KAUDA BABAR  
SENATOR NASEEBULLAH BAZAI  
SENATOR AHMED KHAN  
MEMBERS-IN-CHARGE**