

REGISTERED No. M - 302  
L-7646

**The Gazette**  **of Pakistan**

**EXTRAORDINARY  
PUBLISHED BY AUTHORITY**

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**ISLAMABAD, TUESDAY, JUNE 22, 2010**

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**PART I**

**Acts, Ordinances, President's Orders and Regulations**

**SENATE SECRETARIAT**

*Islamabad, the 22nd June, 2010*

**No. F. 9 (17)/2010-Legis.**—The following Act of Majlis-e-Shoora (Parliament) received the assent of the President on 21st June, 2010, is hereby published for general information:—

**ACT No. XV of 2010**

*An Act further to amend the Pakistan Penal Code*

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

It is hereby enacted as under:—

1. **Short title and commencement.**—(1) This Act may be called the Pakistan Penal Code (Amendment) Act, 2010.

(2) It shall come into force at once and shall be deemed to have taken effect on and from the 3rd October, 2007.

(419)

*Price : Rs. 3.00*

[2583(2010)/Ex. Gaz.]

2. **Amendment of section 331, Act XLV of 1860.**—In the Pakistan Penal Code (Act XLV of 1860), hereinafter referred to as the said Code, in section 331,—

- (a) in sub-section (1), for the words “three years” the words “five years” shall be substituted; and
- (b) in sub-section (2),—
  - (i) after the word “security” the words “or surety” shall be inserted; and
  - (ii) after the word “court” at the end, the words “or may be released on parole as may be prescribed by the rules” shall be added.

3. **Amendment of section 337X, Act XLV of 1860.**—In the said Code, in section 337X,—

- (a) in sub-section (1), for the words “three years” the words “five years” shall be substituted; and
- (b) in sub-section (2),—
  - (i) after the word “security” the words “or surety” shall be inserted; and
  - (ii) after the word “court” at the end, the words “or may be released on parole as may be prescribed by the rules” shall be added.

4. **Amendment of section 337Y, Act XLV of 1860.**—In the said Code, in section 337Y,—

- (a) after sub-section (1), the following new sub-section shall be inserted, namely:—

“(1a) The *daman* may be made payable in lump sum or in installments spread over a period of five years from the date of the final judgment.”; and
- (b) for sub-section (2), the following shall be substituted, namely:—

“(2) Where a convict fails to pay *daman* or any part thereof within the period specified in sub-section (1a), the convict may be

kept in jail and dealt with in the same manner as if sentenced to simple imprisonment until *daman* is paid in full or may be released on bail if he furnishes security or surety equivalent to the amount of *daman* to the satisfaction of the court or may be released on parole as may be prescribed by the rules.”.

5. **Amendment of section 338G, Act XLV of 1860.**—In the said Code, section 338G, shall be numbered as sub-section (1) thereof and after sub-section (1), re-numbered as aforesaid, the following new sub-section shall be added, namely:—

“(2) Notwithstanding anything contained in sub-section (1), the Federal Government may, by notification in the official Gazette, make rules regarding the following matters, namely:—

- (a) providing mechanism for creation of a fund, which shall be non-lapsable and exempted from taxes, for the purpose of making of payment of *diyat*, *arsh* and *daman* of the convicts, who, on account of poverty and weak financial position are confined in jails for want of making the said payment;
- (b) facility of extending soft loans out of the said fund to the convicts enabling them to satisfy the claim of legal heirs of the deceased or victims in respect of *diyat*, *arsh* and *daman*;
- (c) in appropriate cases release of such prisoners on parole by the court who after having served out the substantive sentence of imprisonment, if any, are confined in jails on account of non-payment of *diyat*, *arsh* and *daman*;
- (d) providing jobs to the said convicts, other than the Government department in the work places attached with the jails or through the social organizations or philanthropists, enabling the convicts to disburse the amount paid out of the fund or extended through loans;
- (e) mechanism for protecting rights of the victims for the purpose of *diyat*, *arsh* and *daman*; and
- (f) any other matter for which the rules may be necessary to carry out the aforesaid purposes.”.

RAJA MUHAMMAD AMIN,  
*Secretary.*

*ERRATA*

*[A Gazette of Pakistan Extraordinary Part-I]* received from Senate Secretariat, Islamabad, dated 18th March, 2010. The Transplantation of Human Organs and Tissues Bill, 2010 Act No. VI of 2010. Allotted folio 89 to 98 but matter for Printing (MSS) of Senate Secretariat Islamabad composed from folio 89 to 96.

Folio No. 97 and 98 is treated as Blank.

SAJID BUKHARI,  
*Gazette Cell.*