

Nationalisation of Ahmadiyya educational institutions

This is a case of gross injustice that violates basic norms of good governance, rule of law and the principle of even-handed attitude towards all sections of society. It has been going on for the last 23 years.

Briefly, in 1996 the government notified its policy that it was 'pleased' to transfer the nationalized schools to the Private Management, under certain terms and conditions. Sadr Anjuman Ahmadiyya whose 10 schools and colleges had been nationalized, met all those terms and conditions, including payment of a large sum of money, but decades later, for indefensible reasons the authorities have not transferred the management back to Ahmadis, while they have returned numerous other institutes to many other parties all over the country. This has violated Ahmadis' right to non-discrimination, as also the principle of equal citizenship as declared by the Quaid-i-Azam in his famous speech of August 11, 1947.

Here are some facts of the case in essential detail.

Following educational institutions were owned and managed by Sadar Anjuman Ahmadiyya, Pakistan since 1947:

1. Talim-ul-Islam (Primary and High) School, Rabwah
2. Nusrat Girls (Primary and High) School, Rabwah
3. Fazl-e-Umar High School, Rabwah
4. Talim-ul-Islam High School, Kharian, Gujrat
5. Ahmadiyya Primary School, Shadiwal, Gujrat
6. Talim-ul-Islam Primary School, Chukananwali, Gujrat
7. Talim-ul-Islam High School, Ghatialian, Sialkot
8. Ahmadiyya Girls High School, Sialkot

(Note: The case of two colleges is slightly different.)

These institutions were nationalized and taken over by the government in 1972. From 1972 to 1996 they had been managed by the Government of the Punjab.

In 1996, a gazette notification No: SO (A-1) SA-1-18/90-A-III dated 28-07-1996 was issued by the Government of the Punjab according to which the owners of the nationalized educational institutions were given the option to take back their institutions after fulfilling certain terms and conditions. The Sadar Anjuman Ahmadiyya wanted to avail of this governmental offer and contacted the concerned department and authorities. All the terms and conditions prescribed by the relevant authorities were complied with, and a sum of Rs. 1,10,12,483 equal to the emoluments and allowances of the staff for six months to one year was deposited in the government treasury at that time.

Again in July 2002, under the revised notification No. S.O. (R&B) 1-18/90-A-III) of scheme for Denationalization of Nationalized educational institutions to previous managements was issued. But to-date no action has been taken by the Punjab Government. Many reminders have been sent by the Ahmadiyya community to the government since 1997.

The government had taken over the management of two of the Sadar Anjuman Ahmadiyya's colleges as well, namely (1) Talim ul Islam College, Rabwah and (2) Jamia Nusrat College, Rabwah. Subsequent to the revised notification, the Sadar Anjuman applied to the Government of the Punjab on 13.7.2002 to denationalize these as well. The government has not done so. It is almost unbelievable that during the last two decades on this important case, and having received a large amount of money from the Anjuman, a Charity, the provincial authorities at Lahore responded officially only once in writing when ordered by the Lahore High Court. This time also, an executive decision was taken by the Secretary to reject our plea and retain the institutions in government custody. It is very relevant to maintain that on the basis of the same policy, the government returned schools and colleges to a large number of other parties who applied and paid the money as per laid down conditions. (A list of these is provided at Annex)

Pakistani state policy of either to yields to hegemonic religious majority or to follow priestly policy or to abuse religion to promote political self-interest at the cost of violation of higher values of a healthy democratic order deserves a courageous and fair reorientation to ensure a stable and just society. Ahmadis' rights, however, remain denied to them.

There is strong indication that the basis of this denial is political hoggishness. Powers-that-be have decided to negate their own public policy, due to self-interest and at the cost of public interest. They have found it convenient to sacrifice Ahmadis' civic rights in response to hoax threats from militant sectarianism. The law and order is a lame excuse. It is well-known that authorities are capable of implementing the state's writ and policy wherever and whenever they want to. Even in the field of denationalization, the case of Forman Christian College is well-known. It was denationalized in the face of severe opposition and wild threats. Nothing happened, except the fait accompli of the transfer of management.

It is also very relevant to mention that these institutions, apart from a sharp decline in their educational standards, are now suffering from gross neglect by officials, and the lack of proper maintenance has severely affected their physical state. In the past, two incidents have occurred in which parts of the ceiling and roof fell down resulting in injuries to a teacher and the students. The press reported these incidents. The only action that the authorities took was to declare the buildings 'Dangerous', but they failed to provide a safe class room instead. The situation is nothing short of criminal neglect. Parents are now very apprehensive regarding the safety of their children. As the government is incapable of maintaining and running these institutions, it should return these to their original owners without further delay - as per its own policy.

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Annex: List of schools and colleges returned back to their owners.