



SENATE SECRETARIAT

Report No. 17

REPORT OF THE SENATE STANDING COMMITTEE ON LAW AND JUSTICE



**“THE CONSTITUTION (AMENDMENT) BILL, 2024”
(AMENDMENT OF ARTICLE 62)**

PRESENTED BY

**Senator Farooq Hamid Naek
Chairman
Standing Committee on Law and Justice**

SENATE SECRETARIAT

REPORT OF THE STANDING COMMITTEE ON LAW AND JUSTICE ON "THE CONSTITUTION (AMENDMENT) BILL, 2024" (AMENDMENT OF ARTICLE 62)

I, Chairman of the Standing Committee on Law and Justice, have the honour to present report on "The Constitution (Amendment) Bill, 2024" (Amendment of Article 62) introduced by Senator Samina Mumtaz Zehri in the Senate sitting held on 09-09-2024. The Bill, upon introduction, was referred to the Standing Committee for consideration and report.

2. The composition of the Standing Committee on Law and Justice is as under:-

1.	Senator Farooq Hamid Naek	Chairman
2.	Senator Shahadat Awan	Member
3.	Senator Zamir Hussain Ghumro	Member
4.	Senator Rana Sana Ullah Khan	Member
5.	Senator Muhammad Tallal Badar	Member
6.	Senator Khalil Tahir	Member
7.	Senator Ahad Khan Cheema	Member
8.	Senator Mohammad Abdul Qadir	Member
9.	Senator Syed Ali Zafar	Member
10.	Senator Kamran Murtaza	Member
11.	Senator Hamid Khan	Member
12.	Senator Rubina Naaz	Member
13.	Senator Mohammad Azam Khan Swati	Member
14.	Minister for Law and Justice	Ex-Officio Member

3. The Committee considered the Bill in its meetings held on 18th December, 2025 and 3rd February, 2026, respectively under the Chairmanship of Senator Farooq Hamid Naek. Final consideration of the Bill was held in the meeting dated 3rd February, 2026, which was attended by the following hon'ble Members:-


1.	Senator Farooq Hamid Naek	Chairman
2.	Senator Shahadat Awan	Member
3.	Senator Kamran Murtaza	Member
4.	Senator Mohammad Abdul Qadir	Member
5.	Minister of State for Law and Justice	Ex-Officio Member
6.	Senator Samina Mumtaz Zehri	Member-in-Charge



4. The Member-in-charge briefed the Committee that the Bill seeks to amend Article 62 of the Constitution by inserting a new provision requiring that a Member of Parliament, in order to be appointed to certain constitutional and public offices, namely the President of Pakistan, Prime Minister, Governor, Chief Minister of a Province, Chairman Senate, Deputy Chairman Senate, Speaker, Deputy Speaker, Federal Minister, Minister of State, and Provincial Minister; must possess at least a Bachelor's degree or an equivalent qualification recognized by the Higher Education Commission or under any law for the time being in force. She stated that formal education equips individuals with knowledge, skills, and confidence relevant to public decision-making and governance, and argued that holders of high public office are expected to meet enhanced standards of competence and responsibility. The mover was of the view that prescribing a minimum educational qualification would contribute positively to the quality of governance.

5. Ministry of Law & Justice briefed the committee that earlier the qualification of graduation from a recognized university was fixed under section 8A of the Conduct of General Election Order, 2002 issued vide Chief Executive's Order No. 7 of 2002, however, the said Order has been repealed through the Election Act, 2017 (XXXIII of 2017).

6. The Chairman of the Committee observed that the offices referred to in the Bill are either filled through direct public elections or through selection from among elected representatives, in accordance with constitutional provisions. He emphasized that the Constitution guarantees fundamental rights, including political rights, and that the imposition of additional eligibility conditions must be examined with due care to avoid infringement thereof. He further observed that, since graduation is not a qualification for election as a Member of Parliament, imposing such a requirement at a later stage, specifically for appointment to constitutional offices drawn from among elected Members, raises serious constitutional concerns. Such differentiation may result in the exclusion of duly elected representatives from holding public office and could be perceived as violating the principles of equality and political participation. Referring to past precedents, the Chairman noted that similar qualification requirements had previously been struck down by the Supreme Court, and cautioned that, notwithstanding the positive intent behind the proposal, it may have implications for the constitutional framework.




7. Senator Abdul Qadir also opined that States are governed by wisdom, experience, and vision rather than academic degrees alone, distinguishing between education and qualification.

8. Minister of State for Law and Justice appreciated the intent behind the amendment and acknowledged the mover's objective to strengthen governance standards.

9. The Committee noted that the subject matter involves important national policy considerations and, therefore, warrants comprehensive input from all relevant stakeholders, including Provincial Governments. In this regard, the Election Commission of Pakistan furnished neutral comments, whereas the Provincial Governments of Punjab, Sindh, Balochistan, and Khyber Pakhtunkhwa did not support the proposed amendment.

10. Keeping in view the responses received from the Provinces and the overall sense of the Committee, Senator Samina Mumtaz Zehri, Member in-Charge consented to withdraw "the Constitution (Amendment) Bill, 2024" (Amendment of Article 62), introduced in the Senate on 9th September, 2024. Therefore, the Committee approved presentation of report on the said Bill with the recommendation the member may be granted leave to withdraw the Bill.

11. Accordingly, the Committee recommends that the House may grant leave to Member-in-Charge to withdraw "The Constitution (Amendment) Bill, 2024" (Amendment of Article 62), in terms of rule 115 of the Rules of Procedure and Conduct of Business in the Senate, 2012.


(RABEEA ANWAR)
A.S / Secretary Committee


(SENATOR FAROOQ HAMID NAEK)
Chairman

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further to amend the Constitution of Islamic the 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. Amendment of Article 62 of the Constitution. - In the Constitution of the Islamic Republic of Pakistan, in Article 62, in clause (1),-

i. in paragraph (f), the word "and" occurring at the end shall be omitted;

ii. in paragraph (g) for the full stop ".", occurring at the end a semi-colon and word ";and" shall be substituted and after paragraph (g), amended as aforesaid, the following new paragraph shall be added, namely:-

"(h) "he is at least graduate, possesses a bachelor's degree in any discipline or any degree recognized as equivalent thereto by the Higher Education Commission or any other law for the time being in force, in case of his appointment to the office of the President of Pakistan, Prime Minister, Governor, Chief Minister of a Province, Chairman Senate, Deputy Chairman Senate, Speaker, Deputy Speaker, Federal Minister, Minister of State and Provincial Minister."

STATEMENT OF OBJECTS AND REASONS

Formal education always provides Members of Parliament not only with skills and knowledge that are relevant for their political responsibilities but also with political self-confidence, which promotes political efficacy. Scholars in the field of political participation argue that formal education has an absolute effect upon political engagement in that it provides individuals with resources in terms of beliefs, skills and knowledge that are beneficial for political activity (e.g. Rosen, Stone & Hansen, Citation 1993; Verba, Schlozman, & Brady, Citation 1995). Verba et al. (Citation 1995, p. 305) state in their seminal work that 'Education enhances participation more or less directly by developing skills that are relevant to politics—the ability to speak and write, and the knowledge of how to cope in an organizational setting'. It has also been claimed that higher education favours individuals' political efficacy, which is associated with self-confidence concerning one's political abilities and competence.

2. In this regard, appointment of members' parliaments on public offices such as the President of Pakistan, Prime Minister, Governor, Chief Minister of a Province, Chairman Senate, Deputy Chairman Senate, Speaker, Deputy Speaker, Federal Minister, Minister of State and Provincial Minister holds special significance assuming an enhanced role and highest expectations being in a public office. Therefore, it is important that during their selection for such offices, besides all other requirements, a condition of graduation must also be mandatory to be qualified for such public offices.

3. This Bill has been designed to achieve the said purpose.

SENATOR SAMINA MUMTAZ ZEHRI
MEMBER IN CHARGE