

26th AMENDMENT

Provision

clean and healthy environment declared as fundamental right. } Article 9 (A)

Definite timeline of 1st Jan 2028 for end of riba } 38 (F)

~~President is required~~
Exclusion of an individual minister from scope of presidential advice } 48 (4)

Expansion of the scope of charged expenditure, judicial commission of Pakistan, Supreme judicial council and election expenses of Pakistan } 81

Abolition of Parliamentary Committee for judicial appointments. } 175(A)

Reconstitution of judicial Commission of Pakistan. } 175(A)

Judicial Commission of Pak empowered to conduct performance evaluation of High Court Judges. } 175(A)

The CJP to be appointed by the special 12 parliamentary Committee from amongst the 03 senior judges of Pak } 175(A)

Entitlement of as an advocate of Supreme Court mandatory for lawyers to be elevated as judge of Supreme Court. } 177

Fixed tenure of 03 years for chief justice of Pakistan. } 179

End of the suo motto action of Supreme Court of Pakistan. } 184

Enhancement of limit threshold from 50 thousand to 1 million for filing a appeal in the supreme court. } 185

Establishment of the constitutional benches in the supreme court of Pak } 191(A)

End of Suo motto jurisdiction of High Court. } 199

Establishment of the Constitutional benches in High Courts. (202 (A)

A Judge of Federal Shariat Court including an Aalim made eligible to become its chief Justice. (203 (C)

A definite timeline of 12 months for implementation of judgements of Federal Shariat Court (FSC). (203 (B) (1)

The CEC ^(Chief Election Commission) and members of ECP to continue and hold their respective offices after their retirement till appointment of their successors. (215

Resolution of one fourth $\frac{1}{4}$ instead of two fifth $\frac{2}{5}$ required for referring of bill to Council of Islamic Ideology. (230

A definite timeline of 12 months for consideration of the reports of CII. (230

The CJP and CJ's of High Court in authorised to make nominations for oath taking. (255

Expansion of scope for conformant of awards. Add these areas Science, technology, medicine, Arts and public service. (259

Merits:

- ① Promotion of clean and healthy environment 9(A).
- ② Promotion of strengthening of Islamic provision of the constitution 38 (F) 203 (C), 203 (D), 229, 230.
- ③ Strengthening of Parliamentary supremacy. [175(A)]
- ④ Removal of Anomalies in the constitution 48(4), 177, 255.
- ⑤ check over judicial outreach. (184, 199).
- ⑥ Promotion of specialization through special constitutional benches, 191-A, 202-A.

Demerits:

- ① Lack of consensus.
- ② Passed in haste.
- ③ Question over mandate.
- ④ Risk of erosion of Public trust.
- ⑤ Question over independence of Judiciary.
- ⑥ Questionable precedence for future amendments.

27th Constitutional Amendment

Provision	(Article
① Establishment of Federal Constitutional Court and entrustment of following jurisdiction earlier vested in the SC in it.	A 175-B
Original jurisdiction to adjudicate dispute amongst governments earlier vested in the SC under article 184(1).	184 (1)
Original Jurisdiction to enforcement of fundamental rights earlier vested in the SC.	184(3)
Appellate jurisdiction against Constitutional cases decided by HC's earlier vested in SC.	185
Advisory jurisdiction earlier vested in the SC. was	186
FCC declared as the Apex court of Pakistan.	189
Transfer of a Judge of a High Court to another High Court without his consent.	200

Establishment of the office chief of Defense Forces in place of CJCSC } 243

Constitutional protection to the Field Marshal, Marshal of Air Force and Marshal of Fleet. } 243

Creation of the office of Commander National Strategic Command. } 243

Withdrawal of the titles of Field Marshal, Marshal of Fleet, and Marshal of Air Force from their respective holders in the manner provided by the Constitution for removal (impeachment) of the President of Pakistan. } 243

Life Time Immunity against legal proceedings to Field Marshal, Marshal of Air Force and Marshal of Fleet. } 243

Life Time Immunity against legal proceedings to the president of Pakistan. } 248

THE END

Merits of the Amendment:

- ① A dedicated Constitutional Court in practice.
- ② Reorganization of armed forces in accordance with modern needs.
- ③ Improvement in civil military relations.
- ④ Check over judicial overreach.
- ⑤ Ultimate accountability of judges still rest with the supreme Judicial Council (An all Judges Body).
- ⑥ Life Time immunity justified in the wake of the history of Political victimization in Pakistan.

Demerits:

(Same as 26th Amendment)