

IN THE SUPREME COURT OF PAKISTAN
(Appellate Jurisdiction)

Constitution Petition No. _____ 2024

ABID SHAHID ZUBERI & OTHERS

PETITIONERS

Versus

FEDERATION OF PAKISTAN. & ORS

RESPONDENTS

Counsel for the Petitioners;-
AOR for the Petitioners;-

Abid S. Zuberi, ASC
Syed Rifaqat Hussain Shah

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Certified that the paper book as bound is complete and correct.

Syed Rifaqat Hussain Shah
Advocate-on-Record
Supreme Court of Pakistan
Islamabad
For the Petitioners

Dated:-16-09-2024

- A -

IN THE HONORABLE SUPREME COURT OF PAKISTAN
(Original Jurisdiction)

Constitution Petition No. /2024

Mr. Abid Shahid Zuberi & others
.....Petitioners

VERSUS

Federation of Pakistan, through Secretary & others
.....Respondents

CONCISE STATEMENT ON BEHALF OF THE PETITIONERS

1.	Subject Matter and Law	Through the instant Petition, the Petitioners seek to challenge the vires of the proposed Constitutional Package (hereinafter referred to as the "Proposed Bill") to the Constitution of the Islamic Republic of Pakistan, 1973. The Proposed Bill puts forth proposed amendments to the Constitution that would transfer the vested powers of the Supreme Court of Pakistan and the High Courts of Pakistan, as granted by the Constitution, to the Executive and entirely annihilate the principles of independence of judiciary and separation of powers.
2.	Which side has filed this Petition?	The Petitioners have invoked the Jurisdiction of this Hon'ble Court under Article 184(3) of the Constitutional.
i.	The Proposed Bill is in	That the proposed amendments

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	violation of the Constitution of the Islamic Republic of Pakistan, 1973.	amounts to abrogation of the Constitution and are in violation of the basic structure of the Constitution and Articles inter alia 4, 6, 8, 9, 10A, 16, 17, 25, 68, 63A, 175A, 184, 199 of the Constitution of Pakistan, 1973 and therefore, liable to be set aside by this Court.
ii.	The Proposed Bill is a threat to the Rule of Law.	The Proposed Bill poses a threat to the rule of law, access to justice, separation of powers and the independence of the judiciary.
iii.	The Proposed Bill is a person specific legislation.	The Proposed Bill has been passed to target a specific political party, thereby making it person-specific, and liable to be suspended.
iv.	The Proposed Bill undermines judicial power.	The Constitution of Pakistan is built on a delicate balance of power among the Executive, the Judiciary, and the Legislature, as established by the 18th and 19th Amendment. This Amendment aimed to restore and strengthen democratic governance and the rule of law by enhancing transparency in judicial appointments and reducing executive influence over the judiciary after a long period of extra constitutional dispensation. It is the exclusive responsibility of the Judiciary to determine the validity of laws. Any attempt to undermine this judicial power would not only render fundamental rights symbolic but also disrupt the constitutional balance of powers, thereby compromising the integrity of the

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		<p>constitutional framework. It is pertinent to highlight that Pakistan was founded on democratic principles to be governed by democratically elected representatives and not a hybrid system of representation. Whereas, the Proposed Bill amounts to a violation of Article 6 of the Constitution and a violation and abrogation of the same.</p>
4.	Questions of Law to be decided by the Honourable Supreme Court.	<p>I. Whether constitutional amendments can be challenged before this Hon'ble Court in light of the Judgment of this Court in the case of District Bar Association, Rawalpindi v. FOP (PLD 2015 S.C. 401)?</p> <p>II. Whether independence of judiciary and separation of powers is a basic / salient feature of the Constitution of Pakistan which cannot be amended through any Act of Parliament?</p> <p>III. Whether independence of judiciary is part of the Objective Resolution which has become a substantive part of the Constitution of Pakistan under Article 2A?</p> <p>IV. Whether the principles as laid down in the case of Al Jihad Trust v. FOP (cited in PLD 1996 S.C. 324) and the Asad Ali case</p>

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		<p>and enshrined under Article 175A of the Constitution, can be interfered with through a constitutional amendment?</p> <p>V. Whether inclusion of the members of the national assembly and the senate in the process of the appointment of the judges would adversely impact the process of the appointment of independent judges and whether the principle of trichotomy of powers as envisaged by the Constitution will cease to exist as the consequence thereof?</p> <p>VI. Whether under the basic scheme of the Constitution, Parliament and Judiciary are to be separate institutions of the state as is obvious from Articles 68 and 69 of the Constitution?</p> <p>VII. Whether a supra constitutional Court in the form of a Federal Constitutional Court can be super imposed upon the Supreme Court of Pakistan?</p> <p>VIII. Whether the supremacy of the Supreme Court can be stripped down by means of a</p>
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		<p>constitutional amendment?</p> <p>IX. Whether a parallel system of two Supreme Courts will lead to absolute chaos and anarchy?</p> <p>X. Whether this Hon'ble Court can restrain the National Assembly from passing the Bill through which the proposed amendments are sought to be introduced in the Constitution?</p> <p>XI. Whether the proposed amendments are person-specific, tainted with mala fide and shrouded in complete secrecy which is in sheer violation of the procedure of passing an Act of Parliament as provided in Constitution?</p> <p>XII. Whether the proposed amendments are ultra vires the basic salient features of the Constitution, enforcement of fundamental rights, access to justice and the powers of the Supreme Court and the High Courts and therefore liable to be set aside?</p>
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CERTIFIED THAT I MYSELF HAVE PREPARED THIS CONCISE STATEMENT AND IS FOUND CORRECT.

DRAWN BY

FILED BY

ABID S. ZUBERI
Advocate Supreme Court

SYED RAFAQAT HUSSAIN SHAH
Advocate of Record
Supreme Court of Pakistan
For the Petitioners.

Dated:- -09-2024



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IN THE HONOURABLE SUPREME COURT OF PAKISTAN

Original jurisdiction

Constitution Petition No /2024

1. Mr. Abid Shahid Zuberi,
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Member Pakistan Bar Council,
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Member Pakistan Bar Council,
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3. Mr. Shahab Sarki,
S/o Mr. Nooruddin Sarki,
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Member Pakistan Bar Council,
Having address at
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4. Chaudhary Ishtiaq Ahmed Khan,
S/o Mr. Chaudhary Ikhtlaq Ahmed,



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6. **Mr. Munir Ahmed Kakar,**
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.....Petitioners

VERSUS

1. **Federation of Pakistan, through Secretary,**
Ministry of Law and Justice,
R-Block, Pak Secretariat, Islamabad.
3. **Province of Punjab,**

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Through the Chief Secretary,
Punjab Civil Secretariat, Lahore

4. **Province of Khyber Pakhtunkhwa,**
Through the Chief Secretary,
Civil Secretariat, Sahibzada Abdul Qayyum Road,
Peshawar.

5. **Province of Sindh,**
Through the Chief Secretary,
Sindh Secretariat, Karachi

6. **Province of Balochistan,**
Through the Chief Secretary,
Civil Secretariat,
Zarghun Road, Quetta,
Balochistan

7. **National Assembly of Pakistan**
Through Speaker
Parliament House,
Constitution Ave, D-Chowk Red Zone,
Islamabad Capital Territory

8. **Senate of Pakistan**
Through Speaker
Parliament House,
Constitution Ave,
Red Zone, Islamabad Capital Territory

9. **The Principle Secretary to the Prime Minister of Pakistan,** Prime Minister
Secretariat Islamabad.



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10. The Principal Secretary to the President of Pakistan, President's Secretariate
(Aiwan e Sadr) Islamabad

..... Respondents

**CONSTITUTIONAL PETITION UNDER ARTICLE 184 (3) OF THE CONSTITUTION
OF PAKISTAN, 1973**

POINTS OF LAW AND PUBLIC IMPORTANCE

- I. Whether constitutional amendments can be challenged before this Hon'ble Court in light of the Judgment of this Court in the case of District Bar Association, Rawalpindi v. FOP (PLD 2015 S.C. 401)?
- II. Whether independence of judiciary and separation of powers is a basic / salient feature of the Constitution of Pakistan which cannot be amended through any Act of Parliament?
- III. Whether independence of judiciary is part of the Objective Resolution which has become a substantive part of the Constitution of Pakistan under Article 2A?
- IV. Whether the principles as laid down in the case of Al Jihad Trust v. FOP (cited in PLD 1996 S.C. 324) and the Asad Ali case and enshrined under Article 175A of the Constitution, can be interfered with through a constitutional amendment?
- V. Whether inclusion of the members of the national assembly and the senate in the process of the appointment of the judges would adversely affect the process of the appointment of independent judges as well as whether the principle of trichotomy of powers as envisaged by the Constitution will cease to exist as the consequence thereof?



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- VI. Whether under the basic scheme of the Constitution, Parliament and Judiciary are separate institutions of the state as per Articles 68 and 69 of the Constitution?
- VII. Whether a supra constitutional Court in the form of a Federal Constitutional Court can be super imposed upon the Supreme Court of Pakistan?
- VIII. Whether the supremacy of the Supreme Court can be stripped down by means of a constitutional amendment?
- IX. Whether a parallel system of two Supreme Courts will lead to absolute chaos and anarchy?
- X. Whether this Hon'ble Court can restrain the National Assembly from passing the Bill through which the proposed amendments are sought to be introduced in the Constitution?
- XI. Whether the proposed amendments are person-specific, tainted with mala fide and shrouded in complete secrecy which is in sheer violation of the procedure of passing an Act of Parliament as provided in Constitution?
- XII. Whether the proposed amendments are ultra vires the basic salient features of the Constitution, enforcement of fundamental rights, access to justice and the powers of the Supreme Court and the High Courts and therefore liable to be set aside?

FACTS

1. Through the instant Petition, the Petitioners seek to challenge the vires of the proposed Constitutional Package (hereinafter referred to as the "Proposed Bill") to the Constitution of the Islamic Republic of Pakistan, 1973. The Proposed Bill puts forth proposed amendments to the Constitution that would transfer the vested powers of the Supreme Court of Pakistan and the High Courts of Pakistan, as granted by the Constitution, to the

Executive and entirely annihilate the principles of independence of judiciary and separation of powers.

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2. The Petitioners are all lawyers and duly elected members of the same and have served as Presidents of different High Court Bar Associations and Supreme Court Bar Association. The Petitioners have throughout their legal careers demonstrated utmost loyalty to the principles of rule of law, independence of judiciary and access to justice. The Respondent No. 1 is the Ministry of Law and Justice. The Respondents No. 3-6 are the Provincial Governments of the Provinces Punjab, Khyber Pakhtunkhwa, Sindh and Balochistan respectively.

3. By way of background, it is submitted that on 14.09.2024, the Prime Minister convened a Federal Cabinet meeting to approve a draft of the Proposed Bill, which was to be presented at the National Assembly session. Subsequently, on 15.09.2024, both the Senate and National Assembly sessions were scheduled however were delayed twice due to alleged 'strategic reasons' emanating from the hurdles in mustering up the two-thirds majority in both houses.

4. The Proposed Bill has been shrouded in secrecy, indicating sheer mala fide on behalf of the Parliament. The Proposed Bill includes over 40 amendments to the Constitution, including the introduction of a Federal Constitutional Court, an amendment to inter alia Article 175A, the transfer of powers from the Supreme Court and High Courts of Pakistan to the Executive and a supraconstitutional Federal Court , as well as



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amendments to Article 17 and 63-A of the Constitution, regarding the disqualification of members of parliament on grounds of defection which will deprive political parties and voters from actions against

5. It is also worth highlighting that the Proposed Bill is sought to be introduced at a time when the Parliament is not properly constituted as the order of this Honourable Court in the case of Sunni Ittehad Council is not being implemented and rightfully elected members of the National Assembly are being deprived of their representation. Moreover, members of the National Assembly have been illegally abducted and attempts have been made to coerce members of the National Assembly into changing their loyalties. It is evident that an attempt has been made to bypass and subvert the procedure and rules of the National Assembly.

6. The Proposed Bill is in complete violation of the Objective Resolution, the first constitutional document in the history of Pakistan which was passed in March 1949. It has been held as 'grundnorm' of the Constitution of Pakistan by the Supreme Court of Pakistan in Asma Jilani's case (PLD 1972 S.C. 139). The Objectives Resolution contained, *inter alia*, the following provision:

"Wherein shall be guaranteed fundamental rights including equality of status, of opportunity and before law, social, economic and political justice, and freedom of thought, expression, belief faith, worship and association, subject to law and public morality. Wherein the independence of the Judiciary shall be fully secured."

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7. The Constitution of Pakistan is built on a delicate balance of power among the Executive, the Judiciary, and the Legislature, as established by the 18th and 19th Amendment. This Amendment aimed to restore and strengthen democratic governance and the rule of law by enhancing transparency in judicial appointments and reducing executive influence over the judiciary after a long period of extra constitutional dispensation. It is worth highlighting that even in the darkest period of martial law in Pakistan's constitutional history, such an attack was never presented to the independence of the judiciary. It is the exclusive responsibility of the Judiciary to determine the validity of laws. Any attempt to undermine this judicial power would not only render fundamental rights symbolic but also disrupt the constitutional balance of powers, thereby compromising the integrity of the constitutional framework. It is pertinent to highlight that Pakistan was founded on democratic principles to be governed by democratically elected representatives and not a hybrid system of representation. Whereas, the Proposed Bill amounts to a violation of Article 6 of the Constitution and a violation and abrogation of the same.
8. Therefore, the Proposed Bill, which seeks to entirely obliterate the principles of the Objectives Resolution and the basic scheme of the Constitution is liable to be set aside on the following grounds:

GROUNDS

- A. At the very outset it is submitted that the independence of the judiciary is a basic feature of the Constitution of Pakistan which has been provided for in the Objectives Resolution,

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which has been stated to be the “grundnorm” of the Constitution of Pakistan in various judgments of this Honourable Court including the case District Bar Association Rawalpindi versus Federation of Pakistan (cited in PLD 2015 SC 401 and the case of Asma Jilani versus the Government of Punjab (cited in PLD 1972 S.C. 139). Moreover, the principle of trichotomy of powers is also a salient feature of the Constitution as has been previously upheld by this Honourable Court in various judgments. Lastly, the principle as a basis of appointments of judges is also entrenched in our Constitution under Article 175-A (3) and the case of Al-Jehad Trust versus Federation of Pakistan (cited in PLD 1996 SC 324) and the Asad Ali case. Whereas, the Impugned Bill is in complete violation of all the aforementioned principles and is an attempt to destroy the independent judiciary.

B. It is respectfully submitted that no amendment under Articles 238 and 239 of the Constitution can be enacted that destroys or annihilates this fundamental feature. Such an amendment would contravene the principle of the trichotomy of powers established by the 1973 Constitution and violate the doctrine of separation of powers. Clauses (5) and (6) of Article 239, borrowed from the Indian legal framework, were never part of the original Constitutional document. Similar amendments to Article 368 of the Indian Constitution were declared unconstitutional by the Indian judiciary. Even otherwise, clauses (5) and (6) interpreted to destroy the principles of independence of judiciary, access to justice and fundamental rights guaranteed to citizens of Pakistan.

C. That it is settled Law under the constitutional jurisprudence of Pakistan that independence of judiciary constitutes a basic and salient feature of the Constitution.



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Therefore, even the Parliament cannot amend the constitution so as to undo salient features of the Constitution and render a pillar or organ of the state weak independent.

D. That selection process of Judges should be free from any political bias or interference whereas Section 13 of the proposed amendment has introduced a mechanism for the appointment of the Judges of the High Courts and the Federal Shariat Court which is in complete violation of the independence of the Judiciary and separation of Powers. The inclusion of the members of the Senate and the National Assembly in the commission for the appointment of the Judges is against the principle of separation of power as members of the Executive and the legislative branch should not have any involvement in the process of appointment of Judges as the same would taint the entire process of judicial appointments of political bias save as provided in the unamended Article 175A of the Constitution.

E. That the representation of the Members of the Supreme Court in the Supreme Judicial Council has been reduced to just one member and through the proposed amendments the Supreme Judicial council is now entirely under the control of and subservient to members of the Executive and the Federal Constitutional Court who will be able to interfere in the appointment process of Judges in pursuance of their own political interest.

F. That the amendments introduced in the process of judicial appointments are person specific and therefore in violation of the fundamental rights enshrined under the constitution. That such politically motivated legislation which is in sheer violation of the basic structure of the Constitution is entirely unprecedented in the Constitutional history of

Pakistan, whereas, such draconian and unconstitutional laws were not passed even during periods of Martial Law in this country.



G. Moreover, the evaluation performance of the Judges of High Courts by members of the Legislature or the Executive is also in complete violation of separation of powers. Furthermore, no member of the legislature or the Executive has the skills and legal acumen to evaluate the performance of any Judge of the Federal Shariat Court, High Courts, Supreme Court. Furthermore, the transfer of judges of High Courts without their consent will destroy security of their office.

H. That the increased age of retirement for members of the Federal Constitutional Courts and the amendment in Article 179 of the Constitution attributes redundancy to the case of Al-Jehad Trust Case and the Asad Ali Case and the Sindh High Court Bar Association Case and is also unconstitutional. Moreover, the difference in the age of retirement between a Judge of the Supreme Court and a Judge of the Federal Constitutional Court is also against the basic principle of independence of judiciary, access to justice and Fundamental Right.

I. That the creation of a Federal Constitutional Court through Section 14 aof the proposed amendment is against the very basic/salient feature of the Constitution and makes the Supreme Court of Pakistan, the Apex Court of this Country, entirely subservient to a purported supra Constitutional Court. Moreover, the sacrosanct office of the Chief Justice of Pakistan has also been made subservient to the office of the Chief Justice of the Federal Constitutional Court. That the creation of an entirely separate Federal



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Constitutional Court which is to run parallel to an already existing Supreme Court will only lead to a complete paralysis of the judicial system.

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J. The Parliament cannot divest the Supreme Court and High Courts of their judicial powers and vest them in another court, such as the proposed Federal Constitutional Court. The judicial power vested in the Supreme Court and High Courts is a fundamental and salient feature of the Constitution and cannot be conferred upon any other body. Any attempt to transfer this authority would violate the basic structure of the Constitution. Article 175 explicitly provides for the establishment of the Supreme Court, High Courts, and such other courts as may be established by law, referring to subordinate courts under Article 203. There can be no parallel or supra-constitutional court other than the Supreme Court and High Courts and such other Courts established by law (which means subordinate courts).

K. The Supreme Court of Pakistan is the guardian of the Constitution and fundamental rights, and it is the inalienable right of every citizen to be treated in accordance with the law. The Parliament, through the proposed amendments, which specifically target political parties, the judiciary, and citizens, cannot strip away this inalienable right. Fundamental rights are guaranteed under the Constitution, and Article 8 clearly stipulates that no law which includes a constitutional amendment, can take away or abridge these rights.

L. That the proposed amendments to the Constitution, particularly those concerning the courts, including the Supreme Court of Pakistan, fundamentally undermine the status of these courts as constitutional courts. The judicial powers conferred upon them by the

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Constitution cannot be divested or reallocated. Any amendment that strips the Supreme Court and High Courts of their judicial powers and seeks to vest such authority in any other court, including the proposed Federal Constitutional Court, is unconstitutional as the same would destroy the principle of separation of powers. The judicial power is inextricably linked to the independence of the judiciary as envisioned by the founding father of the country and enshrined through the Objectives Resolution, thus, must be safeguarded. The proposed amendments would render the Supreme Court and High Courts subservient to the Executive, as the appointment process and functioning of the proposed Federal Constitutional Court are subject to Executive and Parliamentary Control. Any amendment that seeks to undermine the judicial power vested in the Supreme Court and High Courts cannot prevail over this fundamental principle. The Supreme Court cannot, under any constitutional arrangement, be rendered subservient to the proposed Federal Constitutional Court. The Superior Courts will always retain the power of judicial review, even over constitutional amendments. It is the incumbent duty of the Supreme Court and High Courts, as guardians of the Constitution and protectors of citizens' rights, to prevent any encroachment upon the constitutional order, including self-serving amendments proposed by Parliament.

M. That the Parliament, by way of enacting the Supreme Court (Practice and Procedure) Act, 2023 which has been declared to be *intra vires* to Constitution, has already provided for a Five Member Committee of Judges of the Supreme Court to adjudicate upon matters of interpretation of the Constitution. Therefore, the proposed amendments which seek to confer the same power on the Federal Constitutional Court is against the Supreme Court (Practice and Procedure) Act, 2023 and the Judgement of this Hon'ble Court

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- N. That the Supreme Court of Pakistan has been stripped off its original jurisdiction and the same has now been conferred on the purported Federal Constitutional Court which has reduced the jurisdiction of the Supreme Court only to its truncated Appellate Jurisdiction.
- O. Moreover, the proposed amendments through Section 35 have also whittled down the jurisdiction of the High Courts, as enshrined under Article 199 of the Constitution. That issues relating to National Security have been carved out of the jurisdiction of the High Courts which will create a lacuna in the judicial system. That issues relating National Security are strongly interconnected with issues of Fundamental Rights and no High Court or any Court can act as a guardian of the Fundamental Right without also exercising Jurisdiction over issues relating to National Security.
- P. That the amendment introduced in Article 63A of the Constitution through Section 5 of the proposed amendments encourages floor crossing and horse-trading which is in violation of the Judgement of this Court in the case of defection the review of which is still pending before this Hon'ble Court. That if such amendment is not set aside it will lead to absolute political chaos and anarchy.
- Q. That the entire process of introducing these proposed amendments has been shrouded in secrecy which in itself is glaring proof of the sheer malafide with which these proposed amendments are sought to be introduced. That the Petitioners do not have a proper copy of the proposed Bill that is sought to be introduced in the National Assembly which may be brought on record by the Petitioners when the same is made available to the public.



R. Without prejudice to the foregoing, any interpretation of these amendments must be consistent with the Constitution's provisions that guarantee fundamental rights, judicial independence, and democratic principles, harmonized with Islamic values. Any provision in the proposed amendments that negates the independence of the judiciary is inherently unconstitutional. The higher constitutional right to preserve judicial independence must prevail over any proposed amendments, including those seeking to establish a Federal Constitutional Court. No sanctity can attach to any amendment passed by the Parliament that contradicts the clear provisions of the Constitution, which vest judicial power in the Supreme Court and High Courts. No amendment can be validly enacted if it undermines these fundamental principles. It is the Constitution that is supreme, not the Parliament, the Courts, or the Executive. The proposed amendments constitute a direct attack on the judiciary, which cannot be sustained under constitutional scrutiny. Article 239 cannot be interpreted so liberally as to suggest it grants unrestricted authority, allowing for a governance system that strips judicial power from the Supreme Court and High Courts. The establishment of the proposed Federal Constitutional Court under the amendments is made wholly subservient to Parliament, in direct violation of Article 175(b) of the Constitution

S. That the elected Parliament is temporary, with a mandate limited to five years, but the constitutional Courts are charged with preserving, protecting, and defending the Constitution at all times. Certain core features of the Constitution, as reflected in its Preamble, cannot be abrogated. Judges, in fulfilling their oath to "preserve, protect, and defend" the Constitution, must act to ensure that fundamental rights guaranteed to the



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people are not destroyed or impaired. The proposed amendments, including those affecting Articles 17, 63-A, and other provisions concerning the judiciary, are ultra vires the Constitution and violate fundamental rights, judicial independence, access to justice, and the limits set by Article 239. Clauses (5) and (6) of Article 239 cannot be interpreted to allow the destruction of the Constitution or the fundamental rights guaranteed to the citizens of Pakistan.

T. It is respectfully submitted that the extraordinary circumstances both in import and effect of the instant case establish that there is substantial, immediate and direct interference with the independence of the judiciary, separation of powers and the basic scheme of the Constitution. Such inter meddling will come into effect as soon as the proposed amendments sought to be introduced through a bill become an Act of Parliament. Accordingly, it is pertinent that this Court in its power to do complete justice, suspends the operation of the Bill as soon as it is introduced in the National Assembly or if becomes an Act of Parliament then suspend the same. Moreover, it is submitted that the instant Petition is not premature as the Proposed Bill is set to become an Act of Parliament.

U. That the proposed amendments amounts to abrogation of the Constitution and are in violation of the basic structure of the Constitution and Articles *inter alia* 4, 6, 8, 9, 10A, 16, 17, 25, 68, 63A, 175A, 184, 199 of the Constitution of Pakistan, 1973 and therefore, liable to be set aside by this Court.

- V. That the Petitioners and their counsel crave leave of this Hon'ble Court to add/urge further and additional grounds at the time of hearing of instant petition.

PRAYER

It is prayed that the separation of powers and independence of judiciary and its powers and functions to enforce the fundamental rights be kindly declared as sacrosanct under the Constitution and beyond the power and competence of the Parliament to withdraw, interfere or tamper with in any manner whatsoever.

It is further prayed that the proposed amendments sought to be introduced through the Bill be declared ultra vires the basic scheme of the Constitution, principle of separation of powers, independence of judiciary and fundamental rights enshrined under the Constitution.

It is further prayed that this Honourable Court may be pleased to restrain the Federal Government from tabling the Bill.

It is also prayed that this Hon'ble Court may be pleased to suspend the operation of the proposed amendments sought to be introduced through the Bill and further restrain the same from being assented to if passed by both houses.

It is further prayed that this Hon'ble Court may be pleased to set aside the proposed amendments sought to be introduced through the Bill.

Settled By.

Abid S. Zuberi
(A.S.C)

Drawn by

(Syed Rifaqat Hussain Shah)
A.O.R

CERTIFICATE:

Certified that this is first Constitution Petition 184(3) of the Constitution of Islamic Republic of Pakistan, 1973 filed by the Petitioner before this Hon'ble Court and not filed by the any High Court.

Advocate-on-Record
For the Petitioners

Note:- The Petitioners are filing this Constitutional Petition on personal capacity not on behalf of the Pakistan Bar Council.

This matter is not pending before any other High Court of Pakistan.

Advocate-on-Record
For the Petitioners