

THE BALOCHISTAN HOLY QURAN
(PRINTING AND RECORDING)

RULES, 2016

CONTENTS

RULES

Preamble.

1. Short title and commencement.
2. Definitions.
3. Registration of publishers and recording companies.
4. Re-newel of registration.
5. Registration of existing publisher or recording company.
6. Prohibition of business.
7. Quran Board.
8. Conditions for publication of the Holy Quran.
9. Maintaining of the positives text of the Holy Quran.
10. Power to prohibit sale.
11. Inspection of the prints of the Holy Quran.
13. Checking of un-certified prints of recordings.
14. Seizure of certain prints or recordings.
15. Scope of checking.
16. Savings.

17. Repeal.

'THE BALOCHISTAN HOLY QURAN
(PRINTING AND RECORDING)
RULES, 2016

NOTIFICATION

[4" May, 2016]

No. SO (RA) 4-1/2014/ 818-943. In exercise of the powers conferred under section 11 of the Balochistan Holy Quran (Printing and Recording) Act, 2015? (Act No. II of 2015), the Government of Balochistan is pleased to make the following rules to regulate the printing and recording of the Holy Quran:

1. Short title and commencement.— (1) These rules may be called as the Balochistan Holy Quran (Printing and Recording) Rules, 2016.

(2) They shall come into force at once.

2. Definitions —(1) In these rules unless there is anything repugnant in the subject or context:—

(a) "Act" means the Balochistan Holy Quran (Printing and Recording) Act, 2015? (Balochistan Act No. II of 2015);

(b) "Department" means the' Religious & Affairs and Inter-Faith Harmony Department;

(c) "Form" means a form as mentioned in the schedule;

(d) "Government" means the Government of the Balochistan;

(e) "registration" means registration under section 3 of the Act and as prescribed under these rules;

(f) "Schedule" means the Schedule appended to these rules; and

1 These rules have been issued by the Religious Affairs and Inter-Faith Harmony Department (Auqaf Wing), Government of Balochistan, vide its Notification No. SO (RA) 4-1/2014/ 818-943, dated 4" May, 2016; and published in the Balochistan Gazette (Extraordinary) No. 54, dated 4" Ma, 2016.

This Act was passed by the Provincial Assembly of Balochistan on 9" March, 2015: assented to by the Governor of Balochistan on 18" March, 2015: and published in the Balochistan Gazette (Extraordinary) No. 38, dated 20" March, 2015.

(g) "section" means a section of the Act.

(2) Words and expressions used but not defined in these Rules shall have the same meaning as assigned to them in the Act.

3. Registration of publishers and recording companies. — (1) The Government may on an application, register a publisher or a recording company in accordance with these rules.

(2) An application for registration under sub-rule (1) shall be in Form A as provided in Schedule-I.

(3) There shall be paid a fee of Rs. 5000/- (rupees five thousands) for the registration which shall be deposited in the Government account under a head as the Government may notified in the official Gazette, for such deposits in consultation with the Finance Department.

(4) The applicant shall have to submit along with his application for registration, the following documents:—

- (a) a copy of his valid CNIC duly attested by a Gazetted Officer;
- (b) the original deposit receipt of the prescribed fee for registration;

(c) an affidavit in the form given in Schedule-II that the applicant is a true Muslim who believes in the Unity and Oneness of Almighty Allah and the Books of Allah, the Holy Quran being last of them, the Prophethood of the Muhammad (Peace be upon him) as the last of the Prophets and that there can be no Prophet after him, the Day of Judgment and the requirement of teaching of the Holy Quran and Sunnah;

(d) a bank certificate in proof of being an account holder of a schedule bank;

(e) a certificate of proof reading issued by the registered proof reader of the Holy Quran;

(f) full particulars of the premises including the area, place, rooms and such like other details;

(g) a list of executive and functional staff of the publisher or the company;

(h) a list of major works done during the last five years;

(i) copies of Tax payment certificates for the last three financial years;

(j) a copy of the certificate of registration of the trade mark under section 16 (2) of the Trade Marks Act 1940! (Act V of 1940) read with rule 44 of the Trade Mark Rules, 19637 and the Trade Marks Ordinance, 2001 (Ordinance XIX of 2001)? in respect of ownership, name of the company and its insignia of logo;

(k) particulars of the printing press, if any;

(1) particulars of the printing press with which an agreement has been made for the purposes of printing/copy of the agreement; and

(m) a copy of declaration of printing press issued under the press law along with an attested copy of valid CNIC of the owner of the press.

(5) Subject to the fulfillment of all the requirements, the Government may register a publisher or a recording company for a term of five years and issue the requisite registration certificate.

4. Re-newel of registration— (1) Subject to the fulfillment of all the requirements, the Government may re-new registration of a publisher or a recording company for another term of five years on submitting an application in Form B as provided in Schedule-I.

(2) There shall be paid for re-newel of registration,—

(a) a fee of Rs. 2500/- (rupees two thousand and five hundred), in case the application for renewal is submitted at least thirty days prior to the expiry of the registration; and

(b) a fee of Rs. 5000/- (rupees five thousand) shall be so deposited in any other case, which shall be deposited in the Government account as notified under rule 3 (3) of these rules.

' That is Central Act V of 1940; repealed with savings by the Trade Mark Ordinance, 2001 (Ordinance XIX of 2001), s.134.

These rules are made by the Government of Pakistan; and published in the Gazette of Pakistan, Part I, dated 27% September, 1963. It repealed with savings, the earlier Rules i.e. The Trade Marks Rules, 1942, r. 143.

This Ordinance was promulgated by the President of Pakistan; and published in the Gazette of Pakistan, Extraordinary, Part I, dated 13" April, 2001.

Being an Ordinance made by the President of Pakistan under the Provisional Constitution Order No. | of 1999 read with the Provisional Constitution (Amendment) Order, 1999 (Chief Executive Order 9 of 1999); first protected under Article 270-AA [as amended vide Constitution (Seventh Amendment) Act, 2003 (Act III of 2003)]; and later declared continue in force by clause (2) of Article 270-AA [as amended vide Constitution (Eighteenth Amendment) Act, 2010 (Act X of 2010)] of the Constitution of Islamic Republic of Pakistan, 1973.

(3) The application for renewal of registration shall be submitted along with the following documents:—

- (a) a duly attested copy of valid CNIC of the applicant;
- (b) a duly attested copy of the existing certificate of registration;
- (c) the original deposit receipt of the prescribe fee for re-newal;
- (d) particulars of the printing press, if any;
- (e) particulars of the printing press with which an agreement has been made for purposes of printing/copy of the agreement;
- (f) a copy of declaration of printing press issued under the press law along with an attested copy of valid CNIC of the owner of the press;
- (g) a copy of certificate of the registration of trade mark referred to in rule 3 (4);
- (h) a detailed list of publication of the Holy Quran, parts (Paras) or chapters (Surahs) indicating their number; if any, name of the printing press and year of publication; and
- (i) a certificate to the effect that the cover page of every edition of the Holy Quran clearly bears the name of publisher, name of printing press and year of publication, with affixation of rubber stamps inside all copies of Holy Quran containing all these particulars.

(4) The Government shall decide an application for re-newel of registration within ninety days from the date of receipt of the application.

5. Registration of existing publisher or recording company— (1)

Notwithstanding anything in the repealed rules, an existing publisher or recording company shall, within ninety days from coming into force of these rules, apply for registration under these rules in accordance with rule 3.

(2) In case of non-availability of certificate of trade mark referred to in sub-rule (4) of rule 3, a publisher or a recording company referred to in sub-rule (1), may be issued provisional registration certificate subject to the deposit of a copy of the receipt showing that an application for the same has been submitted to the Government of Pakistan, Trade Marks Registry, Karachi.

(3) Subject to the fulfillment of all the requirements, the registration shall be made within ninety days.

6. Prohibition of business.— Subject to these rules, no publisher or recording company shall run the business of printing or recording of the Holy Quran within the Balochistan except after obtaining registration under these rules.

7. Quran Board.— (1) The Government may, by notification in the official Gazette, constitute the Quran Board comprising 17 (seventeen) members, consisting on—

(a) (08) Eight Ulama, Huffaz and Qaris (Two from each sect of Muslims);

(b) (2) Two non-official members (one volunteer and President Anjuman Nashran-e-Holy Quran; and

(c) (7) seven official members—

(i) Additional Secretary, Home Department.

(ii) Additional Secretary S&GAD

(iti) | Additional Secretary Education Department

(v) DIG Special Branch;

(vi) | Deputy Chief Administrator, Auqaf;

(vii) | Deputy Secretary (Religious Affairs) Department.

(2) The Secretary Religious Affairs and Inter-Faith Harmony Department/Chief Administrator Augaf will be the Chairman of the Quran Board.

(3) The members shall be appointed by the Government for an extendable term of three years.

(4) The Secretary Religious Affairs shall nominate an officer not below the rank of the Deputy Secretary as Secretary of the Quran Board.

(5) The minimum qualification for Ulama, Huffaz and Qaris to be appointed as member of the Quran Board shall be—

(a) Ulama — Al-Shahadat-ul-Aalimia Al-Islamia from any of wafaq-ul-Madaris Deenia recognized at national level, having five years practical teaching experience in Tfiah, oratory or religious scripts, and expertise in more than one disciplines, local or foreign degrees

equal to or higher than A/-Shahadat-ul-Aalimia Al-Islamia in Arabic, Persian and Islamic Studies shall be considered as an additional qualification;

(b) Huffaz— Certificate of Hifz-e-Quran from any of the Wafaq-ul-Madaris-e Deenia with five years practical teaching experience; and

(c) Qaris— Certificate in Tajweed and Qara't from any of the Wafaq-ul-Madaris-e-deenia with five years practical teaching experience.

(6) The percentage of Huffaz and Qaris in the Quran Board shall not be more than twenty five percent.

(7) The Government shall pay an Honorarium of five thousand rupees to the Chairman and each of the member Ulama, Huffaz Qaris for attending a meeting of the Quran Board in lieu of traveling allowance, daily allowance and boarding and lodging.

(8) The Quran Board shall make appropriate recommendations—

(a) for error-free printing and publication or recording of the Holy Quran and shall, subject to the directions of the Government, supervise work of error-free printing and publication or recording of the Holy Quran;

(b) for disposal of damaged or worn out or torn papers of the Holy Quran and other papers containing sacred printed material; and

(c) for the establishment of the Holy Quran mahal.

8. Conditions for publication of the Holy Quran.— (1) A publisher shall ensure that the text of the Holy Quran shall run from right to left.

(2) A publisher shall not use paper for printing of the Holy Quran of less than fifty two grams of pure pulp paper or wood-free local or imported offset paper/printing paper, white or coloured, weighing fifty two grams and above or; any wood-free coated and uncoated paper like art paper or matt paper weighing fifty two grams and above.

(3) A Printer or publisher shall not print or publish the Holy Quran on a newsprint paper.

(4) A Printer and publisher shall take proper steps to ensure that rough prints and waste papers of the Quranic text are not thrown away carelessly and are carefully collected and disposed of according to the tenets of Islam and the recommendations of the Quran Board.

(5) Every publisher registered under these rules, shall forward two copies of the Holy Quran to the Government and the Quran Board.

(6) Every recording company, registered under these rules, shall forward two sets of recording of the Holy Quran each to the Government and the Quran Board.

(7) Every person who publishes a text-book, a prayer-book or a religious treatise containing any extract from the holy Quran, shall send two copies of the text book, prayer book or religious treatise each to the Government and the Quran Board.

(8) Every recording of the Holy Quran shall contain a label with the following

details:

- (a) name of the Qari;
- (b) number of Para (part) or Chapter (Surah);
- (c) number and date of recording;
- (d) name of the recording company; and
- (e) name of the person who certified the text.

9. Maintaining of the positives text of the Holy Quran.— (1) A_ publisher

shall maintain the positive (on proper positive film) text of the Holy Quran for its printing.

(2) The positives on tracing paper and deep-etch plates for printing of the Holy Quran shall not be used in any case.

(3) The pre-sensitized coated plates shall be used for the printing of the Holy Quran.

10. Power to prohibit sale.— (1) The Government may, if it considers that the errors in the copy of a print or record of the Holy Quran received under sub-rules (5) and (6) of rule 8 are irredeemable, prohibit the sale of that print or recording of the Holy Quran.

(2) The Government may, if it considers that the errors in the extract of the Holy Quran contained in a text book, a prayer book, a religious treatise or any other book are irredeemable and tantamount to alter the meaning of an Ayah, prohibit the sale of the text book, prayer book, religious treatise or such other book.

(3) The Government may, if it considers expedient, allow sale of error-free copies of the Holy Quran published before commencement of these rules on newsprint paper weighing not less than fifty two grams for a period as it may notify.

11. Inspection of the prints of the Holy Quran— (1) A publisher who had published a print of the Holy Quran before the commencement of the Act, or had record

not certified under the Act, shall get a copy of such print or record, checked by a person competent to do so under sub-section (3) of section 5 of the Act and obtain a certificate recorded by such person at the end of such copy or record to the effect that the text and references do not contain any error, and shall also have such certificate rubber-stamped on all copies of such print or screen printed or stickered on records available with him or any of his agents.

(2) If any error is discovered in a copy of the recording of the Holy Quran, the recording company shall get it corrected in such copy of the recording and in all the copies of the recording available with it or any of its agents and shall obtain the certificate required under sub-rule (1) which shall be recorded on such copy of the recording and shall rubber-stamp all the other copies of the recording of screen print or sticker all the available recording.

(3) The publisher or recording company shall, within one year from the commencement of these rules, complete the process contained in sub-rules (1) and (2).

(4) Before such date as the Government may, by notification in the official Gazette, specify in this behalf, the publisher or the recording company shall forward to the Government for inspection two copies or records of such print and recording bearing the certificate referred to in sub-rules (1) and (2).

(5) A publisher or a recording company shall not sell or offer for sale any copy of such print or recording unless it contains the certificate referred to in sub-rules (1) and (2) and the year of printing or recording referred to in sub-rule (3).

(6) If any printing or recording error in any print or recording of the Holy Quran is brought to the notice of the Government or the Quran Board, the Government shall get a copy of such print or recording checked by a person competent to do so under sub-section (3) of section 5.

13. Checking of un-certified prints of recordings. — (1) If any print or recording of the Holy Quran is found not to have been certified as error free under section 5, the Government shall get a copy of such print or recording checked by a person competent to do so under sub-section (3) of section 5 the Act at the expense of the publisher or the recording company and thereafter, the provisions of rule 11 shall apply to such print or recording.

(2) The fee payable to the person referred to in sub-rule (1) shall be fixed by the Government in consultation with the publisher or the recording company.

14. Seizure of certain prints or recordings.— All such copies or recordings of the Holy Quran containing irredeemable errors in the opinion of the panel of proof

readers, set up by the Government and recommendations to this effect have been made by the Quran Board, the Government shall seize all such prints or recordings.

15. Scope of checking.— The checking of the Holy Quran shall be confined to the Arabic text only.

16. Savings.— Nothing in these rules shall apply to recording of the Holy Quran by public in a recitation contest or during a religious sermon or religious gathering or ceremony.

17. Repeal.— (1) The Publication of the Holy Quran (Elimination of Printing and Recording Errors) Rules, 1973, in their application and to the extent of Balochistan, are hereby repealed.

(2) A publisher or a recording company registered under the aforesaid repealed rules shall, within ninety days from coming into force of these rules, apply for registration afresh under these rules.

(3) If an existing publisher or a recording company fails to register under these rules within the time, specified in sub-rule (2), his or its registration shall stand automatically cancelled.

BY ORDER OF THE
GOVERNOR BALOCHISTAN

SECRETARY
RELIGIOUS AFFAIRS DEPARTMENT