

**SENATE OF PAKISTAN
HOUSE OF THE FEDERATION**

Report No.16



***Report of the Senate Standing Committee on Interior and Narcotics
Control on the issue “The Control of Narcotic Substances
(Amendment) Bill, 2017 introduced by Senator Chaudhary Tanvir
Khan on 13th February, 2017.”***

PRESENTED BY

SENATOR A. REHMAN MALIK
CHAIRMAN

SENATE SECRETARIAT

REPORT OF THE STANDING COMMITTEE ON INTERIOR AND NARCOTICS CONTROL ON “THE CONTROL OF NARCOTIC SUBSTANCES (AMENDMENT) BILL, 2017.”

I, Chairman of the Standing Committee on Interior and Narcotics Control, have the honour to present the report on “The Control of Narcotic Substances (Amendment) Bill, 2017 introduced by Senator Chaudhary Tanvir Khan on 13th February, 2017 and referred by the House to the Standing Committee on Interior and Narcotics Control for consideration and report thereof.

2. The composition of the Standing Committee on Interior & Narcotics Control is as under:-

1. Senator A. Rehman Malik	Chairman
2. Senator Shahi Syed	Member
3. Senator Mir Israrullah Khan Zehri	Member
4. Senator Muhammad Saleh Shah	Member
5. Senator Muhammad Talha Mehmood	Member
6. Senator Col. (R) Syed Tahir Hussain Mashhadi	Member
7. Senator Dr. Jehanzeb Jamaldini	Member
8. Senator Chaudhary Tanvir Khan	Member
9. Senator Muhammad Javed Abbasi	Member
10. Senator Muhammad Ali Khan Saif	Member
11. Senator Mukhtiar Ahmed Dhamrah @ Aajiz	Member
12. Senator Syed Shibli Faraz	Member
13. Minister for Interior	Ex-officio Member

3. The matter was taken up in the meeting of the Standing Committee held on 13th March, 2017.

4. The Committee disposed of the matter on 13th March, 2017 and allowed to submit the report to the House. The following members of the Committee attended the meeting.

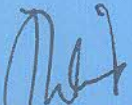
1. Senator A. Rehman Malik	Chairman
2. Senator Chaudhary Tanvir Khan	Member/Mover
3. Senator Muhammad Ali Khan Saif	Member
4. Senator Syed Shibli Faraz	Member
5. Senator Mian Muhammad Ateeq Shaikh	Mover
6. Senator Sirajul Haq	Mover
7. Senator Mohammad Azam Khan Swati	Mover

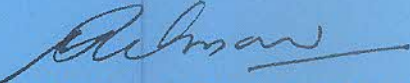
SUMMARY

The proposed legislation was discussed in detail. The Mover briefed the Committee that judges use their discretionary capacity to fix the punishment where law does not specify any punishment. Therefore, the minimum limit of punishments is required to be prescribed in order to maintain deterrence against the menace of drugs. The basic purpose of the bill is to specify and fixing minimum benchmarks for punishments of drugs.

RECOMMENDATION

The Committee disposed of the Bill with the recommendation that the Bill may be passed. The Bill is annexed.


(JAVAID IQBAL)
Secretary Committee


(SENATOR A. REHMAN MALIK)
Chairman

[TO BE INTRODUCED IN THE SENATE]

A

BILL

further to amend the Control of Narcotic Substances Act, 1997

WHEREAS it is expedient further to amend the Control of Narcotic Substances Act, 1997 (XXV of 1997) for the purposes hereinafter appearing;

It is hereby enacted as follows:-

1. Short title and commencement.- (1) This Act may be called the Control of Narcotic Substances (Amendment) Act, 2017.

(2) It shall come into force at once.

2. Amendment of section 9, Act XXV of 1997.- In the Control of Narcotic Substances Act, 1997 (XXV of 1997), in section 9,-

- (i) in clause (a), for the words and commas “, or with fine, or with both” the words “but not less than six months and shall also be liable to fine” shall be substituted;
- (ii) in clause (b), after the words “seven years” the words “but not less than three years” shall be inserted; and
- (iii) in clause (c), after the words “fourteen years” the words “but not less than eight years” shall be inserted.

STATEMENT OF OBJECTS AND REASONS

Where law does not specify any punishment, judges use their discretionary capacity to fix the punishment. Section 9 of the Control of Narcotic Substances Act, 1997, give discretionary powers to the courts established under section 46 of the Act in terms of awarding punishment. Therefore, the minimum limit of punishments is required to be prescribed in order to maintain deterrence against the menace of drugs. This bill endeavours to amend the section 9 of the Control of Narcotic Substances Act, 1997, by specifying and fixing minimum benchmarks for punishments.

The Bill seeks to achieve the above said objectives.

SENATOR CHAUDHARY TANVIR KHAN
Member-in-charge