

[AS PASSED BY THE NATIONAL ASSEMBLY]

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 (Twenty-sixth Amendment) Act, 2019.

(2) It shall come into force at once.

2. Amendment of Article 51 of the Constitution.- In the Constitution of the Islamic Republic of Pakistan, hereinafter referred to as the Constitution, in Article 51-

(i) in clause (1), for the expression "three hundred and thirty-six", the expression "three hundred and forty-two", shall be substituted;

(ii) in clause (3), in the Table,-

(a) for the expression "Khyber Pakhtunkhwa", in the first column and the corresponding entries relating thereto in the second, third and fourth columns, the following shall be substituted, namely:-

"Khyber Pakhtunkhwa 51 10 61"; and

(b) for the expression "Total", in the first column and the corresponding entries relating thereto in the second, third and fourth columns, the following shall be substituted, namely:-

"Total: 272 60 332". :

(iii) after clause (3A), the following new clause (3B), shall be inserted, namely:-

"(3B) The seats for the Province of Khyber Pakhtunkhwa, referred to in clause (3), shall include twelve general seats, in respect of the erstwhile Federally Administered Tribal Areas." ; and

(iv) in clause (5), for the word "the", occurring for the first time, the following shall be substituted, namely:-

"Save as provided in clause (3B) in respect of erstwhile Federally Administered Tribal Areas".

3. **Amendment of Article 106 of the Constitution.**- In the Constitution, in Article 106,-

- (i) in clause (1), in the Table, for the expression “Khyber Pakhtunkhwa”, in the first column and the corresponding entries relating thereto in the second, third, fourth and fifth columns, the following shall be substituted, namely:-

“Khyber Pakhtunkhwa 123 28 4 155”; and

- (ii) in clause (1A),-

- (a) for the word “sixteen” the words “twenty-four” shall be substituted;
- (b) for the word “four” the word “six” shall be substituted;
- (c) in the proviso, for the expression “one year”, the expression “eighteen months”, shall be substituted; and
- (d) after the proviso, the following new proviso, shall be added, namely:-

“Provided further that the enhancement in the seats shall remain effective till the next census.”.

STATEMENT OF OBJECTS AND REASONS

Under the Constitution, State is responsible to protect the rights of all its citizens and to give them true representation in all walks of life. To ensure proper representation to the areas of erstwhile FATA, it is necessary that the number of general seats of the National Assembly allocated for the said areas should remain the same. However, the seats allocated to the Provincial Assembly of Khyber Pakhtunkhwa for erstwhile FATA are also proposed to be increased to give adequate representation to the said area. The current allocation of the above said general seats made on the basis of provisional results of the Population Census 2017 does not include Internally Displaced Persons (IDP's) in the population of erstwhile FATA.

This Bill seeks to achieve the above said objectives.

MOHSIN DAWAR

Member, National Assembly

Member-in-charge