

Comparison of specific amendments in the constitution

Articles of the Constitution	Before the passage of the 17th amendment bill	Changes made through the LFO (2002) and the 17th amendment bill	Changes proposed in the 18th constitution amendment bill
Article 1	Names of the four Provinces		NWFP to be renamed? (Yet to be Decided)
Article 6	Abrogation of constitution by force amounts to high treason		Any person (judge) validating military takeover will face treason charges
Article 17	Guarantees freedom of association to the citizens to join any political party...	Changes made (through LFO) to ban defiance of Gen Musharraf's "Public Order" of military take-over.	The LFO amendment to be deleted
Article 41 The President's qualifications and election process.	Original Article had no provision for election of a government servant or military officer, or installation of President through a resolution	* Clause 7(a): amended to allow Gen Musharraf authority to determine when to step down as chief executive in accordance with the judgment of the SC of 12th May 2000. * Clause 7(b) Amended: Article 63 shall become operative on and from the 31st Dec 2004. * New clauses 8 and 9 added. Clause 8 provides for vote of confidence in the President and Clause 9 empowers the federal govt to make rules for conducting the vote of confidence	All amendments to be deleted
Article 51 (Parliament)	The NA comprises 217 members	The NA comprises 342 seats, including 60 reserved seats for women and 10 for minorities	Not to be changed
Article 53 (Speaker and Deputy Speaker of NA)	After a general election, the NA shall, at its first meeting, elect Speaker and Deputy Speaker		Speaker & Deputy Speaker to be elected at the first meeting, within 21 days of a general election
Article 58 (Dissolution of Assembly)	The President can dissolve the assembly only on the advice of the Prime Minister	Sub-clause 2(b) added through LFO: President can also dissolve NA on his own, and refer the matter to the Supreme Court.	Amendment to be deleted
Article 59	The Senate consists of 87 members	The Senate's strength raised to 100 (LFO)	Not to be changed
Article 63 (Disqualification)	The CEC to determine the disqualifications. (h) If convicted for a period of not less than 2 years & unless a period of five years has elapsed since his release. (i) dismissed from service of Pakistan on the ground of misconduct, unless a period of five years elapsed. (j) removed or compulsorily retired from the service of Pakistan unless a period of 5 years elapsed. (p) Being disqualified from being elected as a member of parliament or a provincial assembly under any law for the time being enforced.	In clause 1 (a), three sub-clauses were substituted and in (b) paragraphs p was amended and q, r and s were added: (h) the two-year period was omitted; (I) dismissed from the service of Pakistan or a corporation or office set up or controlled by the Federal Govt, Provincial Govt or a LG on the grounds of misconduct or moral turpitude (j) removed or compulsorily retired from the service of Pakistan or a corporation or office set up or controlled by the Fed Govt, Prov. Govt or a LG on the grounds of misconduct or moral turpitude. In clause (b) the following were substituted: (p) convicted and sentenced to imprisonment for having absconded by a court; (q) obtained a loan for an amount of two million rupees or more, from any bank, financial institution, cooperative society or cooperative body in his own name or in the name of his spouse or any of his dependents, which remains unpaid for more than one year from the due date, or has got such loan written off; (r) he or his spouse or any of his dependents has defaulted in payment of govt dues and utility expenses in excess of Rs10,000, for over six months. The speaker or chairman authorized to send reference to the CEC; The ECP is bound to decide on reference within 3 months	A substantial part of the amendment will be retained with an additional clause providing a relaxation under which eligibility of a convicted/dissmised person will be restored after five years have elapsed since his release/dissmial.
Article 70 (Introduction and Passing of Bills)	If a bill is transmitted to a house, is rejected or is not passed in 90 days, or passed with amendment, the bill shall be considered in a joint sitting. 70(4) has the mention of federal legislative list and concurrent list	Instead of a joint sitting, the bill shall be referred to a Mediation Committee.	Clause (4) to be abolished resulting the abolition of concurrent list as given in Schedule 4 of the Constitution. Similarly, the Mediation Committee is also being abolished
Article 71 (Mediation Committee)	This article had been omitted.	Article 71 added; defines formation and functioning of a mediation committee	To Be Deleted
Article 73 (Money Bill)	After passage of the Money Bill by the NA, without being transmitting it to the Senate, be presented to the president for assent.	Amendment: It is mandatory to present a copy of the money bill to the Senate. The senators will have 7 days to recommend changes	Not to be changed.
Article 75 (President's Assent to Bills)	If the president returns a bill to the Parliament, it shall be reconsidered by the Parliament in a joint sitting.	In accordance with the amendment to Article 70, the bill is required to be passed by both the houses separately.	To Be Amended. Again the bill will be reconsidered in the joint sitting
Article 90 (Executive Authority of the Federation)	The executive authority of the Federation shall vest in the President		The executive authority of the Federation shall vest in the PM
Article 101 (Appointment of Governor)	There shall be a Governor for each province who shall be appointed by the president on the advice of the PM	The words "on the advice of" were substituted with "in consultation with"	Two Amendments: * Changes made through 17th Amendment will be abolished. * The Governor for each province should be a native of the same province
Article 106 (Constitution of Provincial Assemblies)	There shall be a provincial assembly for each province. The number of seats in each provincial assembly is mentioned in this article.	Like NA, the seats in each of the provincial assembly have been increased	Not to be changed A provincial assembly shall at its first meeting elect a Speaker and Deputy Speaker

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Article 108 (Speaker and Deputy Speaker)	After a general election, a provincial assembly shall at its first meeting elect Speaker and Deputy Speaker		A provincial assembly shall at its first meeting elect Speaker and Deputy Speaker within 21 days of the general election
Article 112	A Governor can dissolve the assembly only on the advice of a Chief Minister	* Sub-clause 2 added through (LFO): Governors acquired the powers to dissolve the provincial assemblies. * Sub-clause 3 added: This article is amended to the effect that on dissolution of the PAs, the governor shall refer the matter to the SC within 15 days.	Amendments to be abolished
Article 140A (Local Govt)		A new Article 140-A was inserted: Each province shall by law establish a LG system	Not To Be Changed
Article 152A (National Security Council)		Article 152A that had been inserted through the LFO was omitted. The National Security Council was later established through a simple law.	To Be Abolished
Article 153 (Council of Common Interests)	There shall be a Council of Common Interests to be appointed by the President. The total members are eight.		CCI members strength to be raised to 13.
Article 154	Defines functions of the CCI		Various amendments proposed to give more powers to the CCI after abolition of the concurrent list.
Article 172	All lands, minerals and other things of shall vest in the federal govt.		Provinces will also have the rights on all lands, minerals and other things of value
Article 175	There shall be a Supreme Court and a high court for each province		In addition, a federal high court to be established in Islamabad
Article 177	The chief justice of Pakistan shall be appointed by the President in consultation with the PM. Other judges to be appointed by the president in consultation with the CJ		The senior most judge will become the CJ. For appointment of other judges, a judicial commission and a parliamentary committee will be set up.
Article 179 (Retiring Age)	The retiring age for a judge of the SC is 65 years	The retiring age for a judge of the SC was raised to 68 years through the LFO, It was brought back to 63 years through the 17th Amendment.	Not To Be Changed.
Article 182 (Appointment of Ad hoc Judges)	The chief justice may appoint ad hoc judges in case of quorum issue or for any other reason.		To Be Abolished. No judge can be appointed on ad hoc basis.
Article 193 (Appointment of High Court Judges)	A judge of a high court shall be appointed by the President after consultation with the Governor and the CJ of the high court		The senior most judge will become the chief justice. For appointment of other judges, a judicial commission and a parliamentary committee will be set up.
Article 195	The retiring age for a judge of a high court is 62 years	The retiring age for a judge of a high court judge was raised to 65 years through the LFO, It was brought back to 62 years through the 17th Amendment.	Not To Be Changed.
Article 203C (Federal Shariat Court)	Clause (9): the chief justice of the FSC will be entitled to the same salary as that of a judge of the SC	The word "salary" was replaced by "remuneration"	Not To Be Changed
Article 213 (Chief Election Commissioner)	There shall be a chief election commissioner who shall be appointed by the President		The CEC shall be appointed by the PM in consultation with the Opposition Leader
Article 218	Besides the CEC, the Election Commission to comprise of two members	Besides the CEC, the Election Commission to comprise of four members (one from each province)	Members are further increased. District Returning Officers to announce the results on the spot. More financial and administrative powers are being given to the ECP.
Article 224 (Time of Election and By-Elections)	It defines the procedure and conditions for by-polls on vacant seat in the NA and Senate	New clauses 6 and 7 added. Clause 6 explains the method of by-election on a reserved seat for women or minorities. Clause 7 bars caretaker members of the cabinet from taking part in the elections.	Not To Be Changed
Article 232 (Proclamation of Emergency)	The President may issue proclamation of emergency in provinces on account of war, internal disturbance etc.		The resolutions of respective provincial assemblies will be a must for proclamation of emergency
Article 243 (Command of Armed Forces)	The President shall, subject to law, have powers to appoint chairman joint chiefs of staff committee, the army chief and other services chiefs	LFO: The President shall, in his discretion, appoint chairman joint chiefs of staff committee, the army chief and other services chiefs. Later the words "in consultation with the PM" were added.	The President shall, on the advice of the PM, appoint chairman joint chiefs of staff committee, the army chief and other services chiefs