

INTRODUCED ON 16.01.2023.

[AS INTRODUCED IN THE SENATE]

**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, 2023.

(2) It shall come into force at once.

2. Amendment of Article 203D of the Constitution.- In the Constitution of the Islamic Republic of Pakistan, in Article 203D, in clause (2), for the colon ":" occurring after the words "the decision shall take effect" a full stop "." shall be substituted and thereafter, the proviso shall be omitted.

STATEMENT OF OBJECTS AND REASONS

The Federal Shariat Court, since its inception in 1980, dedicated itself to the sacred task of serving the glory of Islam. Armed with the provisions of the Constitution that all the existing laws shall be brought in conformity with the injunctions of Islam as laid down in the Holy Quran and Sunnah of the Holy Prophet (peace be upon him). In the Constitution of Pakistan, in Article 203D, in clause (2) the proviso has been proved itself as a stumbling block to enforce the decisions of the Federal Shariat Court. Under the said proviso the decision of the Federal Shariat Court becomes ineffective where an appeal is so preferred to the Court of appellate jurisdiction. Keeping in mind the Constitutional jurisdiction of the Federal Shariat Court and adding more strength to the Court's prerogative this Amendment seeks to omit the said proviso.

2. This Bill seeks to achieve the above-said objectives.

SENATOR MUSHTAQ AHMED
Member-in-Charge

