

[AS PASSED BY 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 (Act XLV of 1860) and the Code of Criminal Procedure, 1898 (Act 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, 2024.

(2) It shall come into force at once.

2. Substitution of Section 277, Act XLV of 1860.- In the Pakistan Penal Code, 1860 (Act XLV of 1860), hereinafter referred to as the Penal Code, section 277 shall be substituted as under, namely:-

"277. Fouling water of public spring, rivers or reservoir.- Whoever voluntarily corrupts or fouls the water of any public spring, reservoir, river, canal or stream by throwing any quantity of untreated waste water or industrial waste so as to render it less fit for the purpose for which it is ordinarily used, 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 in case of repeating the same offence, it shall be punished with imprisonment of either description for a term which may extend to three years, or with fine which may extend to one million rupees but shall not be less than eight hundred thousand rupees, or with both:

3. Amendment of Schedule II, Act V of 1898.- In the Code of Criminal Procedure, 1898 (Act V of 1898), in Schedule II, the corresponding entries relating to section 277 in columns 2 and 7, the following shall be substituted, namely:-

277	Fouling water of public spring, rivers or reservoir	Shall not arrest without warrant	Ditto	Bailable	Not compoundable	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 in case of repeating the same offence, it shall be punished with imprisonment of either description for a term which may extend to three years, or with fine which may extend to one million rupees but shall not be less than eight hundred thousand rupees, or with both	Court of sessions
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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