

**( REPORT 50 OF 2020 )**



House of the Federation

**SENATE SECRETARIAT**

**REPORT OF THE  
SENATE STANDING COMMITTEE ON INTERIOR**

**ON**

**“THE FATAL ACCIDENTS (AMENDMENT) BILL, 2020**

**PRESENTED BY**

**SENATOR A. RHMAN MALIK  
Chairman  
Standing Committee on Interior**

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SENATE SECRETARIAT

REPORT OF SENATE STANDING COMMITTEE ON INTERIOR ON  
"THE FATAL ACCIDENTS (AMENDMENT) BILL, 2020"  
INTRODUCED BY SENATOR MUHAMMAD JAVED ABBASI

I, Chairman of Senate Standing Committee on Interior, have the Honour to present report on "The Fatal Accidents (Amendment) Bill, 2020 introduced by Senator Muhammad Javed Abbasi in the House on 26<sup>th</sup> October, 2020.

2. The Bill, upon introduction in the Senate, was referred to the Standing Committee for consideration and report back to the House.

3. The composition of the Standing Committee on Interior is as under: -

1.	<b>Senator A. Rehman Malik</b>	<b>Chairman</b>
2.	Senator Muhammad Javed Abbasi	Member
3.	Senator Muhammad Azam Khan Swati	Member
4.	Senator Muhammad Tahir Bizinjo	Member
5.	Senator Mian Muhammad Ateeq Shaikh	Member
6.	Senator Rana Maqbool Ahmad	Member
7.	Senator Muhammad Talha Mehmood	Member
8.	Senator Farooq Hamid Naek	Member
9.	Senator Kauda Babar	Member
10.	Senator Sardar Muhammad Shafiq Tareen	Member
11.	Senator Dr. Shahzad Waseem	Member
12.	Senator Nusrat Shaheen	Member
13.	<u>Senator Haji Momin Khan Afridi</u>	<u>Member</u>
14.	Minister for Interior	Ex-Officio Member

4. The Committee considered and discussed the Bill in its meeting held on 02<sup>nd</sup> February, 2021. The following attended the Committee: -

1.	<b>Senator A. Rehman Malik</b>	<b>Chairman</b>
2.	Senator Shahzad Waseem	Member
3.	Senator Muhammad Javed Abbasi	Member/Mover
4.	Senator Sardar Muhammad Shafiq Tareen	Member
5.	Senator Nusrat Shaheen	Member

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5. The Mover briefed on the salient features of the Bill. He stated that the Bill seeks to ensure speedy justice and enable legal heirs of the victims to compensation in case of death in fatal accidents in the Islamabad Capital Territory.

6. The Committee discussed all aspects of the Bill in its meeting.

7. In view of the above, the Committee recommends that "The Fatal Accidents (Amendment) Bill, 2020" as introduced in the House, may be passed by the Senate. (Copy of the Bill is enclosed).



**(TANVIR AHMED)**  
D.G./Secretary Committee



**(SENATOR A. REHMAN MALIK)**  
Chairman Committee

**ISLAMABAD, THE**  
**02<sup>nd</sup> February, 2021.**

*As*  
**[TO BE INTRODUCED IN THE SENATE]**

Introduced on 26-10-2020

**A**

**BIII**

*further to amend the Fatal Accidents Act, 1855*

**WHEREAS** It is expedient further to amend the Fatal Accidents Act, 1855, (XIII of 1855) in its application to the Islamabad Capital Territory, for the purposes hereinafter appearing;

It is hereby enacted as follows: -

**1. Short title, extent and commencement.** - (1) This Act may be called the Fatal Accidents (Amendment) Act, 2020.

(2) It shall extend to the Islamabad Capital Territory.

(3) It shall come into force at once.

**2. Amendment of section 1, Act XIII of 1855.**— In the Fatal Accidents Act, 1855 (XIII of 1855), hereinafter referred to as the said Act, in section 1, for the second paragraph the following shall be substituted, namely:

"Every such action or suit shall be for benefit of the legal heirs of the person whose death may have been so caused, and shall be taken and brought in the name of the legal heirs of the deceased."

**3. Amendment of section 2, Act XIII of 1855.**— In section 2, for the word "complaint," the word "suit" shall be substituted.

**4. Insertion of new sections 3A, 3B, 3C and 3D Act XIII of 1855.**— In the said Act, after section 3, the following new sections shall be inserted, namely:-

**"3A. Interim Order for Compensation.**— (1) During pendency of a suit, the plaintiff may file an application for interim compensation. On such application, the Court may—

- (a) if, prima facie, appeared to it that death of a person was caused by wrongful act, negligence or default of accused/defendant; and
- (b) any of the legal heirs of the deceased is facing financial hardships in meeting his basic needs, pass an order for interim compensation per month as it deems appropriate.

(2) The interim compensation granted under sub-section (1) shall be adjusted in the amount of actual compensation granted by the decree of the court.

(3) If the accused/defendant fails to pay interim compensation in compliance with the orders of the court, the court shall strike off the accused/defendant and decree the suit.

(4) No appeal shall lie from the order in respect of payment of interim compensation.

**3B. Disposal of cases within specified period.-** Where a trial court refuses an application under section 3A, it shall decide the case within six months.

**3C. Appeal.-** An appeal against the decree passed by the trial court shall lie in the manner provided under section 96 of the Code of Civil Procedure, 1908.

**3D. Execution of the Decree.-** Upon pronouncement of judgment by the trial court, the suit shall automatically stand converted into execution application and no fresh notice shall be issued to the judgment debtor."

**5 Omission of section 4, Act XIII of 1855.-** In the said Act, section 4 shall be omitted.

#### **STATEMENT OF OBJECTS AND REASONS**

These amendments seek to ensure speedy justice and enable legal heirs of the victims to compensation in case of death in fatal accidents in the Islamabad Capital Territory.

**Senator Muhammad Javed Abbasi**  
Member-in-Charge