

THE ACTING AS AGENTS OF MOALLIMS (PROHIBITION)
ORDINANCE, 1980

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THE ACTING AS AGENTS OF MOALLIMS (PROHIBITION) ORDINANCE,
1980

ORDINANCE No. L OF 1980

[29th September, 1980]

An Ordinance to prohibit persons from acting as agents of Moallims.

WHEREAS it is expedient to prohibit persons from acting as agents of Moallims and to provide for matters ancillary thereto;

AND WHEREAS the President is satisfied that circumstances exist which render it necessary to take immediate action;

NOW, THEREFORE, in pursuance of the Proclamation of the fifth day of July, 1977, read with the Laws (Continuance in Force) Order 1977 (CMLA Order No. 1 of 1977), and in exercise of all powers enabling him in that behalf, the President is pleased to make and promulgate the following Ordinance :—

1. Short title, extent and commencement. —(1) This Ordinance may be called the Acting as Agents of Moallims (Prohibition) Ordinance, 1980.

(2) it extends to the whole of Pakistan

(3) It shall come into force at once.

2. Definitions. In this Ordinance, unless, there is anything repugnant in the subject or context,—

(a) “intending pilgrim” means a person intending to proceed to Saudi Arabia to perform Haj under Haj Policy announced every year by the Federal Government; and

(b) “Moallim” means a Moallim or Daleel, including a person or corporation, nominated and approved by the Government of the Kingdom of Saudi Arabia to act as Kafeel for Hajis during Haj season.

3. List of Moallims and their selection.—(1) The Federal government shall, keeping in view the welfare and convenience of the intending pilgrims, publish a list of Moallims from which an intending pilgrim may select a Moallim before proceeding for Haj from Pakistan and specify the manner in which a Moallim is to be so selected.

(2) Selection of a Moallim made under sub-section (1) shall be final and no intending pilgrim shall be authorised to change that selection at any subsequent stage.

4. Acting as agents, etc. of Moallims prohibited.—(1) No person or group of persons shall—

(a) act, or hold himself or itself out, as an agent, attorney or representative of any Moallim ; or

(b) solicit, or in any way attempt to solicit, the appointment or selection of any particular person as the Moallim of an intending pilgrim ; or

(c) for securing any personal or pecuniary advantage for himself or itself or for any other person on whose behalf he or it may be acting, seek—

(i) to compel or induce an intending pilgrim to appoint or select any particular person as his Moallim , or

(ii) to influence the choice of a Moallim by an intending pilgrim ; or

(d) establish an office for any of the purposes aforesaid.

(2) Whoever contravenes the provisions of sub-section (1) shall be punishable with simple imprisonment for a term which may extend to two years, or with fine which may extend to five thousand rupees, or with both.

(3) No court shall take cognizance of an offence punishable under sub-section (2) except upon a complaint in writing made by, or under the authority of, the Federal Government.

5. Power to make rules. The Federal Government may, by notification in the official Gazette, make rules for carrying out the purposes of this Ordinance.