

# SENATE OF PAKISTAN



## REPORT OF THE SENATE STANDING COMMITTEE ON INTERIOR

ON

**A BILL FURTHER TO AMEND THE SOCIETIES REGISTRATION ACT, 1860,  
THE SOCIETIES REGISTRATION (AMENDMENT) BILL, 2023,  
INTRODUCED BY  
SENATORS KAMRAN MURTAZA, MOLANA ABDUL GHAFOOR HAIDERI,  
MOLVI FAIZ MUHAMMAD AND ATTA-UR-REHMAN  
ON 7TH AUGUST, 2023.**

**PRESENTED BY**

**SENATOR MOHSIN AZIZ  
CHAIRMAN SSC ON INTERIOR**

## **SENATE SECRETARIAT**

**SUBJECT: REPORT OF THE SENATE STANDING COMMITTEE ON INTERIOR**  
**ON THE SOCIETIES REGISTRATION (AMENDMENT) BILL, 2023**

I, Senator Mohsin Aziz, Chairman Senate Standing Committee on Interior, have the honor to present report of the Committee on a Bill further to amend the Societies Registration Act, 1860, the Societies Registration (Amendment) Bill, 2023, introduced by Senators Kamran Murtaza, Molana Abdul Ghafoor Haideri, Molvi Faiz Muhammad and Atta-ur-Rehman on 7th August, 2023.

2. The composition of the Committee is as under: -

<b>Senator Mohsin Aziz</b>	<b>Chairman</b>
Senator Syed Yousuf Raza Gillani	Member
Senator Azam Nazeer Tarar	Member
Senator Samina Mumtaz Zehri	Member
Senator Sherry Rehman	Member
Senator Saifullah Abro	Member
Senator Faisal Saleem Rehman	Member
Senator Shahadat Awan	Member
Senator Faisal Subzwari	Member
Senator Fawzia Arshad	Member
Senator Danesh Kumra	Member
Senator Dilawar Khan	Member
Senator Kamil Ali Agha	Member
<u>Minister for Interior</u>	<u>Ex-Officio Member</u>

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3. The Committee considered the Bill in its meeting held on 14<sup>th</sup> December, 2023.

The meeting was attended by the following Members:

1. Senator Mohsin Aziz	Chairman
2. Senator Samina Mumtaz Zehri	Member
3. Senator Sherry Rehman	Member
4. Senator Faisal Saleem Rehman	Member
5. Senator Shahadat Awan	Member
6. Senator Kamil Ali Agha	Member
7. Senator Danesh Kumar	Member
8. Senator Molvi Faiz Muhammad	Mover

4. Senator Molvi Faiz Muhammad on behalf of his co-movers briefed the Committee about the objects and reasons of the Bill. According to the statement of objects and reasons the Bill is aimed to regulate the registration of Deeni Madrassahs as there are serious issue in registration of Madrassahs in the absence of proper legislation and it is necessary to register the Madrassahs under the umbrella of legislation.

5. According to the brief submitted by the Ministry of Interior, the Islamabad Capital Territory Charities Registration, Regulation and Facilitation Act, 2021 (Act No.XXV of 2021) was enacted by the Parliament to regulate the registration, regulation and facilitation of charities in the ICT and for the matters connected therewith and ancillary thereto. Section 5 of the said Act also provides for the registration of Madaris so not only the proposed amendment cause duplicity but it also will not be as effective as the said Act. The Ministry proposed that the registration and regulation of Madaris should be done under the Islamabad Capital Territory

Charities Registration, Regulation and Facilitation Act, 2021 (Act No.XXV of 2021) alone as it is more effective in its regulation framework on following two accounts:

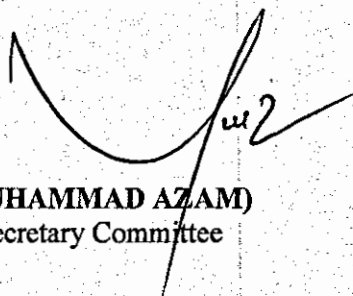
- i. The validity period of certificate of registration issued under the Islamabad Capital Territory Charities Registration, Regulation and Facilitation Act, 2021 (Act No.XXV of 2021) is one year from the date of issuance as against the unlimited validity/permanent registration under Societies Act, 1860. The certificate issued under the Islamabad Capital Territory Charities Registration, Regulation and Facilitation Act, 2021 (Act No.XXV of 2021) is renewable every year on submission of annual progress report, audited accounts for the preceding year, application form, annual fee and such other documents as may be prescribed under section 6 of the Islamabad Capital Territory Charities Registration, Regulation and Facilitation Act, 2021 (Act No.XXV of 2021).
- ii. The Islamabad Capital Territory Charities Registration, Regulation and Facilitation Act, 2021 (Act No.XXV of 2021) empowers the registration authority to monitor and regulate the functioning of organizations registered under the said Act however, no such powers for effective regulation of registered organizations are envisaged in the Societies Act, 1860.

The Ministry and the concerned departments of ICT were of the view that it is not advisable to bring the registration of Deeni Madaris in the domain of Societies Act, 1860, therefore, the instant Bill is vehemently opposed.

6. The Members agreed the stance of the Ministry and were of the view that if the Movers wanted to bring some improvement in this regard that should have been done in the Islamabad Capital Territory Charities Registration, Regulation and Facilitation Act, 2021 (Act No.XXV of 2021) which is the law in field as far as ICT is concerned.



7. After discussion, the Bill was put to the vote of the Committee which was unanimously rejected by the Committee. The Committee recommended that the Senate may not pass the Bill and the Movers may bring a new amendment in the relevant law. The Bill as introduced in the Senate is at Annexure-A. The Committee also gave approval of presentation of report of the Committee to the House. Hence, this report is presented to the House.



**(MUHAMMAD AZAM)**  
Secretary Committee



**(SENATOR MOHSIN AZIZ)**  
Chairman Committee

Bill

further to amend the Societies Registration Act, 1860

**WHEREAS** it is expedient further to amend the Societies Registration Act, 1860 (XXI of 1860) 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 Societies Registration (Amendment) Act, 2023.

(2) It shall come into force at once.

2. **Substitution of section 21, Act XXI of 1860.**— In the Societies Registration Act, 1860 (XXI of 1860), for section 21, the following shall be substituted, namely:

**21. Registration of Deeni Madaris.**— (1) Every *Deeni Madrasah*, by whatever name called, shall not operate without getting itself registered in the following manner, namely:—

- (a) the *Deeni Madrasah* in existence before the commencement of the Societies Registration (Amendment) Act, 2023, if not already registered, shall get itself registered under this Act within six months from commencement of the Societies Registration (Amendment) Act, 2023; and
- (b) the *Deeni Madrasah* established after commencement of the Societies Registration (Amendment) Act, 2023, shall get itself registered within one year of its establishment.

*Explanation*— A *Deeni Madrassah* having more than one campus shall need only one registration.

(2) Every *Deeni Madrassah* shall submit to the Registrar annual report of its educational activities.

(3) Every *Deeni Madrassah* shall cause to be carried out audit of its accounts by an auditor and submit a copy of its audit report to the Registrar.

(4) No *Deeni Madrassah* shall teach or publish any literature which promotes militancy or spreads sectarianism or religious hatred.

Provided that nothing contained herein shall bar the comparative study of various religions or schools of thought or the study of any other subject covered by the Holy *Quran*, *Sunnah* or the Islamic jurisprudence.

(5) *Deeni Madrassah* shall, subject to their resources, include basic contemporary subjects in their curriculum according to a phased program.

(6) Notwithstanding anything contained in any other law for the time being in force, once registered under this Act no *Deeni Madrassah* shall be required to register itself under any other law whatsoever.

*Explanation*— In this section "*Deeni Madrassah*" means a religious institution and includes a *Jamia* or *Dar-ul-Uloom*, called by any other name, established or operated primarily for the purposes of imparting religious education, which provides boarding and lodging facilities."

## STATEMENT OF OBJECTS AND REASONS

The aim of the bill is to regulate the registration of madrassahs. There are serious issues in registration of Madrassahs in the absence of proper legislation. It is necessary to registrar the madrassahs under the umbrella of legislation.

2. The bill has been designed to achieve the aforesaid objects

SENATOR KAMRAN MURTAZA  
SENATOR MOLANA ABDUL GHAFOR HAIDERI  
SENATOR MOLVI FAIZ MUHAMMAD  
SENATOR ATTA-UR-REHMAN  
MEMBERS-IN-CHARGE