

**NATIONAL ASSEMBLY SECRETARIAT**

**REPORT OF THE STANDING COMMITTEE ON INTERIOR AND NARCOTICS CONTROL ON THE NATURALIZATION (AMENDMENT) BILL, 2024**

I, Chairman of the Standing Committee on Interior and Narcotics Control, have the honour to present this report on the Bill further to amend the Naturalization Act, 1926 (Act No. VII of 1926) [The Naturalization (Amendment) Bill, 2024 (Government Bill), referred to the Committee on 25<sup>th</sup> October, 2024.

2. The Committee comprises the following:

1. <b>Raja Khurram Shahzad Nawaz</b>	<b>Chairman</b>
2. Mr. Anjum Aqeel Khan	Member
3. Mr. Tariq Fazal Chaudhary	Member
4. Mr. Muhammad Hanif Abbasi	Member
5. Chaudhary Naseer Ahmed Abbas	Member
6. Syeda Nosheen Iftikhar	Member
7. Malik Shakir Bashir Awan	Member
8. Syed Rafiullah	Member
9. Sardar Nabeel Ahmed Gabol	Member
10. Mr. Abdul Qadir Patel	Member
11. Khawaja Izhar Ul Hassan	Member
12. Nawabzada Mir Jamal Khan Raisani	Member
13. Mr. Muhammad Ijaz -Ul- Haq	Member
14. Mr. Mohammad Jamal Ahsan Khan	Member
15. Mr. Nisar Ahmed	Member
16. Mr. Hussain Ellahi	Member
17. Sahibzada Muhammad Hamid Raza	Member
18. Mr. Muhammad Arshad Sahi	Member
19. Mr. Jamshaid Ahmed	Member
20. Ms. Zartaj Gul	Member
21. Syed Mohsin Raza Naqvi	<i>Ex-officio</i> Member
Minister for Interior and Narcotics Control	

3. The Committee considered the Bill, as introduced in the National Assembly, placed at 'Annexure-'A', in its meetings held on 09<sup>th</sup> December, 2024, 06<sup>th</sup> January, 2025, and recommended that the Bill, as introduced, may be passed by the Assembly.

Sd/-

**(Tahir Hussain)**

Secretary General

Islamabad, the 09<sup>th</sup> May, 2025

Sd/-

**(Raja Khurram Shahzad Nawaz)**

Chairman

A

Bill

*further to amend the Naturalization Act, 1926*

**WHEREAS**, it is expedient further to amend the Naturalization Act, 1926 (Act VII of 1926), in the manner and for the purposes hereinafter appearing;

It is hereby enacted as follows:-

1. **Short title and commencement.** – (1) This Act shall be called the Naturalization (Amendment) Act, 2024.
  - (2) It shall come into force at once.
2. **Amendment of section 3, Act VII of 1926.** – In the Naturalization Act, 1926 (Act VII of 1926), hereinafter referred to as the said Act, in section 3, in sub-section (1), for the words "Federal Government", occurring for the first and second time, the expression "Director General, Immigration and Passports" shall be substituted.
3. **Amendment of section 4, Act VII of 1926.** – In the said Act, in section 4, in subsection (3), for the words "Federal Government", the expression "Director General, Immigration and Passports", for the word "itself", the word "himself" and for the word "it", the word "he" shall respectively be substituted.
4. **Amendment of section 5, Act VII of 1926.** – In the said Act, in section 5, -
  - (a) in sub-section (1), for the words "Federal Government", the expression "Director General, Immigration and Passports" and for the word "it", the word "he" shall respectively be substituted; and
  - (b) for sub-section (3), the following shall be substituted namely:-

"(3) An appeal against the orders of Director General, Immigration and Passports under this section shall lie to Secretary of the administrative division and his decision shall be final."
5. **Amendment of section 6, Act VII of 1926.** – In the said Act, in section 6, for the word "Federal Government", the words "Secretary of the administrative division" and for the word "it", the word "he" shall respectively be substituted.

6. **Amendment of section 7, Act VII of 1926.** – In the said Act, in section 7, in sub-section (1) for the words “Federal Government”, occurring twice, the words “Secretary of the administrative division” shall be substituted.

7. **Amendment of section 8, Act VII of 1926.** – In the said Act, in section 8, for the words “Federal Government”, wherever occurring, the words “Secretary of the administrative division” and for the word “it”, occurring twice, the word “he” shall be substituted.

8. **Amendment of section 9, Act VII of 1926.** – In the said Act, section 9, in sub-section (2), for the words “Federal Government”, the words “Secretary of the administrative division” shall be substituted.

9. **Amendment of section 11, Act VII of 1926.** – In the said Act, in section 11, for the words “Federal Government”, the expression “Director General, Immigration and Passports” shall be substituted.

10. **Amendment of section 12, Act VII of 1926.** – In the said Act, in section 12, for the words “Federal Government”, occurring twice, the expression “Director General, Immigration and Passports”

#### STATEMENT OF OBJECTS AND REASONS

It is submitted that the Cabinet in its meeting on 08.09.2017, under Case No. 419/19/2017-C decided, inter-alia as under:-

**c. All Ministries and Divisions should in consultation with Law & Justice Division, make amendments in the respective Acts/ Rules and replace the words Federal Government with appropriate authority (ies)”**

2. It is submitted that as per Section 3 of the Naturalization Act, 1926, the Federal Government may grant a certificate of Naturalization to any person who makes any application in this behalf and satisfies the Federal Government. Section 13 ibid provides that the Federal Government may by notification in the (Official Gazette) make rules to give effect to the provisions of this Act. Pakistan Naturalization Rules, 1961 were notified through SRO 1098(k)/61 on 24<sup>th</sup> November, 1961 under Section 13 of the Naturalization Act, 1926. Rule 5 of the Naturalization Rules, 1961 states that certificate of the naturalization shall be issued by the DG I&P and shall be sent to the Provincial Government for delivery to the applicant. However, Ministry of Law and Justice declared the SRO ibid ultra vires of the Naturalization Act 1926. The same is reproduced as under:

“In light of the principle established in the Mustafa Impex Judgment supra, with regards to the Naturalization Act, 1926 (Act NO. VI of 1926), since the exercise and function of grant of naturalization certificates has been entrusted to the Federal Government i.e. the Cabinet, the same cannot be done or performed by any other authority under the law. Hence, the functions of the Director General of Immigration and Passports performing on behalf of Federal Government empowered under the Pakistan Naturalization Rules, 1961 is ultra vires of the 1926 Act. To address the issue, amendment may be brought in the 1926 Act to substitute the words “Federal Government with the appropriate authority.”

  
(SYED MOHSIN RAZA NAQVI)  
MINISTER