

INTRODUCED ON 16.01.2023.

[AS INTRODUCED IN THE SENATE]

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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. Insertion of new section 277A, Act XLV of 1860.- In the Pakistan Penal Code, 1860 (XLV of 1860), after section 277, the following new section shall be inserted, namely:-

"277A Fouling rivers through industrial and public waste etc. .- Whoever fouls the rivers, canals and streams by throwing any quantity of untreated wastewater and industrial waste shall be punished with imprisonment of either description for a term which may extend to one year, or with fine which may extend to five hundred thousand rupees but shall not be less than three hundred thousand rupees, or with both:

Provided that the same crime shall be punished with imprisonment of either description for a term which may extend to three years, or with fine which may extend to ten hundred thousand rupees but shall not be less than eight hundred thousand rupees, or with both in case of repeating the same crime second time."

3. Amendment of Schedule-II, Act V of 1898.- In the Code of Criminal Procedure, 1898 (Act No. V of 1898), in the Schedule-II, after section 277 in column 1 and the entries relating thereto in columns 2 to 8, the following shall be inserted, namely:-

277-A	Fouling rivers through industrial and public waste etc.	Ditto	Ditto	Ditto	Ditto	<p>imprisonment of either description for a term which may extend to one year, or with fine which may extend to five hundred thousand rupees but shall not be less than three hundred thousand rupees, or with both:</p> <p>Provided that the same crime shall be punished with imprisonment of either description for a term which may extend to three years, or with fine which may extend to ten hundred thousand rupees but shall not be less than eight hundred thousand rupees, or with both in case of repeating the same crime second time.</p>	Magistrate of first Class
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STATEMENT OF OBJECTS AND REASONS

Polluting the precious natural resources of the country especially water resources in a water stressed country like Pakistan is a crime. There are various sources of Polluted Water such as Industrial and municipal effluents discharges, Washing of animals and vehicles, Flood, canal irrigation systems, agricultural run-off transporting fertilizer, un-sewered communities etc. In our country rivers are being polluted in an alarming speed. Almost all factories dispose of their untreated wet waste in canals and rivers. Only eight percent of the total public wastewater and one percent of industrial waste is treated before it is thrown into rivers.

2. Under the current scenario, the above amendment has been proposed in the Pakistan Penal Code, 1860 and the Code of Criminal Procedure, 1898 in order to penalize this illegality committed in the form of throwing untreated public waste and industrial waste in the rivers and canals all over the country and enforce strict punishments against such violations.

3. The Bill has been designed to achieve the aforementioned purpose.

SENATOR SEEMEE EZDI
Member In charge