

Passed on 17-11-2017

[AS PASSED BY THE SENATE]

A

BILL

to amend the Elections Act, 2017

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

It is hereby enacted as follows:-

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

(2) It shall come into force at once.

2. Insertion of section 48A in 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 48A shall be inserted:

“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 including Rules or forms prescribed thereunder, the status of Quadiani Group or the Lahori Group (who call 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 notified under this Act 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 reproduced below regarding his belief about the absolute and unqualified finality of the Prophethood of Muhammad (peace be upon him). In case he refuses to sign the declaration as aforesaid, he shall be deemed to be a non-Muslim and his name shall be deleted from the joint electoral rolls and added to a supplementary list of voters in the same electoral area as non-Muslim. In case the voter does not turn up in spite of service of notice, an *ex-parte* order may be passed against him.

Declaration and oath:

I, _____(name of the voter), do solemnly swear 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.

(Name and Signature of Voter)

حلف نامہ و اقرار نامہ

میں _____ (ووٹر کا نام) حلفیہ اقرار کرتا / کرتی ہوں کہ میں خاتم النبیین حضرت محمد صلی اللہ علیہ وسلم کی ختم نبوت پر مکمل اور غیر مشروط طور پر ایمان رکھتا / رکھتی ہوں۔ اور یہ کہ میں کسی ایسے شخص کا / کی پیروکار نہیں ہوں جو حضرت محمد صلی اللہ علیہ وسلم کے بعد اس لفظ کے کسی بھی مفہوم یا کسی بھی تشریح کے لحاظ سے پیغمبر ہونے کا دعویدار ہو۔ اور نہ ہی میں ایسے دعویدار کو پیغمبر یا مذہبی مصلح مانتا / مانتی ہوں۔ نہ ہی میں قادیانی گروپ یا لاہوری گروپ سے تعلق رکھتا / رکھتی ہوں یا خود کو احمدی کہتا / کہتی ہوں۔
(ووٹر کا نام و دستخط)

3. Amendment of section 241 in Act XXXIII of 2017.— In the said Act, in section 241, in clause (f), before the semicolon, the expression “except Articles 1, 7B and 7C” shall be omitted.

STATEMENT OF OBJECTS AND REASONS

The Bill seeks to incorporate and reaffirm the provisions of Articles 7B and 7C of the Conduct of General Elections Order, 2002 (Chief Executive’s Order No.7 of 2002) through addition of a new section 48A in the Elections Act, 2017. This Bill is in accordance with the suggestion earlier made by the Government in this regard. Hence, this Bill.

**ZAHID HAMID
MINISTER FOR LAW & JUSTICE**