

Summary Notes on "Constitution of Pakistan – Fundamental Rights and Principles of Policy"

Definition of the State (Article 7)

- Refers to the Federal Government, Parliament, Provincial Governments, Assemblies, and local authorities empowered by law to levy taxes.
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Chapter 1: Fundamental Rights

Laws Inconsistent with Fundamental Rights (Article 8)

- Any law or custom violating Fundamental Rights is void.
 - The State cannot enact laws that infringe these rights.
 - Exceptions apply to specific laws concerning public order or armed forces.
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Key Fundamental Rights

1. **Right to Life and Security (Article 9):**
 - No one shall be deprived of life or liberty except under the law.
2. **Protection Against Arrest and Detention (Article 10):**
 - Arrested individuals must be informed of the grounds for arrest and allowed legal representation.
 - Must be presented before a magistrate within 24 hours.
 - Preventive detention allowed only under strict conditions, with periodic reviews.
3. **Right to Fair Trial (Article 10A):**
 - Entitles individuals to a fair trial and due process in legal matters.
4. **Prohibition of Slavery and Forced Labor (Article 11):**
 - Slavery and trafficking are forbidden.
 - Children under 14 cannot work in hazardous conditions.
5. **Protection from Retrospective Punishment (Article 12):**
 - No one can be penalized for an act not punishable by law at the time it was committed.
6. **Double Jeopardy and Self-Incrimination (Article 13):**
 - Protection from being tried or punished twice for the same offence.
 - Cannot be forced to testify against oneself.
7. **Dignity of Man and Privacy (Article 14):**
 - Ensures respect for human dignity and privacy.
 - Prohibits torture for evidence extraction.

Freedoms and Rights

1. **Freedom of Movement (Article 15):**
 - Right to move, reside, and settle anywhere in Pakistan, subject to legal restrictions.
2. **Freedom of Assembly (Article 16):**
 - Right to peaceful assembly without arms.
3. **Freedom of Association (Article 17):**
 - Right to form associations and unions, with restrictions for public safety and morality.
4. **Freedom of Trade (Article 18):**
 - Right to lawful trade or profession, regulated for public interest and competition.
5. **Freedom of Speech (Article 19):**
 - Includes press freedom, limited by laws protecting public order, morality, and state integrity.
6. **Right to Information (Article 19A):**
 - Access to public information, with reasonable restrictions.
7. **Religious Freedom (Article 20):**
 - Rights to profess, practice, and propagate religion.
8. **Protection from Religious Taxation (Article 21):**
 - No one is compelled to fund religions other than their own.
9. **Education Rights (Article 22):**
 - Safeguards against forced religious instruction in schools.

Equality and Non-Discrimination

1. **Equality Before Law (Article 25):**
 - All citizens are equal and entitled to legal protection.
 - Special provisions allowed for women and children.
 2. **Right to Education (Article 25A):**
 - Free and compulsory education for children aged 5-16.
 3. **Access to Public Places (Article 26):**
 - No discrimination in accessing public amenities.
 4. **Equal Employment Rights (Article 27):**
 - Prohibits discrimination in public service appointments.
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