

[TO BE INTRODUCED IN THE NATIONAL ASSEMBLY]

A

Bill

*to regulate the system of moon sighting for commencement of Islamic Hijri  
calendar months*

WHEREAS, it is expedient to enact a law to provide for a mechanism to regulate the system of moon sighting for the purpose of commencement of Islamic *Hijri* calendar months and consequently to bring harmony amongst followers of various schools of thought of Islam to perform their religious obligations with unanimity and for the matters ancillary thereto;

AND WHEREAS, the Provincial Assemblies of the Provinces of Khyber Pakhtunkhwa, Punjab, Sindh and Balochistan have passed resolutions under Article 144 of the Constitution of the Islamic Republic of Pakistan to the effect that *Majlis-e-Shora* (Parliament) may by law regulate the matter of *Ruet-e-Hilal*;

It is hereby enacted as follows:-

1. **Short title, extent and commencement.**- (1) This Act shall be called the Pakistan *Ruet-e-Hilal* Act, 2021.

(2) It extends to the whole of Pakistan.

(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) "chairperson" means a chairperson of the Federal *Ruet-e-Hilal* committee, and includes every chairperson of each Provincial *Ruet-e-Hilal* committee, appointed under this Act;

- (b) "Code" means the Code of Criminal Procedure, 1898 (Act V of 1898);
- (c) "district committee" means district *Ruet-e-Hilal* committee constituted by each Province in their respective districts under this Act;
- (d) "division concerned" means the division to which business of this Act stands allocated;
- (e) "electronic media" means shall have same meaning as assigned thereto in clause (hc) of section 2 of the Pakistan Electronic Media Regulatory Authority Ordinance, 2002(XIII of 2002);
- (f) "Federal committee" means the Federal *Ruet-e-Hilal* committee constituted under this Act;
- (g) "ICT" means the Islamabad Capital Territory;
- (h) "ICT committee" means the ICT *Ruet-e-Hilal* committee constituted by the division concerned under this Act;
- (i) "member" means a member of a *Ruet-e-Hilal* committee, appointed under this Act;
- (j) "month" means the Islamic *Hijri* calendar month;
- (k) "PEMRA" means the Pakistan Electronic Media Regulatory Authority established under the Pakistan Electronic Media Regulatory Authority Ordinance, 2002 (XIII of 2002);
- (l) "provincial committee" means Provincial *Ruet-e-Hilal* committee constituted by a Province under this Act;
- (m) "prescribed" means prescribed by rules made under this Act;

- (n) "provincial department" means a department of a Province to which business of *Ruet-e-Hilal* stands allocated;
- (o) "rules" means rules made under this Act;
- (p) "*Shariah*" means injunctions of Islam as laid down in the Holy Quran and Sunnah; and
- (q) "witness of moon sighting" means a person who provides information about the moon sighting in accordance with *Shariah*.

2. Words and expression used but not defined under this Act shall have the same meaning as assigned thereto under the Code or the Pakistan Penal Code (Act XLV of 1860).

3. **Federal committee.**- (1) Within one month of the commencement of this Act, the division concerned shall, by notification in the official Gazette, constitute a Federal *Ruet-e-Hilal* committee, consisting of the Chairperson and members as specified in column (2) of the Table below, namely:-

**TABLE**

S.No.	Person appointed or nominated	Status
(1)	(2)	(3)
1.	A person who has got <i>Shahadat ul Aalamiyya</i> degree from an institute recognized by any of the <i>Wafaqs</i> recognized by Higher Education Commission (HEC) or (possesses a) master degree in <i>Islamiyat</i> having a minimum of fifteen years experience in the relevant	<i>Chairperson</i>

	<i>field:</i>	
2.	Two <i>Ulema</i> from each Province having the qualifications and experience provided for under S.No.1.	<i>Member</i>
3.	One <i>Aalim</i> from ICT having the qualifications and experience provided for under S.No.1.	<i>Member</i>
4.	One <i>Aalim</i> from Gilgit Baltistan having the qualifications and experience provided for under S.No.1.	<i>Co-opted Member</i>
5.	One <i>Aalim</i> from the State of Azad Jammu and Kashmir having the qualifications and experience provided for under S.No.1.	<i>Co-opted Member</i>
6.	A representative not below the rank or equivalent of BPS-20 officer of the Federal Government nominated by the meteorological department.	<i>Member</i> <i>ex-officio</i>
7.	A representative not below the rank or equivalent of BPS-20 officer of the Division to which business of science and technology stands allocated.	<i>Member</i> <i>ex-officio</i>
8.	A representative not below the rank or equivalent of BPS-20 officer of the Federal Government nominated by the Pakistan Space and Upper Atmosphere Commission	<i>Member</i> <i>ex-officio</i>

	(SUPARCO).	
9.	Director General or such other officer of the Division concerned dealing with matters of <i>Ruet-e-Hilal</i> .	<i>Member-cum-Secretary</i>

(2) The committee constituted under sub-section (1) shall be under administrative control of the division concerned with its headquarters at Islamabad.

**4. Provincial and ICT committees.-** (1) Within forty-five days of the commencement of this Act, each provincial department to the extent of that province and the division concerned to the extent of ICT respectively shall, by notification in the official Gazette, constitute a Provincial and ICT *Ruet-e-Hilal* committee.

(2) Each Provincial committee shall consist of a Chairperson and twelve other members who shall be appointed, from the recognized *Ulema* of all schools of thought and a representative of the concerned Provincial department.

(3) The ICT *Ruet-e-Hilal* committee shall consist of not exceeding seven members including the Chairperson thereof.

(4) The ICT committee shall comprise the recognized *Ulema* of all schools of thought and a representative each of the division concerned and the Islamabad *auqaf* directorate.

**5. District committee.-** (1) Within sixty days of the commencement of this Act, each Province shall constitute a district *Ruet-e-Hilal* committee in each district for the purposes of this Act consisting of six members by giving therein representation to *Ulema* of all schools of thought.