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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, 2022

(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 Bahawalpur, Balochistan, Southern Punjab, Khyber Pakhtunkhwa, the Punjab and Sindh;

Explanation:- The Province of Bahawalpur shall comprise the existing administrative Division of Bahawalpur and the Province of Southern Punjab shall comprise the existing administrative Divisions of Dera Ghazi Khan and Multan. The Bahawalpur, Dera Gahzi Khan and Multan Divisions shall stand excluded from the Province of Punjab."

**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:-

	General seats	Women seats	Total seats
Bahawalpur	15	3	18
Balochistan	16	4	20
Khyber Pakhtunkhwa	45	10	55
Punjab	95	22	117
Sindh	61	14	75
Southern Punjab	31	7	38
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 elected from the Federally Administered Tribal Areas in the general elections, 2018 and women elected on reserved seats from the Punjab to the National Assembly shall continue till dissolution of the on-going National Assembly and thereafter this clause shall stand omitted.”

**4. Amendment of Article 59 of the Constitution.-** (1) In the Constitution, in Article 59, in clause (1),-

- (a) for the words “ninety-six” the words “one hundred and forty-two” shall be substituted;

- (b) in paragraph (f), for the word “four” the words “six” shall be substituted;

(2) in clause (3), in paragraph (f) and proviso thereto, for the word “two” occurring thrice, the word “three” shall be substituted.

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

“(3B) Notwithstanding the provisions of clause (3) or any other law for the time being in force, of the members elected by the Provincial Assemblies of the new Provinces of Bahawalpur and Southern Punjab,

- (a) Under paragraph (a), seven shall retire in March, 2024 and seven shall retire in March, 2027;

- (b) Under paragraph (d), two shall retire in March, 2024 and two shall retire in March, 2027;

- (c) Under paragraph (e), two shall retire in March, 2024 and two shall retire in March, 2027; and

- (d) Under paragraph (f), one shall retire in March, 2024 and one shall retire in March, 2027;

(3C) Notwithstanding the provision of clauses (1) and (3) or any other law for the time being in force. Members elected from the Province of the Punjab prior to the creation of the new Provinces of Bahawalpur and Southern Punjab shall complete their respective terms of the office and thereafter this clause and clause (3B) shall stand 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:-

	General seats	Women	Non-Muslims	Total seats
Bahawalpur	31	7	1	39
Balochistan	51	11	3	65
Khyber Pakhtunkhwa	115	26	4	145
Punjab	202	45	5	252
Sindh	130	29	9	168
Southern Punjab	64	14	2	80

- (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 Punjab elected in the general elections, 2018 on reserved seats for women and Non-Muslims shall continue till dissolution of the Provincial Assembly and thereafter this clause, including the proviso shall stand omitted:

Provided that a woman member or a Non-Muslim member elected on a reserved seat to the Provincial Assembly of the Punjab having a domicile in Bahawalpur or Southern Punjab Province may opt to be a member of the Provincial Assembly of that Province.”

**6. Amendment of Article 154 of the Constitution.-** In the Constitution, in Article 154, after clause (1), the following new clauses shall be added, namely:-

“(1A) As and when new Province or territories are included in the territories comprising Pakistan under Article 1, the Council shall determine, within three months. The apportionment, distribution, adjustment, allocation and transfer among the Federal Government and Provincial Government of the existing and new Provinces or territories;

- (a) water and other natural resources;
- (b) present employees and future job quotas in the civil bureaucracy;
- (c) physical, monetary and other assets and liabilities and rights; and
- (d) other ancillary matters.

(1B) The determination under clause (1) shall be based on recommendations of a national Commission for New Provinces comprising eminent and reputable technical, financial, legal and other experts to be constituted by the Speaker, National Assembly in consultation with Chairman Senate and Leaders of the House and Leaders of the Opposition, for this purpose and for consideration of proposals for new Provinces referred thereto by resolutions of the both Houses."

**7. 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 Bahawalpur and Southern Punjab High Courts, the Chief Justice of the Lahore High Court shall also be a member of the Commission."

**8. Amendment of Article 198 of the Constitution.-** In the Constitution, in Article 198,-

(a) after clause (1A), the following new clause (1B) shall be inserted, namely:-

"(1B) The High Court for Bahawalpur shall have its principal seat at Bahawalpur, and the High Court for Southern Punjab shall have its principal seat at Multan."

(b) in clause (3), For the words "each at Bahawalpur, Multan and" the word "at" shall be substituted.

**9. 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 "six" shall be substituted.

#### **STATEMENT OF OBJECTS AND REASONS**

On 9<sup>th</sup> May, 2012, the Provincial Assembly of the Punjab had passed two separate Resolutions for the restoration of the Provincial status of Bahawalpur and creation of a new province of Southern Punjab. These Resolutions were supported by members from political parties on both sides of the House.

2. The people from the erstwhile state of Bahawalpur and from Southern Punjab continue to press for the establishment of new provinces of Bahawalpur and Southern Punjab respectively. This Constitutional amendment Bill seeks to meet their very genuine demand for restoring the provincial status of Bahawalpur (comprising the existing administrative division of Bahawalpur) and creating the province of Southern Punjab (Comprising the existing administrative divisions of Dera Ghazi Khan and Multan).

The Bill seeks to achieve the above objectives.

**SENATOR RANA MAHMOOD UL HASSAN  
MEMBER-IN-CHARGE**