



REPORT

OF

THE STANDING COMMITTEE ON LAW & PARLIAMENTARY AFFAIRS
AND HUMAN RIGHTS

ON

GOVERNMENT BILL NO.27 OF 2025-
THE CONSTITUTIONAL BENCHES OF HIGH COURT OF SINDH
(PRACTICE AND PROCEDURE) BILL, 2025.

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BRIEF SUMMARY OF THE BILL

The SINDH ORDINANCE NO. III OF 2025-The Constitutional Benches of High Court of Sindh (Practice and Procedure) Ordinance, 2025 was laid before the Provincial Assembly of Sindh in its sitting held on Friday, the 28th November, 2025.

Article 128 (3) of the Constitution of the Islamic Republic of Pakistan, 1973 provides that Without prejudice to the provisions of clause (2), an Ordinance laid before the Provincial Assembly shall be deemed to be a Bill introduced in the Provincial Assembly.

The Provincial Assembly of Sindh in its sitting held on the above said date referred the above said laid Ordinance (Government Bill No. 27 of 2025- The Constitutional Benches of High Court of Sindh (Practice and Procedure) Bill, 2025) to the Standing Committee on Law, Parliamentary Affairs and Human Rights with the terms of reference to examine the laid Ordinance and report back to the Assembly within one week.

The Honourable Chairman convened a meeting of the Standing Committee on Law & Parliamentary Affairs and Human Rights on dated 17-12-2025 to consider the above-referred Government Bill No. 27 of 2025- The Constitutional Benches of High Court of Sindh (Practice and Procedure) Bill, 2025.

The Committee examined/ considered the Bill Clause by Clause and approved it with some amendment(s)/ recommendation(s) to be presented in the Provincial Assembly of Sindh for passage of the Bill.

Sd/-
PIR MUJEEB UL HAQ, MPA/
CHAIRMAN
STANDING COMMITTEE ON LAW &
PARLIMENARY AFFAIRS AND HUMAN RIGHTS

CHAIRMAN/MEMBERS OF THE STANDING COMMITTEE ON LAW & PARLIAMENTARY AFFAIRS AND HUMAN RIGHTS.

01.	Pir Mujeeb ul Haq, MPA	Chairman
02.	Mr. Shiraz Shaukat Rajper, MPA	Member
03.	Ms. Saima Agha, MPA	Member
04.	Makhdoom Fakhar Zaman, MPA	Member
05.	Mr. Muhammad Qasim, MPA	Member
06.	Ms. Maleeha Manzoor, MPA	Member
07.	Ms. Heer Soho, MPA	Member
08.	Ms. Nida Khuhro, MPA	Member
09.	Mr. Muhammad Rashid Khan, MPA.	Member
10.	Mr. Abdul Waseem, MPA.	Member
11.	Mr. Sajid Hussain, MPA.	Member
12.	Mr. Zia ul Hassan, MPA/ Minister for Law, Parliamentary Affairs & Criminal Prosecution and Home, Sindh.	Ex-Officio Member

THE CONSTITUTIONAL BENCHES OF HIGH COURT OF SINDH
(PRACTICE AND PROCEDURE) BILL, 2025.

SINDH BILL NO. 27 OF 2025.

A
BILL

to provide for practice and procedure of the Constitutional Benches of the High Court of Sindh;

WHEREAS, Article 202A (6) of the Constitution of the Islamic Republic of Pakistan, 1973, enables the Provincial Assembly of Sindh to provide for the practice and procedure of the Constitutional Benches of the High Court of Sindh, to hear and decide the cases and exercise the jurisdiction vested in the High Court under Article 199 of the Constitution of the Islamic Republic of Pakistan, 1973;

Preamble.

It is hereby enacted as follows:-

1. (1) This Act may be called the Constitutional Benches of High Court of Sindh (Practice and Procedure) Act, 2025.

Short title, extent and commencement.

(2) It shall extend to the whole of the Province of Sindh.

(3) It shall come into force at once.

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

Definitions.

(a) "Article" means an Article of the Constitution of the Islamic Republic of Pakistan, 1973;

(b) "Commission" means the Judicial Commission of Pakistan constituted under Article 175A of the Constitution of the Islamic Republic of Pakistan, 1973;

(c) "Constitution" means the Constitution of the Islamic Republic of Pakistan, 1973;

(d) "Constitutional Bench" means the Benches constituted under Article 202A of the Constitution, comprising of the Judges of the High Court;

(e) "Head" means the Head of the Constitutional Benches and includes any Judge appointed as Acting Head of the Constitutional Benches under Section 5, hereof;

(f) "High Court" means the High Court of Sindh constituted under Article 192 of the Constitution.

3. (1) Every application, cause, matter or petition filed before the High Court falling within Article 199, shall be heard and decided exclusively by the Constitutional Benches constituted under Article 202A of the Constitution. **Constitutional Benches.**

(2) Every application, cause, matter or petition filed under Article 199 of Constitution and pending in the High Court, prior to the enactment of the Constitution (Twenty-seventh Amendment) Act, 2025 (XXXII of 2025), shall stand transferred to and shall be heard and decided exclusively by the Constitutional Benches.

4. (1) The Judges, nominated by the Commission, under clause (1) of Article 202A, shall constitute the Constitutional Benches, which shall consist of Judges of the High Court, and the senior-most Judge from amongst the Judges so nominated shall head the Constitutional Benches. **Judges of the Constitutional Bench.**

(2) The Judges so nominated under sub-section (1), shall hold office as may be determined by the Commission under clause (1) of Article 202A; provided that such period may not preferably be less than six months.

(3) The Head may request the Chairman of the Commission to add to, or reduce the number of Judges depending on the work load of the Constitutional Benches and may also make recommendations to the Commission for specific Judges to be added or removed from the Constitutional Benches at any time for its consideration as per the requirement of such Benches.

5. Acting Head of the Constitutional Benches-

At any time when:

- a) the office of the Head of the Constitutional Benches is vacant; or
- b) the Head of the Constitutional Benches is absent or is unable to perform the functions of his office due to any other cause,

the senior most Judge from amongst the remaining Judges of the Constitutional Benches, will function as the Acting Head of the Constitutional Benches, until such time the Commission appoints the permanent Head of the Constitutional Benches.

Acting Head of the Constitutional Benches.

6. Once a Judge has been nominated as a Judge of the Constitutional Benches by the Commission under Article 202A, any recusal or refusal to be a member of the Constitutional Benches upon his/her nomination, will *prima facie* amount to misconduct and his/her case shall be forwarded by the Head to the Supreme Judicial Council under Article 209 of the Constitution, for appropriate action in accordance with the Constitution;

Recusal or refusal by a nominated Judge.

Provided that a Judge of the Constitutional Benches may recuse on a case-to-case basis in the interests of justice. For example, *inter alia*, if the advocate appearing in the case, is a close relative of the Judge.

7. (1) The Head of Constitutional Benches shall appoint an Additional and/or Deputy Registrar of the Constitutional Benches from the existing staff of the High Court, who shall set up a separate Secretariat for cases, which shall fall within the jurisdiction of the Constitutional Benches from the budget of the High Court at High Court or Circuit Court in Sindh.

Practice and Procedure of Constitutional Benches.

(2) The Additional and/or Deputy Registrar, as the case may be, of High Court and Circuit Court of the Province of Sindh may with the consent of the Head of Constitutional Benches transfer as may be appropriate any staff, within any branch of the respective Bench, as he/she needs to effectively provide requisite administrative support to the Constitutional Benches at High Court and Circuit Court, where the matter is pending respectively.

(3) The Additional Registrar or Deputy Registrar shall keep all other cases separate from the cases which fall within the jurisdiction of the Constitutional Benches in an orderly fashion based on first in, first out basis, meaning thereby the cases filed first shall be fixed for hearing on priority.

(4) The cases shall be fixed before the Constitutional Benches on a first in first out basis unless there is an interim stay/injunction in operation or an urgent application is made, which shall be put up before the respective High Court or Circuit Court, as the case may be.

8. An application pleading urgency or seeking interim relief, filed in a cause or matter shall be fixed for hearing within fourteen days from the date of its filing.

Application for fixation of urgent matters.

9. Unless the law so requires for a decision to be made within a stipulated period, every cause or matter in the Constitutional Bench shall be heard at its turn based on first in, first out basis, whereby the cases filed first shall be heard first.

Hearing etc.

10. The High Court of Sindh may make rules for carrying out the purpose of this Act.

Power to make rules.

11. Notwithstanding anything contained in any other law, rules, or regulations for the time being in force, or any judgment of any Court, including the Supreme Court and a High Court, the provisions of this Act shall prevail to the extent of any inconsistency. **Act to override other laws etc.**

12. The High Court of Sindh (Practice and Procedure) Ordinance, 2025, is hereby repealed. **Repeal.**

STATEMENT OF OBJECTS AND REASONS

By virtue of amendment in Article 202A(6) of the Constitution of the Islamic Republic of Pakistan, 1973, made through an Act No.XXXII of 2025, passed by Majlis-e-Shoora (Parliament) which authorizes the Provincial Assembly to pass an Act in respect of the practice and procedure of the Constitutional Benches of the Sindh High Court.

Whereas, in the light of the Constitutional obligation, it is expedient to enact a law in the manner and for the purposes hereinabove appearing.

The Bill seeks to achieve the above object.

MEMBER-IN-CHARGE

G.M. UMAR FAROOQ
SECRETARY
PROVINCIAL ASSEMBLY OF SINDH

THE CONSTITUTIONAL BENCHES OF HIGH COURT OF SINDH
(PRACTICE AND PROCEDURE) BILL, 2025.

SINDH BILL NO. 27 OF 2025.

A
BILL

to provide for practice and procedure of the Constitutional Benches of the High Court of Sindh;

WHEREAS Article 202A (6) of the Constitution of the Islamic Republic of Pakistan enables the Provincial Assembly to provide for regulating the practice and procedure of the Constitutional Benches of High Court of Sindh **Preamble.**

It is hereby enacted as follows:-

1. (1) This Act shall be called the Constitutional Benches of High Court of Sindh (Practice and Procedure) Act, 2025. **Short title and commencement.**

(2) It shall come into force at once and shall be deemed to have taken effect on and from the date of commencement of the Constitution (Twenty-seventh Amendment) Act, 2025.

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

- (a) "Article" means an Article of the Constitution of the Islamic Republic of Pakistan, 1973;
- (b) "Constitution" means the Constitution of the Islamic Republic of Pakistan 1973;
- (c) "Commission" means the Judicial Commission of Pakistan as constituted under Article 175A of the Constitution of the Islamic Republic of Pakistan, 1973;
- (d) "Committee" means Committee established under Article 202A (4) comprising of Head of Constitutional Benches along with two of the most senior Judges of the Constitutional Benches.
- (e) "Constitutional Bench" means a Bench constituted under Article 202A of the Constitution comprising of the Judges of the High Court;
- (f) "Head" means the Judge designated as Head of the Constitutional Benches of the High Court of Sindh under Article 202A (2) and includes Head under Section 5; thereof;

(g) "High Court" means the High Court of Sindh

(h) "Larger Bench" a bench of more than two Judges of Constitution Bench.

3. (1) The constitution and nomination of Judges to the Constitutional Benches shall be made **exclusively by the Commission under Article 202A of the Constitution.** **Constitution of Constitutional Benches.**

(2) No Judge shall sit on a Constitutional Bench unless nominated by the Commission.

4. (1) Once a Judge has been nominated by the Commission as a Judge of the Constitutional Benches, he **shall not recuse, refuse, or decline** to sit on such Bench. **Obligation of nominated Judges.**

(2) Where a Judge intends, for compelling reasons, to withdraw from sitting on a Constitutional Bench, he shall submit a written request to the **Head**, who shall forward the same to the Commission for approval or otherwise.

(3) No withdrawal shall take effect unless approved by the Commission.

5. (1) In accordance with Article 202A (2) of the Constitution, the senior-most Judge of the High Court of Sindh nominated to the Constitutional Benches shall, by virtue of his seniority, be the Head of the Constitutional Benches. **Head of the Constitutional Benches.**

(2) The Head of the Constitutional Benches shall exercise such supervisory and coordinating powers as are expressly conferred by this Act, subject to the Constitution

(3) Where the Head of the Constitutional Benches is unable to perform his functions due to leave, vacation, illness, absence, or any other reason, the next senior-most Judge of the Constitutional Benches, in order of seniority, shall act as the Head during such period.

(4) The Judge acting as Head under subsection (3) shall exercise all powers, functions, and authority of the Head under this Act, including powers relating to transfer of constitutional cases, constitution of Full or Larger Benches, and appointment of referee Judges.

(5) All acts, orders, and decisions made by the acting Head during such period shall be deemed to have been validly made under this Act.

6. Petitions falling within the purview of Article 199 of the Constitution may be filed at:

Jurisdiction and filing of constitutional cases.

- (a) the Principal Seat;
- (b) Sukkur Bench; or
- (c) Circuit Courts of Hyderabad, Larkana and Mirpurkhas, within their respective territorial jurisdiction as may be determined by the High Court.

7. (1) The **transfer** of any constitutional case or petition from one Constitutional Bench to another shall be the **exclusive administrative power of the Committee constituted under Section 8 ("Committee")**, and such a decision shall be based on sound basis, in the interest of justice

Exclusive administrative powers of the Committee for Constitutional Benches .

(2) The assignment, allocation, and determination of the nature of work of the Constitutional Benches shall be the sole prerogative of the Committee, and no Bench or Judge shall assume or alter such assignment except with the approval of the Committee.

(3) **The constitution of a Full Bench or Larger Bench** for hearing any constitutional matter shall vest **exclusively in the Committee**

(4) Where a Bench, during hearing, advises constitution of a Larger Bench, the matter shall be referred to the Committee for appropriate orders.

(5) In case of difference of opinion between two Judges of a Constitutional Bench, the matter shall be referred to the Committee for **appointment of a referee Judge**, whose opinion shall decide the case.

8. (1) By virtue of Article 202A (4), there shall be a Committee for the purpose of assisting in the constitution of Constitutional Benches, and Larger Benches.

Committee for Constitution of Constitutional Benches.

(2) The Committee shall consist of—

- (a) the Head, who shall be the Chairperson; and
- (b) two senior-most Judges of the Constitutional

Benches.

9. (1) There shall be a **separate Constitutional Bench Branch** at:

Branches of Constitutional Bench.

- (a) The Principal Seat;
- (b) Sukkur Bench; and
- (c) Circuit Courts at Hyderabad, Larkana and Mirpurkhas

(2) An **Additional Registrar** shall be in charge of the Branch at the Principal Seat, while the **Deputy Registrar** shall be in charge at Sukkur Bench and the Circuit Courts.

(3) An **Additional Registrar** and **Deputy Registrars** shall be appointed by the **Chief Justice of the High Court of Sindh** in **consultation with the Head**.

10. (1) Where a stay order has been passed in a constitutional petition, the petition shall be heard on priority basis.

Expeditious disposal of stayed matters.

(2) Such petition shall, as far as possible, be decided within a period of **six months**

11. The Judges of the Constitutional Benches shall enjoy the same perks and privileges as other Judges of the High Court; however, the **Head of the Constitutional Benches shall be paid an additional honorarium of Rupees Two Hundred Thousand (Rs. 200,000) per month.**

Honorarium of Head of Constitutional Benches.

12. (1) There shall be established a separate office within the premises of High Court Sindh, Karachi, and for the respective benches at Sukkur, Hyderabad, Mirpurkhas, and Larkana. The office shall be responsible for **ministerial and logistical support** of the Constitutional Benches, including case management, record-keeping, listing, and coordination.

Office of the Constitutional Benches

(2) The **Government of Sindh** shall provide **equipment, and financial resources** as may be necessary for the effective functioning of the office.

(3) The officers and staff of the office shall **work under the supervision of the Head of the Constitutional Benches**, and shall perform such functions as may be assigned to them.

(4) No officer or staff member of the ordinary Registry shall be transferred to or from the office except in accordance with the procedure prescribed or with the consent of the Head of the Constitutional Benches.

13. (1) **The provisions of this Act shall have effect notwithstanding anything contained in any other law for the time being in force**, including any rules, regulations, notifications, circulars, or administrative instructions, **to the extent of any inconsistency therewith.**

Act to have override other laws, etc.

(2) The provisions of this Act shall prevail over any existing practice, procedure, or convention relating to the functioning,

administration, or case management of the Constitutional Benches of the High Court of Sindh.

(3) Nothing in this section shall be construed so as to override or derogate from the Constitution, including Articles 200 and 202A, and where any inconsistency arises, the Constitution shall prevail.

14. The High Court of Sindh may make rules for carrying out the purposes of this Act. **Power to make rules.**

15. The High Court of Sindh (Practice and Procedure) Ordinance, 2025, is hereby repealed. **Repeal.**

STATEMENT OF OBJECTS AND REASONS

By virtue of amendment in Article 202A(6) of the Constitution of the Islamic Republic of Pakistan, 1973, made through an Act No.XXXII of 2025, passed by Majlis-e-Shoora (Parliament) which authorizes the Provincial Assembly to pass an Act in respect of the practice and procedure of the Constitutional Benches of the Sindh High Court.

Whereas, in the light of the Constitutional obligation, it is expedient to enact a law in the manner and for the purposes hereinabove appearing.

The Bill seeks to achieve the above object.

MEMBER-IN-CHARGE

G.M. UMAR FAROOQ
SECRETARY
PROVINCIAL ASSEMBLY OF SINDH

MINUTES OF THE MEETING OF THE STANDING COMMITTEE ON LAW & PARLIAMENTARY AFFAIRS AND HUMAN RIGHTS HELD ON 17TH DECEMBER, 2025 TO CONSIDER GOVERNMENT BILL NO.27 OF 2025-THE CONSTITUTIONAL BENCHES OF HIGH COURT OF SINDH (PRACTICE AND PROCEDURE) BILL, 2025.

A meeting of the Standing Committee on Law & Parliamentary Affairs and Human Rights was held on 17th December, 2025, in Committee Room No. II, Old Sindh Assembly Building, Karachi, to consider Government Bill No. 27 of 2025- The Constitutional Benches of High Court of Sindh (Practice and Procedure) Bill, 2025.

The following were present: -

- | | |
|---|----------------------|
| 01. Pir Mujeeb ul Haq, MPA | Chairman |
| 02. Ms. Saima Agha, MPA | Member |
| 03. Mr. Muhammad Qasim, MPA | Member |
| 04. Ms. Maleeha Manzoor, MPA | Member |
| 05. Ms. Heer Soho, MPA | Member |
| 06. Ms. Nida Khuhro, MPA | Member |
| 07. Mr. Sajid Hussain, MPA. | Member |
| 08. Mr. Zia ul Hassan, MPA/
Minister for Law, Parliamentary Affairs & Criminal Prosecution
and Home, Sindh. | Ex-Officio
Member |
| 09. Mr. Muhammad Khan Rind,
Senior Special Secretary, Provincial Assembly of Sindh. | |
| 10. Mr. Ali Ahmed Baloch, Secretary to the Government of Sindh, Law Department. | |
| 11. Mr. Riaz Ahmed Jakhrani, Additional Secretary, Law Department. | |
| 12. Mr. Bilaluddin Shaikh, Coordinator, Law Department. | |
| 13. Mr. Muhammad Qasim Mangrio, Deputy Secretary, Provincial Assembly of Sindh. | |

The proceedings of the meeting commenced with the recitation of the verses of the Holy Quran.

Mr. Muhammad Khan Rind, Secretary (Committees), Provincial Assembly of Sindh, acted as Secretary to the Committee.

At the very outset, the Chairman warmly welcomed all Members of the Standing Committee, the Secretary (Committees) of the Provincial Assembly of Sindh, the Secretaries and other distinguished participants for attending the meeting and graciously sparing their valuable time.

Mr. Muhammad Khan Rind, Secretary (Committees), Provincial Assembly of Sindh/Secretary to the Committee, was of the view that before taking up the Bill clause by clause, it would be appropriate that the concerned Department brief the Standing Committee about the objects and reasons of the subject Government Bill.

Mr. Ali Ahmed Baloch, Secretary Law, Department: Stated that the Bill relates to the Constitutional Benches of the High Court (Practice and Procedure) Act, 2025.

He explained that an Ordinance was initially promulgated on the subject and, following the 27th Constitutional Amendment and approval of the Government, was laid before the Assembly. The Ordinance has since attained the status of an Act.

He further stated that, under the Act, Constitutional Benches have been established in the High Court and the practice and procedure governing these Benches have been clearly defined. However, the Standing Committee is of the view that there is still room for improvement to make the Act more comprehensive and effective.

Accordingly, the Committee will examine whether any provisions require addition, deletion, or amendment. He added that the Honourable Minister for Law is present in the meeting, and the Committee will proceed in accordance with the guidance and directions provided by him.

Thereafter, the Committee took up Government Bill No. 27 of 2025, The Constitutional Benches of the High Court of Sindh (Practice and Procedure) Bill, 2025, for its consideration and approval by the esteemed forum of the Standing Committee.

TITLE

Mr. Zia Ul Hassan, MPA, Minister for Law, Parliamentary Affairs, Criminal Prosecution, and Home, read-over the Title of Government Bill No. 27 of 2025, The Constitutional Benches of the High Court of Sindh (Practice and Procedure) Bill, 2025, to the Committee for its consideration and approval.

The Standing Committee, after due deliberation, approved the Title of Government Bill No. 27 of 2025, The Constitutional Benches of the High Court of Sindh (Practice and Procedure) Bill, 2025.

PREAMBLE

Mr. Zia Ul Hassan, MPA, Minister for Law, Parliamentary Affairs, Criminal Prosecution, and Home, read-over the preamble of Government Bill No. 27 of 2025, The Constitutional Benches of the High Court of Sindh (Practice and Procedure) Bill, 2025, to the Committee for its consideration and approval.

The Standing Committee, after due deliberation, amended the preamble of Government Bill No. 27 of 2025, The Constitutional Benches of the High Court of Sindh (Practice and Procedure) Bill, 2025.

After the amendment, the preamble shall read as follows:

“WHEREAS Article 202A (6) of the Constitution of the Islamic Republic of Pakistan enables the Provincial Assembly to provide for regulating the practice and procedure of the Constitutional Benches of High Court of Sindh.”

The Standing Committee, after due deliberation, unanimously approved the amended preamble of Government Bill No. 27 of 2025, The Constitutional Benches of the High Court of Sindh (Practice and Procedure) Bill, 2025.

The Standing Committee, after due deliberation, amended the marginal note of Clause 1 of Government Bill No. 27 of 2025, The Constitutional Benches of the High Court of Sindh (Practice and Procedure) Bill, 2025.

After the amendment, the marginal note shall read as follows:

SHORT TITLE AND COMMENCEMENT.

Mr. Zia Ul Hassan, MPA, Minister for Law, Parliamentary Affairs, Criminal Prosecution and Home, read-over Clauses 1(1), (2) and (3) of Government Bill No. 27 of 2025, The Constitutional Benches of the High Court of Sindh (Practice and Procedure) Bill, 2025, to the Committee for its consideration and approval.

The Standing Committee, after due deliberation, amended Clause 1(1), (2), and deleted sub-clause (3) of Government Bill No. 27 of 2025, The Constitutional Benches of the High Court of Sindh (Practice and Procedure) Bill, 2025.

After the amendment, Clause 1(1) and (2) shall read as follows:

(1) This Act shall be called The Constitutional Benches of the High Court of Sindh (Practice and Procedure) Act, 2025.

(2) It shall come into force at once and shall be deemed to have taken effect on and from the date of commencement of the Constitution (Twenty-seventh Amendment) Act, 2025.

The Standing Committee, after due deliberation, unanimously approved the amended Clause 1(1), (2), and the deletion of sub-clause (3) of Government Bill No. 27 of 2025, The Constitutional Benches of the High Court of Sindh (Practice and Procedure) Bill, 2025.

DEFINITIONS

Mr. Zia Ul Hassan, MPA, Minister for Law, Parliamentary Affairs, Criminal Prosecution, and Home, read-over Clause 2 (a) to (f) of Government Bill No. 27 of 2025, The Constitutional Benches of the High Court of Sindh (Practice and Procedure) Bill, 2025, to the Committee for its consideration and approval.

The Standing Committee, after due deliberation, amended Clause 2(a) to (f) and inserted sub-clauses (g) and (h) of Government Bill No. 27 of 2025, The Constitutional Benches of the High Court of Sindh (Practice and Procedure) Bill, 2025.

After the amendment and insertion, sub-clauses (g) to (h) of Clause 2 shall read as follows:

(a) "Article" means an Article of the Constitution of the Islamic Republic of Pakistan, 1973;

(b) "Constitution" means the Constitution of the Islamic Republic of Pakistan, 1973;

(c) "Commission" means the Judicial Commission of Pakistan as constituted under Article 175A of the Constitution of the Islamic Republic of Pakistan, 1973;

(d) "Committee" means the Committee established under Article 202A (4), comprising

of Head of the Constitutional Benches along with two of the most senior Judges of the Constitutional Benches;

(e) "Constitutional Bench" means a Bench constituted under Article 202A of the Constitution, comprising of the Judges of the High Court;

(f) "Head" means the Judge designated as the Head of the Constitutional Benches of the High Court of Sindh under Article 202A (2) and includes the Head under section 5 thereof;

(g) "High Court" means the High Court of Sindh;

(h) "Larger Bench" means a Bench of more than two Judges of a Constitution Bench.

The Standing Committee, after due deliberation, unanimously approved the amended Clause 2(a) to (f) and the insertion of Clause 2(g) and (h) of Government Bill No. 27 of 2025, The Constitutional Benches of the High Court of Sindh (Practice and Procedure) Bill, 2025.

The Standing Committee, after due deliberation, amended the marginal note of Clause 3 of Government Bill No. 27 of 2025, The Constitutional Benches of the High Court of Sindh (Practice and Procedure) Bill, 2025.

After the amendment, the marginal note shall read as follows:

CONSTITUTION OF CONSTITUTIONAL BENCHES.

Mr. Zia Ul Hassan, MPA/ Minister for Law, Parliamentary Affairs & Criminal Prosecution and Home, read-over Clause-3 (1), (2) of Government Bill No. 27 of 2025- The Constitutional Benches of High Court of Sindh (Practice and Procedure) Bill, 2025, to the Committee for its consideration and approval.

The Standing Committee, after due deliberation, amended Clauses 3 (1) and (2) of Government Bill No. 27 of 2025, The Constitutional Benches of the High Court of Sindh (Practice and Procedure) Bill, 2025.

After the amendment and insertion, Clause 3(1), (2) shall read as follows:

(1) The constitution and nomination of Judges to the Constitutional Benches shall be made exclusively by the Commission under Article 202A of the Constitution.

(2) No Judge shall sit on a Constitutional Bench unless nominated by the Commission.

The Standing Committee, after due deliberation, unanimously approved the amended Clause 3 (1), (2) of Government Bill No. 27 of 2025, The Constitutional Benches of the High Court of Sindh (Practice and Procedure) Bill, 2025.

The Standing Committee, after due deliberation, amended the marginal note of Clause 4 of Government Bill No. 27 of 2025, The Constitutional Benches of the High Court of Sindh (Practice and Procedure) Bill, 2025.

After the amendment, the marginal note shall read as follows:

OBLIGATION OF NOMINATED JUGES.

Mr. Zia Ul Hassan, MPA, Minister for Law, Parliamentary Affairs, Criminal Prosecution, and Home, read-over Clause-4 (1), (2) and (3) of Government Bill No. 27 of 2025- The Constitutional Benches of High Court of Sindh (Practice and Procedure) Bill, 2025 to the Committee for its consideration and approval.

The Standing Committee, after due deliberation, amended Clauses 4 (1), (2), and (3) of Government Bill No. 27 of 2025, The Constitutional Benches of the High Court of Sindh (Practice and Procedure) Bill, 2025.

After the amendment and insertion, Clause 4 (1), (2), and (3) shall read as follows:

- (1) *Once a Judge has been nominated by the Commission as a Judge of the Constitutional Benches, he shall not recuse, refuse, or decline to sit on such Bench.*
- (2) *Where a Judge intends, for compelling reasons, to withdraw from sitting on a Constitutional Bench, he shall submit a written request to the Head, who shall forward the same to the Commission for approval or otherwise.*
- (3) *No withdrawal shall take effect unless approved by the Commission.*

The Standing Committee, after due deliberation, unanimously approved the amended Clause 4 (1), (2), and (3) of Government Bill No. 27 of 2025, The Constitutional Benches of the High Court of Sindh (Practice and Procedure) Bill, 2025.

The Standing Committee, after due deliberation, amended the marginal note of Clause 5 of Government Bill No. 27 of 2025, The Constitutional Benches of the High Court of Sindh (Practice and Procedure) Bill, 2025.

After the amendment, the marginal note shall read as follows:

HEAD OF THE CONSTITUTIONAL BENCHES.

Mr. Zia Ul Hassan, MPA/ Minister for Law, Parliamentary Affairs & Criminal Prosecution and Home, read-over Clause-5 (a), (b) of Government Bill No. 27 of 2025- The Constitutional Benches of High Court of Sindh (Practice and Procedure) Bill, 2025, to the Committee for its consideration and approval.

The Standing Committee, after due deliberation, amended Clause 5(a) and (b) and inserted new sub-clauses (1) to (5) in Clause 5 of Government Bill No. 27 of 2025, The Constitutional Benches of the High Court of Sindh (Practice and Procedure) Bill, 2025.

After amendment and insertion, Clause 5(1) to (5) shall read as follows:

- (1) *In accordance with Article 202A (2) of the Constitution, the senior-most Judge of the High Court of Sindh nominated to the Constitutional Benches shall, by virtue of his seniority, be the Head of the Constitutional Benches.*

(2) The Head of the Constitutional Benches shall exercise such supervisory and coordinating powers as are expressly conferred by this Act, subject to the Constitution

(3) Where the Head of the Constitutional Benches is unable to perform his functions due to leave, vacation, illness, absence, or any other reason, the next senior-most Judge of the Constitutional Benches, in order of seniority, shall act as the Head during such period.

(4) The Judge acting as Head under subsection (3) shall exercise all powers, functions, and authority of the Head under this Act, including powers relating to transfer of constitutional cases, constitution of Full or Larger Benches, and appointment of referee Judges.

(5) All acts, orders, and decisions made by the acting Head during such period shall be deemed to have been validly made under this Act.

The Standing Committee, after due deliberation, unanimously approved the amended Clause 5(a) and (b) along with the newly inserted sub-clauses of Government Bill No. 27 of 2025, The Constitutional Benches of the High Court of Sindh (Practice and Procedure) Bill, 2025.

The Standing Committee, after due deliberation, amended the marginal note of Clause 6 of Government Bill No. 27 of 2025, The Constitutional Benches of the High Court of Sindh (Practice and Procedure) Bill, 2025.

After the amendment, the marginal note shall read as follows:

JURISDICTION AND FILING OF CONSTITUTIONAL CASES

Mr. Zia Ul Hassan, MPA/ Minister for Law, Parliamentary Affairs & Criminal Prosecution and Home, read-over Clause- 6 of Government Bill No. 27 of 2025- The Constitutional Benches of High Court of Sindh (Practice and Procedure) Bill, 2025, to the Committee for its consideration and approval.

The Standing Committee, after due deliberation, amended Clauses 6 and inserted new sub-clauses (a), (b), and (c) in Clause 6 of Government Bill No. 27 of 2025, The Constitutional Benches of the High Court of Sindh (Practice and Procedure) Bill, 2025.

After amendment and insertion, Clause 6(a), (b), and (c) shall read as follows

Petitions falling within the purview of Article 199 of the Constitution may be filed at:

- (a) the Principal Seat;*
- (b) Sukkur Bench; or*
- (c) Circuit Courts of Hyderabad, Larkana and Mirpurkhas, within their respective territorial jurisdiction as may be determined by the High Court.*

The Standing Committee, after due deliberation, unanimously approved the amended Clause 6 and inserted new sub-clauses (a), (b), and (c) of Government Bill No. 27 of 2025, The Constitutional Benches of the High Court of Sindh (Practice and Procedure) Bill, 2025.

The Standing Committee, after due deliberation, amended the marginal note of Clause 7 of Government Bill No. 27 of 2025, The Constitutional Benches of the High Court of Sindh (Practice and Procedure) Bill, 2025.

After the amendment, the marginal note shall read as follows:

Exclusive administrative powers of the Committee for Constitutional Benches

Mr. Zia Ul Hassan, MPA/ Minister for Law, Parliamentary Affairs & Criminal Prosecution and Home, read-over Clause- 7 (1) to (4) of Government Bill No. 27 of 2025- The Constitutional Benches of High Court of Sindh (Practice and Procedure) Bill, 2025, to the Committee for its consideration and approval.

The Standing Committee, after due deliberation, amended Clauses 7 (1) to (4) and inserted new sub-clauses (5) in Clause 5 of Government Bill No. 27 of 2025, The Constitutional Benches of the High Court of Sindh (Practice and Procedure) Bill, 2025.

After amendment (1) to (4) and insertion, sub-Clause (5) of Clause 7 shall read as follows

(1) The **transfer** of any constitutional case or petition from one Constitutional Bench to another shall be the **exclusive administrative power of the Committee constituted under Section 8 ("Committee")**, and such a decision shall be based on sound basis, in the interest of justice.

(2) The assignment, allocation, and determination of the nature of work of the Constitutional Benches shall be the sole prerogative of the Committee, and no Bench or Judge shall assume or alter such assignment except with the approval of the Committee.

(3) The **constitution of a Full Bench or Larger Bench** for hearing any constitutional matter shall vest **exclusively in the Committee**.

(4) Where a Bench, during hearing, advises constitution of a Larger Bench, the matter shall be referred to the Committee for appropriate orders.

(5) In case of difference of opinion between two Judges of a Constitutional Bench, the matter shall be referred to the Committee for **appointment of a referee Judge**, whose opinion shall decide the case.

The Standing Committee, after due deliberation, unanimously approved the amended Clause 7 (1) to (4) and inserted new sub-clauses (5) of Government Bill No. 27 of 2025, The Constitutional Benches of the High Court of Sindh (Practice and Procedure) Bill, 2025.

The Standing Committee, after due deliberation, amended the marginal note of Clause 8 of Government Bill No. 27 of 2025, The Constitutional Benches of the High Court of Sindh (Practice and Procedure) Bill, 2025.

After the amendment, the marginal note shall read as follows

COMMITTEE FOR CONSTITUTION OF CONSTITUTIONAL BENCHES.

Mr. Zia Ul Hassan, MPA/ Minister for Law, Parliamentary Affairs & Criminal Prosecution and Home, read-over Clause- 8 of Government Bill No. 27 of 2025- The Constitutional Benches of High Court of Sindh (Practice and Procedure) Bill, 2025, to the Committee for its consideration and approval.

The Standing Committee, after due deliberation, amended Clauses 8 and inserted new sub-clauses (1) and (2) in Clause 8 of Government Bill No. 27 of 2025, The Constitutional Benches of the High Court of Sindh (Practice and Procedure) Bill, 2025.

After the amendment of Clause 8 and insertion, sub-Clause (1) and (2) shall read as follows

(1) By virtue of Article 202A (4), there shall be a Committee for the purpose of assisting in the constitution of Constitutional Benches, and Larger Benches.

(2) The Committee shall consist of—

- (a) the Head, who shall be the Chairperson; and
- (b) two senior-most Judges of the Constitutional Benches.

The Standing Committee, after due deliberation, unanimously approved the amended Clause 8 and inserted new sub-clauses (1) and (2) of Government Bill No. 27 of 2025, The Constitutional Benches of the High Court of Sindh (Practice and Procedure) Bill, 2025.

The Standing Committee, after due deliberation, amended the marginal note of Clause 9 of Government Bill No. 27 of 2025, The Constitutional Benches of the High Court of Sindh (Practice and Procedure) Bill, 2025.

After the amendment, the marginal note shall read as follows

BRANCHES OF CONSTITUTIONAL BENCH

Mr. Zia Ul Hassan, MPA/ Minister for Law, Parliamentary Affairs & Criminal Prosecution and Home, read-over Clause- 9 of Government Bill No. 27 of 2025- The Constitutional Benches of High Court of Sindh (Practice and Procedure) Bill, 2025, to the Committee for its consideration and approval.

The Standing Committee, after due deliberation, amended Clauses 9 and inserted new sub-clauses (1), (2), and (3) of Government Bill No. 27 of 2025, The Constitutional Benches of the High Court of Sindh (Practice and Procedure) Bill, 2025.

After the amendment of Clause 9 and insertion, sub-Clause (1), (2), and (3) shall read as follows.

(1) There shall be a separate Constitutional Bench Branch at:

- (a) The Principal Seat;***
- (b) Sukkur Bench; and***
- (c) Circuit Courts at Hyderabad, Larkan and Mirpukhas.***

(2) An Additional Registrar shall be in charge of the Branch at the Principal Seat, while the Deputy Registrar shall be in charge at Sukkur Bench and the Circuit Courts.

(3) An Additional Registrar and Deputy Registrars shall be appointed by the Chief Justice of the High Court of Sindh in consultation with the Head

The Standing Committee, after due deliberation, unanimously approved the amended Clause 9 and inserted new sub-clauses (1), (2), and (3) of Government Bill No. 27 of 2025, The Constitutional Benches of the High Court of Sindh (Practice and Procedure) Bill, 2025.

The Standing Committee, after due deliberation, amended the marginal note of Clause 10 of Government Bill No. 27 of 2025, The Constitutional Benches of the High Court of Sindh (Practice and Procedure) Bill, 2025

After the amendment, the marginal note shall read as follows.

EXPEDITIOUS DISPOSAL OF STAYED MATTERS

Mr. Zia Ul Hassan, MPA/ Minister for Law, Parliamentary Affairs & Criminal Prosecution and Home, read-over Clause- 10 of Government Bill No. 27 of 2025- The Constitutional Benches of High Court of Sindh (Practice and Procedure) Bill, 2025, to the Committee for its consideration and approval.

The Standing Committee, after due deliberation, amended Clauses 10 and inserted new sub-clauses (1) and (2) in Clause 10 of Government Bill No. 27 of 2025, The Constitutional Benches of the High Court of Sindh (Practice and Procedure) Bill, 2025.

After the amendment of Clause 10 and insertion, sub-Clause (1) and (2) shall read as follows.

(1) Where a stay order has been passed in a constitutional petition, the petition shall be heard on priority basis.

(2) Such petition shall, as far as possible, be decided within a period of six months.

The Standing Committee, after due deliberation, unanimously approved the amended Clause 10 and inserted new sub-clauses (1) and (2) of Government Bill No. 27 of 2025, The Constitutional Benches of the High Court of Sindh (Practice and Procedure) Bill, 2025.

The Standing Committee, after due deliberation, amended the marginal note of Clause 11 of Government Bill No. 27 of 2025, The Constitutional Benches of the High Court of Sindh (Practice and Procedure) Bill, 2025.

After the amendment, the marginal note shall read as follows.

HONORARIUM OF HEAD OF CONSTITUTIONAL BENCHES

Mr. Zia Ul Hassan, MPA/ Minister for Law, Parliamentary Affairs & Criminal Prosecution and Home, read-over Clause- 11 of Government Bill No. 27 of 2025- The Constitutional Benches of High Court of Sindh (Practice and Procedure) Bill, 2025, to the Committee for its consideration and approval.

The Standing Committee, after due deliberation, amended Clause 11 of Government Bill No. 27 of 2025, The Constitutional Benches of the High Court of Sindh (Practice and Procedure) Bill, 2025.

After the amendment, Clause 11 shall read as follows.

The Judges of the Constitutional Benches shall enjoy the same perks and privileges as other Judges of the High Court; however, the Head of the Constitutional Benches shall be paid an additional honorarium of Rupees Two Hundred Thousand (Rs. 200,000) per month.

The Standing Committee, after due deliberation, unanimously approved the amended Clause 11 of Government Bill No. 27 of 2025, The Constitutional Benches of the High Court of Sindh (Practice and Procedure) Bill, 2025.

The Standing Committee, after due deliberation, amended the marginal note of Clause 12 of Government Bill No. 27 of 2025, The Constitutional Benches of the High Court of Sindh (Practice and Procedure) Bill, 2025.

After the amendment, the marginal note shall read as follows.

OFFICE OF THE CONSTITUTIONAL BENCHES

Mr. Zia Ul Hassan, MPA/ Minister for Law, Parliamentary Affairs & Criminal Prosecution and Home, read-over Clause- 12 of Government Bill No. 27 of 2025- The Constitutional Benches of High Court of Sindh (Practice and Procedure) Bill, 2025, to the Committee for its consideration and approval.

The Standing Committee, after due deliberation, amended Clauses 12 and inserted new sub-clauses (1) to (4) in Clause 12 of Government Bill No. 27 of 2025, The Constitutional Benches of the High Court of Sindh (Practice and Procedure) Bill, 2025.

After the amendment of Clause 12 and insertion, sub-Clause (1) to (4) shall read as follows.

(1) There shall be established a separate office within the premises of High Court Sindh, Karachi, and for the respective benches at Sukkur, Hyderabad, Mirpurkhas, and Larkana. The office shall be responsible for ministerial and logistical support of the Constitutional Benches, including case management, record-keeping, listing, and coordination.

(2) The Government of Sindh shall provide equipment, and financial resources as may be necessary for the effective functioning of the office.

(3) The officers and staff of the office shall work under the supervision of the Head of the Constitutional Benches, and shall perform such functions as may be assigned to them.

(4) No officer or staff member of the ordinary Registry shall be transferred to or from the office except in accordance with the procedure prescribed or with the consent of the Head of the Constitutional Benches.

The Standing Committee, after due deliberation, unanimously approved the amended Clause 12 and inserted new sub-clauses (1) to (4) of Government Bill No. 27 of 2025, The Constitutional Benches of the High Court of Sindh (Practice and Procedure) Bill, 2025.

The Standing Committee, after due deliberation, inserted new marginal notes of Clauses 13, 14 and 15 of Government Bill No. 27 of 2025, The Constitutional Benches of the High Court of Sindh (Practice and Procedure) Bill, 2025.

After the insert, the marginal note shall read as follows.

ACT TO HAVE OVERRIDE OTHER LAWS, ETC.

Mr. Zia Ul Hassan, MPA/ Minister for Law, Parliamentary Affairs & Criminal Prosecution and Home, read-over new Clause- 13 (1), (2) and (3) of Government Bill No. 27 of 2025- The Constitutional Benches of High Court of Sindh (Practice and Procedure) Bill, 2025, to the Committee for its consideration and approval.

The Standing Committee, after due deliberation, inserted new Clause 13 (1), (2), and (3) of Government Bill No. 27 of 2025, *The Constitutional Benches of the High Court of Sindh (Practice and Procedure) Bill, 2025.*

After the insertion of Clause 13 (1), (2), and (3) shall read as follows

(1) The provisions of this Act shall have effect notwithstanding anything contained in any other law for the time being in force, including any rules, regulations, notifications, circulars, or administrative instructions, to the extent of any inconsistency therewith.

(2) The provisions of this Act shall prevail over any existing practice, procedure, or convention relating to the functioning, administration, or case management of the Constitutional Benches of the High Court of Sindh.

(3) Nothing in this section shall be construed so as to override or derogate from the Constitution, including Articles 200 and 202A, and where any inconsistency arises, the Constitution shall prevail

The Standing Committee, after due deliberation, unanimously approved the inserted new Clause 13 (1), (2), and (3) of Government Bill No. 27 of 2025, The Constitutional Benches of the High Court of Sindh (Practice and Procedure) Bill, 2025.

POWER TO MAKE RULES.

Mr. Zia Ul Hassan, MPA/ Minister for Law, Parliamentary Affairs & Criminal Prosecution and Home, read-over new Clause- 14 of Government Bill No. 27 of 2025- The Constitutional Benches of High Court of Sindh (Practice and Procedure) Bill, 2025, to the Committee for its consideration and approval

The Standing Committee, after due deliberation, inserted new Clause 14 of Government Bill No. 27 of 2025, The Constitutional Benches of the High Court of Sindh (Practice and Procedure) Bill, 2025.

After the insertion, Clause 14 shall read as follows.

The High Court of Sindh may make rules for carrying out the purposes of this Act.

The Standing Committee, after due deliberation, unanimously approved the inserted new Clause 14 of Government Bill No. 27 of 2025, The Constitutional Benches of the High Court of Sindh (Practice and Procedure) Bill, 2025.

REPEAL

Mr. Zia Ul Hassan, MPA/ Minister for Law, Parliamentary Affairs & Criminal Prosecution and Home, read-over new Clause-15 of Government Bill No. 27 of 2025- The Constitutional Benches of High Court of Sindh (Practice and Procedure) Bill, 2025, to the Committee for its consideration and approval.

The Standing Committee, after due deliberation, inserted new Clause 15 of Government Bill No. 27 of 2025, The Constitutional Benches of the High Court of Sindh (Practice and Procedure) Bill, 2025.

After the insertion, Clause 15 shall read as follows.

The High Court of Sindh (Practice and Procedure) Ordinance, 2025, is hereby repealed

The Standing Committee, after due deliberation, unanimously approved the inserted new Clause 15 of Government Bill No. 27 of 2025, The Constitutional Benches of the High Court of Sindh (Practice and Procedure) Bill, 2025.

STATEMENT OF OBJECTION AND REASONS.

Mr. Zia Ul Hassan, MPA/ Minister for Law, Parliamentary Affairs & Criminal Prosecution and Home, Statement of Objects and Reasons of Government Bill No. 27 of 2025- The Constitutional Benches of High Court of Sindh (Practice and Procedure) Bill, 2025, to the Committee for its consideration and decision by the Standing Committee.

The Standing Committee unanimously approved Statement of Objects and Reasons of Government Bill No. 27 of 2025- The Constitutional Benches of High Court of Sindh (Practice and Procedure) Bill, 2025.

The meeting was then adjourned with a vote of thanks to all Members of the Standing Committee, the Honourable Minister for Law, Parliamentary Affairs & Criminal Prosecution, and Home, Secretary Law, and other distinguished participants to the meeting of the Standing Committee.

Sd/-
PIR MUJEEB UL HAQ, MPA/
CHAIRMAN
STANDING COMMITTEE ON LAW &
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