

As
[TO BE INTRODUCED IN THE SENATE]

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**