

NATIONAL ASSEMBLY SECRETARIAT

REPORT OF THE STANDING COMMITTEE ON INTERIOR AND NARCOTICS CONTROL ON THE CRIMINAL LAW (AMENDMENT) BILL, 2024 (ORDINANCE NO. VI OF 2023)

I, Chairman of the Standing Committee on Interior and Narcotics Control, have the honour to present this report on the Bill further to amend the Pakistan Penal Code, 1860 (Act XLV of 1860), the Criminal Law (Amendment) Bill, 2024 [Ordinance No. VI of 2023] (Government Bill) referred to the Committee on 15th March, 2024.

2. The Committee comprises the following:

1. Raja Khurram Shahzad Nawaz	Chairman
2. Mr. Anjum Aqeel Khan	Member
3. Chaudhary Naseer Ahmed Abbas	Member
4. Syeda Nosheen Iftikhar	Member
5. Malik Shakir Bashir Awan	Member
6. Syed Rafiullah	Member
7. Ch. Muhammad Shahbaz Babar	Member
8. Haji Jamal Shah Kakar	Member
9. Sardar Nabeel Ahmed Gabol	Member
10. Mr. Abdul Qadir Patel	Member
11. Khawaja Izhar Ul Hassan	Member
12. Nawabzada Mir Jamal Khan Raisani	Member
13. Mr. Muhammad Ijaz -Ul- Haq	Member
14. Mr. Mohammad Jamal Ahsan Khan	Member
15. Mr. Nisar Ahmed	Member
16. Mr. Hussain Ellahi	Member
17. Sahibzada Muhammad Hamid Raza	Member
18. Mr. Muhammad Arshad Sahi	Member
19. Mr. Jamshaid Ahmed	Member
20. Ms. Zartaj Gul	Member
21. Syed Mohsin Raza Naqvi	<i>Ex-officio</i> Member
Minister for Interior and Narcotics Control	

3. The Committee considered the Bill, as introduced in the National Assembly, placed at 'Annexure-'A', in its meetings held on 22-7-2024, 13-8-2024, 03-10-2024, 11-11-2024, 23-4-2025 and 26-5-2025, and recommended by majority vote that the Bill as introduced and placed at 'Annexure-'B' may not be passed by the National Assembly.

Sd/-
(Tahir Hussain)
Secretary General
Islamabad, the 26th June, 2025

Sd/-
(Raja Khurram Shahzad Nawaz)
Chairman

[Published in the Gazette of Pakistan, Extraordinary, Part-1, dated the 13th December, 2023]

ORDINANCE No. VI OF 2023

AN

ORDINANCE

further to amend the Pakistan Penal Code 1860

WHEREAS it is expedient further to amend certain provisions of the Pakistan Penal Code, 1860 (XLV of 1860), in the manner and for the purpose hereinafter appearing;

AND WHEREAS the Senate and National Assembly are not in session and the President of the Islamic Republic of Pakistan is satisfied that circumstances exist which render it necessary to take necessary action;

NOW THEREFORE, in exercise of the powers conferred by clause (1) of Article 89 of the Constitution of the Islamic Republic of Pakistan, the President of the Islamic Republic of Pakistan is pleased to make and promulgate the following Ordinance:—

1. **Short title and commencement.**—(1) This Ordinance shall be called the Criminal Law (Amendment) Ordinance, 2023.

(2) It shall come into force at once.

2. **Amendment in section 462O, Act No. XLV of 1860.**—(1) In the Pakistan Penal Code, 1860 (XLV of 1860), for section 462O, the following shall be substituted, namely:—

“462O. Cognizance.—(1) The offences punishable under this Chapter shall be cognizable however the police shall not take cognizance of an offence under this Chapter except where information of an offence under this Chapter is provided to the police in writing by a duly authorized officer (not below Grade 17) of the Government or by a person duly authorized by a Chief Executive Officer of a power distribution company as the case may be.”

STATEMENT OF OBJECTS AND REASONS

Power Sector is beset with challenges of high losses and under recoveries. One of the primary reasons of losses is rampant theft. Primarily, this Phenomenon is result of weak legal and enforcement structure.

2. In the Criminal Procedure Code, offences are either cognizable by police, which means arrest can be made by police without warrant, or the Court decides whether or not to allow the police to investigate and arrest. This amendment was made through Criminal Law (Amendment) Ordinance, 2013 and then promulgated in 2014 as section 4620.

3. Although, through an amendment to the Schedule of Criminal Procedure Code, the offences relating to electricity were made cognizable by the police but Section 4620 has made them cognizable by the Court alone, Since the main Act prevails over the schedules, the Courts had held that direct FIRs to the Police by the DISCOs (i.e. without first a complaint to the Court which is the Session Court in this case) were void, and arrests made by the Police were unlawful. Resultantly there is practically no conviction in cases related with theft of electricity.

4. Power Division is of the view that an amendment in Section 4620 of the Pakistan Penal Code (PPC) is required to be made by which cognizance of the offence (electricity theft) may be taken by police once information of such offence is provided to the police in writing by a duly authorized officer of the Government or by an officer of an equivalent grade of a Distribution License.


Minister-in-Charge

[AS REPORTED BY THE STANDING COMMITTEE]

A

Bill

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