

SENATE OF PAKISTAN

REPORT NO# 02



**REPORT OF THE SENATE STANDING COMMITTEE
ON NATIONAL FOOD SECURITY & RESEARCH**

ON

***"THE PREVENTION OF CRUELTY TO ANIMALS (AMENDMENT)
BILL, 2022"***

PRESENTED BY

**SYED MUZAFFAR HUSSAIN SHAH
CHAIRMAN COMMITTEE**

SENATE SECRETARIAT

REPORT OF THE SENATE STANDING COMMITTEE ON THE PREVENTION OF CRUELTY TO ANIMALS (AMENDMENT) BILL, 2022

1, Chairman of the Standing Committee on National Food Security & Research have the honor to present on behalf of the Committee, this report on the Bill further to amend the Prevention of Cruelty to Animals Act, 1890, as introduced in the Senate of Pakistan by Senator Palwasha Mohammad Zai Khan on 1st August, 2022 and referred to the Senate Standing Committee on National Food Security & Research for consideration and report.

2. The composition of the Committee is as under:-

1. Senator Syed Muzafar Hussain Shah	Chairman
2. Senator Muhammad Ishaq Dar	Member
3. Leader of the House	Member
4. Senator Seemee Ezdi	Member
5. Senator Sania Nishtar	Member
6. Senator Saeed Ahmed Hashmi	Member
7. Senator Dr. Muhammad Farogh Naseem	Member
8. Senator Naseema Ehsan	Member
9. Senator Kesho Bai	Member
10. Senator Qurat Ul Ain Marri	Member
11. Senator Jam Mahtab Hussain Dahar	Member
12. Senator Dr Asif kirmani	Member
13. Senator kamran Murtaza	Member
14. Minister for National Food Security & Research	Ex-officio Member

3. The Committee considered and discussed the said Bill in its meetings held on 6th October, 2022 & 17th January, 2023 at Parliament House, Islamabad under the Chairmanship of Senator Syed Muzafar Hussain Shah. The Following Members attended the above said meetings:

Meeting held on 6th October, 2022

1. Senator Seemee Ezdi	Member
2. Senator Naseema Ehsan	Member
3. Senator Jam Mahtab Hussain Dahar	Member
4. Senator Palwasha Muhammad Zai Khan	Mover

Meeting held on 17th January, 2023

1. Senator Jam Mahtab Hussain Dahar	Member
2. Senator Kamran Murtaza	Member
3. Senator Palwasha Mohammad Zai Khan	Mover

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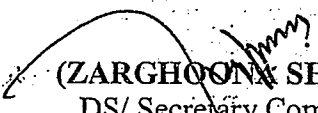
4. The Mover briefly highlighted the objective behind the proposed Bill. It was said that the aim is to condemn cruelty and evil practices with animals including birds by enhancing fine as stated in statement of objects and reasons of the Bill. The Members of the Committee considered the Bill clause by clause and proposed the following amendments:-

- (i) In clause 2, the proposed substituted sub-section (1) shall be substituted namely.-
“(1) “**animal**” means any non-human mammal, bird, aquatic animal, reptile or amphibian which is a member of the phylum vertebrates, including the carcass of any such animal”
- (ii) In clause 3, sub-clauses (i) and (ii) shall be omitted and sub-clause (iii) shall be renumbered as (i).

(i) For the expression, after paragraph (f), the following shall be substituted, namely:-

“ he shall be punished, in the case of a first offence, with fine which may extend to three hundred thousand rupees, but shall not be less than twenty five thousand rupees, or with imprisonment for a term which may extend to one month and, in the case of a second or subsequent offence committed within three years of the previous offence, with fine which may extend to four hundred thousand rupees, but shall not be less than fifty thousand rupees, or with imprisonment for a term which may extend to three months, or with both.”

5. After due deliberations, the Committee unanimously passed the Bill titled, “The Prevention of Cruelty To Animals (Amendment) Bill, 2022” with amendments as mentioned above and recommended that the same may be passed by the House. Copy of the Bill as introduced in the Senate is annexed as “A”. The Bill as recommended by the Standing Committee is annexed as “B”.


(ZARGHOON SHABBIR)
DS/ Secretary Committee


(SENATOR SYED MUZAFFAR HUSSAIN SHAH)
Chairman Committee

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

**A
BILL**

further to amend the Prevention of Cruelty to Animals Act, 1890

WHEREAS it is expedient further to amend the Prevention of Cruelty to Animals Act, 1890 (XI of 1890), for the purposes hereinafter appearing;

It is hereby enacted as follows:-

1. Short title and commencement.- (1) This Act may be called the Prevention of Cruelty to Animals (Amendment) Act, 2022.

(2) It shall come into force at once.

2. Amendment of section 2, Act XI of 1890.- In the Prevention of Cruelty to Animals Act, 1890 (XI of 1890), hereinafter referred to as the said Act, in section 2, for sub-section (1), the following shall be substituted, namely:-

(1) "animal and bird" means any domestic or captured animal and bird.

3. Amendment of section 3, Act XI of 1890.- In the said Act, in section 3,-

(i) for paragraph (b), the following shall be substituted, namely:-

"(b) binds, captives, carries, consigns for carriage any animal in such manner or position as to subject it to unnecessary pain or suffering, offer for road side sale, or"

(ii) after paragraph (e), the following new paragraph (f) shall be inserted, namely:-

"(f) without reasonable cause kills any animal"

(iii) for the expression, after paragraph (f), the following shall be substituted, namely:-

"he shall be punished, in the case of a first offence, with fine which may extend to three hundred thousand rupees, but shall not be less than twenty five thousand rupees, or with imprisonment for a term which may extend to one month and, in the case of a second or subsequent offence committed within three years of the previous offence, with fine which may extend to four hundred thousand rupees, but shall not be less than fifty thousand rupees, or with imprisonment for a term which may extend to three months, or with both."

4. **Amendment of section 3A, Act XI of 1890.**- In the said Act, in section 3A,-

- (i) in sub-section (1); for the words "one hundred thousand rupees", the words "three hundred thousand rupees" and for the words "ten thousand rupees", the words "twenty five thousand rupees" shall be substituted; and
- (ii) in sub-section (2), for the words "two hundred thousand rupees", the words "four hundred thousand rupees" and for the words "twenty five thousand rupees" the words "fifty thousand rupees" shall be substituted.

STATEMENT OF OBJECTS AND REASONS

Animals are multicellular eukaryotes in the animal kingdom, whereas birds are warm-blooded vertebrates and are only animals with feathers. Their environmental and economic benefits for the humans must not be underestimated and undermined. Islam respects rights of animals and birds and direct its believes to treat them with care, compassion and dignity.

According to one Hadith:

"Holy Prophet (P.B.U.H) said that one who kills unnecessarily, even a sparrow, will be questioned by Allah on the Day of Judgment"

2. The above-said law condemns the practices of cruelty with animals and birds, and desires to eliminate the same on priority basis and for that purpose, various punishments have been given in this Act, which are not reasonable and appropriate in current circumstances, and therefore, this amendment is brought with the aim to increase punishments for such heinous crimes and create deterrence in the society.

3. This Bill is aimed to achieve the above-said objective.

**SENATOR PALWASHA MOHAMMED ZAI KHAN
MEMBER IN CHARGE**

Bill

Further to amend the Prevention of Cruelty to Animals Act, 1890

WHEREAS it is expedient further to amend the Prevention of Cruelty to Animals Act, 1890 (XI of 1890), for the purposes hereinafter appearing;

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(2) It shall come into force at once.

2. **Amendment of Section 2, Act XI of 1890:-** In the Prevention of Cruelty to Animals Act, 1890 (XI OF 1890), hereinafter referred to as the said Act, in section 2, for sub-section (1), the following shall be substituted, namely:-

"(1) **"animal"** means any non-human mammal, bird, aquatic animal, reptile or amphibian which is a member of the phylum vertebrates, including the carcass of any such animal"

3. **Amendment of section 3, Act, XI OF 1890:-** In the said Act, in section 3,-

(i) For the expression, after paragraph (f), the following shall be substituted, namely:-

"he shall be punished, in the case of a first offence, with fine which may extend to three hundred thousand rupees, but shall not be less than twenty five thousand rupees, or with imprisonment for a term which may extend to one month and, in the case of a second or subsequent offence committed within three years of the previous offence, with fine which may extend to four hundred thousand rupees, but shall not be less than fifty thousand rupees, or with imprisonment for a term which may extend to three months, or with both."

4. **Amendment of section 3A, Act XI of 1890:-** In the said Act, in section 3A,-

(i) In sub-section (1) for the words "one hundred thousand rupees," the words "three hundred thousand rupees" and for

thousand rupees" shall be substituted; and

- (ii) In sub-section (2), for the words "two hundred thousand rupees", the words "four hundred thousand rupees" and for the words "twenty five thousand rupees" the words "fifty thousand rupees" shall be substituted;

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**SENATOR PALWASHA MOHAMMAD ZAI
KHAN
MEMBER IN CHARGE**