

<b>Registration Number</b>	<b>:</b>	<b>LLB119/3-18/M061</b>
<b>Student Name</b>	<b>:</b>	<b>Enait Ur Rehman Hashmi</b>
<b>Title of Assignment</b>	<b>:</b>	<b>Annual Examination 2020</b>
<b>Title of Course</b>	<b>:</b>	<b>Constitution of Pakistan 1973</b>
<b>Name of Faculty Member</b>	<b>:</b>	<b>Jusice (R) Sarmad Jalal Usmani</b>
<b>Submission Date</b>	<b>:</b>	<b>Sunday 6th December 2020</b>

## Answer Sheet

### Q1. Write short notes any two.

#### Answer Question No 1

##### (i) Federal Shariat Court:-

The Federal Sharia court was established in 1980 and is located in the federal capital Islamabad. The abbreviation of **Federal Shariat Court, FSC**, is a constitutional court of Pakistan, which has the power to scrutinize and conclude whether the laws of the country fulfill with Sharia law.

It comprises of eight Muslim adjudicators designated by the President of Pakistan on the exhortation of the Chief Justice of the Court, from among the serving or resigned judges of the Supreme Court or a High Court or from among people having the capabilities of High Court judges. Equity Muhammad Noor Miskanzi ex Chief Justice of Balochistan High court is the current Chief Justice of the government shariat court who was made vow on dated 20/04/2019. Of the 8 appointed authorities, 3 are needed to be Ulema who are knowledgeable in Islamic law. The adjudicators hold office for a time of 3 years, which may ultimately be stretched out by the President.

The court additionally practices revisional ward over the criminal courts, choosing Hudood cases. The choices of the court are official on the High Court's just as subordinate legal executive. The court delegates its own staff and casings its own principles of method.

Made as an islamisation measure by the military system of Muhammad Zia-ul-Haq and thusly secured under the disputable eighth Amendment, its adversaries question the very reasoning and utility of this establishment. It is expressed that this court simply copies the elements of

the current unrivaled courts and furthermore works as a mind the power of Parliament. The organization of the court, especially the method of arrangement of its appointed authorities and the frailty of their residency, is protested, and it is affirmed, that this court doesn't completely meet the basis endorsed for the freedom of the legal executive. In other words, it isn't invulnerable to weights and impacts from the Executive part of the public authority.

## **II Supreme Judicial Council:-**

The Judicial Commission of Pakistan (casually JCP) is a commission for the arrangement of Supreme Court and High Court Judges in Pakistan.[1] The Chief Justice of Pakistan is the Chairman of JCP.

On 20 April 2010, eighteenth Constitutional Amendment was passed in the Parliament of Pakistan. In compatibility of the eighteenth Amendments, a Judicial Commission was proposed to be made to suggest the arrangement of Judges of the Superior Courts in Pakistan. Following is the aggregate content of the Article 175 (A) which was embedded in the constitution of Pakistan through this change.

Article 175 A. Arrangement of Judges to the Supreme Court, High Courts and the Federal Shariat Court: (1) There will be a Judicial Commission of Pakistan, hereinafter in this Article alluded to as the Commission, for arrangement of Judges of the Supreme Court, High Courts and the Federal Shariat Court, as hereinafter gave.

(2) For arrangement of Judges of the Supreme Court, the Commission will comprise of - (I) Chief Justice of Pakistan - Chairman; (ii) four most senior Judges of the Supreme Court as Members; (iii) a previous Chief Justice or a previous Judge of the Supreme Court of Pakistan to be assigned by the Chief Justice of Pakistan, in interview with the four part Judges, for a term of two years - Member; (iv) Federal Minister for Law and Justice as Member; (v)

Attorney-General for Pakistan as Member; (vi) a Senior Advocate of the Supreme Court of Pakistan named by the Pakistan Bar Council for a term of two years as Member.

(3) Notwithstanding anything contained in condition (1) or statement (2), the President will select the most senior Judge of the Supreme Court as the Chief Justice of Pakistan.

The Commission by larger part of its all out enrollment will choose to the Parliamentary Committee one individual, for every opening of a Judge in the Supreme Court, a High Court or the Federal Shariat Court, all things considered.

The Parliamentary Committee, hereinafter in this Article alluded to as the Committee, will comprise of the accompanying eight individuals, specifically: (I) four individuals from the Senate; and (ii) four individuals from the National Assembly. Given that when the National Assembly is broken up, the absolute part boat of the parliamentary Committee will comprise of the individuals from the Senate just referenced in section (I) and the arrangements of this Article will, mutatis mutandis, apply.

Out of the eight individuals from the Committee, four will be from the Treasury Benches, two from each House and four from the Opposition Benches, two from each House. The assignment of individuals from the Treasury Benches will be made by the Leader of the House and from the Opposition Benches by the Leader of the Opposition.

**Q2. Discuss the important points of Objectives Resolution 1949? What is its importance in the constitutional history of Pakistan?**

Answer :

Objective Resolution is one of the main records in the established history of Pakistan. It was passed by the main Constituent Assembly on twelfth March 1949 under the administration of Liaquat Ali Khan. The Objectives Resolution is one of the most significant and enlightening records in the protected history of Pakistan. It set out the goals on which the future constitution of the nation was to be based and it end up being the basic stone of the established advancement in Pakistan. The main thing was that it contained the essential standards of both Islamic political framework and Western Democracy. Its significance can be determined from the way that it filled in as introduction for the constitution of 1956, 1962 and 1973 and at last turned into the piece of the Constitution when the Eighth Amendment in the Constitution of 1973 was passed in 1985.

Following were the primary highlights of the Objectives Resolution:

- 1 : Sway of the whole Universe has a place with Allah alone
- 2 : Authority should be assigned to the State box its kin under the guidelines set by Allah
- 3 : Constitution of Pakistan should be outlined by the Constituent Assembly
- 4 : State should practice its forces through the picked agents
- 5 : Standards of majority rules system, opportunity, uniformity, resistance and social equity, as inshore by Islam should be followed
- 6 : Muslims will carry on with their lives agreeing the instructing of Quran and Sunnah
- 7 : Minorities can unreservedly claim and practice their religion.
- 8 : There should be Federal type of government with the greatest self-governance for the Units

9 : Major rights including balance of status, of chance and under the steady gaze of law, social, financial and political equity, and opportunity of thought, articulation, conviction, confidence, love and affiliation, subject to law and public profound quality should be given to all the residents of the state.

10 : It would be the obligation of the state to protect the interests of minorities, in reverse and discouraged classes.

11 : Autonomy of legal executive should be ensured

12 : Trustworthiness of the domain and power of the nation was to be shielded

13 : The individuals of Pakistan may succeed and accomplish their legitimate and respected spot among the countries of the world and make their full commitment towards worldwide harmony and progress and satisfaction of mankind.

Q : 3 Discuss the composition of Election Commission and also explain the duties to be performed by the chief election commissioner, how chief election commissioner can be appointed and removed?

Answer :

The Election Commission of Pakistan (ECP) is the constitutional body responsible for organizing and conducting elections in Pakistan. The ECP enjoys administrative and financial autonomy and all state institutions are required to support it in its discharge of its functions.

### **Composition of Election Commission:**

The Article further elaborates in Clause (2) that the Election Commission shall consist of:

1. The Chief Election Commissioner and
2. Four members, one from each province

### **The Constitution and the Election Commission of Pakistan**

Article 218 of the Constitution provides for the establishment of the ECP. Clause (1) reads “For the purpose of election to both Houses of Majlis-e- Shoora (Parliament), Provincial Assemblies and for election to such other public offices as may be specified by a law, a permanent Election Commission shall be constituted in accordance with this Article.”

### **Qualification and appointment of the Commissioners**

Article 218 (2) of the Constitution also sets qualification for the commissioners of the ECP. It states that each of the commissioners shall be a person:

1. Who has been a judge of a High Court or
2. Has been a senior civil servant or
3. Is a technocrat and
4. Is not more than 65 years of age.

The President appoints the ECP Commissioners in the manner provided for appointment in Clauses (2A) and (2B) of Article 213.

### **Duties of the Commission (ECP)**

Clause (3) of Article 218 of the Constitution elaborates the overall responsibility of the Commission. It states that it is the duty of the Commission to organize and conduct the election and to make arrangements as necessary to ensure that the election is conducted honestly, justly, fairly and in accordance with the law, and that corrupt practices are guarded against.

Article 219 of the Constitution further segregates the duties in following terms:

The Commission is charged with the duty of:

1. Preparing electoral rolls for elections to the National Assembly, provincial assemblies and local governments, and revising such rolls periodically to keep them up-to-date.
2. Organizing and conducting elections to the Senate or filling casual vacancies in a house or a provincial assembly.
3. Appointing election tribunals.
4. Holding General Elections to the National Assembly, provincial assemblies and local governments.

### **Executive authorities to assist the Commission**

Executive authorities are bound to act in aid of the Commission in its discharge of its duties and functions. Article 220 of the Constitution states: “It shall be the duty of all executive authorities in the Federation and in the Provinces to assist the Commissioner and the Election Commission in the discharge of his or their functions.”

### **Appointment of the Chief Election Commissioner**

According to Article 213 of the Constitution, the Chief Election Commissioner is appointed by the President. The Prime Minister, in consultation with the Leader of the Opposition in the National Assembly, forwards three names to a parliamentary committee for hearing and confirmation.

### **Qualifications of the Chief Election Commissioner**

According to Clause (2) of Article 213 of the Constitution, a person may be appointed as Chief Election Commissioner if he or she:

1. Has been a judge of the Supreme Court, or
2. Has been a senior civil servant or
3. Is a technocrat and
4. Is not more than 68 years of age.

**Removal of Chief Election Commissioner**

The Chief Election Commissioner appreciate a similar authority status as accessible to Judges of the Supreme Court of Pakistan The Chief Election Commissioner can be taken out by the President of Pakistan or Supreme Court of Pakistan or through a denunciation in National Assembly of Pakistan.

Q.4. Discuss the case of District Bar Association Rawalpindi vs Federation of Pakistan (PLD 2015 SC 401) what major issues were decided by the Supreme Court in the said case.

Answer:

On 5 August 2015, the Supreme Court of Pakistan held that the Constitution Twenty-First Amendment Act 2015 (21st Amendment) and Pakistan Army (Amendment) Act 2015, which allowed for trial of civilians by court-martial and other military courts, were constitutional.

**Major issues decided by SC.**

These Acts were challenged in the Supreme Court for being unconstitutional and violating fundamental rights of fair trial and due process of law. The Supreme Court observed that as Pakistan is facing a war-like situation, extraordinary measures had to be taken to defend the State. As an exceptional measure and not the rule, the Parliament could enable the Federation to act in defence of Pakistan and allow trial of civilians by military courts under the Pakistan Army Act 1952 (PAA). This was a temporary measure targeting a small specified and ascertainable class of terrorists to be tried by military courts, and the procedure prescribed by PAA was confirmed to be in consonance with recognized principles of criminal justice.

In addition, the Court held that there are sufficient legal safeguards for fair trial of terrorist militants, who are categorized as unlawful combatants engaged in armed conflict with the Armed Forces and law enforcement agencies of Pakistan. According to paragraph 33 of the judgement, “the international law aspect of this matter has been discussed above and there can be no dispute that Court Martial procedure under the PAA complies the minimum safeguards expected by the Geneva Conventions, 1949”. Furthermore, the Court upheld that any case transferred to military courts for trial, under the PAA, would be subject to judicial review of superior courts. Given that

basic guarantees of a criminal trial were available to the accused whose case could be transferred to military courts under the law, the petitions were dismissed by a majority judgment of 11 to 6.

Q5. Discuss the Qualification and the procedure of the appointment and removal of the President of Pakistan.

**How is the President of Pakistan Elected and Removed under the constitution:**

**1. INTRODUCTION:**

The President is a symbol of unity of Pakistan. He is elected by an electoral college which consists of Parliament and all Provincial Assemblies and is binding force between the federation and the federating units. President of Pakistan shall be head of state and shall represent the unity of the Islamic Republic of Pakistan.

**2. QUALIFICATIONS FOR THE ELECTION AS PRESIDENT:**

(i) Citizenship of Pakistan:

The President must be citizen of Pakistan.

(ii) Muslim:

The President must be Muslim.

(iii) Age Limit:

He must not be less than 45 years of age.

(iv) Not Hold Any Office of Profit:

He should not hold any office of profit in service of Pakistan.

(v) Mentally Fit:

He should be fit mentally and physically.

(vi) Qualified To Be Elected As Member of National Assembly:

He must be a person who is otherwise qualified to be elected as a member of National Assembly.

**3. PROCEDURE FOR THE ELECTION OF PRESIDENT:**

(i) Nomination of Candidate:

On the fixed day any member of any House shall nominate a candidate and will inform the nomination. The nomination papers will be signed by proposer and seconder. The candidate's willingness certificate will also be filed. After examination of the nomination papers Chief Election Commissioner will announce the name of candidate.

(ii) Voting in Parliament:

The Speaker will summons the joint sitting of Parliament on the requisition of Election Commissioner. The Election will be held under secret ballot. All members will be given ballot papers and their names will be entered into counter foils of the ballot book. The members will cast their votes by putting mark on the ballot papers

(iii) Counting of Votes:

After the polls, the votes in favour of different candidates by the Parliament will be counted and the votes polled in Provincial Assemblies in favour of each candidate shall also be added to them. The votes in Provincial Assemblies shall be multiplied separately by the number of seats of smallest Assembly and then divided by the number of seats of concerned Assembly. The result each candidate is announced on the basis of simple majority by adding the votes in Senate and Provincial Assemblies. The candidate who secures the majority is declared successful.

**4. OATH FOR THE OFFICE OF PRESIDENT:**

Before entering into the office, the successful candidate shall take oath for the office of President before Chief Justice of Pakistan.

**5. TERM OF OFFICE OF PRESIDENT:**

The tenure of the President is five years from the day he enters upon his office.

**6. RESTRICTION:**

The President shall not hold any office of profit in the service of Pakistan or occupy any other position carrying the right to remuneration for the rendering of services.

**7. ACTING PRESIDENT:**

If the post of President is vacated by his resignation, dismissal, illness, long leave or foreign tour then the Chairman of the Senate will be acting President.

**REMOVAL OF PRESIDENT:**

An impeachment can be moved in the Parliament. When there is an allegation of infringement of the constitution, corruption or he becomes unable to perform his duties mentally and physically. According to the procedure, no less than one-half members of two Houses may send a written notice to the Speaker or Chairman. A copy of impeachment alongwith the list of allegations is sent to the President. On the receipt of the notice, Speaker summons the joint session of the Parliament within seven to fourteen days and the President is given full opportunity to defend the allegations. After hearing in the parliament of the two third majority of the two Houses cast votes in favour of the resolution, then the President shall cease to hold office immediately on the passing of the resolution.

**GROUND FOR REMOVAL OF PRESIDENT:**

The President may be removed from his office:

- (i) Physical Incapacity
- (ii) Mental Incapacity

- (iii) Violation of the Constitution
- (iv) Gross Misconduct

Q6. Discuss the procedure of appointment of Judges of Supreme Court of Pakistan under Article 175A of the Constitution of Pakistan. Do you think that present procedure is an improvement in the previous one.

**Answer:**

In pursuance of the 18th amendment to the constitution of Pakistan 1973 a judicial commission has been proposed to be created to recommend the appointment of Judges of the superior Courts in Pakistan. Article 175 (A) has been inserted in the constitution of Pakistan through 18th amendment. Article 175A. The provision of Appointment of Judges to the Supreme Court, High Courts and the Federal Shariat Court under article 175A are as follows:

- (1) There shall be a Judicial Commission of Pakistan, hereinafter in this Article referred to as the Commission, for appointment of Judges of the Supreme Court, High Courts and the Federal Shariat Court, as hereinafter provided.
- (2) For appointment of Judges of the Supreme Court, the Commission shall consist of--- (i) Chief Justice of Pakistan; Chairman (ii) four most senior Judges of the Supreme Court; Member (iii) a former Chief Justice or a former Judge of the Supreme Court of Pakistan to be nominated by the Chief Justice of Pakistan, in consultation with the four member Judges, for a term of two years; Member (iv) Federal Minister for Law and Justice; Member (v) Attorney-General for Pakistan; and Member (vi) a Senior Advocate of the Supreme Court of Pakistan nominated by the Pakistan Bar Council for a term of two years
- (3) The President shall appoint the most senior Judge of the Supreme Court as the Chief Justice of Pakistan.
- (4) The Commission may make rules regulating its procedure.

(5) For appointment of Judges of a High Court, the Commission shall also include the following, namely:- (i) Chief Justice of the High Court to which the appointment is being made; Member (ii) the most senior Judge of that High Court; Member (iii) Provincial Minister for Law; and Member (iv) an advocate having not less than fifteen year practice in the High Court to be nominated by the concerned Bar Council for a term of two years:

Provided that for appointment of the Chief Justice of a High Court the most Senior Judge mentioned in paragraph (ii) shall not be member of the Commission: Provided further that if for any reason the Chief Justice of High Court is not available, he shall be substituted by a former Chief Justice or former Judge of that Court, to be nominated by the Chief Justice of Pakistan in consultation with the four member judges of the Commission mentioned in paragraph (ii) of clause

(6) For appointment of judges of the Islamabad High Court, the Commission shall also include the following, namely:- (i) Chief Justice of the Islamabad High Court; and Member (ii) most senior Judge of that High Court: Member Provided that for initial appointment of the Chief Justice and the Judges of the Islamabad High Court, the Chief Justices of the four Provincial High Courts shall also be members of the Commission. Provided further that subject to the foregoing proviso, in case of appointment of Chief Justice of Islamabad High Court, the provisos to clause (5) shall, mutatis mutandis, apply.

(7) For appointment of Judges of the Federal Shariat Court, the Commission in shall also include the Chief Justice of the Federal Shariat Court and the most senior Judge of that Court as its members: Provided that for appointment of Chief Justice of Federal Shariat Court, the provisos to clause (5) shall, mutatis mutandis, apply.

(8) The Commission by majority of its total membership shall nominate to the Parliamentary Committee one person, for each vacancy of a Judge in the Supreme Court, a High Court or the Federal Shariat Court, as the case may be;

(9) The Parliamentary Committee, hereinafter in this Article referred to as the Committee, shall consist of the following eight members, namely:- (i) four members from the Senate; and (ii) four members from the National Assembly. Provided that when the National Assembly is dissolved, the total membership of the parliamentary Committee shall consist of the members from the Senate only mentioned in paragraph (i) and the provisions of this Article shall, mutatis mutandis, apply.

(10) Out of the eight members of the Committee, four shall be from the Treasury Benches, two from each House and four from the Opposition Benches, two from each House. The nomination of members from the Treasury Benches shall be made by the Leader of the House and from the Opposition Benches by the Leader of the Opposition.

(11) Secretary, Senate shall act as the Secretary of the Committee.

(12) The Committee on receipt of a nomination from the Commission may confirm the nominee by majority of its total membership within fourteen days, failing which the nomination shall be deemed to have been confirmed: Provided that the Committee for reasons to be recorded, may not confirm the nomination by three-fourth majority of its total membership within the said period. Provided further that if a nomination is not confirmed by the Committee it shall forward its decision with reasons so recorded to the Commission through the Prime Minister. Provided further that if a nomination is not confirmed, the Commission shall send another nomination.

(13) The Committee shall send the name of the nominee confirmed by it or deemed to have been confirmed to the Prime Minister who shall forward the same to the President for appointment.

(14) No action or decision taken by the Commission or a Committee shall be invalid or called in question only on the ground of the existence of a vacancy therein or of the absence of any member from any meeting thereof.

(15) The meetings of the Committee shall be held in camera and the record of its proceedings shall be maintained.

### **Previous Process**

The process of judicial appointments in the Constitution before the passage of the 18th Amendment was that the Chief Justice of the Supreme Court recommended a panel to the President, who selected a suitable candidate from that panel. Similarly, for the appointment of judges in the High Courts, the Chief Justice of the concerned High Court forwarded a panel to the President which was channelled through the Governor of the Province and the Chief Justice of Pakistan. The pivotal role in the process was that of the Chief Justice of Pakistan as well as the provincial Chief Justices. In the famous 1996 '*Judges' Case*', the Supreme Court further curtailed the executive discretion of the President, almost to the point of making it entirely ineffectual.<sup>1</sup>The Court held that the recommendations of the Chief Justice were ordinarily binding on the President, except where the President departed from the recommendations, in which case the reasons for his decision were justiciable.

**Comparison with old process:**

The entire debate on judicial appointments has to be viewed in the context of this recent conception of judicial independence. The attempt to maintain absolute or at least substantial control over judicial appointments to the superior courts is part of a broader institutional struggle. All of this has meant the coming of a full circle, with, for now, the Chief Justice of Pakistan firmly in the driver's seat in regards to judicial appointments. This should be a cause for some concern. Firstly, negating the basic idea of constitutional amendments is dangerous, particularly for a nascent parliamentary democracy such as ours. Secondly, the principle of devolving decision-making from individuals to institutions, and hence the entire idea of 'checks and balances, seems to have been compromised.

Q7. Describe and discuss the power of a High Court under article 199 of the Constitution of Pakistan.

**POWERS OF HIGH COURT:**

Article 199 Provide following in respect of powers of High Court.

(i) Original Jurisdiction:

High Court has original jurisdiction in certain matters such as the case of contempt of court and writs.

**(a) Order of Habeas Corpus:**

High Court can make order directing that a person in custody within territorial jurisdiction of the court be brought before it so that the court may satisfy itself that he is not being held in custody without lawful authority.

**(b) Order of Mandamus:**

If the fundamental rights of any person have been effected court may, on his application, order any person, authority or government which is deemed necessary for the enforcement of any such fundamental rights.

**(c) Order of Prohibition:**

High Court can direct a person performing within the territorial jurisdiction of the court, functions in connection with the affairs of the federation, province, or a local authority, to refrain from doing he is not permitted by law.

(ii) Appellate Jurisdiction:

The High Court has appellate jurisdiction to hear appeals against the order, decree and judgment of the subordinate court.

(iii) Supervision of Subordinate Courts:

The High Court in the province supervises the work of the subordinate courts.

Q8. Enumerate the fundamental rights provided by the Constitution of Pakistan 1973. Can these rights be suspended?

**Answer)**

**1. INTRODUCTION:**

Fundamental rights are the basic rights of the citizens. Every democratic state recognises the fundamental rights for its citizens. Such rights cannot be suspended or vanished due to constitutional guarantee. Fundamental rights are those rights which are provided to people against abuse of powers and unfair damages so as to create pleasant and healthy atmosphere for people.

**2. MEANING OF FUNDAMENTAL RIGHTS:**

Those rights which have their source in the federal constitution and which are explicitly or implicitly granted are called fundamental rights.

**3. FUNDAMENTAL RIGHTS IN 1973 CONSTITUTION:**

(i) Security of Person:

No person shall be deprived of life or liberty in accordance with law.

(ii) Protection Against Retrospective Punishment:

Under the constitution, no law shall authorise the punishment of a person for an act or omission that was not punishable by law at the time of act or omission.

(iii) Freedom of Movement:

Every citizen of Pakistan shall have the freedom of movement through Pakistan.

(iv) Safeguard in Case of Arrest And Detention:

Every person who is arrested and detained in custody shall be produced before a Magistrate within a period of twenty four hours of his arrest.

(v) Safeguard Against Religious Taxes:

No person shall be compelled to pay any special tax for the support of propaganda of the religion other than his own.

(vi) Freedom of Association:

Every citizen in Pakistan has right to form an association or unions provided that such steps are taken within the limits.

(vii) Prohibition of Slavery and Forced Labour:

Slavery is forbidden and all forms of forced labour are prohibited.

(viii) Freedom of Religion:

Every citizen of Pakistan shall have right to profess, practise and propagate his religion.

(ix) Freedom of Speech:

Every citizen of Pakistan shall have freedom of speech as well as expression. Freedom of speech and expression is the major fundamental right of the people of Pakistan.

(x) Freedom of Assembly:

Every citizen shall have freedom to assemble peacefully and without arms, subject to any reasonable restitution imposed by law in the interest of public order.

(xi) Freedom of Trade, Business and Profession:

Every citizen of Pakistan shall have the right to enter upon any lawful profession or occupation or conduct any lawful business.

(xii) Political Freedom:

Every citizen of Pakistan not being in the service of Pakistan shall have right to form or be member of a political party.

(xiii) Freedom To Acquire Property:

Every citizen has the right to acquire, hold and disposed of property.

(xiv) Equality of Citizens:

All citizens are equal before law and are entitled to equal protection of law. There is no discrimination on the bases of race, religion, caste and sex.

(xv) Protection of Property Rights:

The constitution of Pakistan provides safeguards to property rights. No person will be deprived of his property.

(xvi) Right of Access to Public Places:

Every citizen of Pakistan has a right of access to public places.

(xvii) Right of Language and Culture:

Under the constitution, Urdu is the national language of Pakistan.

(xviii) Right of Service:

Right of service is the fundamental right of the citizens of Pakistan.

(xix) Protection Against Double Punishment and Self-Incrimination:

No person shall be prosecuted or punished for the same offence more than once or shall be compelled to give witness against himself.

(xx) Dignity of Man:

No person shall be subjected to torture for the purpose of extracting evidence.

(xxi) Safeguard As The Education Institution in Respect of Religion:

Every religious community will be free to educate its pupils in its own religion. Every religious Sect has right to establish its own educational institutions