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[~~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, 2024.
(2) It shall come into force at once.
2. **Substitution of Article 140A of the Constitution.** — In the Constitution of the Islamic Republic of Pakistan, hereinafter referred to as the Constitution, for Article 140A, the following shall be substituted, namely,-
“140A. **Local Government.**- (1) The Federal Government shall, by law, establish a local government system throughout the country, whereby political, administrative and financial responsibility and authority shall be devolved to the elected representatives of the respective local governments.
(2) Elections to the local governments shall be held by the Election Commission of Pakistan.”
3. **Amendment of Article 160 of the Constitution.**—In the Constitution in Article 160,-
(i) in Clause (3A), for the full-stop “.” in the end, a colon “:” shall be substituted, and thereafter following proviso shall be inserted, namely,-
“Provided that the Provincial Governments shall, establish a Provincial Finance Commission, consisting of Minister of Finance of the respective Province, and such other persons as may be appointed by the Governor, for equitable distribution of grants to the Districts.”

(ii) after Clause 3A, the following new Clauses shall be inserted, namely,-

“(3AA) From the share of Provincial Government in the award of National Finance Commission, 30% thereof shall be paid to the Provincial Consolidated Fund and the remaining 70% shall be paid to the Districts of respective Provincial Government.

(3AB) The allocation to the Districts of respective Provincial Governments under Clause (3AA), shall be apportioned in terms of the following:-

(a) 82.0% of the 70% amount mentioned in Clause (3AA), shall be allocated to the Districts of respective Provincial Government, in view of the population thereof;

(b) 10.3% of the 70% amount mentioned in Clause (3AA), shall be allocated to the Districts of respective Provincial Government, in view of poverty or backwardness;

(c) 5.0% of the 70% amount mentioned in Clause (3AA), shall be allocated to the Districts of respective Provincial Government, in view of revenue collection or generation; and

(d) 2.7% of the 70% amount mentioned in Clause (3AA), shall be allocated to the Districts of respective Provincial Government, in view of inverse population density.

STATEMENT OF OBJECTS AND REASONS

The Constitution of Islamic Republic of Pakistan prescribes a mandatory obligation for the provinces to establish a system of local governments while empowering the provincial governments to devolve the administrative, financial and political authority. However, such provision have never been implemented in its true letter and spirit. The instant amendment authorizes the Federal government to make law to ensure the autonomy at the level of local governments. Further, as regard to the National Finance Commission, the instant amendment aims at establishment of Provincial Finance Commissions for the provision of ensuring the distribution of grants at district level equitably, rather than leaving it to the discretion of the Chief Minister of the respective province.

**SENATOR KHALIDA ATEEB
MEMBER-IN-CHARGE**