

***SENATE OF PAKISTAN
HOUSE OF THE FEDERATION***

Report No.14



***Report of the Senate Standing Committee on Interior and Narcotics
Control on the issue "The Pakistan Penal Code (Amendment) Bill,
2017 (Amendment of Section 323) introduced by Senator Mohammad
Azam Khan Swati on 6th March, 2017"***

PRESENTED BY

SENATOR A. REHMAN MALIK
CHAIRMAN

SENATE SECRETARIAT

REPORT OF THE STANDING COMMITTEE ON INTERIOR AND NARCOTICS CONTROL ON "THE PAKISTAN PENAL CODE (AMENDMENT) BILL, 2017 (AMENDMENT OF SECTION 323) INTRODUCED BY SENATOR MOHAMMAD AZAM KHAN SWATI ON 6TH MARCH, 2017."

I, Chairman of the Standing Committee on Interior and Narcotics Control, have the honour to present the report on "The Pakistan Penal Code (Amendment) Bill; 2017 (Amendment of Section 323) introduced by Senator Mohammad Azam Khan Swati on 6th March, 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 meetings 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
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 that unfortunately the life of human beings is getting cheaper and cheaper. People in Pakistan are killed either intentionally or unintentionally, such as in road accidents, enmities and on one or the other pretext. Compoundable nature of the offence and the provision of low value of Diyat have made the people negligent and careless. By increasing punishment through this amendment, the people will become more careful and avoid intentional or unintentional killing of human beings.

The Standing Committee agreed to the point of view of the Mover and allowed to submit its report to the House.

RECOMMENDATIONS

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 Pakistan Penal Code, 1860

WHEREAS it is expedient further to amend *the Pakistan Penal Code, 1860* (XLV of 1860) for the purposes hereinafter appearing;

It is hereby enacted as follows:-

1. Short title and commencement. - (1) This Act may be called the Pakistan Penal Code (Amendment) Act, 2017.

(2) It shall come into force at once.

2. Amendment of section 323, Act XLV of 1860. - In the Pakistan Penal Code, 1860 (XLV of 1860), in section 323,-

(i) in sub-section (1), for the words "thirty thousand six hundred and thirty grams of silver" the words and figure "four thousand two hundred and fifty grams of 22 carat gold" shall be substituted; and

(ii) in sub-section (2), for the word "silver" the figure and words "22 carat gold" shall be substituted.

STATEMENT OF OBJECTS AND REASONS

Human lives are the most precious thing in this world. Islam has given very sacred status to human life and has declared that the killing of one person is the killing of entire Humanity. The Prophet (peace be upon him) in his last address has stated that the lives of human beings are inviolable to each other. Unfortunately people in Pakistan are killed either intentionally or unintentionally, such as in road accidents, enmities and on other pretext. Compoundable nature of the offence and the provision of low value of Diyat have made the people negligent and careless. In this amendment the value of Diyat has been fixed in accordance with the injunctions of Islam, which is higher than the existing value of Diyat. Through this amendment, the people will become more careful and will avoid intentional and unintentional killing of human beings.

The Bill has been designed to achieve the aforesaid objectives.

SENATOR MOHAMMAD AZAM KHAN SWATI

Member-in-Charge