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PART II

Statutory Notifications (S. R. O.)

GOVERNMENT OF GILGIT-BALTISTAN

LAW AND PROSECUTION DEPARTMENT

(Gilgit-Baltistan Secretariat)

NOTIFICATION

Gilgit, the 23rd August, 2021

S. R. O. 1111(I)/2021.— It is notified for general information and compliance that the Cabinet/Government of Gilgit-Baltistan has been pleased to approve the Gilgit-Baltistan Masajid Board Rules, 2021 under Section 17 of The Gilgit-Baltistan Masajid Board Act, 2012.

THE GILGIT-BALTISTAN MASAJID BOARD RULES, 2021

In exercise of the powers conferred by section 17 of Gilgit-Baltistan Regulation of Masajid Act 2012, the Government of Gilgit-Baltistan is pleased to make the following Rules namely;

1. **Short Title and Commencement.—**

1. These Rules shall be called the Gilgit-Baltistan Masajid Board Rules, 2021.

2. These Rules shall come into force at once.

3. These Rules shall extend to the whole of Gilgit-Baltistan.

Price: Rs. 10.00

[1275(2021)/Ex. Gaz.]

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2. **Definitions.—**

In these Rules unless there is anything repugnant in subject or context.

(a) "Act" means the Gilgit-Baltistan Regulation of Masajid Act, 2012.

(b) "Board" means the Masajid Board constituted under section 2(e) of the Gilgit-Baltistan Regulation of Masajid Act, 2012.

(c) "Member" means a person duly notified by the Government as a member of the Masajid Board.

(d) "Prescribed" means prescribed by rules under the Act.

(e) "Parliamentary Committee" means a committee comprising parliamentarians duly notified by the Government.

(f) "Secretary" of the Board means Secretary Home and Prisons Department, Government of Gilgit-Baltistan.

(g) "Court" means the Anti-Terrorism Court Gilgit-Baltistan.

(h) "Prosecutor" means the Special Public Prosecutor of Anti-Terrorism Court GB appointed under section 18 of the Anti-Terrorism Act, 1997.

(i) "Police Station" means the Police Station as defined in Section 4(s) of Cr. P. C.

(j) "Officer" in Charge of Police Station" means the person as defined in section 4(P) of Cr.P.C.

(k) "Complaint" means the complaint as defined in section 4(h) of Cr.P.C. 1898.

(l) "JIT" means the Joint Investigation Team as defined in Section 19 of the Anti-Terrorism Act, 1997

(m) "FIR" means First Information Report as defined in section 154 Cr.P.C. 1898.

3. **Constitution of Masajid Board.—**

The Government may, by notification, constitute the Masajid Board under section 2(e) of the Gilgit-Baltistan Regulation of Masajid Act, 2012.

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4. **Appointment of the members of Masajid Board.—**

The Board shall comprise of ten (10) Members. Respective communities shall nominate names of ten Members to Secretary Home & Prisons though district administration which shall be forwarded to Parliamentary Committee for finalization of names and shall be notified accordingly by Secretary Home & Prisons/Secretary to the Masajid Board.

5. **Qualification for member of Masajid Board.—**

No person shall be appointed as member of the Masajid Board unless he:

i. Is a law abiding citizen of Gilgit-Baltistan and domiciled resident of Gilgit-Baltistan.

ii. Is not convicted by any Court of competent jurisdiction.

iii. Is not in the Government employment.

iv. Is or has not been a member of any proscribed organization.

v. Has rendered his service for inter faith peace, harmony, and tranquility between the sects of the region.

6. **Term of office of the Masajid Board.—**

The term of the office of the Masajid Board shall be three years from the date of notification of the members which can be further extended for a period of three years.

7. **Removal of the Members of Masajid Board.—**

Members of the Masajid Board shall be liable to be removed if;

(i) He has been convicted by any court of competent jurisdiction.

(ii) He has delivered any public speech or statement or any act which stire-up sectarian hatred among the people of the region.

(iii) He receives any disqualification mentioned in rule 5 or:

(iv) He can be removed by two third Members majority of the Board by vote.

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8. **Resignation.—**

The Members of Masajid Board during the term of office may resign from the Board in his own writing to the Secretary of the Board/Secretary Home Government of Gilgit-Baltistan.

9. **Functions of the Board.—**

The Masajid Board shall be responsible to perform the following functions.

i. The Board shall regulate the Masajid for religious purpose of the respective sects.

ii. The Board shall play role between the government and the Masajid in maintenance of peace and tranquility in Gilgit-Baltistan.

iii. Shall not allow any activity of proscribed organizations in the premises of the respective Masjid.

iv. Shall not allow any political activity in the premises of the respective Masjid.

v. Regulate the affairs of the Masjid in accordance with the provision of the Act.

vi. Maintain peace, harmony and tranquility in their respective area.

vii. Shall not allow any person or organization to use premises of the Masjid for any purpose or action which is likely to stir-up sectarian disharmony or hatred between the sects.

10. **Powers of the Board.—**

The Board shall have power to appoint and remove the Khateeb and Naib Khateeb of the concern Masjid with the two third majority vote of the respective Masajid Board.

11. **Meeting of the Board.—**

The Board shall meet at least once in a calendar month in general and as and when required by Secretary of the Board on special circumstances.

(i) That one third members of the Board may by requisition can call for meeting of the Board at twenty four hours prior notice in writing to the Secretary of the Board.

(ii) The Government can also call the meeting at any time in case of emergency.

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12. **Functions of the Secretary.—**

The Secretary of the Board shall act as coordinator of the Board and perform functions in order to achieve the objective of the Act and its rules.

13. **Joint Investigation Team (JIT).—**

In case of any act in violation of GB Masajid Act, 2012 FIR shall be registered including sections of ATA. After registration of FIR the Provincial Government shall constitute a JIT in the manner as provided in section 19 of the Anti-Terrorism Act for constitution of JIT.

14. **Transfer of the case.—**

During trial of the case the aggrieved party can file application to transfer his case from the Anti-Terrorism Court to Ordinary Court as provided under section 23 of the Anti-Terrorism Act.

15. **Amendment in the Rules.—**

The Government can amend the provision of these rules by notification as and when required.

16. **Filing of Private Complaint.—**

Any citizen of Gilgit-Baltistan or Member of Masajid Board, Officer/official of the Police and any other member of the society or member of law enforcement agencies can also file a private complaint in the manner as provided under section 200 of the Cr.PC.1898.

17. **Invoking of Writ Jurisdiction of GB Chief Court.—**

In case of refusal by Police to register a case under the provision of Masajid Board Act, the aggrieved party can file writ petition under Article 86 read with Part-II of the Government of GB Order, 2018 GB Chief Court for registration of case against the accused.

18. **Appeal.—**

An appeal can be filed before the Supreme Appellate Court against the decision of the GB Chief Court regarding non-registration of the case.

[No. ALA-1(6)/2021-Amendment.]

IBADAT ALI,
Section Officer (Law).

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