

SENATE OF PAKISTAN



REPORT OF THE SENATE STANDING COMMITTEE ON INTERIOR

ON

**A BILL FURTHER TO AMEND THE PAKISTAN PENAL CODE, 1860 AND THE
CODE OF CRIMINAL PROCEDURE, 1898,
[THE CRIMINAL LAWS (AMENDMENT) BILL, 2023]
(AMENDMENT OF SECTION 289 PPC).**

**INTRODUCED BY
SENATOR FAWZIA ARSHAD
ON 20TH NOVEMBER, 2023.**

PRESENTED BY

**SENATOR MOHSIN AZIZ
CHAIRMAN SSC ON INTERIOR**

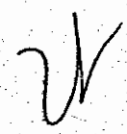
SENATE SECRETARIAT

**SUBJECT: REPORT OF THE SENATE STANDING COMMITTEE ON INTERIOR
ON THE CRIMINAL LAWS (AMENDMENT) BILL, 2023,**

I, Senator Mohsin Aziz, Chairman Senate Standing Committee on Interior, have the honor to present report of the Committee on the Criminal Laws (Amendment) Bill, 2023, (Amendment of 289 PPC), introduced by Senator Fawzia Arshad on 20th November, 2023.

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

Senator Mohsin Aziz	Chairman
Senator Syed Yousuf Raza Gillani	Member
Senator Azam Nazeer Tarar	Member
Senator Samina Mumtaz Zehri	Member
Senator Sherry Rehman	Member
Senator Saifullah Abro	Member
Senator Faisal Saleem Rehman	Member
Senator Shahadat Awan	Member
Senator Faisal Subzwari	Member
Senator Fawzia Arshad	Member
Senator Danesh Kumra	Member
Senator Dilawar Khan	Member
Senator Kamil Ali Agha	Member
<u>Minister for Interior</u>	<u>Ex-Officio Member</u>



3. The Committee considered the Bill in its meeting held on 14th December, 2023.

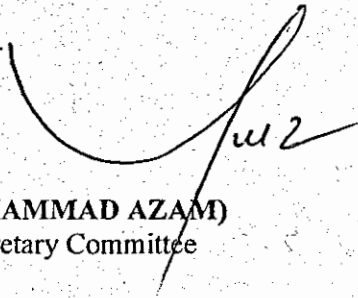
The meeting was attended by the following Members:

1. Senator Mohsin Aziz	Chairman
2. Senator Samina Mumtaz Zehri	Member
3. Senator Sherry Rehman	Member
4. Senator Faisal Saleem Rehman	Member
5. Senator Shahadat Awan	Member
6. Senator Kamil Ali Agha	Member
7. Senator Danesh Kumar	Member

4. The Mover was not present; however, the Chairman Committee apprised the Committee that she authorized him to proceed further with the Bill. The intent of the Mover as per the statement of objects and reasons is that keeping animals is a task of utmost care and responsibility and such animals need to be dealt with proper caution, foresight and vigilance. There are instances throughout the country where the animal is not handled by properly by its keeper due to negligence or willful act which ultimately resulted into causing hurt to other citizens which needs to be addressed.

5. The Chairman apprised the Committee that according to the brief submitted by the Ministry of Interior through their File No.5/13/2022-Law, the Ministry had sought comments on the Bill from the provinces whereupon the Ministry of Climate Change, Government of AJ&K, Government of KPK, Government of the Punjab and ICT Administration have endorsed the Bill whereas the responses of the Government of Sindh, Balochistan and GB are still awaited. As far as the Ministry of Interior is concerned, they have also endorsed the Bill as introduced in the Senate.

6. The Chairman was of the view that since all the stakeholders have endorsed the Bill, therefore, the Committee may consider the Bill even in absence of the Mover. The Committee agreed the suggestion of the Chairman and the Bill was put to the vote of the Committee which was unanimously recommended by the Committee as introduced in the Senate. The Bill as introduced in the Senate is at Annexure-A. The Committee also gave approval of presentation of report of the Committee to the House. Hence, this report is presented to the House.



(MUHAMMAD AZAM)
Secretary Committee



(SENATOR MOHSIN AZIZ)
Chairman Committee

A
BILL

further to amend the Pakistan Penal Code, 1860 and the Code of Criminal Procedure, 1898

WHEREAS it is expedient further to amend the Pakistan Penal Code, 1860 (XLV of 1860) and the Code of Criminal Procedure, 1898 (V of 1898) for the purposes hereinafter appearing;

It is hereby enacted as follows:-

1. Short title and commencement. - (1) This Act may be called the Criminal Laws (Amendment) Act, 2023.

(2) It shall come into force at once.

2. Substitution of section 289, Act XLV of 1860. - In the Pakistan Penal Code 1860 (XLV of 1860), for section 289, the following shall be substituted, namely:-

"289. Intentional and negligent conduct with respect to animals.- (1) Whoever knowingly or intentionally omits to take such order with any animal in his possession as is sufficient to guard against any probable danger to human life, or any probable danger of grievous hurt from such animal, shall be punished with imprisonment of each description for a term which may extend to two years, or with fine which may extend to two hundred thousand rupees, or with both.

(2) Whoever negligently omits to take such order with any animal in his possession as is sufficient to guard against any probable danger to human life, or any probable danger of grievous hurt from such animal, shall be punished with Imprisonment of each description for a term which may extend to one year, or with fine which may extend to one hundred thousand rupees, or with both."

3. Amendment of Schedule II, Act V of 1898. - In the Code of Criminal Procedure, 1898 (V of 1898), in schedule II, in the entries related to section 289,-

(i) In column 5, for the word "Bailable" the words "Non Bailable" shall be substituted;

(ii) In column 7, for the expression "Imprisonment of either description for 6 months or fine of 3,000 rupees, or both." the expression "for intentional act, imprisonment of either description for 2 years or fine which may extend to 200,000 rupees, or both and for negligent act, imprisonment of either description for 1 year or fine which may extend to 100,000 rupees, or both." shall be substituted.

STATEMENT OF OBJECTS AND REASONS

Keeping animals is a task of care and responsibility, which needs to be dealt with proper caution, foresight and vigilance. It has been observed that owners of animals do not take precautionary measures in dealing with animals and put life of citizens at large in danger, which results into acceleration in incidents of animals bite injuries all over Pakistan. They must be made responsible for their carelessness and negligence in dealing with animals.

2. There are also instances of increase in intentional maltreatment with animals. Although this offence has already been described under Pakistan Penal Code (PPC), but provided punishment is not sufficient and there is need to enhance it. Moreover, it is important to make this offence non-bailable to create deterrence in the society.

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

**SENATOR FAWZIA ARSHAD
MEMBER-IN-CHARGE**