

بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ



GOVERNOR

GOVERNOR'S HOUSE  
LAHORE

To,

The Speaker,  
Provincial Assembly of Punjab,  
Lahore

Subject: THE CONSTITUTIONAL CRISIS

Dear Sir,

The recent developments and the ensuing constitutional crisis, I feel that it would be unbecoming of Governor's office unless I bring to your notice the true and correct facts relating to the alleged resignation of Chief Minister Mr. Sardar Usman Ahmed Khan Buzdar. The pertinent features of this saga are as follows:

1. Mr. Buzdar on 28.03.2022 suddenly tendered a communication which was styled as a resignation. the mentioned gentleman was apparently not advised properly or there may be some other reasons best known to him, this alleged resignation was (a) typed / printed letter (b) addressed to the Prime Minister and (c) was submitted to the said office.
2. According to the Article 130 (8) of the constitution of Islamic Republic of Pakistan, 1973 (the "Constitution") this communication cannot be treated as a letter of resignation.
3. As per the mentioned provision of the Constitution, a resignation of the Chief Minister to be valid, must meet the mentioned prerequisites (a) the Chief Minister has to address a hand written letter of resignation (b) it must be addressed to the Governor i.e Punjab and (c) The effect thereof has to be resignation from his office.

Unfortunately Chaudhry Muhammad Sarwar the then Governor Punjab, did not take into consideration the implications of Article 130 (8) of the Constitution. This is despite the fact that the mentioned gentleman in public gathering/press conference acknowledged these constitutional deficiencies as detailed herein above.

4. This communication was thus erroneously treated by the then Governor as a resignation, the notification of acceptance of the resignation thereof and the desire to continue in office was accordingly notified.
5. After taking over the office, in the context of the political struggle brewing up withing the provincial assembly and the ensuing litigation before the Honorable Lahore High Court, Lahore the events



GOVERNOR

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which followed were communicated to the Advocate General of Punjab for soliciting his advise. The stated officer tendered a detailed advise contained in his letter of April 18, 2022.

The opinion expressed by the highest law officer for the province, was startling. According to him the Mr. Buzdar's communication which was treated as a resignation and notified accordingly, was utterly unconstitutional. As per his opinion this resignation was in violation of Article 130 (8) of the Constitution. The discussion inter se further highlighted that the subsequent notification were invalid in law because the very resignation and acceptance thereof was in violation to Law.

6. The dimension of this fact was brought to the notice of the President of Pakistan in a letter forwarded by me on April 23, 2022.

Contemporaneously the issues relating to the disputed election between the rival candidates to the office of the Chief Minister was highly embarrassing and in violation to the Constitution as well as the Rules of the Assembly. The relevant information/data was also forwarded to the office of the President.

7. To the best of my knowledge this communication and the information/evidence tendered therewith is with the said office and pending consideration.

The Honorable Lahore High Court, Lahore notwithstanding the constitutional bar contained in the Article 69 and Article 248 of the Constitution, has intervened in discharge of my obligations in the office of the Governor. In this regard through consecutive Writ Petitions i.e. WP No.24320/2022, WP No.25671/2022 and WP No.27186/2022. The orders passed in interim dated, 22.04.2022, 26.04.2022 and 29.04.2022 respectively, I say with respect, has directed the speaker of the National Assembly of Pakistan to administer oath to Mr. Hamza Shabaz Sharif. The election of this gentleman in the Punjab Assembly is marred by chaos, turmoil and is utterly doubtful. The mode and manner in which it has been conducted has already been commented upon by the Secretary of the Punjab Assembly and opined by the AG Punjab to be unconstitutional. The stated report/comments/opinion along with my own comments/opinion has also been forwarded to the President of Pakistan.

8. The entire developments and the discharge of constitutional work of my office has been put in disruption. The insistence, through judicial orders to sanctify these unlawful activities in the form of administering an oath to Mr. Hamza Shabaz Sharif, in the context of above mentioned facts, is highly unfortunate and not as per the constitutional mandate.



**GOVERNOR**

I have been given advise by well wishers to be circumspect and be cautious, in this entire gamut. However, I have decided not to shun away from my constitutional role as history will judge me for the steps, I intend to take during my tenure for upholding the law and the constitution.

I communicate to you my stance which is as follows:

- a) The resignation of Mr. Sardar Usman Ahmed Khan Buzdar is not constitutionally valid. All consequent steps taken thereupon including the notification by my predecessor notifying his resignation as such is invalid in law. The same are not endorsed by my office nor do I accept them as valid.
- b) Your office is requested to take up this matter and act according to the provisions of the Constitution as deemed appropriate at your end.

I pray to the Almighty ALLAH that we may be given the strength and the fortitude to uphold the rule of law and the sanctity of our Constitution.

PAKISTAN ZINDABAD

(OMAR SARFRAZ CHEEMA)

No. Gpv/2022-803

Dated: 29.04.2022

CC:

1. PS to President, Islamic Republic of Pakistan
2. Chief Minister, Punjab
3. Chief Secretary, Punjab