

[AS INTRODUCED IN THE SENATE]

A

BILL

further to amend the Constitution of the Islamic Republic of Pakistan, 1973

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, 2017.

(2) It shall come into force at once.

2. Amendment of Article 101 of the Constitution.- In the Constitution of the Islamic Republic of Pakistan, in Article 101, in clause (2), for the full stop occurring at the end a colon ":" shall be substituted and thereafter the following new provisos shall be inserted, namely:-

"Provided that a person, who is a registered voter and resident of the Federal Capital and, is otherwise qualified, shall be eligible for appointment as Governor of the Punjab Province;

Provided further that a person, who is a registered voter and resident of the Federally Administered Tribal Areas and, is otherwise qualified, shall be eligible for appointment as Governor of the Khyber Pakhtunkhwa Province."

STATEMENT OF OBJECTS AND REASONS

The Constitution of the Islamic Republic of Pakistan in its Article 101 prescribes the appointment and qualifications for appointment as Governor of a Province. In Article 101, in clause (2) of the Constitution, apart from other qualifications, the condition of registered voter and resident of the concerned Province is also a requirement for appointment as Governor of that Province. Since Federally Administered Tribal Areas (FATA) and Islamabad Capital Territory are not part of any Province, therefore the residents and registered voters of these two areas are deprived from their right to be appointed as Governor of a Province. Through this amendment, the registered voters and residents of FATA will become eligible for appointment as Governor of Khyber Pakhtunkhwa, and the registered voter and residents of Islamabad Capital Territory will become eligible for appointment as Governor of the Punjab Province.

The Bill is designed to achieve the aforesaid objectives.

SENATOR MOHAMMAD AZAM KHAN SWATI
Member-in-Charge