

REPORT OF THE STANDING COMMITTEE ON LAW AND JUSTICE



“THE EXPLOSIVE SUBSTANCES (AMENDMENT) BILL, 2017”

Report No. 39

PRESENTED BY

SENATOR MUHAMMAD JAVED ABBASI
CHAIRMAN

SENATE SECRETARIAT


REPORT OF THE STANDING COMMITTEE ON LAW AND JUSTICE ON “THE EXPLOSIVE SUBSTANCES (AMENDMENT) BILL, 2017”

I, Chairman of the Standing Committee on Law and Justice, have the honour to present report on “The Explosive Substances (Amendment) Bill, 2017” as passed by the National Assembly and introduced in the Senate on 14th February, 2017. The Bill, upon introduction, was referred to the Standing Committee for consideration and report.

2. The composition of the Standing Committee on Law and Justice is as under:-

1.	Senator Muhammad Javed Abbasi	Chairman
2.	Senator Aitzaz Ahsan	Member
3.	Senator Saleem Zia	Member
4.	Senator Dr. Muhammad Ali Khan Saif	Member
5.	Senator Syed Muzafar Hussain Shah	Member
6.	Senator Nehal Hashmi	Member
7.	Senator Ms. Ayesha Raza Farooq	Member
8.	Senator Nawabzada Saifullah Magsi	Member
9.	Senator Saeed Ghani	Member
10.	Senator Zaheer ud Din Babar Awan	Member
11.	Senator Mrs. Zahida Khan	Member
12.	Senator Farooq Hamid Naek	Member
13.	Minister for Law and Justice	Ex-Officio Member

3. The Committee considered the Bill in its meeting held on 27th March, 2017, under the Chairmanship of Senator Muhammad Javed Abbasi, which was attended by the following hon’ble Members:-

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- i. Senator Syed Muzafar Hussain Shah
 - ii. Senator Ms. Ayesha Raza Farooq
 - iii. Senator Nawabzada Saifullah Magsi
 - iv. Senator Saeed Ghani

4. The Minister for Law and Justice briefed the Committee and stated that Section 7 of the Explosive Substances Act, 1908 (IV of 1908), is proposed to be amended for the reason that jurisdiction of Court for trial of any person under this Act has been barred except with the consent of the Provincial Government and such consent normally is neither given nor refused, therefore, to avoid inordinate delay for the trial, a proviso is being added to the said section.

5. The Committee held extensive discussions and unanimously supported the proposed amendments envisaged in the instant Bill.

6. The Committee recommends that "The Explosive Substances (Amendment) Bill, 2017", as passed by the National Assembly and introduced in the Senate, may be passed by the Senate of Pakistan. (Copy of Bill as passed by the National Assembly and introduced in the Senate is annexed).


(Rabeeza Anwar)
J.S / Secretary Committee


(Senator Muhammad Javed Abbasi)
Chairman

[AS PASSED BY THE NATIONAL ASSEMBLY]

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further to amend the Explosive Substances Act 1908

WHEREAS it is expedient further to amend the Explosive Substances Act, 1908 (IV of 1908) in its application to the Islamabad Capital Territory for the purposes hereinafter appearing.

1. Short title and commencement:- (1) This Act may be called the Explosive Substances (Amendment) Act, 2017.

(2) It shall come into force at once

2. Amendment of section 7, Act IV of 1908- in the Explosive Substances Act, 1908 (IV of 1908), in section 7.-

- a) after the words "Provincial Government", the words "to which intimation shall be sent within two days of the registration of the case" shall be added.
- b) for full stop at the end a colon shall be substituted and thereafter the following proviso shall be added, namely:-

"Provided that if the consent is neither received nor refused within sixty days of the registration of case by the Government such consent shall be deemed to have been duly given."

Statement of Objects and Reasons

The Prime Minister has constituted a Law Reforms Committee, inter alia, to make law reforms proposals and process proposals made by the Law and Justice Commission of Pakistan and other relevant institutions and committees or any other person.

2. The Law Reforms Committee has recommended amendment of section 7 of the Explosive Substances Act, 1908 (IV of 1908), for the reason that jurisdiction of Court for trial of any person under this Act has been barred except with the consent of the Provincial Government and such consent normally is neither given nor refused, therefore, to avoid inordinate delay for the trial, a proviso is being added to the said section 7.

3. The Bill has been designed to achieve the aforesaid objective.

MR. ZAHID HAMID
Minister for Law and Justice
Minister-in-charge