



House of the Federation

SENATE SECRETARIAT

REPORT OF THE  
SENATE STANDING COMMITTEE ON INTERIOR

“THE PAKISTAN ARMS (AMENDMENT) BILL, 2021”

PRESENTED BY

SENATOR MOHSIN AZIZ  
Chairman  
Standing Committee on Interior

*Media.*

SENATE SECRETARIAT

REPORT OF SENATE STANDING COMMITTEE ON INTERIOR  
ON "THE PAKISTAN ARMS (AMENDMENT) BILL 2021" MOVED BY  
MINISTER FOR STATE FOR PARLIAMENTARY AFFAIRS ON  
BEHALF OF MINISTER FOR INTERIOR IN THE SENATE SITTING  
HELD ON 15<sup>TH</sup> JUNE, 2021

I, Chairman Senate Standing Committee on Interior, have the honour to present report on the Bill "The Pakistan Arms (Amendment) Bill, 2021" moved by Minister for State for Parliamentary Affairs on behalf of Minister for Interior in the Senate sitting held on 15<sup>th</sup> June, 2021.

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 as under: -

1.	<b>Senator Mohsin Aziz</b>	<b>Chairman</b>
2.	Senator Syed Yousaf Raza Gillani	Member
3.	Senator Rana Maqbool Ahmad	Member
4.	Senator Azam Nazeer Tarar	Member
5.	Senator Moula Bux Chandio	Member
6.	Senator Saifullah Abro	Member
7.	Senator Samina Mumtaz	Member
8.	Senator Faisal Saleem Rahman	Member
9.	Senator Shahadat Awan	Member
10.	Senator Muhammad Talha Mahmood	Member
11.	Senator Fawzia Arshad	Member
12.	Senator Syed Faisal Ali Subzwari	Member
13.	Senator Ahmed Khan	Member
14.	Minister for Interior	Ex-Officio Member

4. The Committee considered the Bill in its meeting held on 18<sup>th</sup> June, 2021. The following attended the Committee: -

1.	<b>Senator Mohsin Aziz</b>	<b>Chairman</b>
2.	Senator Syed Yousaf Raza Gillani	Member
3.	Senator Azam Nazeer Tarar	Member
4.	Senator Saifullah Abro	Member
5.	Senator Samina Mumtaz	Member
6.	Senator Faisal Saleem Rahman	Member
7.	Senator Shahadat Awan	Member
8.	Senator Fawzia Arshad	Member
9.	Senator Syed Faisal Ali Subzwari	Member
10.	Senator Ahmed Khan	Member

5. Secretary, Ministry of Interior briefed that Under Section 11(A) (2) and (3) of Pakistan Arms Ordinance, 1965, Federal Government is the Authority to issue Arms Licences of Prohibited Bore (PB) and Non Prohibited

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Bore (NPB) category. As per Arms Policy, 2012, Prime Minister is the Authority for PB, while Minister for Interior / Secretary is the authority for NPB Arms Licences. Supreme Court vide its judgment dated 18-08-2016 in Mustafa Implex case declared Federal Government as Cabinet. Hence, in accordance with aforementioned Sections of Pakistan Arms Ordinance, 1965 the powers to issue licences rest with the Cabinet. However, issuance of Arms Licences continued as per Arms Policy, 2012 even after the above said judgment of Supreme Court. Further, the Cabinet in its meeting held on 8<sup>th</sup> September, 2017 in case No. 479/19/2017-C decided that all Ministries and Divisions should in consultation with law & Justice Division, make amendments in the respective Acts / Rules and replace the words "Federal Government" with appropriate authorities (ies). Also, the cases of Arms Licences do not fall in the category which should be brought before the Cabinet as per Rule 16 of Rules of Business, 1973. The large number of such cases of routine nature may not be a burden on the Cabinet. Therefore, the Bill in consultation with Ministry of Law & Justice is hereby submitted to amend the Pakistan Arms Ordinance, 1965 that Federal Government (Cabinet) may delegate any of its powers under this Ordinance to any of its sub-ordinate authority or officer and to validate the issuance of arms licenses, in accordance with section 11-A of the Pakistan Arms ordinance, 1965.

6. Senator Azam Nazeer Tarar stated that the ban on issuance of Arms Licences or make the procedure complicated not only creates problems for a law abiding citizen but it enforces them to keep illegal weapons with them. He elaborated that self-protection is the fundamental right of a citizen and he should be facilitated as per law.

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

8. In view of the above, the Committee recommends that "The Pakistan Arms (Amendments) Bill, 2021" as introduced in the House, may be passed by the Senate. (Copy of the Bill is enclosed).



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



( **SENATOR MOHSIN AZIZ** )  
Chairman  
Senate Standing Committee on Interior

**Islamabad, the**  
**18<sup>th</sup> June, 2021**

**[AS PASSED BY THE NATIONAL ASSEMBLY]**

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BILL

*further to amend the Pakistan Arms Ordinance, 1965 to the extent of  
Islamabad Capital Territory*

Whereas it is expedient further to amend the Pakistan Arms Ordinance, 1965 (W. P. Ord. XX of 1965), to the extent of Islamabad Capital Territory for the purposes hereinafter appearing:

It is hereby enacted as follows:-

1. **Short title and commencement.** -(1) This Act shall be called the Pakistan Arms (Amendment) Act, 2021.

(2) It shall come into force at once.

2. **Amendment of section 11A, W.P. Ordinance No. XX of 1965.** In the Pakistan Arms Ordinance, 1965 (W. P. Ordinance. XX of 1965), in section 11A, after sub-section (4), the following new sub-sections shall be added, namely: -

"(5). The Federal Government may, by notification in the official Gazette, delegate any of its powers under this Ordinance to be exercised by any authority or officer sub-ordinate to it, subject to such extent, limitations and conditions as are specified in the notification.

(6). All prohibited bore and non-prohibited bore arms licences issued, cancelled, suspended or modified, actions done, powers exercised, appointments made, persons authorized, agreements made, prior to commencement of the Pakistan Arms (Amendment) Act, 2020, shall be deemed to have validly been issued, cancelled, suspended, modified, done, exercised, made and authorized under this Ordinance."

**Statement of Objects and Reasons**

Under Section 11(A) (2) and (3) of Pakistan Arms Ordinance, 1965, Federal Government is the Authority to issue Arms Licences in Prohibited Bore (PB) and Non Prohibited Bore (NPB) category. As per Arms Policy, 2012, Prime Minister is the Authority for PB, while Minister for Interior / Secretary is the authority for NPB Arms Licences. Supreme Court vide its judgment dated 18-08-2016 in Mustafa Impex case declared Federal Government as Cabinet. Hence, in accordance with aforementioned Sections of Pakistan

Arms Ordinance, 1965 the powers to issue licences rest with the Cabinet. However, issuance of Arms Licences continued as per Arms Policy, 2012 even after the above said judgment of Supreme Court.

2. Further, the Cabinet in its meeting held on 8<sup>th</sup> September, 2017 in case No.479/19/2017-C decided that all Ministries and Divisions should in consultation with Law & Justice Division, make amendments in the respective Acts/Rules and replace the words "Federal Government" with appropriate authority (ies). Also, the cases of Arms Licences do not fall in the category which should be brought before the Cabinet as per Rule 16 of Rules of Business, 1973. The large number of such cases of routine nature may not be a burden on the Cabinet.

3. Therefore, the Bill in consultation with Ministry of Law & Justice is hereby submitted to amend the Pakistan Arms ordinance, 1965 that Federal Government (Cabinet) may delegate any of its powers under this Ordinance to any of its sub-ordinate authority or officer and to validate the issuance of arms licenses, in accordance with section 11-A of the Pakistan Arms Ordinance, 1965.

**Brig (R) Ilaz Ahmad Shah**  
Minister for Interior