

[ AS INTRODUCED IN 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 herein after 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 on the day of dissolution of Provincial Assembly of Punjab, after coming into force of this statute.

**2. Amendment of Article 1 of the Constitution.**— In the Constitution of Islamic Republic of Pakistan, hereinafter referred to as the Constitution, in Article 1, in clause (2) in paragraph (a), after the word "Punjab", the comma and words "South Punjab" shall be inserted and thereunder the following Explanation shall be inserted, namely:-

**"Explanation.**— The Province of South Punjab shall comprise territories of Multan, Bahawalpur and Dera Ghazi Khan Divisions."

**3. Amendment of Article 51 of the Constitution.**— In the Constitution, in Article 51, in clause (3), in the table,-

(a) for the entries relating to "Punjab", in the first, second, third and fourth columns, the following shall be substituted, namely:-

"Punjab 101 23 124"; and

- (b) after the entries relating to "Punjab", substituted as aforesaid, the following new entries shall be inserted, namely:-

"South Punjab 46 10 56"

**4. Amendment of Article 59 of the Constitution.—** In the Constitution, in Article 59,-

(1) In clause (1),-

- (a) for the words "one hundred and four", the words "one hundred and twenty-seven" shall be substituted; and
- (b) in paragraph (f), for the word "four", the word "five" shall be substituted.

(2) Clause (4) shall be renumbered as clause (5) of that Article and before clause (5) renumbered as aforesaid, the following new clause shall be inserted, namely:-

"(4) The seats of members enhanced through the Constitution (Twenty-Sixth Amendment) Act, 2019, shall be filled within one hundred and twenty days of the commencement of the said Act:-

- (a) under paragraph (a), seven shall retire after the expiration of the first three years and seven shall retire after the expiration of the next three years;
- (b) under paragraph (d), one shall retire in March 2024 and seven shall retire in March 2027 or such other dates as may be notified by Election Commission of Pakistan in this behalf;
- (c) under paragraph (e), two shall retire in March 2024 and two shall retire in March 2027 or such other dates as may be notified by Election Commission of Pakistan in this behalf; and
- (d) under paragraph (f), two shall retire in March 2024 and two shall retire in March 2027 or such other dates as

may be notified by Election Commission of Pakistan in this behalf.

**5. Amendment of Article 106, of the Constitution.—** In the Constitution, in Article 106, in clause (1), in the table,-

(a) for the entries relating to "Punjab", in the first, second, third and fourth columns, the following shall be substituted, namely:-

"Punjab 202 44 5 251"; and

(b) after the entries relating to "Punjab", substituted as aforesaid, the following new entries shall be inserted, namely:-

"South Punjab 95 22 3 120"

**6. Amendment of Article 175A, of the Constitution.—** In the Constitution, in Article 175A, after clause (6), the following clause shall be inserted, namely:-

"(6A) for initial appointment of the Chief Justice and the Judges of the Province of South Punjab, the chief Justices of the four Provincial High Courts shall also be members of the Commission."

**7. Amendment of Article 198 of the Constitution.—** In the Constitution, Article 198 shall be substituted by the following:-

**"198. The seat of the High Court.-** (1) The following shall be High Courts in the Country and each High Court shall have a principal seat provided hereinbelow:-

- (a) Punjab High Court, having its principal seat at Lahore;
- (b) Southern Punjab High Court, having its principal seat at Multan;
- (c) Sindh High Court, having its principal seat at Karachi;
- (d) Balochistan High Court, having its principal seat at Quetta;
- (e) Islamabad High Court, having its principal seat at Islamabad.

(2) Each of the High Courts may have Benches at such other places as the Governor may determine on the advice of the Cabinet and in consultation with the Chief Justice of the High Court.

(3) A Bench referred to in clause (2), shall consist of such of the Judges of the High Court as may be nominated by the Chief Justice from time to time for a period of not less than one year.

(4) The Governor in consultation with the Chief Justice of the High Court shall make rules to provide the following matters, that is to say,-

- (a) assigning the area in relation to which each Bench shall exercise jurisdiction vested in the High Court; and
- (b) for all incidental, supplemental or consequential matters."

**8. Amendment of Article 218 of the Constitution.**— In the Constitution, in Article 218, in clause (2) in paragraph (b), for the word "four", the word "five" shall be substituted.

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

In order to address the grievances and to secure the political, administrative and economic interests of the people of the southern region of the Province of the Punjab and empower them in this regard, it is expedient that a new Province to be known as Province of South Punjab be created from the present Province of the Punjab.

2. This Constitutional amendment seeks to meet the long time genuine demand of the deprived region of the Province of the Punjab. It shall provide them better administration and speedy justice. For the welfare of the deprived region and efficient administration, the present Bill is being introduced in the august House.

Sd/-

**MAKHDOOM SYED SAMI-UL-HASSAN GILLANI**  
MEMBER-IN-CHARGE