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[~~TO BE~~ INTRODUCED IN THE SENATE]

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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, 2020.

(2) It shall come into force at once.

2. Amendment of Article 140 of the Constitution.- In the Constitution of the Islamic Republic of Pakistan, in Article 140,-

- (i) for the marginal note "Advocate General for a Province", the "Advocate General for the Islamabad Capital Territory and Provinces" shall be substituted; and
- (ii) in clause (4) for the full-stop "." occurring at the end a colon ":" shall be substituted and thereafter the following provisos shall be added, namely:-

"Provided that there shall be an Advocate General for the Islamabad Capital Territory, who shall be appointed by the President and may by writing under his hand addressed to the President resign from his office:

Provided further that the other terms and conditions laid down in this Article shall also apply to the Advocate General for the Islamabad Capital Territory, and in their application to the Islamabad Capital Territory and shall have effect as if the references therein to the Governor and Provincial Government, were references respectively to the President and the Islamabad Capital Territory Administration."

STATEMENT OF OBJECTS AND REASONS

The Islamabad Capital Territory (ICT) is a separate administrative unit. It has its own High Court and Bar Council. Bar Councils are statutory bodies headed by the Advocate General of every province as Ex-officio Chairman of the respective Council. Advocate General is a Constitutional post and there is no provision in the Constitution for the Advocate General exclusively for Islamabad Capital Territory. An Advocate General of a province cannot perform dual responsibilities in one time due to practical limitations and at times due to conflict of interest. Appointment of Advocate General in Islamabad Capital Territory is a Constitutional and legal requirement to represent ICT in Islamabad High Court and to complete formation of Islamabad Bar Council.

Therefore, this Bill seeks to provide for the appointment of Advocate General Exclusively for the Islamabad Capital Territory.

SENATOR MUHAMMAD JAVED ABBASI
Member-in-Charge