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NATIONAL ASSEMBLY SECRETARIAT

REPORT OF THE STANDING COMMITTEE ON RELIGIOUS AFFAIRS AND INTER-FAITH HARMONY ON "THE NATIONAL COMMISSION FOR MINORITIES BILL, 2021"

I, Chairman of the Standing Committee on Religious Affairs and Inter-Faith Harmony have the honour to present this report on the Bill to provide for constitution of the National Commission of Minorities [The National Commission for Minorities Bill, 2021] (Private Member Bill) referred to the Standing Committee on 13th July 2021.

2. The Committee comprises the following:

1.	Syed Imran Ahmad Shah	Chairman
2.	Choudhary Faqir Ahmed	Member
3.	Mr. Ehsan-ul-Haq Bajwa	Member
4.	Begum Tahira Bokhari	Member
5.	Ms. Shahnaz Saleem Malik	Member
6.	Mr. Kesoo Mal Khecal Das	Member
7.	Mr. Naveed Amir Jeeva	Member
8.	Pir Syed Fazal Ali Shah Jillani	Member
9.	Ms. Shagufta Jumani	Member
10.	Mr. Muhammad Anwar	Member
11.	Ms. Shahida Akhtar Ali	Member
12.	Ms. Saira Bano	Member
13.	Mr. Saleem Rehman	Member
14.	Sahibzada Sibghatullah	Member
15.	Mr. Muhammad Bashir Khan	Member
16.	Prince Muhammad Nawaz Allai	Member
17.	Mr. Mujahid Ali	Member
18.	Raja Riaz Ahmad	Member
19.	Ch. Javed Iqbal Warraich	Member
20.	Mr. Jamshed Thomas	Member
21.	Mufti Abdul Shakoor	Ex-officio Member
	Minister for Religious Affairs and Inter-Faith Harmony	

3. The Committee considered the Bill as introduced in the National Assembly placed at (Annex-A), in its meeting held on 4th February 2022 and recommended that the Bill, as introduced, may not be passed by the Assembly.

Sd/-
(TAHIR HUSSAIN)
Secretary
Islamabad, the 27th July 2022

Sd/-
(SYED IMRAN AHMAD SHAH)
Chairman

[AS INTRODUCED IN THE NATIONAL ASSEMBLY]

to provide for constitution of the National Commission of Minorities

WHEREAS it is expedient to establish a Commission for protection of rights of the minorities and provide for matters connected therewith and incidental thereto;

It is hereby enacted as follows:-

1. Short title, extent and commencement.- (1) This Act shall be called the National Commission for Minorities 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 chairperson of the National Commission for Minorities and includes any other member acting as chairperson from time to time;

(b) "commission" means the National Commission for Minorities established under this Act;

(c) "Government" means the Federal Government of Pakistan;

(d) "Member" means member of the Commission;

(e) "minority" for the purposes of this Act, means a community notified as such by the Federal Government;

(f) "Prescribed" means prescribed by rules or regulations made under this Act;

- (g) "public servant" means a public servant defined under section 21 of the Pakistan Penal Code (Act XLV of 1860)
- (h) "secretary" means the Secretary of the Commission and includes any person performing the duties of the secretary from time to time.
- (i) "regulations" means the regulations made under this Act; and
- (j) "rules" means the rules made under this Act; and

(2) All other words and expressions used but not defined in this Act shall have the same meaning as assigned to them in respective laws for the time being in force.

3. Establishment of the Commission.- (1) The Government, after the commencement of this Act, within three months, shall constitute a Commission to be known as the National Commission for Minorities exercise its powers and perform its functions under this Act.

(2) The Commission shall consist of-

- (a) a Chairperson, who has been, or is qualified to be a judge of the Supreme Court or a person having demonstrable knowledge with fifteen years' practical experience in law especially matters relating to minorities rights;
- (b) six members are official members, not below the rank of BPS-20, nominated by the Government from amongst persons having a demonstrate knowledge of rights of minorities in particular and human rights in general and, which are representative from-
 - (i) ministry of Interior;
 - (ii) ministry of Law and Justice;

- (iii) ministry of Human Rights;
 - (iv) ministry of Federal Education and Professional Training Division;
 - (v) ministry of Religious Affairs and Interfaith Harmony; and
 - (vi) Chairman, National Commission on Human Rights; and
- (c) twelve members are non-official members including the Chairperson may be from amongst the minority communities:

Provided that out of total membership of the Commission, at least ten percent of the Commission shall be women members, one youth, one lawyer and two activists from civil society. The Commission should compose of all ethnic and religious groups from minority communities.

(4) The Commission shall be a body corporate having perpetual succession and a common seal with powers subject to the provisions of this Act to hold and dispose of property by the said name, sue and be sued.

(5) Ministry of Religious Affairs and Interfaith Harmony shall be the Secretariat of the Commission.

4. Appointment of Chairperson and members.- (1) The Chairperson and members, other than ex-officio members, shall be appointed by the Government on such salary, allowances, privileges and other terms and conditions as may be prescribed.

(2) The salary, allowances, privileges and other terms and conditions of the Chairperson or any member of the Commission, as the case may be, shall not be varied to their disadvantage of previous service after their appointment in the Commission.

5. Term of office of Chairperson and members.- (1) The Chairperson and members other than *ex-officio* members, shall hold office for a term of three years, extendable for a further term of three years:

Provided that the Chairperson or a member, other than *ex-officio* member, shall not hold office for more than two terms.

(2) The Chairperson or an official member may, at any time by writing under his hand addressed to the Government, resign from his office.

6. Disqualification.- A person shall be disqualified for becoming or being the Chairperson or a member of the Commission, if such person-

- (a) is an un-discharged insolvent or has been declared a bankrupt;
or
- (b) is of unsound mind or has physical infirmity to discharge his functions under this Act; or
- (c) has been dismissed from public service of Pakistan on grounds of inefficiency, misconduct, fraud or corruption; or
- (d) has been convicted of an offence of moral turpitude.

7. Removal from office.- (1) Subject to the provisions of sub-section (2), the Chairperson or a member may be removed from office on-

- (a) the grounds of misconduct;
- (b) any condition under section 6; or
- (c) a resolution passed for such removal by fifty percent of the total members of the Commission.

(2) No person shall be removed under sub-section (1) until-

- (a) the reasons in writing for the removal have been communicated to the person concerned by the Government;