

THE PUNJAB BAIT-UL-MAL ACT, 1991

(VII of 1991)

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'THE PUNJAB BAIT-UL-MAL ACT, 1991

(VII of 1991)

[2° April, 1991]

An

Act

to provide for the establishment of a charitable fund to be known as the Punjab Bait-ul-Mal.

Preamble. Whereas it is expedient to provide for the establishment of a charitable fund to be known as the Punjab Bait-ul-Mal;

It is hereby enacted as follows:—

1. Short title, extent and commencement.— (1) This Act may be called the Punjab Bait-ul-Mal Act 1991.

(2) It extends to the whole of the Punjab.

(3) It shall come into force at once.

2. Bait-ul-Mal Council.— (1) The Government may, by notification, establish a Council to be called the Punjab Bait-ul-Mal Council and may, at any time, reconstitute it.

(2) | The Council shall be a body corporate with power to acquire and hold property and shall sue and be sued by the said name.

(3) | The Council shall consist of an Ameen who shall be the head of the Council, and not more than fourteen official and non-official members “[including at least four women].

(4) | The Government shall nominate the Ameen and after consultation with the Ameen the Government shall nominate the other members of the Council.

(5) — The non-official members shall be honorary and in majority and shall be persons who are renowned social workers or who are eminent in the field of education or health or who are committed to the cause of public welfare.

(6) Subject to the provisions of sub-sections (1) and (7), the Ameen and non-official members shall hold office for a term of three years and shall be eligible for re-nomination for another term of three years, but no person shall hold office of Ameen or member for more than two terms.

'This Act was passed by the Punjab Assembly on 18th March, 1991; assented to by the Governor of the Punjab on 26th March 1991; and, was published in the Punjab Gazette (Extraordinary), dated 30th March, 1991, Pages 853-855.

?Substituted by the Punjab Bait-ul-Mal (Amendment) Act, 1994 (VII of 1994), w.e.f. 5.12.1994, s.2; and published in the Punjab Gazette (Extraordinary), pages 3-4.

'inserted by the Punjab Fair Representation of Women Act 2014 (IV of 2014), w.e.f. 12.3.2014, s.2 and the Schedule; and published in the Punjab Gazette (Extraordinary), pages 2733-2744.

(7) — A non-official member, including the Ameen, may be removed by the Government on the ground of misconduct.

(8) | The Government may increase or decrease the number of members of the Council.]

3. Functions of the Council.— The Council shall administer the Punjab Bait-ul-Mal and shall perform such other functions in relation to the Bait-ul-Mal as the Government may assign to it.

4. Punjab Bait-ul-Mal.— The Government may establish a fund to be known as the Punjab Bait-ul-Mal to which shall be credited—

(a) grants from the Government, the Federal Government, Local Bodies and International Islamic Agencies; and

(b) — voluntary donations including Sadqaat, Khairat and Afiat.

5. Utilisation of the Bait-ul-Mal.— (1) The Bait-ul-Mal shall be administered by the Council in the manner prescribed and shall be utilised for the following purposes, namely:—

(i) relief and rehabilitation of the poor and the needy particularly poor Wdows and orphans;

(ii) educational assistance to the poor and deserving students;

(iii) | medical assistance to the poor;

(iv) charitable purposes;

(v) any other purpose of public utility particularly where the beneficiaries would be the disadvantaged sections of the society; and

(vi) | any other purpose approved by the Council.

(2) Subject to the general supervision and control of the Council, the distribution of Bait-ul-Mal Fund shall be carried out by the District Bait-ul-Mal Committees to be constituted by the Council for this purpose in such manner as the Council may determine.

6. Business of the Council.- The meetings and the business of the Council shall be conducted in such manner and in accordance with such procedure as may be prescribed and until such procedure is prescribed in such manner as the Ameen may direct.

7. Appointment of Committees— (1) The Council may appoint such Committees consisting of such of its members and for the performance of such functions of the Council as it may deem fit “[:]”

*[Provided that the Government may reconstitute a Committee at any time.]

*Replaced for the “full-stop” by the Punjab Bait-ul-Mal (Amendment) Act, 1994 (VII of 1994), w.e.f.5.12.1994, s.3; and published in the Punjab Gazette (Extraordinary), pages 3-4.

Sinserted by the Punjab Bait-ul-Mal (Amendment) Act, 1994 (VII of 1994), w.e.f.5.12.1994, s.3; and published in the Punjab Gazette (Extraordinary), pages 3-4.

(2) | The Council may, if it considers it necessary, co-opt any person to a Committee.

*[(3) | Members of the District Bait-ul-Mal Committees shall be persons who are renowned social workers or who are eminent in the field of education or health or who are committed to the cause of public welfare.]

8. Staff of the Council— The Council may appoint for the performance of its functions such employees as it may consider necessary, on such terms and conditions, as may be prescribed.

9. Delegation of powers.— The Council may delegate all or any of its powers under this Act to any of its members either unconditionally or subject to such conditions as it may specify.

10. Accounts and Audit. (1) The accounts of the Bait-ul-Mal shall be audited by an Auditor who is a Chartered Accountant within the meaning of the Chartered Accounts Ordinance, 1961 and is appointed by the Council for the purpose.

(2) | The Council shall produce all books of accounts and documents and furnish such explanation and information as the Auditor may require for the purposes of audit.

11. Laying of Annual, Report before the Assembly.— (1) The Council shall, not later than 15th day of March in each year, prepare report as to the work done by it during the preceding year ending on the 31st day of December and submit the report to the Governor.

(2) | The Governor shall cause a copy of the report to be laid before the Provincial Assembly.

12. Power to make rules. The Council may make rules for carrying out the purposes of this Act.

13. Dissolution of the Council.— The Government may, by notification in the official Gazette, dissolve the Council and make such incidental and consequential orders as may be necessary for the purpose.

14. Repeal. The Punjab Bait-ul-Mal Ordinance, 1991 (III of 1991), is hereby repealed.

®Added by the Punjab Bait-ul-Mal (Amendment) Act, 1994 (VII of 1994), w.e.f.5.12.1994, s.3; and published in the Punjab Gazette (Extraordinary), pages 3-4.