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BILL

further to amend the General Clauses Act, 1897

WHEREAS it is expedient further to amend the General Clauses Act, 1897 (X of 1897) for the purposes hereinafter appearing;

It is hereby enacted as follows:-

1. Short title and commencement.- (1) This Act may be called the General Clauses (Amendment) Act, 2021.

(2) It shall come into force at once.

2. Insertion of new section 5B, Act X of 1897.- In the General Clauses Act, 1897 (X of 1897), after section 5A, the following new section 5B shall be inserted, namely:-

"5B. Application of Injunctions of Islam on laws held repugnant to Holy Quran and Sunnah. – Where any law or a provision thereof is held by the final competent court to be repugnant to the injunctions of Islam, as laid down in the Holy Quran and Sunnah, and such law or provision thereof is not brought in conformity with such injunctions within the period of ninety days, the resulting gap, void, vacuum in legislation shall be filled by the common Islamic law on the subject."

STATEMENT OF OBJECTS AND REASONS

In cases where certain laws are declared repugnant to the injunctions of the Holy Quran and Sunnah by the final competent court there remains legal void until correction or legislation on the subject is carried.

The proposed amendment in the General Clauses Act shall cover the legal void in all such matters till appropriate legislation is carried on the relevant laws.

SENATOR MUHAMMAD JAVED ABBASI
Member-in-Charge