

228. Composition, etc., of Islamic Council.--(I) There shall be, ¹constituted within a period of ninety days from the commencing day a Council of Islamic Ideology, in this part referred to as the Islamic Council.

- (2) The Islamic Council shall consist of such members, being not less than eight and not more than ²[twenty] as the President may appoint from amongst persons having knowledge of the principles and philosophy of Islam as enunciated in the Holy Quran and Sunnah, or understanding of the economic, political, legal or administrative problems of Pakistan
- (3) While appointing members of the Islamic Council the President shall ensure that—
 - (a) so far as practicable various schools of thought are represented in the Council;
 - (b) not less than two of the members are persons each of whom is, or has been a Judge of the supreme Court or of High Court;
 - (c) not less than four of the members are persons each of whom has been engaged, for a period of not less than fifteen years, in Islamic research or instruction; and
 - (d) at least one member is a woman.

³[(4). The President shall appoint one of the members of the Islamic Council to be the Chairman thereof.]

- (5) Subject to clause (6), a member of the Islamic Council shall hold office for a period of three years.
- (6) A members may, by writing under his hand addressed to the President, resign his office or may be removed by the president upon the passing of a resolution for his removal by a majority of the total membership of the Islamic Council.

229. Reference by ⁴[Mijlis-e-Shoora (Parliament)], etc. to Islamic Council. -- The President or the Governor of Province may, or if two fifth of its total membership so requires, a House or a Provincial Assembly shall, refer to the Islamic Council for advice any question as to whether a proposed law is or is not repugnant to the Injunctions of Islam.

230. Functions of the Islamic Council.—(1) The functions of the Islamic Council shall be.--

- (a) to make recommendations to ⁵[Majlis-e-Shoora (Parliament)] and the Provincial Assemblies as to the ways and means of enabling and encouraging the Muslims of Pakistan to order their lives individually and collectively in all respects in accordance with the principles and concepts of Islam as enunciated in the Holy Quran and Sunnah;
- (b) to advise a House, a Provincial Assembly the President or a Governor on any question referred to the Council as to whether a proposed law is or is not repugnant to the Injunctions of Islam;

1. For the notification constituting the Council of Islamic Ideology, see Gazette of Pakistan, 1974 Extraordinary, Part II, Page 165. For the Council of Islamic Ideology (Term and Conditions of Members) Rules, 1974, see Gazette of Pakistan, 1974 Extraordinary, Part II, Page 1727.

2. Substituted by Constitution (Fourth Amendment) Order, 1980 (P.O No. 16 of 1980) section 2, for the word "fifteen" (w.e.f. November 30, 1980).

3. substituted by the Constitution (Fourth Amendment Order), 1982 (P.O No. 13 of 1982) section 2 (w.e.f. September 22, 1982) for: (a) the President shall appoint one of the members referred to in paragraph (b) of clause (3) to be the Chairman of the Islamic Council."

4. The words "Majlis-e-Shoora (Parliament)" were substituted by the Revival of the Constitution of 1973 Order, 1985, P.O. No. 14 of 1985 (hereafter referred to as P.O. No. 14 of 1985) Art. 2 and Sch. Item 1, for the word (Parliament) in this article, and in the succeeding provisions of the Constitution, for the word "Parliament". Whenever occurring the words and brackets "Majlis-e-Shoora (Parliament)" shall be substituted w.e.f. March, 2, 1985.

5. The words "Majlis-e-Shoora (Parliament)" were substituted by the Revival of the Constitution of 1973 Order, 1985: P.O. No. 14 of 1985 (hereafter referred to as P.O. No. 14 of 1985) Art. 2 and Sch. Item 1. for the word (Parliament). In this article, and in the succeeding provisions of the Constitution for the word "Parliament" wherever occurring, the words and brackets "Majlis-e-Shoora (Parliament)" shall e submitted w.e.f. March 2, 1985.

- (c) to make recommendations as to the measures for bringing existing laws into conformity with the Injunctions of Islam and the stages by which such measures should be brought into effect; and
 - (d) to compile in a suitable form, for the guidance of [Majlis-e-Shoora (Parliament)] and the Provincial Assemblies, such injunctions of Islam as can be given legislative effect.
- (2) When, under Articles 229, a question is referred by a House, a Provincial Assembly, the President or a Governor to the Islamic Council, the Council shall, within fifteen days thereof, inform the House, the Assembly, the President or a Governor, as the case may be, of the period within which the Council expects to be able to furnish that advice.
- (3) Where a House, a Provincial Assembly, the President or the Governor, as the case may be, considers that, in the public interest, the making of the proposed law in relation to which the question arose should not be postponed until the advice of the Islamic Council is furnished, the law may be made before the advice is furnished;
- Provided that, where a law is referred for advice to the Islamic Council and the Council advises that the law is repugnant to the Injunctions of Islam, the house or, as the case may be, the Provincial Assembly, the President or the Governor shall reconsider the law so made.
- (4) The Islamic Council shall submit its final report within seven years of its appointment, and shall submit an annual interim report. The report, whether interim or final, shall be laid for discussion before both Houses and each provincial Assembly within six months of its receipt, and [Majlis-e-Shoora (Parliament)] and the Assembly, after considering the report, shall enact laws in respect thereof within a period of two years of the final report.

231. Rules of Procedure.--- The proceedings of the Islamic Council shall be regulated by rules of ⁶procedure to be made by the Council with approval of the President.

6. For the Council of Islamic Ideology (Procedure) Rules, 1974, see Gazette of Pakistan, 1974, Extraordinary, Part II, pages 771-773