

**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, 2019.

(2) 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), for paragraph (a) the following shall be substituted, namely,-

"(a) the Provinces of Balochistan, Hazara, Khyber Pakhtunkhwa, the Punjab, and Sindh;

Explanation.- The Province of Hazara shall comprise the territories of existing districts in Hazara Division shall stand excluded from the Province of Khyber Pakhtunkhwa."

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

(a) in clause (3), for the Table the following shall be substituted, namely,-

	<u>General seats</u>	<u>Women seats</u>	<u>Total seats</u>
Balochistan	16	4	20
Hazara	5	2	7
Khyber Pakhtunkhwa	40	8	48
Punjab	141	32	173
Sindh	61	14	75
Federal Capital	3	—	3
Total	266	60	326

(b) for clause (3A) the following shall be substituted, 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 and Hazara Division and women elected on reserved seats from these areas in General Elections 2018 shall continue till dissolution of the National Assembly and thereafter this clause shall stand omitted."

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

(a) in clause (1), for the words "ninety-six" the words "one hundred and nineteen" shall be substituted;

(b) after clause (3A), the following clauses shall be inserted, namely,-

"(3B) Notwithstanding the provisions of clause (1) and (3) or any other law for the time being in force, members elected from the Province of Hazara prior to the creation of Hazara Province shall complete their respective terms of office and thereafter this clause shall be omitted."

5. Amendment of Article 106 of the Constitution.- In the Constitution, in Article 106.-

(a) in clause (1), for the Table the following shall be substituted, namely,-

	<u>General seats</u>	<u>Women</u>	<u>Non-Muslims</u>	<u>Total</u>
Balochistan	51	11	3	65
Hazara	15	6	1	22
Khyber Pakhtunkhwa	100	20	3	123
Punjab	297	66	8	371
Sindh	130	29	9	168 "

(b) after clause (1) amended as aforesaid, the following new clause (1A) shall be inserted, namely,-

"(1A) Notwithstanding anything contained in clause (1) or any other law for the time being in force, members of the Provincial Assembly of the Hazara elected in the general elections, 2018 shall continue till dissolution of the Provincial Assembly and thereafter this clause, shall stand omitted.

6. Amendment of Article 175A of the Constitution.- In the Constitution, in Article 175A, after clause (6), the following new clause (6A) shall be inserted, namely:-

"(6A) For initial appointment of the Chief Justice and Judges of the Hazara High Court, the Chief Justice of the Peshawar High Court shall also be a member of the Commission."

7. Amendment of Article 218 of the Constitution.- In the Constitution, in Article 218, in clause (2), in sub clause (b) for the word "four" the word "five" shall be substituted.

STATEMENT OF OBJECTS AND REASONS

The Provincial Assembly of the Khyber Pakhtunkhwa on 31-3-2014 passed a Resolution recommending therein to the Federal Government to introduce a Bill for creation of new Province on administrative grounds including Hazara Province.

People from the Hazara Division continue to press for creation of new province of Hazara. This Constitution Amendment Bill seeks to meet very genuine demand of people of Hazara Division by creating the Hazara province comprising the districts under the existing administrative Hazara Division.

Sd/-
MR. ALI KHAN JADOON
MEMBER-IN-CHARGE