

13-4-2023

NATIONAL ASSEMBLY SECRETARIAT

REPORT OF THE STANDING COMMITTEE ON FINANCE AND REVENUE ON THE CHARGED SUMS FOR GENERAL ELECTION (PROVINCIAL ASSEMBLIES OF THE PUNJAB AND THE KHYBER PAKHTUNKHWA) BILL, 2023

1. Chairman of the Standing Committee on Finance and Revenue, have the honor to present this report on the Bill to charge the sums upon the Federal Consolidated Fund [The Charged Sums for General Election (Provincial Assemblies of the Punjab and the Khyber Pakhtunkhwa) Bill, 2023] (Government Bill) referred to the Committee on 10th April, 2023.

2. The Committee comprises the following -

1)	Mr. Qaiser Ahmed Sheikh	Chairman
2)	Mr. Nasir Iqbal Bosal	Member
3)	Chaudhary Khalid Javed	Member
4)	Ch. Muhammad Barjees Tahir	Member
5)	Mr. Ali Pervaiz	Member
6)	Syed Ali Musa Gillani	Member
7)	Dr. Nafisa Shah	Member
8)	Syed Hussain Tariq	Member
9)	Engr. Sabir Hussain Kaim Khani	Member
10)	Mr. Khalid Hussain Magsi	Member
11)	Mr. Salahuddin Ayubi	Member
12)	Makhdoom Syed Sami-ul-Hassan Gillani	Member
13)	Ms. Wajiha Qamar	Member
14)	Dr. Ramesh Kumar Vankwani	Member
15)	Senator Muhammad Ishaq Dar, <i>Minister for Finance and Revenue</i>	Ex-officio Member

3. The Committee considered the Bill, as introduced in the National Assembly, placed at 'Annex-A', in its meeting held on 13th April, 2023 and unanimously recommends that the Bill may not be passed by the Assembly.

Sd/-
(QAISER AHMED SHEIKH)
Chairman

Sd/-
(TAHIR HUSSAIN)
Secretary
Islamabad, the 13th April, 2023

A

Bill

to charge the sums upon the Federal Consolidated Fund

WHEREAS, it is expedient to make a law for release of a sum of rupees twenty-one billion to the Election Commission by the Federal Government on the directions of the Supreme Court of Pakistan as a charge upon the Federal Consolidated Fund for general election to the Provincial Assemblies of the Punjab and the Khyber Pakhtunkhwa without general election to the National Assembly and the Provincial Assemblies of Baluchistan and Sindh;

WHEREAS, it is necessary to create a charge upon the Federal Consolidated Fund for the purposes under paragraph (e) of Article 81 of the Constitution of the Islamic Republic of Pakistan;

It is hereby enacted as follows:-

1. Short title and commencement.— (1) This Act shall be called the Charged Sums for General Election (Provincial Assemblies of the Punjab and the Khyber Pakhtunkhwa) Act, 2023.

(2) It shall come into force at once.

2. Definitions.— In this Act, unless there is anything repugnant in the subject or context,-

- (a) "Article" means Article of the Constitution;
- (b) "Commission" means the Election Commission of Pakistan constituted under Article 218;
- (c) "Constitution" means the Constitution of the Islamic Republic of Pakistan;

- (d) "Federal Consolidated Fund" all revenues received by the Federal Government, all loans raised by that Government and all moneys received by it in repayment of any loan, shall form part of a consolidated fund to be known as the Federal Consolidated Fund; and
- (e) "general election" means the general election to the Provincial Assemblies of the Punjab and the Khyber Pakhtunkhwa without holding general election to the National Assembly and the Provincial Assemblies of Baluchistan and Sindh.

3. Sums for general election to the Provincial Assemblies of Punjab and Khyber Pakhtunkhwa.- The sums payable to the Election Commission for general election to the Province of the Punjab and the Province of the Khyber Pakhtunkhwa shall be an expenditure charged upon Federal Consolidated Fund.

4. Act to override other laws, etc.— The provisions of this Act shall have effect notwithstanding anything contained in any other law, rules or regulations for the time being in force.

5. Repeal.- After general election to the Provincial Assemblies of the Punjab and the Khyber Pakhtunkhwa without holding general election to the National Assembly and the Provincial Assemblies of Baluchistan and Sindh, this Act shall stand repealed.

STATEMENT OF OBJECTS AND REASONS

Supreme Court of Pakistan in Constitution petition No 5 of 2023 directed the Federal Government to release of a sum of rupees twenty-one billion to the Commission to hold general election of the Provincial

assemblies of Punjab and Khyber Pakhtunkhwa without general election of the National Assembly, Provincial Assemblies of Baluchistan and Sindh

In order to ensure general election in the Provincial Assemblies of Punjab and Khyber Pakhtunkhwa, it is necessary to make a law under paragraph (e) of Article 81 of the Constitution for release of sums as a charge expenditure upon the Federal Consolidated Fund.

The Bill has been designed to achieve the aforesaid objective.

Minister-in-charge