

^{AS}
[TO BE INTRODUCED IN THE SENATE]

A

BILL

to provide for the welfare and integration of communities

WHEREAS protection and security of the inhabitants and to fulfil the basic needs of citizens is a responsibility of the State and the contribution by an individual is moral and ethical responsibility to stand by the fellow citizens for basic needs and problems.

AND WHEREAS it is provided in the Holy Quran (2:177)

لَيْسَ الْبِرَّ أَنْ تُوَلُّوا وُجُوهَكُمْ قِبَلَ الْمَشْرِقِ وَالْمَغْرِبِ وَلَكِنَّ الْبِرَّ مَنْ آمَنَ بِاللَّهِ وَالْيَوْمِ
الْآخِرِ وَالْمَلَائِكَةِ وَالْكِتَابِ وَالنَّبِيِّينَ وَآتَى الْمَالَ عَلَى حُبِّهِ ذَوِي الْقُرْبَىٰ وَالْيَتَامَىٰ وَ
الْمَسْكِينِ وَابْنَ السَّبِيلِ وَالسَّائِلِينَ وَفِي الرِّقَابِ وَأَقَامَ الصَّلَاةَ وَآتَى الزَّكَاةَ وَالْمُوفُونَ
بِعَهْدِهِمْ إِذَا عَاهَدُوا وَالصَّابِرِينَ فِي الْبَأْسَاءِ وَالضَّرَّاءِ وَحِينَ الْبَأْسِ أُولَئِكَ
الَّذِينَ صَدَقُوا وَأُولَئِكَ هُمُ الْمُتَّقُونَ (177)

Translation:

Righteousness is not that you turn your faces toward the east or the west, but [true] righteousness is [in] one who believes in Allah, the Last Day, the angels, the Book, and the prophets and gives wealth, in spite of love for it, to relatives, orphans, the needy, the traveller, those who ask [for help], and for freeing slaves; [and who] establishes prayer and gives zakah; [those who] fulfill their promise when they promise; and [those who] are patient in poverty and hardship and during battle. Those are the ones who have been true, and it is those who are the righteous.

At another place it is also provided (4: 36)

وَاعْبُدُوا اللَّهَ وَلَا تُشْرِكُوا بِهِ شَيْئًا وَبِالْوَالِدَيْنِ إِحْسَانًا وَبِذِي الْقُرْبَىٰ وَالْيَتَامَىٰ وَ
الْمَسْكِينِ وَالْجَارِ ذِي الْقُرْبَىٰ وَالْجَارِ الْبَعِيدِ وَالصَّاحِبِ بِالْجَنبِ وَالابْنَ السَّبِيلِ وَ مَا
مَلَكَتْ أَيْمَانُكُمْ إِنْ لِلَّهِ لَأَنْتَبَهُ مَنْ كَانَ مُخْتَالًا فَخُورًا (36)

Translation:

Worship Allah and associate nothing with Him, and to parents do good, and to relatives, orphans, the needy, the near neighbour, the neighbour farther away, the companion at your side, the traveller, and those whom your right hands possess. Indeed, Allah does not like those who are self-deluding and boastful.

Hadith:

قال رسول الله صلى الله عليه وسلم: «أخرجوا اثني عشر منكم من قبائلكم يكونون على قومهم بما فيها، فأخرجوا منهم اثني عشر نقيباً، تسعة من الخزرج وثلاثة من الأوس، وقال للنقباء: «أنتم على قومكم بما فيها، كقلاء كفالة الحواريين لعيسى بن مريم، وأنا كفيل على قومي»

And the Holy Prophet (SAWS) said: "Take out twelve of your prefect/leaders/chiefs/elders from among yourselves. They shall be responsible on behalf of their people. Then they brought out twelve of them, nine of the Khazraj, and three of the Aos. The Holy Prophet (SAWS) said to the prefects/leaders: "You are guarantors of your people, like the guarantors of the disciples of Eisa son of Maryam and I am guarantor of my tribe.(Musnad Ahmad Ibn Hanbal vol. 3, p 426)

The Prophet (SAWS), in his description of the community of believers, draws an apt analogy. The saying, which is reported on An-Nu'mane bin Basheer, reads:

Hadith:

"In their mutual affection, compassion, and sympathy, the believers are like a living organism: no sooner is an organ afflicted by a disease than the rest of the organs is gripped by fever and insomnia".

Our Islamic community does indeed live up to the ideal community envisioned by the Prophet (SAWS) in an agreed-upon Hadith-saying reported by Aby-Musa that:

Hadith:

"a believer is to another believer what the bricks of a solid (cemented) building structure are to each other infirmly connected together".

AND WHEREAS the Constitution of the Islamic Republic of Pakistan, enjoins on the State to alleviate the sufferings of all the citizens, irrespective of sex, caste, creed or race;

THEREFORE it is compulsory to enact a law to fulfil the above said obligations of the State.

It is hereby enacted as follows:

**CHAPTER-I
PRELIMINARY**

1. Short title, extent and commencement.- (1) This Act may be called the Islamabad Community Integration Act, 2019.

(2) It shall extend to the Islamabad Capital Territory.

(3) It shall come into force at once.

2. Definitions.- (1) In this Act, unless there is anything repugnant in the subject or context,-

(a) "Act" means the Islamabad Community Integration Act, 2019;

(b) "Committee" means the Rifahi Committee and its sub-committees established under section 3;

(c) "Chairperson" means the Chairperson of the Committee;

(d) "Government" means the Federal Government;

(e) "Managing Body" means the Managing Body of the Rifahi Committee;

(f) "Member" means a member of the Rifahi or Rifahi sub-committee;

(g) "Patwar Circle" means village or a group of villages form a Patwar Circle and is headed by a Patwari;

(h) "Secretary" means the Secretary of the Rifahi Committee;

(i) "Sub-sector" means one sub-sector in Islamabad Capital Area, as designated by the Capital Development Authority;

(j) "Treasurer" means the Treasury officer of the Rifahi Committee; and

(k) "Vice Chairperson" means the Vice Chairperson of the Committee.

CHAPTER-II
ESTABLISHMENT OF COMMITTEES

3. Establishment of the Rifahi Committees.- (1) Within one year of the commencement of this Act, the Government shall establish Committees to be known as the "Rifahi Committees" and Rifahi sub-committees.

(2) There shall be a Rifahi sub-committee of every one hundred houses in urban areas or a village in the rural area comprising of 10 members each.

(3) A Member of the "Rifahi sub-committee" shall be elected for every ten houses of a Sub-sector in the urban areas and similarly for ten houses in a village in rural areas, as may be prescribed.

(4) There shall be a "Rifahi Committee" for every two thousand houses as may be prescribed, comprising of twenty Members each.

(5) The Chairperson of the Rifahi sub-committees shall be the Member of the Rifahi Committee of that area.

(6) The Members of the Rifahi Committee shall be chosen by election for a term of four years.

(7) The election will be held on non-party basis.

(8) Either Chairperson or the Vice Chairperson shall be a woman.

(9) If a member of the Rifahi Committee is unable to perform as member of the Committee, the Committee may remove such member.

(10) Any casual vacancy of a member shall be filled in by election on non-party basis.

(11) The Rifahi Committee shall have powers to co-opt members from amongst persons who are experts in their respective fields, for advice on particular matters under its consideration.

(12) The Rifahi Committee shall be a body corporate having perpetual succession and a common seal with power, subject to the provisions of this Act, to acquire and hold property, both movable and immovable and shall sue and be sued by the said name.

4. Office bearers of the Rifahi Committees.- (1) The Rifahi Committees shall consist of,-

- (a) Chairperson
- (b) Vice Chairperson
- (c) Treasurer
- (d) Secretary

(2) The office bearers of the Rifahi sub-committee shall be as follows:

- (a) Chairperson Member
- (b) Secretary Member

(3) The office bearers shall be elected by the Members from amongst themselves.

5. Qualification of Members.- A person shall be eligible to be a member of the Rifahi Committee, if he,-

- (a) is a citizen of Pakistan;
- (b) is sane and of sound mind;
- (c) has not been convicted of an offence involving moral turpitude;
- (d) has not at any time been adjudicated insolvent;
- (e) has not at any time been disqualified for employment in or dismissed from Government service;
- (f) is not acting in contravention of the provisions of this Act;
- (g) has no financial interest in any aspect of the Committee, or has no conflict of interest, directly or indirectly, with the Committee; and
- (h) is a voter member of the concerned Union Council.

7. Meetings of the Rifahi Committee.- (1) The meetings of the Rifahi Committee shall be held monthly, and shall be presided over by the Chairperson or, in his absence, by a Vice Chairperson. One third of the total members shall constitute the quorum.

(2) All decisions of the Committee shall be taken by simple majority of the members of the Committee present in the meeting. The Chairperson shall have a casting vote in case of a tie.

(3) Decision of the Committee shall be recorded by the Secretary of the Committee, who shall circulate such decisions for confirmation to Chairperson and the members within fifteen days of each meeting.

CHAPTER-III POWERS AND FUNCTIONS

8. Powers and Functions of the Rifahi Committee.- (1) Subject to the provisions of this Act and rules, the Committee shall exercise such powers and perform such functions, as may be necessary for carrying out the purposes of this Act.

(2) Without prejudice to the generality of the fore-going sub-section, the Committee shall,-

- (a) facilitate the formation of co-operatives for improving economic wellbeing, reduction of poverty and consumer protection;
- (b) report cases of handicapped, destitute and of extreme poverty to the Union Council; after extending immediate help for survival;
- (c) advise the Local Council about the interests of its residents and help formulation of suitable policy measures, which will enhance the quality of life of the residents;
- (d) keep a watch for the safety and security of the residents and save their property from encroachment through neighbourhood watch mechanism;
- (e) discharge any functions that may be entrusted by the Local Councils;

- (f) improve the spread of education especially the admission of street children in the Primary and Middle Schools and to co-operate in the programs to readmit the dropouts back to schools;
- (g) campaign to stop the activities against law such as child-labor, use of liquor and drugs, gambling and domestic violence;
- (h) prevent and abate nuisance and harassment of all forms in public ways, streets and public places;
- (i) mobilize voluntary resources, including physical labor, property and cash contributions;
- (j) develop sites for slaughtering, drinking and bathing of cattle;
- (k) manage burial places and cremation grounds;
- (l) prevent domestic violence of all forms including violence on domestic workers and in case an incident is reported to the Committee or to any member, take prompt action;
- (m) prevent child abuse by applying different techniques including awareness among parents and children;
- (n) provide opportunities to people with disabilities equal to their non-disabled counterparts;
- (o) discourage discrimination based on race, sex, religion, sect, etc;
- (p) discourage violent and extremist tendencies;
- (q) promote religious and sectarian harmony and arrange community gatherings to socialize and discuss issues of collective benefit;
- (r) work for welfare of youth, Children, women and senior citizens;
- (s) prevent honorkilling;
- (t) settle disputes between community members on the basis of their respective beliefs;

- (u) work for destitute, transgender, or any other neglected segment of the community;
- (v) discourage corporeal punishments in schools, madrassas, and any other educational institutions;
- (w) arrange regular learning sessions for all the participants of the community especially focusing community development;
- (x) create awareness on cooperation in day to day matters and especially in the cases of natural disasters and calamities;
- (y) provide and improve basic health facilities, and ensure the proper working of the existing health units in union councils by regular inspections, and allocating due funds;
- (z) discourage un-Islamic and illegal customs and practices;
- (za) prevent all forms of cruelty in the community including against animals;
- (zb) raise awareness on cleanliness, hygienic health habits, protection of environment and benefits of plantation; and
- (zc) educate residents of a community on security and safety and achieving safe, and secure neighbourhoods.

CHAPTER-IV FINANCES

9. Fund.- There shall be established a Fund to be known as the Community Integration Fund which shall consist of:

- (a) Funds received from the Federal Government, Provincial Government or Municipality, or from general public donations;
- (b) Contribution received from the residents; and
- (c) Sharing of funds between the Local Councils and the Rifahi Committees, as per mutually agreed terms, based on tasks performed for and on behalf of Local Councils.

10. Receipt of sums and withdrawals.- (1) Each Rifahi Committee shall have a Bank Account which shall be opened in such Bank as may be approved by the Local Council.

(2) All sums received to the Rifahi Committee shall immediately be deposited in the Bank.

(3) After the approval of the Rifahi Committee, funds may be drawn with the joint signatures of any two office bearers from amongst, Treasurer, Chairperson, Vice chairperson or Secretary as may be decided by resolution of the Rifahi Committee.

(4) The financial matters of the Rifahi sub-Committee as prepared by its members shall be dealt by the Rifahi Committee only and the members of the Rifahi sub-Committee shall provide assistance in preparation of those matters.

CHAPTER-V MISCELLANEOUS

11. Head office of the Committee.- Head office of the Committee shall be based at Union Council level.

12. Public servants.- All employees of the Committee shall be deemed to be public servants within the meaning of section 21 of the Pakistan Penal Code, 1860 (Act No. XLV of 1860).

13. Office and Employees.- To carry out the purposes of this Act, the Committee may, with the approval of Government, appoint advisors, consultants and experts, having specialization and expertise in the related field and other officers and employees on such terms and conditions as may be prescribed.

14. Report.- The Committee shall submit annual report to the Mayor or Chairman of Islamabad Capital Territory.

15. Power to make rules.- The Government may, by notification in the official Gazette, make rules for carrying out the purposes of this Act.

STATEMENT OF OBJECT AND REASONS

It is a strategy for social change by introducing "Rifahi Community System". Establishing small community units i.e. one sub-sector in a locality in urban area and one village in the rural area with cooperation based mechanism. The cooperation is giving social responsibility to one person to take care of hunger, non-availability of medicine, acute frustration owing to social estrangement and isolation especially among the economically vulnerable widows and orphans. To start with, this program can be introduced within the ranks of party workers.

The Greatest Law Giver on the face of this earth outlined the role of human relationship that "after pronouncing faith in God the second duty is to love and serve the human beings".

To fulfil basic needs of the citizens is the responsibility of the State. Simultaneously, the contribution by an individual is moral and ethical responsibility to stand by the fellow citizens for basic needs and problems.

Saying of Hazrat Umer-e-Farooq (R.A)

'If a dog dies of starvation by the bank of Tigris I will be held responsible'

The present endeavour is how to translate human spirit to help each other and how to invoke sense of sympathy for the fellow human beings in distress. Few steps are envisaged;

Travel down to the grass root level and start from the smallest possible collective Unit where the framework is provided for cooperation based on voluntary contribution, systematic maintenance of accounts and mechanism of helping the most needy from within this group so that none dies of hunger, non-availability of medicine and acute frustration owing to social estrangement and isolation.

This was not only envisioned but also this framework was put on ground by as a great man as Holy Prophet (Peace be upon Him); when He (P.B.U.H) established the welfare State of Medina.

In our present perspective, such a tiny unit can be given any name like 'Rifahi Committee'. The concept can be enlarged furthermore to a sizeable extent. The security, the protection and well-being of the community is the purpose of this Act.

SENATOR RANA MAQBOOL AHMAD
Member-in-Charge