

**[AS INTRODUCED IN THE SENATE]**

**A**

**BILL**

*further to amend the Elections Act, 2017*

**WHEREAS** it is expedient further to amend the Elections Act, 2017 (XXXIII of 2017), for the purposes hereinafter appearing;

It is hereby enacted as follows:-

**1. Short title and commencement.-** This Act may be called the Elections (Amendment) Act, 2017.

(2) It shall come into force at once.

**2. Insertion of section 48A, Act XXXIII of 2017.-** In the Elections Act, 2017 (XXXIII of 2017), hereinafter referred to as the said Act, after section 48, the following section shall be inserted, namely:-

**"48A. Status of Ahmadis etc. to remain unchanged.-** (1) Notwithstanding anything contained in this Act or any other law for the time being in force, the status of Qadiani Group or the Lahori Group (who called themselves 'Ahmadis' or by any other name) or a person who does not believe in the absolute and unqualified finality of the Prophethood of Muhammad (Peace Be Upon Him), the last of the prophets or claimed or claims to be a prophet, in any sense of the word or of any description whatsoever, after Muhammad (Peace Be Upon Him) or recognizes such a claimant as a Prophet or religious reformer shall remain the same as provided in the Constitution of the Islamic Republic of Pakistan, 1973.

(2) If a person has got himself enrolled as voter and objection is filed before the Revising Authority that such a voter is not a Muslim, the Revising Authority shall issue a notice to him to appear before it within fifteen days and require him to sign a declaration regarding his belief about the absolute and unqualified finality of the Prophethood of Muhammad (Peace Be Upon Him) as follows:

I, (Name of the voter), do solemnly swear and declare on oath that I believe in the absolute and unqualified finality of the Prophethood of Muhammad (Peace Be Upon Him), the last of the prophets and that I am not the follower of anyone who claims to be a Prophet in any sense of the word or of any description whatsoever after Prophet Muhammad (Peace Be Upon Him), and that I do not recognize such a claimant to be Prophet or a religious reformer, nor do I belong to the Qadiani group or the Lahori group or call myself an Ahmadi.

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(3) In case the voter refuses to sign the declaration as aforesaid, he shall be deemed to be a non-Muslim and shall be enrolled as non-Muslim voter in the same electoral area.

(4) In case the voter does not appear before the Revising Authority in spite of service of notice, an ex-parte order may be passed against him.”

**3. Amendment of section 241, Act XXXIII of 2017.-** In the said Act, in section 341, in paragraph (f), the expression “except Articles 1, 7B and 7C” shall be omitted.

### **STATEMENT OF OBJECTS AND REASONS**

The belief of absolute and unqualified finality of the Prophethood of Muhammad (Peace Be Upon Him) is one of the basic tenets of Islam without which no one can remain Muslim. Muslims in general and the people of Pakistan in particular never bear any intervention in this belief. The State and its laws are bound to protect this basic belief of Islam according to the aspiration of the Muslims of this country. In order to protect this belief from the intruders, it is needed to enlist those as non-Muslims in electoral rolls who are not believing in the absolute and unqualified finality of the Prophethood of Muhammad (Peace Be Upon Him), or who follow anyone who claims to be a Prophet in any sense of the word or of any description whatsoever after Prophet Muhammad (Peace Be Upon Him) or recognizes such a claimant to be Prophet or a religious reformer. Through this amendment, the intruders who disbelieve the absolute and unqualified finality of the Prophethood of Muhammad (Peace Be Upon Him) will be prevented to enlist as Muslims in the electoral rolls.

The Bill has been designed to achieve the aforesaid objectives.

**SENATOR MOHAMMAD AZAM KHAN SWATI**  
Member-in-Charge