

Legal Challenges Faced By New Muslims in Sindh and Its Solution

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Abstract

A Large number of people convert to Islam in Sindh. Statistics reflect the increasing amount in different regions of Sindh. Faith conversions stimulate a number of issues which are sometimes very critical and sensitive. Sindh has 30 Districts and 6 Division where Interviews were conducted. The basic aim was to highlight the legal issues faced by neo-converts after they accept Islam. The research is based on qualitative and quantitative methodology. Legal Challenges exist in every society. Neo Converts after accepting Islam often face hindrances like fake FIRs hurdles, Police Harassment and Imprisonment, have to acquire Sanad e Islam, face undue constraints in acquiring CNIC, domicile making and changing names in educational documents. Marital problems and child custody also comes into play. The Government and Society should be on one page for New Muslims together to stop fake FIRs, police harassment and facilitation in important documents.

Keywords: Neo Converts, Islamic Conversion In Sindh, Legal Confrontation and its Solution, Legislation for New Muslims.

Introduction

People who convert to Islam face numerous challenges after conversion. One of the prime and simple looking but complicated challenges are the legal ones. We find the same situation across the globe namely in Sri Lanka as well. ¹ People in Sindh are particularly harassed when they

¹ Sayyid Buhar Musal Kassim, Mohd Syukri Yeoh Abdullah & Zawiyah Baba, A Survey of Problems Faced By Converts to Islam in Malaysia, e-Bangi, Journal of Social and Sciences and Humanities, Vol : 08, No. 1 (2013), ISSN NUMBER: 085-097.

convert to Islam. This harassment is in the form of putting legal pressures on people. People have known an easy way as soon as someone converts family and society try to persuade them and bring them back, when they fail to do so then they start acting violently. Once these steps fail and the converted Muslims escape them, they would file a case against him and his supporter. This case would be normally of forced conversion.² Legal challenges encompass undue pressures from the police department as they are bribed by the strong parties. It also includes fake F.I.R which in return leads to face cases in the court. People also face challenges in making of CNIC first time and changing their name. The Nadra office would often demand a person of kinship to accompany them which is impossible in case a person has converted solely. It is a big challenge to get your name changed in all the educational degrees as it is a very long and time-consuming process. The challenge is further heightened in case you forgot your degrees at home and to acquire them which is ones right whereas he faces no cooperation at all. One of the legal challenges are also dilution of marriage and child custody. The major legal problems faced by new Muslims identified during my visit in various regions of Sindh are as follows:

Fake First Investigation Report (Firs)

New Muslims are in the line of fire as soon as they accept Islam. In the beginning families try to persuade them in order to change their minds. People are brainwashed and even services of religious people are taken for this issue. Violent attitude is also used against the neo-converts. Once all such measures fail to be successful, families use the final and most effective tool. In case a New Muslim, escapes the boundaries of his house he is being tortured with the help of a fake FIR. Families would blame the convert to be changed forcefully and his helpers to be kidnappers straightly. These FIRs are launched as powerful people exert a lot of pressure on the police department. These are often fake as later the victims submit affidavit in the court and prove their innocence. An example of court order that depicts the story of false allegations is hereby attached:³

² Dr. Ghulam Hussain. "Forced Conversions or Faith Conversions: Rhetoric and Reality, report (Islamabad: Institute of Policy Studies, 2020)." (2010).

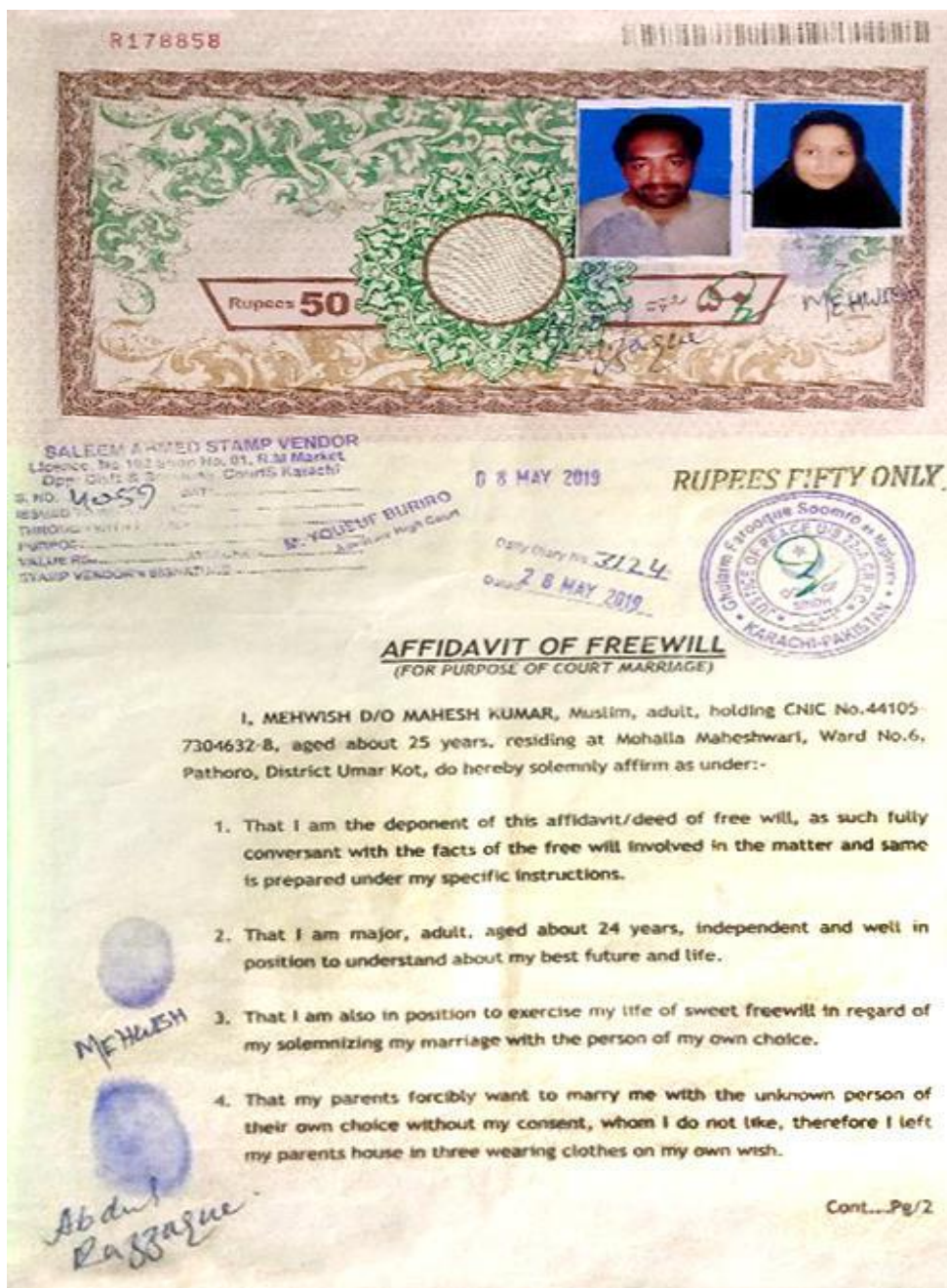
³ Dr. Ghulam Hussain, Religious Conversions in Pakistan: Empirical Evidence from Sindh, Policy Perspectives, Vol: 18, No: 01, 2021, Pg: 5-24, ISSN Number: 18121829.

**ORDER SHEET
IN THE HIGH COURT OF SINDH,
CIRCUIT COURT, HYDERABAD**

C.P No.D-1670 of 2019

DATE	ORDER WITH SIGNATURE OF JUDGE
1. For hearing of MA 6169/19 2. For hearing of main case	
16.08.2019.	<p>Ms. Ambreen Sijal, Advocate for petitioners along with petitioners.</p> <p>Mr. Farhad Abro, Advocate for respondent No.5 along with respondent No.5.</p> <p>Ms. Ramesthan Oad, A.P.G.</p> <p>Learnted Counsel submits that the P.I.R. against the petitioners has already been disposed of by the Investigating Officer under "C" Class which has been endorsed by the learned Civil Judge & Judicial Magistrate, Pithoro vide order dated 16.07.2019, however, petitioners are apprehending danger to their life at the hands of family of petitioner No.1.</p> <p>Petitioner No.1 is present in court and has reiterated the factum of her marriage with petitioner No.2 and that she has embraced Islam out of her own freewill and choice after understanding its teachings.</p> <p>In view of above, this petition is disposed of along with listed application with direction to police officials to provide protection to the petitioners in accordance with law.</p> <p>Sd/- MUHAMMAD IQBAL KHAN, JUDGE</p> <p>Sd/- AMJAD ALI SHAIKH, JUDGE</p> <p><i>(Handwritten signature and date 15/8/19)</i></p>

In the same case an example of affidavit submitted by one of the victims is also attached to understand the climax of the situation: ⁴



⁴ Dr. Ghulam Hussain, Religious Conversions in Pakistan: Empirical Evidence from Sindh, Policy Perspectives, Vol: 18, No: 01, 2021, Pg: 5-24, ISSN Number: 18121829.

(2)

Daily Diary No. 3124
Dated: 28 MAY 2019

5. That I have given proposal to MR. ABDUL RAZZAK S/O MUHAMMAD YUSUF, Muslim, adult, holding CNIC No.44105-0869808-3, permanent R/o Ward No.6, Pathoro, District Umar Kot, Presently R/o Babara Mohalla, Murad Memon Goth, District Malir, Karachi, to whom I love him so much and who is suitable person for me in every aspect and he can give me all the protection required with love and affection and he also provide me all the happiness of life.


6. That I am not kidnapped by anyone including MR. ABDUL RAZZAK S/O MUHAMMAD YUSUF, nor anyone nor I have taken any thing from my parent's house. If my parents or relatives lodged FIR of kidnapping or any criminal litigation/civil litigation or complaint against me and my MR. ABDUL RAZZAK S/O MUHAMMAD YUSUF, as well as his relatives, must be considered as fake false, fabricated fact and baseless.

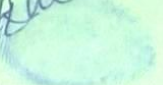
7. That I am doing this holy act with my own freewill.

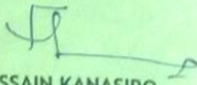
8. That I am swearing my Deed with all good senses of my mind without any intoxication, fear and pressure from any corner.

That whatever stated here in above is true and correct to the best of my knowledge and belief.

Karachi,
Dated: 28-05-2019

MEHWISH

EXECUTANT: _____
MEHWISH
D/O MAHESH KUMAR
CNIC No.44105-7304632-8

Abdul Razzak

Signature: _____
ABDUL RAZZAK
S/O MUHAMMAD YUSUF
CNIC No.44105-0869808-3

IDENTIFIED BY ME.

FAYAZ HUSSAIN KANASIRO
Advocate
Ledger No. 174774/c

Saima Javed
MULAM FAROQUE SOOMRO
JUSTICE OF PEACE
Empowered U/S 22-A Cr.P.C
As Magistrate Govt. Of Sindh
KARACHI-PAKISTAN

Such fake tools are used against neo-converts to pressurize and pull them back. New Muslims have faced undue pressures and fought their cases of innocence till Supreme Court of Pakistan. Woman's face a lot of hardships as they would often marry to find a staunch support. Their husbands would be maligned as kidnappers and cases would be registered against them. This all process in return hits them financially very hard as already they are facing financial issues. Undue pressures from police department and court hearing's not only exhaust them mentally but also physically.

Police Harassment And Imprisement

People after accepting Islam face a lot of challenges which include police harassment and imprisonment. Powerful sectors of the society would exert pressure on the police as a result they would confine the weaker into prison. One such case which gained international attention was of two girls namely Raveena and Reena who were first alleged of being underage. They faced pressures from not only the society but law enforcement agencies as well. The girls had later married as well to relieve the pressure from their shoulders. This further heightened when the case was highlighted by then External Affairs Minister of India, Sushma Swaraj who asked the Pakistan government to take serious action.^{5 6} The police also retained seven people included in the process. Members of Civil Society also protested against the issue. The case was presented in Islamabad High Court and after counting in all the evidence, the girl's were set free and allowed to go with their husbands. During these phases, the girls had faced not only police imprisonment but harassment as well. We can analyse the situation by the fact that they were residents of Sindh and were dragged all the way through the courts to Islamabad.⁷ This is just one example where one case was dragged to the capital city of Pakistan. We find number of such examples where people have faced hardships and brutal attitude. The Police basically tries to avoid the chaos situation that is created by the mob or relatives and prison's the innocent in such cases.

⁵ Business Standard, 26 March, 2019, https://www.business-standard.com/article/news-ani/governor-government-agencies-and-media-are-three-campaigners-of-bjp-akhillesh-yadav-119032600292_1.html

⁶ The Hindu, 24 March, 2019, <https://www.thehindu.com/news/international/swaraj-seeks-report-into-kidnapping-of-2-hindu-girls-in-pakistans-sindh-province/article26624622.ece>

⁷ Express News, 11 April, 2019, <https://www.express.pk/story/1627468/1/>

Innocent people are kept in the jail environment in the name of peace or due to extreme pressures from stronger parts of the society. This in return prevails a bad sense in the society and people lose their trust in the law which should be equal for all.

Acquiring Sanad – e – Islam

Sanad e Islam or Certificate of conversion to Islam is one of the primary and significant documents achieved after accepting Islam. In the beginning it was one of the prime requirements of Nadra for changing of name on CNIC and religion in Nadra as well however now it is done with the help of a simple affidavit with two witnesses. The procedure is as follows:

(For Religion Modification – from other religion to Islam)

I _____ S/O _____ D/O _____ W/O _____
DOB _____ CNIC/NICOP No. _____ do hereby solemnly
affirm and declare on oath that I have left my inherited religion and converted to religion of
Islam. My previous name is _____ S/O _____ and I have
changed my name, my new Islamic name is _____.

I hereby assure NADRA authorities that the above statement is based on fact and will be liable
for any legal action, if any subversive intentions are detected on my part later on.

Applicant signature & thumb _____

Witness 1 (from same religion)

Name _____

CNIC/NICOP # _____

Signature _____

Witness 2 (from same religion)

Name _____

CNIC/NICOP # _____

Signature _____

Sanad e Islam is easily taken by people as this is issued by religious seminaries who issue it after some investigation where a primary question is about free will conversion. However, sometime people have to travel long distances to obtain this certificate as this is being issued by specific places and not by all. The prime places are Darbaar Aliya Khanqaah Naqsbandiya Mujadidia, Ghulzar Khalil, Samarao, Mirphur Khas Division, Umer Kot District – Darbar Alia Qadriya, Barchundi Shareef, Sukkur Division, Dharki District – Darbar Aliya Qadriya Rashidiya, Amrot Sharif, Larkhan Division, Shikarpur District – Jamal Banoria, New Muslim Organisation, Karachi Division, Keemari District. We find other places as well which issue such certificates however these are the most famous ones. These certificates are very helpful as they helpful in marriages, documentations, educational documentations, and CNIC. These certificates have been also found to be useful when presented in front of the court. Every institution has its own format or issuing this document and hence are different from each other. Some of these certificates are being brought here for understanding. A empty Sanad e Islam of Darbaar Aliya Khanqaah Naqsbandiya Mujadidia, Ghulzar Khalil, Samarao, Mirphur Khas Division, Umer Kot District is as follows:

بِسْمِ اللّٰهِ الرَّحْمٰنِ الرَّحِیْمِ

يَا رَسُوْلَ اللّٰهِ
الصلوة والسلام عليك يا رسول الله

يا ايها الذين امنوا اذا جاءكم المؤمنات مهاجرات فامتنوهن الله اعلم
بایمانهن فان علمتوهن مؤمنات فلا ترجعهن الي الكفار (القرآن)
ان الذين عند الله الاسلام (القرآن)
كل مولود يولد على الفطرة (الاسلام) ابواه يهودانه او ينصرانه او يمجسانه (الحديث)

سند قبول اسلام

خانقاہ عالیہ نقشبندیہ مجددیہ ابراہیمیہ گلزار خلیل شریف سامارو ضلع عمرکوٹ سندھ
تاریخ: _____

سند نمبر: _____

تصدیق کی جاتی ہے کہ _____ بن _____

قوم: _____ عمر: _____ رہائش: _____

مذہب: _____ ترک کر کے برضا و رغبت دین اسلام قبول کیا ہے اور

اسلامی نام: _____ رکھا گیا ہے خداوند قدوس شریعت محمدی ﷺ کے مطابق دین حق پہ ثابت
قدمی اور اعمال صالحہ کی توفیق بخشے۔

بجاہ النبی الکریم صلی اللہ علیہ وآلہ واصحابہ اجمعین۔ آمین

مسلمان کنندہ: پیر جان آغا جان سرہندی فاروقی مجددی نقشبندی حنفی

دستخط مسلمان کنندہ: _____

دستخط نو مسلم: _____

شناختی کارڈ نمبر: _____

بزم اقادات خلیل پاکستان

A filled Sanad e Islam as an example of Darbaar Aliya Khanqaah Naqsbandiya Mujadidia, Ghulzar Khalil, Samarao, Mirphur Khas Division, Umer Kot District is as follows:

بِسْمِ اللّٰهِ الرَّحْمٰنِ الرَّحِیْمِ
اَلصَّلٰوةُ وَالسَّلَامُ عَلَیْكَ يَا رَسُوْلَ اللّٰهِ

یا اللہ! مولود یولد علی الفطرۃ (الاسلام) ابواہ یہودانہ او ینصرانہ او یمجسانہ (الحدیث)

یا اللہ! مولود یولد علی الفطرۃ (الاسلام) ابواہ یہودانہ او ینصرانہ او یمجسانہ (الحدیث)

سند قبول اسلام

خانقاہ عالیہ نقشبندیہ مجددیہ ابراہیمیہ گلزار خلیل شریف سامارو ضلع عمرکوٹ سندھ

تاریخ: ۱-۶-۲۰۲۳ سنہ نمبر: ۴۳۹

تصدیق کی جاتی ہے کہ الاحبی بن ماوجی

قوم کولھی عمر ۲۵ سال رہائش گولٹ حنیف آباد نعلو سامارو ضلع عمرکوٹ

مذہب ہندو ترک کر کے برضا و رغبت دین اسلام قبول کیا ہے اور

اسلامی نام جعیل احمد شیخ رکھا گیا ہے خداوند قدوس شریعت محمدی ﷺ کے مطابق دین حق پہ ثابت قدمی اور اعمال صالحہ کی توفیق بخشے۔

بجاہ النبی اکرم صلی اللہ علیہ وآلہ واصحابہ اجمعین۔ آمین

مسلمان کنندہ: پیر جان آغا جان سرہندی فاروقی مجددی نقشبندی حنفی

دستخط مسلمان کنندہ: عمر جان سرہندی

دستخط نو مسلم: [Fingerprint]

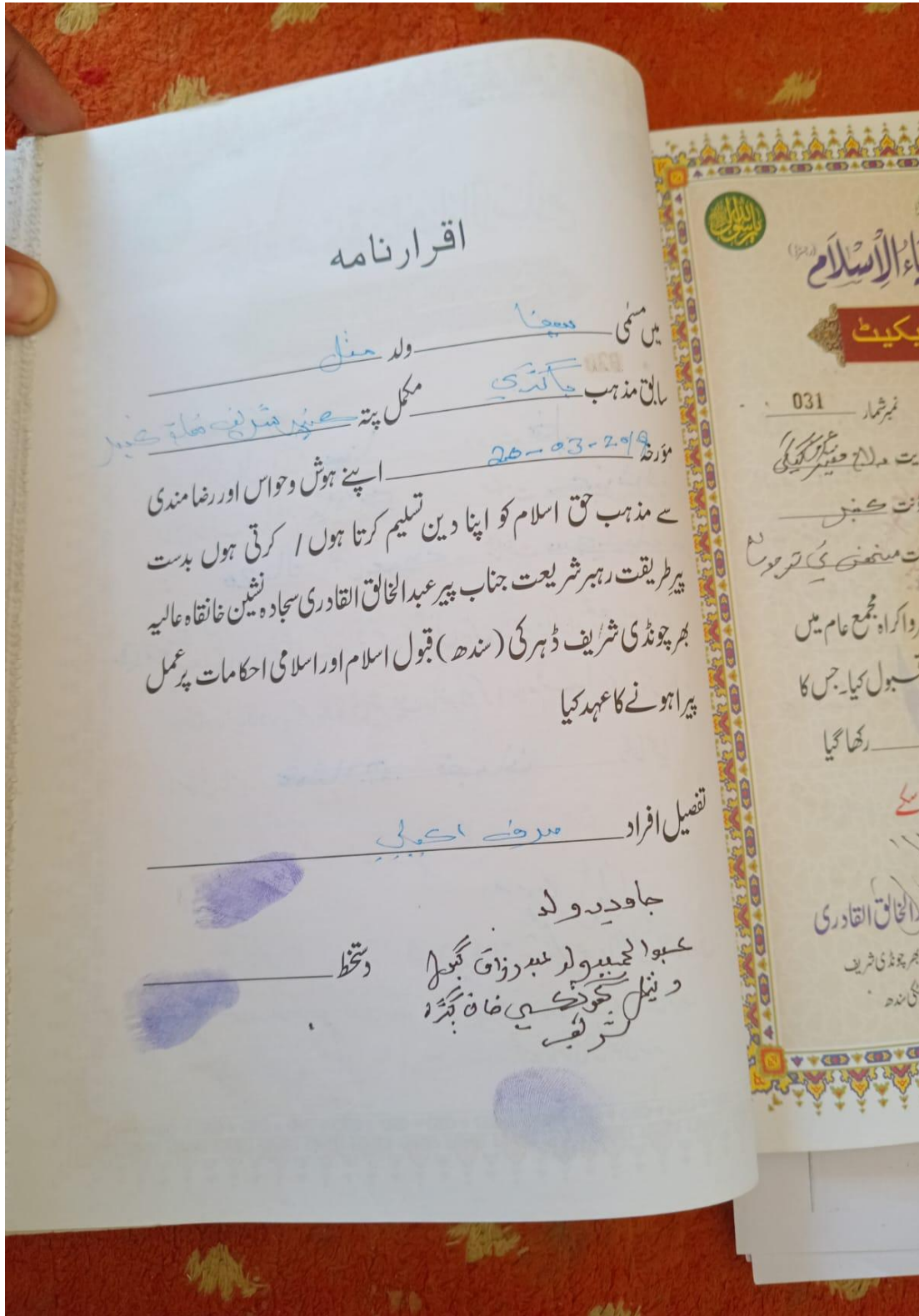
شناختی کارڈ نمبر: ۵-۵۶۷۵۱۰۷-۴۴۱۰۶

میر جان آغا جان سرہندی
مجددی فاروقی نقشبندی
خانقاہ عالیہ حنیف آباد گلزار خلیل
سامارو ضلع عمرکوٹ ۷۱۰۰۰-۳۷۱۹۲۹۷

بزم اقادات خلیل پاکستان

A filled Sanad e Islam as an example of Darbar Alia Qadriya, Barchundi Shareef, Sukkur Division, Dharki District





An empty Sanad e Islam as an example of Jamah Hamadia, Sukkur Division, Khairpur Division is as follows:



A filled Sanad e Islam as an example of Jamah Hamadia, Sukkur Division, Khairpur District is as follows:



Issuance of New Cnic

National Identity Card is basic document that is a basic need of every Pakistani. It depicts modern technology while ensures its legitimacy and authenticity. It has 13-digit identification code used all over the country. It helps people to acquire other significant documents namely NTN, Passport, Driving License, Arm License, Mobile Sim etc. It is obtained when one attains the age of 18. The procedure to apply for CNIC is simple as one needs to visit Nadra Office with one of the following documents either Birth Certificate or B Form or Metric Certificate or Passport or Domicile along with one blood relative (father, mother, brother, sister) to come in for the first time making of CNIC. New Muslims face a major challenge as they normally leave their homes in emergency as a result, they fail to produce required documents for making of CNIC. Their documents are left at home as a result their family would never help them to get it. Another important requirement is that one of the family members be present with them for biometric verification in order to link them to family which is next to impossible. The family members completely boycott the individual on his conversion to Islam, they would never facilitate him in this process. As a result, he fails to make one of the basic documents namely CNIC.

Issuance of Cnic with New Name

New Muslims after converting to Islam need to change their names and religion in CNIC. This is generally a simplified process which requires two steps. **Step 01:** Visit nearby Nadra Office obtain a legal document stating old name and new name. This document needs to be stamped by an Oath Commissioner and to be returned to Nadra Office. The name is changed for once and for a lifetime. **Step 02:** As he has converted to Islam, he has to present Sanad e Islam from an authentic institution. These procedures seem very simple however several people were met, and it is verified that these procedures are made very complicated in Sindh. It is due to the malpractices that exist in our society namely of corruption. People have strived for years now and as a result it is affecting their lives. If the head of the family has issues with his CNIC, this would affect his whole family as later when the time will come for making cards for his offspring they would face trouble as well. There are people out there in Sindh who have accepted Islam, but their ID Cards depict them as Non-Muslims. When they go to their own

community to work they are simply rejected as they know about their conversion. When they reach out to Muslims so they are not trusted as their CNIC is telling another story. They are dual minded while applying for Governmental Jobs. Jobs may be Government or Private, organisations do not wish to keep a person who is doubtful in any aspect whereas here there is clear doubt in documents.

Domicile Making

Domicile making is another hurdle that New Muslims have to face as it is also one of the primary documents required in different situations. The basic documents required for domicile making are as follows: CNIC, Family CNIC, Computerized Nikah Nama (if married), Birth Certificate/B Form, Educational Certificates, Voter list certified by Election Commission, Residence Certificate or Rental Agreement, Utility Bill.⁸ It is unfortunately impossible for a person who has converted alone to provide all these documents without family support. In return it leads to problems in practical life. People who convert along with their families do not face such hurdles however converting alone does hit hard badly. People are not supported by their families for provision of documents as a result they cannot make their important documents.

Educational Documents with New Names

New Muslims also require changing their name on documents. New Muslims also have to go through this hectic process. In order to change name on documents across Pakistan one has to go through the following process: 1: Identification of error. 2: Reaching out to the institution who issued the document. 3: Application to relevant authority for correction 4: Attaching supporting documents. 5: Paying the fee. This whole procedure might look simple however it is very hectic and takes a lot of time and energy. Due to the mala fie we have in our country; people have tried to sort out their problems and have failed as well. People have even tried for 20 years and finally given up after failure. This in return hits them badly as they have to pursue jobs and are in real problems.

⁸ <https://dcsouthkarachi.gos.pk/our-services/domicile>

Dilution of Marriage

One of the prime changes that people face after conversion to Islam are in case they are married and accept Islam alone they lose their spouse. In Islam, one is allowed to marry a woman of Christian faith however if the better half belongs to Hinduism the marriage must be dissolved. People have to face setbacks when they only one member of the family accepts Islam and others don't. In order to execute the separation the person has to follow up the legal procedures and separate.⁹

Children Custody

New Muslims have to face a critical issue especially when one of the spouses converts to Islam and they have children as well. In such cases, the future of the little one's having to be decided. The matter is not normally sorted among parents and finally is taken up to the court. The court procedures are complex when it comes to deciding the fate of young one's. Prime factors which are kept in mind while deciding the fate of the young one's are as follows: Age, Gender, Conduct of Custodian Parent, Child Maintenance, Visitation Schedule Adherence, Background of Both Parents, Future Prospects, Paramount Welfare of Minor.¹⁰ In case of religion, the court's normally order that minor's have to follow the path of his father. The Financial position is also taken in view before making the decision. In this case if only one of the spouse accepts Islam, there is a huge problem as with who would the children stay with. Definitely in this situation one of the parents has to suffer as the court decides one of the two to be custodian. This situation after accepting Islam is heartbreaking and people have to also go through this pain.

Solution

The proposed solution for issues mentioned above can be as follows:

Protection Fake First Investigation Report (FIR)

Police should conduct thorough investigation when it comes to launching First Investigation Report (F.I.R) against any citizen of Pakistan. In cases where it has become a habit that people would file in fake F.I.R against a specific community, the law enforcement agencies should be

⁹ Barrister Ali Sheikh, Law of Divorce and Khula In Pakistan, [https://www.malaw.org.pk/pdf/Law%20of%20Divorce%20in%20Pakistan%20\(Article\).pdf](https://www.malaw.org.pk/pdf/Law%20of%20Divorce%20in%20Pakistan%20(Article).pdf)

¹⁰ Zafar Iqbal Cheema & Jawad Riaz, Determining the Custody of a Child in Pakistan, Global Regional Review, Vol: 5, No: 04, 2020, Pg: 158-164, ISSN Number: 2663-7030.

more careful. The Penal Code of Pakistan, Section 182 affirms strong punishment in case of fake F.I.R which is six months of punishment or fine or both. The Penal Code states:

False Information with Intent to Cause Public Servant to Use his Lawful Power to the Injury of Another Person

Whoever gives to any public servant any information which he knows or believes to be false, intending thereby to cause, or knowing it to be likely that he will thereby cause, such public servant :-

(a) act or overlook any matter which a public servant should not perform or conceal information which he should have depicted and were best known to him or

(b) using the legal power of an official to damage or inconvenience of a person,

In case of above offence, the person should be detained for a time span which may be till 06 Months, or financial punishment which could be three thousand rupees, or both

(a) Ali illuminates the magistrate that Azfar, a policeman, who is next to such officer, is blameworthy of being ignorant of work or misconduct, he was well aware that such information was false, which would in return would cause the magistrate to remove Azfar. Ali has violated the rules mentioned in the law.

(b) Zafar dishonestly informs an official that Muneeb has hidden salt in a secret place, he is clear that such information is incorrect, he also is clear that such false hood would lead to search of his arena hence Zafar has violated the law as mentioned.

(c) Khan went to the policeman and wrongly accused neighbourhood in particular village that he has been harassed. He has not named anyone however is clear that due to this information legal authorities would cause thorough investigations into the village people. Khan has crossed the law and has committed violation.

Police should be cautioned as if they are found guilty in registering a fake case, they shall be also held accountable. In the case of New Muslims, such F.I.R has become a routine matter so the police should be more cautious and term the issue as sensitive.

Protection From Police Harassment And Imprisment

Police is a very important institution of the country as it deals with important matters within the country. Police being a central institute often has to face challenges from people in the high

command as well. People use their money and power to exert pressure on the police to have decisions as per their own will. Police harassment can be in various forms like improper conduct and abuse of power. This also includes unnecessary spying, false arrest, use of force. Harassment also occurs during arrest and after arrest due to different practices. We find racial based injustice which basically includes targeting individuals on the basis of their race, ethnicity, origin or a specific community. New Muslims are one of the prime affecties of police harassment. It has been found after detailed research and visiting different parts of Sindh that police is being brought under tremendous pressure by families of neo converts. This pressure is also sometime inserted by minority groups who join hands to build up pressure against the new ones. The police in Sindh is politically influenced and creates unnecessary hurdles for people.

In order to counter this problem, which is a common problem in Sindh, it is suggested that before any case is filled in against a new Muslim, the court should make a Joint Investigation Team. A thorough report should be submitted to the court on the basis of which it may be identified that whether it is justified to file an FIR or not. The police must be strictly restricted and such cases can be termed as Red Cases for them. A Law should be passed by the regulatory authorities that any case relevant to New Muslims should be dealt in a very sensitive manner. In this regard, we see that such legislation have been passed in the Sindh assembly giving specific privileges to Non Muslims. The Sindh Protection of Communal Properties of Minorities Bill, 2013 having been passed by the Provincial Assembly of Sindh on 15th March, 2013 and assented to by the Governor of Sindh on 28th March, 2013. It states:

3 (1) No property of a minority community meant for its communal use shall be bought, sold or transferred by any person without NOC from the Provincial Government.¹¹

5. Whoever buys, sells or transfers any property belonging to a minority community meant for its communal use in violation of section 3, shall be punishable with imprisonment of either description which may extend to seven years and shall also be liable to fine which shall not be

¹¹ THE SINDH PROTECTION OF COMMUNAL PROPERTIES OF MINORITIES ACT, 2013 - SINDH ACT NO. XL OF 2013, Page: 01, <https://www.shrc.org.pk/downloads/laws/Sindh/The-Sindh-Protection-of-Communal-Properties-of-Minorities-Act-2013.pdf>

less than one hundred thousand rupees and the sale or transfer transaction shall be of no legal effect.¹²

In the same manner a legislation should also cover the new Muslims from Police Harassment and Imprisonment.

Fast Issuance Of Cnic

CNIC is a basic necessity for any person living in the state of Pakistan. As highlighted earlier it becomes a real hindrance for people when it comes to acquiring one in case he is a New Muslim. New Muslims are often founded empty handed when it comes to documents as their families become very brutal and create hurdles. Nadra often requires biometric verification from a parental member which again is impossible. Families are not even ready to see the Neo Muslim Individual so how come they would come to facilitate him in biometric process. Obtaining CNIC is a basic right of every citizen of Pakistan as per The National Database and Registration Authority Ordinance, 2000. The ordinance states:

9. Registration of Citizens: (1) Every citizen in or out of Pakistan who has attained the age of eighteen years shall get himself and a parent or guardian of every citizen who has not attained that age shall, not later than one month after the birth of such citizen, get such citizen registered in accordance.

Hence, legislation is required in this regard. The New Muslims face a lot of trouble when it comes to acquiring ID Cards. The Nadra Ordinance should inculcate new changes thus facilitating any individual who cannot provide the requisite documents. The detailed record with pictures exists with Nadra hence they don't need any supporting documents for verification. People especially cases of New Muslims should be sorted out then and there.

Facilitation in Domicile Making, Educational Documents

Domicile is a document that is often required by people in certain matters especially job sector. Government organisation often announce jobs and create a line by specifying that only people who hold domicile of Punjab, or Sindh or Baluchistan or Kyber Pakhtunkhwa can apply. In such

¹² THE SINDH PROTECTION OF COMMUNAL PROPERTIES OF MINORITIES ACT, 2013 - SINDH ACT NO. XL OF 2013, Page: 02, <https://www.shrc.org.pk/downloads/laws/Sindh/The-Sindh-Protection-of-Communal-Properties-of-Minorities-Act-2013.pdf>

case scenarios, only and only people holding domicile from these areas are eligible to apply. Hence Domicile is a requirement as well. New Muslims are subject to problem in this regard as well. The Government must introduce a special provision to facilitate the New Muslims. In addition, if the system can be made online it would be a great help for everyone. The process can be made online by making official accounts. The Documents can be scanned, and necessary documents can be uploaded. In this way, applicants can track the application online. In the same way, New Muslims after conversion have to get their name changed on educational documents as well. This is a very long and hectic process. People have been found that have tried it for many years and finally gave it up. Educational documents are necessary for every one as people use them for acquiring further knowledge or jobs. Old names create problems for degree holders. There are examples where people associated with Medical Profession gave up after trying for 35 years. I met a woman named Saba, Sukkur Division, Ghotki District, whose name was changed after 7-8 years. People face normally a lot of hurdles and 5-10 years is common among people.

Solution to Marital Problems and Child Custody

Marital problems are part of the society. These get worse when a person accepts Islam and his wife remains on the previous religions or vice versa. The situation is very smooth when both accept Islam simultaneously. It is quite sensitive and requires thoughtful consideration when it comes to deciding the fate. Islam is the complete code of life and throws light on the fact to deal with such situation tactfully. The New Muslim should first indulge in a dialogue with his partner. He should openly discuss the beliefs with his partner. This should be done with extreme respect. The Holy Quran throws light on this concept in this way:

“Invite to the way of your Lord with wisdom and good advice and dispute with them in a manner that is best. Indeed your Lord knows best those who stray from His way, and He knows best those who are guided.”¹³

The concept is further elaborated in the verse of Holy Quran in this way:

“And do not argue with the People of the Scripture except in a way that is best, except for those who commit injustice among them, and say, “We believe in that which has been revealed to us

¹³ Surah An Nahl: 16:125.

and revealed to you. And our God and your God is one; and we are Muslims [in submission] to Him.”¹⁴

Islam allows in case the female is from people of the book (Christian or Jew) however prohibits if not from them. The first thing that should be done is that one should encourage his spouse to learn Islam and if she refuses, he has no other choice but to leave her. Islam is the biggest blessing on us and person who loses his faith shall be in hellfire for limitless time. Spouse has a very important impact on one’s life and children hence a Non Muslim would definitely effect one’s life which is not desired.

Islam primarily focus on children’s care, safety and religious upbringing as well. In cases where one of the spouse converts to Islam, a number of things have to be considered. The child’s emotional attachment exists with both of the parents. Islam has never instructed that the non Muslim parents be left out. Islam always instructs to be good with all. The prophetic narration states:

*My mother came to me during the lifetime of Allah's Messenger () and she was a pagan. I said to Allah's Apostle (seeking his verdict), "My mother has come to me and she desires to receive a reward from me, shall I keep good relations with her?" The Prophet () said, "Yes, keep good relation with her."*¹⁵

Hazrat Ibrahim’s Alai Salam father was non Muslim but despite this fact he kept cordial relations with him and kept persuading him towards Islam. This again shows that we cannot be deprive children of parents or parents of children. Verse below indicates the prolific attitude of Hazrat Ibrahim Alai Salam.

*And 'remember' when Abraham said to his father, Āzar, "Do you take idols as gods? It is clear to me that you and your people are entirely misguided."*¹⁶

*'Remember' when he said to his father, "O dear father! Why do you worship what can neither hear nor see, nor benefit you at all?"*¹⁷

¹⁴ Surah Ankaboot: 29:46.

¹⁵ Abu Abdullah Muhammad Bin Ismail Al Bukhari Al Jahfi, Sahih Bukhair, Chapter Gifts, Sub Giving presents to Al-Mushrikun, V: 2, Pg:924, Hadith Number: 2477, Publisher: Dar Ibn Kathir – Dar Ul Yamamah, Damascus, 1993.

¹⁶ Surah Inaam: 6:74.

¹⁷ Surah Maryam: 19:42.

The court takes in account a number of factors before deciding the custody of young one's. Young one's are often handed over to the mother but where there is a serious flaw in the mother they can be handed over to the father as well.

The solution to the problem lies in the fact that as we are a Muslim country should have the law that children should be handed over to the Muslim parents. The upbringing of child is very important which should be as per Islamic Principles which cannot be possible with non-Muslim parents.