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EXTRAORDINARY
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ISLAMABAD, THURSDAY, DECEMBER 12, 2019

PART III

Other Notifications, Orders, etc.

NATIONAL ASSEMBLY SECRETARIAT

Islamabad, the 10th December, 2019

No. F. 23(173)/2019-Legis.—The following Bills were introduced in the National Assembly on 10th December, 2019:—

N. A. BILL NO. 127 OF 2019

A

BILL

to provide for protection to Emergency Madadgar from civil and criminal liabilities by establishing supportive legal environment; constitution of Emergency Madadgar Authority; obligations of hospitals and clinics and for matters connected therewith or incidental thereto;

It is enacted as follows:—

1. **Short title, extent and commencement.**—(1) This Act may be called the Emergency Madadgar (Protection from Civil and Criminal Liabilities) Bill, 2019.

2027(1-49)

Price : Rs. 80.00

[1962(2019)/Ex. Gaz.]

(2) It extends to the whole of Pakistan.

(3) It shall come into force at once.

2. **Definitions:** In this Act, unless the context otherwise requires,—

(a) “accident” includes earth quick, flood, drought, terrorist attack, war, road, railways or air accident;

(b) “appropriate Government” means in the case of a Province, the Government of that Province and in all other cases, the Federal Government;

(c) Authority means the Emergency Madadgar Authority’ constituted under section 3;

(d) “bystander” means a person who is witness to an accident *i.e.* earth quick, flood, drought, terrorist attack, war, or incident of crime;

(e) “emergency response” means reasonable necessary reaction to an accident or incident of crime and includes taking the victim to a hospital in order to save his life or calling in an ambulance or police;

(f) “Fund” means the Emergency Madadgar Fund constituted under section 11;

(g) “Emergency Madadgar” includes a bystander who helps a victim by taking reasonable necessary action to save his life or property;

(h) “incident of crime” includes sexual assault, robbery, theft, murder, attempt to murder, kidnapping, attempt to kidnapping and road rage during or after the accident or incident; and

(i) “victim” means a victim of an accident or crime.

3. **Constitution of the Emergency Madadgar Authority.**—(1) The Federal Government shall, within a period of six months from the coming into force of this Act, constitute an Authority to be known as the Emergency Madadgar Authority.

(2) The Chairperson of the Authority shall be nominated by the Federal Government in such manner, as may be prescribed, from amongst persons of eminence having adequate knowledge of and experience in management, administration, public affair, health services, social work or law.

(3) The Authority shall have one representative from each Province and the Islamabad Capital Territory (ICT) as member, who shall be appointed by the Federal Government in consultation with the concerned Provincial Government or the Islamabad Capital Territory (ICT) Administration, as the case may be.

(4) The Chairperson and the members of the Authority shall hold office for a period of three years from the date of their appointment.

(5) The Authority shall have such number of officers and staff, as may be necessary, for efficient discharge of its functions.

(6) The salaries, allowances and other terms of conditions of the officers and staff of the Authority shall be such as may be prescribed.

4. **Functions of the Authority.**—The functions of the Authority shall be:

- (a) to receive complaints of harassment or violation of rights of Emergency Madadgar under this Act and institute legal proceedings against persons involved in such harassment or violation of rights;
- (b) to process and pay claims of hospitals regarding payment of hospital charges for providing treatment to a victim;
- (c) to take up mass media campaigns to encourage and sensitize the public in becoming Emergency Madadgar; and
- (d) to inform the general public about the provisions of this Act and in particular the rights of Emergency Madadgar in such manner, as it may deem appropriate.

5. **Exemption from Civil or Criminal Liability to Emergency Madadgar and their Rights.**—(1) An Emergency Madadgar shall not be liable to any civil or criminal liability in respect of anything done or cause to have been done to save the life or property of a victim.

(2) Without prejudice to the generality of the foregoing provision, a Emergency Madadgar, in respect of an accidents or crime in which he helps in saving life or property of a victim, shall have the following rights, namely:—

- (a) he shall not be required or compelled to file a First Information Report unless he decides otherwise;

- (b) he shall not be required or compelled to pay any charges for treatment including future treatment to the hospital or clinic in which the victim is brought by him for treatment;
- (c) he shall not be detained by the hospital or police official for any reason including, but not limited to,—
 - (i) finding or confirming the identity of the victim;
 - (ii) questioning unless he decides to stay and respond; and
 - (iii) standing as witness or providing evidence to the police or any other person;
- (d) he shall not be forced to reveal his identity; and
- (e) he shall not be subject to any force or harassment by any person investigating into or otherwise related to the accident or incident of crime.

(3) Where an Emergency Madadgar assist in the investigation of an accident or incident of crime.—

- (a) the police shall act with sensitivity towards him and complete the recording of his statement and all other proceedings relating to him in a timely manner;
- (b) he shall not be called repeatedly;
- (c) his statement as a witness in a court of law may be recorded through a video link in a single hearing.

6. Educational Institutions to impart training in first-aid and emergency response to students.—(1) It shall be the duty of every educational institution to impart training in first-aid and emergency response to every student, above the age of thirteen years for such duration, as may be prescribed.

(2) The training under sub-section (1) shall be imparted once in every academic year.

(3) For the purpose of imparting training under sub-section (1) the educational institutions shall take the assistance of such professionals or institutions, as the appropriate Government may, by notification in the Official Gazette, specify.

7. Appropriate Government to impart training in first-aid and emergency response to its employees.—It shall be the duty of the appropriate Government to impart training in first-aid and emergency response to all their employees once a year.

(2) For the purpose of imparting training under sub-section (1), the appropriate Government shall take the assistance of such professionals or institutions, as it may, by notification in the Official Gazette, specify.

8. Appropriate Government to organize awareness programmes and workshops.—The appropriate Government shall, from time to time, organize and conduct programmes, workshops and seminars to—

- (a) sensitise the citizens in becoming Emergency Madadgar;
- (b) make the citizens aware of emergency response numbers of ambulance service and police assistance; and
- (c) train the citizens in the art of first-aid and emergency response.

9. Duty of every hospital and clinic to provide emergency treatment.—
(1) No hospital or clinic shall deny emergency treatment to any victim:

Provided that if the hospital, or clinic is not equipped to deal with the emergency treatment, it shall assist in directing the victim to the nearest hospital or clinic where such emergency treatment facility is available.

(2) No hospital or clinic shall demand any payment for providing emergency treatment to any victim or deny such treatment if the family members of the victim are unable to make the payment.

(3) For reimbursement of charges incurred during emergency treatment of any victim, the hospital or clinic concerned shall apply to the Authority within such period and in such form and manner, as may be prescribed.

(4) It shall be the duty of hospital or clinic to inform the police as soon as a victim is brought to the hospital or clinic by an Emergency Madadgar.

10. Constitution of Emergency Madadgar Fund.—(1) The Federal Government shall, by notification in the Official Gazette, constitute a Fund to be known as the Emergency Madadgar Fund.

(2) The Federal Government shall, after due appropriation made by Parliament by law in this behalf, credit such sums to the Fund, as may be necessary, for carrying out the purposes of this Act.

11. Penalty for denial of treatment to victims by hospitals or Clinics.—(1) Where any physical or mental damage to, or death of, a victim occurs due to denying emergency treatment to him by a hospital or clinic, the licence of such hospital or clinic shall be cancelled and such hospital or clinic shall also be liable to a fine which shall not be less than ten lakh rupees:

(2) Notwithstanding anything in sub-section (1), no hospital or doctor shall be liable to any, civil or criminal liability for any physical damage to, or death of, a victim due to complications during the emergency medical treatment:

Provided that nothing in this sub-section shall apply to a case of gross medical negligence by a medical practitioner.

The provisions of this Act shall have effect notwithstanding anything contained in any other law for the time being in force.

12. Removal of difficulties.—(1) If any difficulty arises in giving effect to the provision of this Act, the Federal Government may, by notification in the official Gazette, make such provisions not inconsistent with the provisions of this Act, as may appear to it to be necessary or expedient for removal of the difficulty:

Provided that no such order shall be made after the expiry of a period of two years from the date of the commencement of this Act.

(2) Every order made under this section shall, as soon as may be laid before each House of Parliament.

13. Power to make Rules.—(1) The Federal Government may, by notification in the Official Gazette, make rules for carrying out the purposes of this Act.

(2) Every rule made under this Act shall be laid, as soon as, before each House of Parliament, while it is in session, if, before the expiry of the session immediately following the session or the successive sessions aforesaid, the rule shall thereafter have effect only in such form or, as the case may be; however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule.

STATEMENT OF OBJECTS AND REASONS

In Pakistan, (15) fifteen people die every hour in road accidents. The number of deaths due to road traffic accidents in the last decade is close to one million. In medical care terminology, the term Golden Hour also known as golden time refers to

a time period lasting for one hour following an accident or traumatic injury being sustained by a person, during which there is highest likelihood that prompt medical care will prevent death. Yet, a large percentage of people seem unwilling to help injured persons in the road accidents or to victims of violent crimes including rape. The reason for citizens' inaction ranges from fear of harassment by police, payment of cost of medical treatment in hospitals, etc.

There is an immediate need for framing a policy providing for immediate help to victims of road accidents, crimes and to motivate the by standers to come forward to help the victims of road accidents, violent crimes, etc. by taking them to nearest hospitals for medical treatment. Hence, this Bill.

MS. ASMA QADEER,
Member-in-Charge.

N.A. BILL NO. 128 OF 2019

A

BILL

further to amend the Constitution of the Islamic Republic of Pakistan

WHEREAS it is expedient further to amend the Constitution of the Islamic Republic of Pakistan for the purposes hereinafter appearing;

It is hereby enacted as follows:—

1. **Short title and commencement.**—(1) This Act may be called the Constitution (Amendment) Act, 2019.

(2) It shall come into force at once.

2. **Amendment in Article 89 of the Constitution.**—In the Constitution of the Islamic Republic of Pakistan, in Article 89, in clause (I) for the full stop at the end a colon shall be substituted and thereafter the following proviso shall be added, namely:—

“Provided that the number of Ordinances promulgated at any time shall not exceed five.”

STATEMENT OF OBJECTS AND REASONS

The basic function of the Parliament is to legislate. But during the course of recent months, it has been observed that the role of the Parliament is being restricted and the legislation is being done through promulgation of Ordinances. Ordinances are issued simultaneously in dozens. Therefore, it is necessary to limit the number of Ordinances issued simultaneously so that the Parliament may proceed in a much better manner.

This bill is designed to achieve the above said objectives.

MR. ABDUL QADIR PATEL,
Member-in-Charge.

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N.A. BILL NO. 129 OF 2019

A

BILL

*further to amend the Regulation of Generation, Transmission and
Distribution of Electric Power Act, 1997*

WHEREAS, it is expedient further to amend the Regulation of Generation, Transmission and Distribution of Electric Power Act, 1997 (XL of 1997) for the purposes hereinafter appearing;

It is hereby enacted as follows:—

1. **Short title and commencement.**—(1) this Act may be called the Regulation of Generation, Transmission and Distribution of Electric Power (Amendment) Act, 1997.

(2) It shall come into force at once.

2. **Amendment of section 18, Act XL of 1997.**—In the Regulation of Generation, Transmission and Distribution of Electric Power Act, 1997, in section 18, in sub-section (1), for the full stop (.) at the end, a colon (:) shall be substituted and thereafter, the following proviso shall be added, namely:—

“Provided that, any Company. shall not disconnect the electricity, on any ground of any consumer who regularly pays his bills. Moreover, the electricity

of a consumer regularly paying bills, shall not be disconnected on the pretext that his neighbours or other consumers of that particular locality do not pay bills.”

STATEMENT OF OBJECTS AND REASONS

It has come to knowledge that electricity distribution companies also disconnect electricity connections of those consumers who pay their bills regularly. However their neighbours or the people of that locality (Mohalla) do not pay Bills. This is injustice to those who pay their bills regularly and they are punished for the crime committed by others. Distribution companies have failed to evolve a mechanism in this regard. So this Bill is need of the hour.

SYED AGHA RAFIULLAH,
Member-in-Charge.

N.A. BILL NO. 130 OF 2019

A

BILL

further to amend the Constitution of the Islamic Republic of Pakistan

WHEREAS it is expedient further to amend the Constitution *of the Islamic Republic of Pakistan*, for the purposes hereinafter appearing;

It is hereby enacted as follows:—

1. **Short title and commencement.**—(1) This Act may be called the Constitution (Amendment) Act, 2019.

(2) It shall come into force at once.

3. **Insertion of Article 140B of the Constitution.**—In the Constitution of the Islamic Republic of Pakistan, after Article 140A, the following new Article shall be inserted, namely:—

“140B. **Local Government Empowerment.**—(1) Notwithstanding anything contained in the Constitution or in any other law for the time being in force for all departments, agencies and organizations performing functions in connection with affairs of a district

shall be under the administrative and financial control of the head of the Local Government of the district.

(2) The local governments shall be responsible for policing and security of citizens resident in a district.

(3) The head of the Local Governments shall have all powers to appoint persons in the Local Government service and terms and conditions of persons in such service as such terms and conditions of persons in the service:

Provided further that on the commencement of this Article the administrative control of all departments, agencies and organizations, performing functions in connection with affairs of a district shall stand transferred and shall become employees of the Local Government of the district on the same terms and conditions at the time of commencement of this Article:

Provided further that seniority of such transferred employees shall be according to their dates of regular appointments in their services under the Federal Government or Provincial Governments:

Provided that employees of the Federal Government or the Provincial Government who shall not opt for their transfer to the Local Government shall be repatriated to the respective service of the Federal or Provincial Government.

(4) The Local Governments shall legislate about all departments, agencies and organizations, etc.

(5) Notwithstanding anything contained in the Constitution or in any other law for the time being in force, the local government shall be entitled for twenty percent of taxes collected by the Federal Government and eighty percent of taxes or levies, etc., collected by the Provincial Government, from such district:

Provided that the Federal Government as well as the Provincial Government may provide grants in aid to every Local Governments according to their requirements subject to availability on the basis of equity and equality.

(6) There shall be no legislation abridging powers of the local government of the district devolved by this Article.”.

STATEMENT OF OBJECTS AND REASONS

The Constitution of the Islamic Republic of Pakistan has created three tier system of governance as under:—

- (i) Federal Government;
- (ii) Provincial Governments; and
- (iii) Local Governments.

2. However, there is no real devolution of political, administrative and financial powers and responsibilities as well as authority due to lack of clarity in Article 140A of the Constitution.

3. There is no doubt that in Pakistan there is still colonial model of civil services of the Federation and the Provinces which are model of corruption due to non-local basis as the civil servants coming from other districts or parts of country have no interest in development of a district of the local government as they have no stake or connection with that local government or district except to loot and plunder resources of such districts or local government by pigmy viceroys.

4. Similarly, there is no control of accountability with people of district or local government of civil servants of the Province or the Federation and in case of extreme corruption the maximum punishment is transfer to any other district.

5. The Local based civil servants shall have direct stake and interest with the district or local government as they have to live and die in that district or local government territory. The people of district or local government territory shall be aware about the financial and social status of each and every employee appointed in the district or local government territory shall be aware about the financial and social status of each and every employee appointed in the district or local government territory as the people of the district or local government territory will not allow such employee to loot and plunder due to well-known financial and social status of each and every employee.

6. Similarly, local based police service shall be more accountable as the people of the district or local government territory shall not tolerate their bad character and particularly financial embezzlements.

7. The Bill seeks to achieve the aforesaid objectives.

MS. KISHWER ZEHRA,
Member-in-Charge

N.A. BILL NO. 131 OF 2019

A

BILL

farther to amend the Civil Servants Act, 1973 (No. LXXI of 1973)

WHEREAS it is expedient further to amend the Civil Servants Act, 1973 (No. LXXI of 1973) for the purpose hereinafter appearing;

It is hereby enacted as follows:-

1. **Short title and commencement.**—(1) This Act may be called the Civil Servants (Amendment) Act, 2019.

(2) It shall come into force at once.

2. **Amendment of section 10, Act LXXI of 1973.**—In the Civil Servants Act 1973 (No. LXXI of 1973), in section 10, after second proviso, the following new proviso shall be added namely:—

“Provided also that female civil servants shall be posted at such place of duties/ station which is nearest to their residence, working under the Federal Government, or any Provincial Government or local authority or a corporation or a body set up or established by any such Government”.

STATEMENT OF OBJECTS AND REASONS

This Bill seeks to minimize the difficulties/problems of female civil servants being faced by them while attending their offices/duties. It has been observed that female civil servants are mostly posted at the stations which are either far away from their residences/homes or are out of station. As a result, they either reach there late or have to resort to apply for leave or in some cases they have to resign from service. This amendment will reduce their problems/difficulties to a large extent.

Sd/-

NOOREEN FAROOQ KHAN,
Member-in-Charge.

N.A. BILL NO. 132 OF 2019

A

BILL

further to amend the Constitution of the Islamic Republic of Pakistan

WHEREAS, it is expedient further to amend the Constitution of the Islamic Republic of Pakistan for the purposes hereinafter appearing;

It is hereby enacted as follows:—

1. **Short title and commencement.**—(1) This Act may be called the Constitution (Amendment) Act, 2019.

(2) It shall come into force at once.

2. **Amendment of Article 27 of the Constitution.**—In the Constitution of the Islamic Republic of Pakistan, in Article 27, in clause (1), in the proviso, for the word, “forty” the word “fifty” shall be substituted.

STATEMENT OF OBJECTS AND REASONS

Under Article 27 of the Constitution, the quota for Provinces were fixed for 40 years and the period ended in 2013 after the expiration ended in 2013. It should have been extended through Constitutional Amendment without delay. Because of delay, the unemployment and sense of deprivation has increased in the backward provinces. Therefore, it is mandatory to amend the Constitution and extend the time from forty to fifty year to remove the sense of deprivation and unemployment and make the backward province in par with other developed one's.

2. The Bill seeks to achieve the above-said objectives.

MR. SALAHUDDIN AYUBI,
Member-in-Charge.

N.A. BILL NO. 133 OF 2019

A

BILL

to provide for prevention of trafficking of persons and matters connected therewith or incidental thereto

WHEREAS, it is expedient to prevent trafficking of persons, especially women. children and adult males and to provide care, protection and rehabilitation to the

victims of trafficking, to prosecute offenders and to create a legal, economic and social environment for the victims and for matters connected therewith or incidental thereto;

It is enacted as follows:—

CHAPTER I

PRELIMINARY

1. **Short title, extent and commencement.**—(1) This Act may be called the Trafficking of Persons (Prevention, Protection and Rehabilitation) Act, 2019.

(2) It extends to the whole of Pakistan.

(3) It shall come into force at once.

2. **Definitions.**—(1) In this Act, unless the context otherwise requires,—

(a) “Anti-Trafficking Police Officer” means a police officer referred to in section 9;

(b) “Anti-Trafficking Unit” means a unit set up by Federal and Provincial Governments under section 10;

(c) “Appropriate Government” means, in respect of matters relating to,—

i. Federal Government having union councils/local government structure;

ii. Provincial governments having districts/local government structures.

(d) “Bureau means the National Anti-Trafficking Bureau established by the Federal Government under sub-section (1) of section 3;

(e) “Child” means a person who has not completed the age of eighteen years;

(f) “Child Welfare Committee” shall have the meaning assigned to it in section 10 of the Juvenile Justice Act, 2018;

(g) “Designated court” means a court designated under section 46;

- (h) “Union/District Anti-Trafficking Committee” means a committee constituted by the appropriate Government under section 13;
- (i) “District Police Human Trafficking Specialist Officer” means a police officer referred to in section 8;
- (j) “Magistrate” means a District Magistrate or Additional District Magistrate or a Sub-Divisional Magistrate;
- (k) “Narcotic drugs” and “psychotropic” substances shall have the meanings, respectively assigned to them in the Control of Narcotic Substances Act, 1997;
- (l) “National Anti-Trafficking Relief and Rehabilitation Committee” means a committee established by the Federal Government under sub-section (1) of section 11;
- (m) “Notification” means a notification published in the Official Gazette and the term notify shall be construed accordingly;
- (n) “Premises” means any building, conveyance, land, location, place, structure or any part thereof and includes any source, transit or destination of trafficking;
- (o) “Prescribed” means prescribed by rules made by the appropriate Government under this Act;
- (p) “Protection Home” means the Protection Home referred to in sub-section (1) of section 21;
- (q) “Rehabilitation” means all measures and processes of physical, psychological and social well-being of a person who is trafficked and includes access to education, skill development, health care including psychological and physiological support, medical services, economic empowerment, legal aid and assistance, safe and secure accommodation;
- (r) “Rehabilitation Fund” means the fund established under sub-section (1) of section 30;
- (s) “Rehabilitation Home- means the Rehabilitation Home, referred to in sub-section (1) of section 22;

- (t) “Provincial Human Trafficking Specialist Officer” means an officer appointed by the Provincial Government under sub-section (1) of section 6;
- (u) “Federal/Provincial Anti-Trafficking Committee” means a Committee established by the appropriate Government under sub-section (1) of section 12;
- (v) “Provincial Police Human Trafficking Specialist Officer” means a police officer appointed by the Provincial Government under sub-section (1) of section 7;
- (w) “Trafficking of person” (a) “Trafficking in persons” shall mean the recruitment, transportation, transfer, harboring or receipt of persons, by means of the threat or use of force or other forms of coercion, abduction, fraud, deception, abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation. Exploitation shall include, at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs;

(b) “Consent” of a victim of trafficking in persons to the intended exploitation set forth in section 2(w) (explanation) shall be irrelevant where any of the means set forth in have been used;

(c) The recruitment, transportation, transfer, harboring or receipt of a child, a female, an adult male or a transgender, for the purpose of exploitation shall be considered “trafficking in persons” even if this does not involve any of the means set forth in subparagraph (a) of this article;
- (x) “Victim” means any person on whom an offence of trafficking has been committed or attempted by any other person or persons:

Provided that for the purpose of receiving compensation or relief under this Act, any dependent or legal heir, shall also be construed as a victim.

CHAPTER II

NATIONAL ANTI-TRAFFICKING BUREAU

3. **National Anti-Trafficking Bureau.**—(1) The Federal Government shall, by notification, establish a Bureau to be called the National Anti-Trafficking Bureau for exercising the powers and discharging its functions under this Act.

(2) The Bureau shall have police officers and other officers of such appropriate ranks, as may be necessary, for the discharge of its functions.

(3) The manner of selection, deputation, functioning and reporting of the officers and employees of the Bureau shall be in such as may be prescribed.

4. **Functions of Bureau.**—The Bureau shall perform the following functions in relation to trafficking of persons, namely:—

- (i) co-ordinate and monitor surveillance and preventive efforts along with the known or probable routes;
- (ii) facilitate surveillance, enforcement and preventive steps at source, transit and destination points;
- (iii) maintain co-ordination between various law enforcement agencies and non-Governmental organizations and other stakeholders;
- (iv) strengthen the intelligence apparatus to improve the collection, collation, analysis and dissemination of operational intelligence;
- (v) increase international co-operation and co-ordination with concerned authorities in foreign countries and international organizations, in operational and long term intelligence in investigation, mutual legal assistance, to facilitate universal action for prevention and suppression and to implement any obligation under the various international conventions and protocols that are in force in respect of counter measures;
- (vi) co-ordinate actions and enforcement by various bodies or authorities established under this Act;
- (vii) co-ordinate actions taken by the concerned Ministries, Departments organizations of the Government, especially linking the source of transit to destination and connecting all stakeholders;

- (viii) review measures for combating, preventing and formulating co-ordinated strategy of action by various law enforcement agencies;
- (ix) make sustained efforts for capacity building and training of agencies;
- (x) bring out resource material including education curriculum for children, Government educational institutions, enforcement agencies, judicial officers and other stakeholders;
- (xi) co-ordinate investigating activities among the Districts, provinces and with other countries in case of cross-border trafficking of persons;
- (xii) co-ordinate the investigation, where international ramifications are reported or suspected;
- (xiii) co-ordinate investigation, where inter-provincial ramifications are reported or suspected across two or more provinces or Federal Capital Administrations;
- (xiv) undertake and facilitate other investigators for investigating offences from the organized crime perspective;
- (xv) develop and monitor a database on every crime under this Act;
- (xvi) co-ordinate with any national or international investigating or law enforcement agencies and civil society organizations;
- (xvii) facilitate inter-provincial and international transfer of evidence in investigation as well as video conferencing in judicial proceedings;
- (xviii) facilitate frequent meetings of the Federal Police Human Trafficking Specialist Officers to facilitate, monitor and evaluate the establishment and functioning of Anti-Trafficking Units;
- (xix) provide necessary support for investigation by the Anti- Trafficking Units, where such requests are made;
- (xx) undertake steps to enhance the professional skills of Anti-Trafficking Police Officers, Anti-Trafficking Units and all concerned with the investigation and prosecution of cases;
- (xxi) facilitate inter-provinces and trans-border transfer of evidence and materials, witnesses and others for expediting prosecution;

- (xxii) protection of witnesses, where referred by any provincial Government, victims, complainants and affected families, as the case may be;
- (xxiii) undertake steps for timely and effective action on post-rescue care and protection of any person who is trafficked, including steps towards rehabilitation by the concerned agencies, so that their rights are ensured, and that they are not re-trafficked;
- (xxiv) monitor and facilitate victim and witness protection protocols, rules and procedures including video conferencing during trial of offences which have ramifications across provinces and beyond borders; and
- (xxv) develop minimum standards of care and advice for all concerned, in matters of compliance.

5. **Investigation by Bureau.**—(1) The Bureau may take over investigation of any offence under this Act, where referred to it by two or more provinces.

(2) Where an offence is referred to the Bureau under sub-section (1), the provincial Government shall not proceed with the investigation of the offence and shall forthwith transmit the relevant documents and records to the Bureau.

(3) For the removal of doubts, it is hereby declared that till the Bureau takes up the investigation of the case, it shall be the duty of the officer-in-charge of the police station to continue the investigation of an offence under this Act.

(4) While investigating any offence under this Act, the Bureau, having regard to the gravity of the offence and other relevant factors, may—

- (a) if it is expedient to do so, request the provincial Government to associate with the investigation; or
- (b) with the previous approval of the Federal Government, transfer the case to the Provincial Government for investigation and trial of the offence.

(5) While investigating any offence under this Act, the Bureau may also investigate any other offence under any law for the time being in force, which the accused is alleged to have committed, if the offence is connected with such other offence.

(6) The Provincial Government shall extend assistance and co-operation to the Bureau for investigation of an offence under this Act.

(7) Save as otherwise provided in this Act, nothing contained in this Act shall affect the powers of the provincial Government to investigate and prosecute any offence under this Act or other offences under any other law for the time being in force.

CHAPTER III

PROVINCIAL ANTI-TRAFFICKING OFFICERS

6. **Provincial Human Trafficking Specialist Officer.**—(1) The Provincial Government shall appoint a Provincial Human Trafficking Specialist Officer not below the rank of Director in the Provincial Government.

(2) The Provincial Human Trafficking Specialist Officer shall be responsible for follow up action under this Act, as per the directions of the Provincial Anti-Trafficking Committee and co-ordinate with other Government agencies and civil society organizations.

(3) The Provincial Human Trafficking Specialist Officer shall provide relief and rehabilitation services through District Anti-Trafficking Unit and other Government agencies as well as civil society organisations.

(4) The Provincial Human Trafficking Specialist Officer shall liaison with the Provincial Police Human Trafficking Specialist Officer and the National Anti-Trafficking Relief and Rehabilitation Committee, for all matters relating to relief and rehabilitation.

7. (1) The Provincial Government shall appoint a Provincial Police Human trafficking Specialist Officer of such rank as may be specified by that Government.

(2) The Provincial Police Human Trafficking Specialist Officer shall be responsible for all the activities in the prevention and combating of trafficking of persons in the province and shall also monitor the functioning of Anti-Trafficking Police Officers and Anti-Trafficking Units in the Province.

(3) The Provincial Police Human Trafficking Specialist Officer shall also co-ordinate and monitor inter-Provincial and trans-border transfer of persons rescued, witnesses, evidence and offenders under this Act.

(4) The Provincial Police Human Trafficking Specialist Officer shall liaison with Provincial Human Trafficking Specialist Officer and shall perform such other functions as may be prescribed.

8. (1) The Provincial Government shall designate one police officer not below the rank of Superintendent of Police of the District to be the District Police Human trafficking Specialist Officer on matters relating to trafficking of persons and responsible for all the activities in the District concerned and perform such other functions as may be prescribed.

(2) The District Police Human trafficking Specialist Officer shall be the convener of the District Anti-Trafficking Committee and shall report to the Provincial Police Human trafficking Specialist Officer in every matter relating to an offence of trafficking of persons including rescue, investigation and inter-Province transfer of a person who is trafficked and the offenders.

(3) The District Police Human trafficking Specialist Officer shall monitor the functioning of Anti-Trafficking Unit and provide necessary assistance to them for the effective discharge of their duties.

9. (1) The Provincial Government shall designate for each District such number of Anti-Trafficking Police Officers for matters related to trafficking of persons, including prevention of trafficking, rescue and protection of the victims, investigation and prosecution.

(2) The Provincial Government shall designate for each District such number of Anti-Trafficking Police Officers for matters related to trafficking of persons, including prevention of trafficking, rescue and protection of the victims, investigation and prosecution.

10. (1) The appropriate Government shall set up for each District or a group of Districts, such number of Anti-Trafficking Units, for dealing with all matters of prevention, rescue, protection and care of victims and witnesses and of investigation and prosecution of any offence under this Act.

(2) Every local police station shall, where Anti-Trafficking Unit is not functional, undertake every activity in matters of rescue, investigation, prevention and protection of persons trafficked under this Act.

(3) The Provincial Government shall appoint for every Anti-Trafficking Unit such number of subordinate police officers including women police officers as it deems necessary for the discharge of the functions of the Anti-Trafficking Unit and vest in them with all the powers to investigate any offence committed within its local jurisdiction under this Act:

Provided that the officer-in-charge of a police station after registering the First Information Report under the Code of Criminal Procedure, 1898, shall take all

necessary steps for immediate rescue and protection and then transfer the case to the Anti-Trafficking Unit.

CHAPTER IV

RELIEF AND REHABILITATION AUTHORITIES

11. (1) The Federal Government shall establish a National Anti-Trafficking Relief and Rehabilitation Committee, by notification for providing relief and rehabilitation services to the victims.

(2) The composition of the National Anti-Trafficking Relief and Rehabilitation Committee shall be as follows, namely:—

- (i) Secretary, Ministry of Interior— Chairperson;
- (ii) Representative, Ministry of Overseas Pakistanis and Human Resource Development — Member;
- (iii) Representative, Ministry of Foreign Affairs — Member;
- (iv) Representative, Ministry of Law, justice and Human Rights — Member;
- (v) Representative, Ministry of National Health Regulations — Member;
- (vi) Four representatives from registered civil society organizations active in the prevention, rescue and rehabilitation of victims Members;
- (vii) such other representatives of the Ministries or Departments or experts representing different Provinces, as may be prescribed — Members; and
- (viii) Head, National Anti-Trafficking Bureau Member Secretary.

(3) The National Anti-Trafficking Relief and Rehabilitation Committee shall perform the following functions, namely:—

- (i) facilitate and ensure rehabilitation and relief services including compensation, repatriation, re-integration to the victims through concerned Ministries, Departments and statutory bodies; Anti-Trafficking Police Officers, Anti-Trafficking Unit;

- (ii) provide for Protection Homes and Rehabilitation Homes to enable the immediate and long term sustainable rehabilitation of victims;
- (iii) ensure the effective co-ordination between the concerned authorities both within the country as well as with other countries for the repatriation of victims;
- (iv) seek reports from appropriate Government, Provincial Anti-Trafficking Committee, District Anti-Trafficking Committee, on the quality of services and the functioning of the Protection Homes and Rehabilitation Homes;
- (v) maintain and monitor the Rehabilitation Fund established under section 30; and
- (vi) perform such other functions as may be prescribed.

12. (1) The appropriate Government shall establish a Provincial Anti – Trafficking Committee to oversee the implementation of this Act and advise the Provincial Government and District Anti-Trafficking Committees on matters relating to prevention of trafficking, protection, repatriation and rehabilitation of victims.

(2) The Provincial Anti-Trafficking Committee shall consist of the following, namely:—

- (i) Chief Secretary — Chairperson;
- (ii) Inspector General of Police — Member;
- (iii) Secretary, Department of Labor and Human Resource — Member;
- (iv) Secretary, Department for Women Development — Member;
- (v) Secretary, Department of Human Rights and Minorities Affairs— Member;
- (vi) Secretary, Department for Local Government and Community Development — Member;
- (vii) Secretary, Department for Public Prosecution — Member;
- (viii) Secretary, Law and Parliamentary Affairs Department — Member;

- (ix) Two social workers out of which one shall be a woman — Member;
- (x) such other persons as may be prescribed — Members; and
- (xi) Provincial Human Trafficking Specialist Officer—Member Secretary.

(3) The Province Anti-Trafficking Committee shall perform the following functions, namely:—

- (i) identify the roles and responsibilities of each Department at Province or District level for effective implementation of the Act and the rules made there under;
- (ii) arrange for appropriate training and sensitization of functionaries of all personnel including Governmental and non-Governmental;
- (iii) develop effective networking and linkages with local non-Governmental organizations for specialized services and technical assistance like vocational training, education, healthcare, nutrition, mental health intervention, drug de-addiction and legal aid services;
- (iv) review and monitor the functioning of the District Anti-Trafficking Committee;
- (v) make necessary funds available to the District Anti-Trafficking Committee for providing or setting up of required facilities for the implementation of the Act; and
- (vi) perform such other functions and duties as may be prescribed.

(4) The Provincial Anti-Trafficking Committee shall co-ordinate with Bureau and National Anti-Trafficking Relief and Rehabilitation Committee to provide all necessary assistance and inputs as may be required to prevent offences of trafficking of persons especially, those that have inter-Provincial and international ramifications and have features of an organized crime.

13. (1) The appropriate Government shall, by notification, constitute for every District, a District Anti-Trafficking Committee for exercising the powers and performing such functions and duties in relation to prevention, rescue, protection, medical care, psychological assistance and need-based rehabilitation of victims.

(2) The District Anti-Trafficking Committee shall consist of the following, namely:—

- (i) District Magistrate or Additional District Magistrate — Chairperson;

- (ii) District Officer for Women and Child Development — Member;
- (iii) Representative, Child Welfare Committee — Member;
- (iv) Two Civil Society Organizations or Non-Governmental Organizations working in the field of prevention of trafficking and related issues — Members;
- (v) such other members as may be prescribed — Members; and
- (vi) District Police Human Trafficking Specialist Officer — Member Secretary.

(3) The District Anti-Trafficking Committee shall perform the following functions, namely:—

- (i) direct and facilitate the person in-charge of the Protection Home or Rehabilitation Home, as the case may be, to submit an individual care plan to it;
- (ii) ensure care, protection, appropriate rehabilitation or restoration of all victims, based on each victims' individual care plan by passing necessary directions to Protection Homes and Rehabilitation Homes;
- (iii) co-ordinate with other Provincial Departments and other institutions, to keep a check on the children who drop out from schools and those children who are covered by various schemes and have stopped accessing the benefits of those schemes and inform such cases to the Provincial Anti-Trafficking Committee and take appropriate actions;
- (iv) facilitate in a time bound manner or in the manner as may be prescribed, the inter-Provincial repatriation of victims or persons subjected to bonded labour;
- (v) facilitate survey of the areas and vulnerable population to identify source, transit and destination areas of trafficking of persons and based on the information received, draw up an action plan for the prevention and protection of people who are vulnerable to trafficking and implementation of the action plan;
- (vi) create programmes for awareness generation, community mobilization and empowerment of vulnerable social groups against trafficking of persons;

- (vii) assist the Anti-Trafficking Police Officer, the Anti-Trafficking Unit or the local police, as the case may be, in conducting rescue operation, transferring victims to the nearest Protection Home, in connection with prevention of trafficking of persons, protection of victims and their rehabilitation, etc.; and
 - (viii) such other functions as may be prescribed.
- (4) The appropriate Government shall provide adequate resources to the District Anti-Trafficking Committee for carrying out prevention, protection and rescue procedures.
- (5) The District Anti-Trafficking Committee shall furnish a report to the Provincial Anti-Trafficking Committee on quarterly basis.

14. The District Anti-Trafficking Committee shall have the final authority to dispose of cases for the care, protection, treatment, development and rehabilitation of the victims under this Act and in case of child victim; the provisions of the Juvenile Justice Act, 2018 shall apply.

CHAPTER V

SEARCH, RESCUE AND POST-RESCUE ACTIVITIES

15. The provisions of the Code of Criminal Procedure, 1898 shall *mutatis mutandis* apply in relation to a search and seizure in respect of an offence under this Act.

16. (1) Where a police officer or Anti-Trafficking Police Officer or Anti-Trafficking Unit has reason to believe that it is necessary to rescue a person without undue delay due to the imminent danger that may cause to his life and person, he or it may remove such person from any place or premises and produce him before the Magistrate or Child Welfare Committee, as the case may be, and shall take all necessary steps for the medical examination of such person for the purposes of determination as to the age, the assessment or detection of trauma, injury or illnesses incidental thereto.

(2) The Anti-Trafficking Police Officer or Anti-Trafficking Unit or the Police Officer, as the case may be, shall inform the District Anti-Trafficking Committee about the rescue conducted under this section and the said Committee shall take appropriate actions for providing interim relief and further rehabilitation services to the person rescued.

17. (1) The District Anti-Trafficking Committee shall assist the Anti-Trafficking Police Officer or the Anti-Trafficking Unit or any police officer, as the case may be, in rescue operation and transferring any person to the nearest Protection Home or any other suitable institution, as deemed fit.

(2) The Anti-Trafficking Police Officer or Anti-Trafficking Unit or any police officer, as the case may be, shall produce the person rescued before the Magistrate or the Child Welfare Committee, as the case may be, without any delay but within twenty-four hours of the rescue.

(3) The Magistrate may, after making an inquiry as to the age of the person rescued and if it is found that the person is a child, pass such orders as he deems necessary for the care and protection of the person.

(4) Where the Magistrate is satisfied, after making an inquiry as to the age of the victim and it is found that the victim is not a child, the Magistrate may, make an order that the victim be placed, for such reasonable period, in a Rehabilitation Home: Provided that, if the victim or any person rescued is not a child and he voluntarily makes an application supported by an affidavit for his release and if the Magistrate is of the opinion that such application has not been made voluntarily, the Magistrate may reject such application after recording his reasons in writing.

(5) In discharging the functions under this section, a Magistrate may summon a mental healthcare professional, or psycho social counselor, or clinical psychologist, or psychotherapist, as the case may be, to assist him and may, for this purpose, in consultation with the District Anti-Trafficking Committee maintain a list of experienced social workers.

18. (1) The Anti-Trafficking Police Officer or Anti-Trafficking Unit or any police officer, as the case may be, shall ensure that investigation including search and seizure must be conducted in accordance with the provisions of the Code of Criminal Procedure, 1898, and any other law for the time being in force.

(2) Notwithstanding anything contained in the Code of Criminal Procedure, 1898, the Anti-Trafficking Police Officer or the officer-in-charge of the police station, as the case may be, shall forward the report on completion of investigation to the court having jurisdiction within ninety days from the date of registration of first information report.

(3) The investigating officer, while forwarding the report on completion of investigation of an offence under this Act, punishable with imprisonment of more than two years, has reason to believe that any amount suspected to have been obtained by the accused by way of commission of the offence and held by him in

any bank account, the investigating officer may submit an application before the designated court for freezing of such amount.

(4) The designated court, on satisfaction, after an inquiry made in this behalf, may freeze such amount in any such bank account and may, upon conviction, order that such amount lying in such bank account, shall be remitted to the Rehabilitation Fund.

19. Where a person is prosecuted for committing or abetting or attempting to commit any offence under this Act in respect of a child or a woman or a person suffering from physical or mental disability, unless it is specified, the designated court shall presume that such person has committed or abetted or attempted to commit the offence, as the case may be, unless the contrary is proved.

CHAPTER VI

PREVENTIVE MEASURES

20. (1) The Provincial and the District Anti-Trafficking Committees shall undertake all measures and recommend strategies and plans to protect and prevent vulnerable persons from being trafficked.

(2) The measures referred to in sub-section (1) shall include—

- (i) co-ordinating the implementation of all the programmes, schemes and plans relating to the prevention of trafficking of persons with any statutory bodies, organisations or agencies as well as other public Institutions;
- (ii) facilitating the implementation of livelihood and educational programmes for vulnerable communities;
- (iii) facilitating the implementation of programmes and schemes sponsored by various Ministries and Departments of the appropriate Government;
- (iv) co-ordinating with corporate sector to implement various schemes, programmes for the prevention of trafficking of persons;
- (v) ensuring accountability of the concerned agencies, by regular review and appropriate action;
- (vi) developing appropriate law and order framework to ensure prevention of trafficking of persons;

- (vii) undertaking vulnerability mapping of the Province and give focus and attention to the challenging areas;
- (viii) commissioning independent research on various aspects of trafficking and ensure follow up action;
- (ix) organising interface between law enforcement agencies, other Government Departments and agencies with the voluntary organisations or non-Governmental organisations in matters of prevention of trafficking of persons; Investigation and evidence. Presumption as to offences. Preventive measures by Province and District Anti-Trafficking Committees;
- (xi) co-ordinating with the Bureau and other Provincial Anti-Trafficking Committees, especially with those Provinces where source-transit-destination linkages exist, and undertake all activities for joint action programmes by bringing in common policies and programmes;
- (xii) linking with the Bureau and the Federal Government and other concerned agencies, in case of trans-border trafficking of persons and ensure appropriate action.

CHAPTER VII

PROTECTION AND REHABILITATION OF VICTIMS

21. (1) The appropriate Government shall maintain either directly or through voluntary organizations or non-Governmental organizations as many Protection Homes as necessary and to be managed in the manner, as may be prescribed for the immediate care and protection of the victims or any person rescued.

(2) The Protection Homes shall provide for shelter, food, clothing, counselling and medical care that is necessary for the victims or any person rescued and such other services in the manner, as may be prescribed.

22. (1) The appropriate Government, as it deems fit, shall maintain either directly or through voluntary organizations or non-Governmental organizations, one or more Rehabilitation Homes in each District managed in the manner as may be prescribed for the purpose of providing long-term rehabilitation of victims or any person rescued.

(2) The appropriate Government may also utilize any existing shelter home for the purposes of rehabilitation under sub-section (1).

23. (1) Notwithstanding anything contained in any other law for the time being in force, a Protection Home and Rehabilitation Home shall be registered under this Act in such manner as may be prescribed by the appropriate Government.

(2) If any person in-charge of Protection Home and Rehabilitation Home providing shelter and rehabilitation to victims or any person rescued contravenes any of the provisions of sub-section (1), he shall be punished with imprisonment which may extend to one year or with fine which shall not be less than one lakh rupees, or with both.

24. (1) A victim or any person rescued on behalf of him may make an application to the Magistrate within the local limits of whose jurisdiction the victim or such other person is trafficked or suspected to be trafficked for an order that he may be kept in a Rehabilitation Home: Provided that in case the victim or any person rescued is a child, the provisions of the Juvenile Justice Act, 2018 shall apply.

(2) The Magistrate may, pending inquiry under sub-section (3) or sub-section (4) of section 17 having regard to the circumstances of the case direct that the victim or any person rescued to be kept in such care and protection as he may consider proper.

(3) The Magistrate shall consult the District Anti-Trafficking Committee before taking a final decision with respect to the rehabilitation of the victim or such other person.

25. Where the person rescued is a victim, the District Anti-Trafficking Committee shall ensure that the rehabilitation of the person is not contingent upon criminal proceedings being initiated against the accused or the outcome thereof

CHAPTER VIII

REPATRIATION

26. (1) The District Anti-Trafficking Committee or the Child Welfare Committee, as the case may be, shall be responsible for the repatriation of victims by co-coordinating with their counterparts in any other District.

(2) Where the Provincial Anti-Trafficking Committee is of the opinion that a victim from a foreign country needs to be repatriated to the country of origin, it may deal with the matter under any law for the time being in force.

(3) The Provincial Human Trafficking Specialist Officer shall obtain informed written consent from the victim for repatriation purposes, and where needed, shall make arrangements for the counseling of the victim by trained psycho-social professionals.

(4) The repatriation of the victims shall be completed within three months for inter-Provincial repatriation, and within six months in case of cross border repatriation, from the date of rescue by the District Anti-Trafficking Committee, or the Child Welfare Committee, or Provincial Police Human Trafficking Specialist Officer, as the case may be: Provided that any delay in repatriation shall be recorded for reasons in writing and shall be reported to the National Anti-Trafficking Relief and Rehabilitation Committee and the Bureau forthwith.

CHAPTER IX

MONETARY RELIEF AND COMPENSATION

27. (1) Upon application for interim relief by the victim, the District Anti-Trafficking Committee or Child Welfare Committee, as the case may be, shall take immediate steps to award interim relief to the victim as deemed appropriate not later than thirty days, taking into consideration all aspects, including physical, mental trauma and the other requirements of the victim.

(2) The appropriate Government shall provide adequate funds at the disposal of the District Anti-Trafficking Committee for the purposes under subsection (1), within a period of one month from the date of commencement of this Act.

28. (1) The District Anti-Trafficking Committee shall take steps to ensure that appropriate relief is provided to the victim, within sixty days from the date of filing of charge-sheet.

(2) The relief amount shall be in addition to any other compensation including any amount or benefit payable by way of any scheme of the appropriate Government or pursuant to any order of the court under any law for the time being in force.

CHAPTER X

FORFEITURE AND ATTACHMENT OF PROPERTY

29. (1) Where any property is, or is likely to be, used for the commission of an offence under this Act and the property is concealed, transferred or dealt with, in any manner which may result in frustrating any proceedings under this Act, the designated court may attach such property:

Provided that the designated court shall give an opportunity to be heard to the person who is the owner or occupier of the property.

(2) Where a person has been convicted of any offence under this Act, the designated court shall, in addition to awarding any punishment, declare that any property, movable or immovable or both, belonging to such person or held by any person on his behalf, which has been used for the commission of that offence or accrued thereby, or which has been attached under sub-section (1), shall stand forfeited to the appropriate Government and the same may be authorized for the purpose of realisation of any fine imposed by the designated court and the proceeds shall be remitted to the Rehabilitation Fund.

CHAPTER XI

REHABILITATION FUND

30. (1) There shall be constituted a fund by the Federal Government to be called the Rehabilitation Fund for the welfare and rehabilitation of the victims under this Act and there shall be credited thereto—

- (a) any grants and loans made by the appropriate Government;
- (b) any voluntary donations, contributions or subscriptions, whether or not for any specific purpose as may be decided upon by the Federal Government;
- (c) any fine recovered for the commission of an offence under this Act which may include recovery of fine specified in relevant clauses in the Code of Criminal Procedure, 1898;
- (d) the amount seized from any bank account frozen under sub-section (4) of section 18; and
- (e) any other sums as may be received.

(2) The Provincial Government may supplement the Rehabilitation Fund.

(3) The Rehabilitation Fund shall be utilized under this Act by the appropriate Government for—

- (i) the establishment and administration of Protection Homes and Rehabilitation Homes;
- (ii) supporting innovative programmes for the welfare and rehabilitation of the victims;
- (iii) strengthening legal assistance and support;

- (iv) providing entrepreneurial support, skill development training or vocational training;
- (v) providing aftercare facilities for capital and infrastructure to the victims who are ready to integrate into mainstream society by setting up small business or profession;
- (vi) providing victim and witness protection;
- (vii) awareness generation programmes for the prevention of trafficking of persons;
- (viii) creating community-based programmes to identify, report and prevent trafficking of persons;
- (ix) Providing specialized professional services, counselors, translators, interpreters, social workers, mental health care professionals, vocational trainers or such other specialized professionals for the victims; and
- (x) any other activity which may be required for effective implementation of this Act.

(4) The Rehabilitation Fund shall be maintained and monitored by the National Anti-Trafficking Relief and Rehabilitation Committee.

(5) The Rehabilitation Fund shall be made available to the Province and District Anti-Trafficking Committees towards prevention, protection and prosecution of matters relating to trafficking of persons.

(6) Any fine recovered for the commission of an offence under this Act shall also be remitted to the Rehabilitation Fund.

(7) The generation, dissemination and utilization of Fund shall be regulated in the manner as may be prescribed by the Federal Government.

31. Notwithstanding anything contained in any other law for the time being in force, whoever commits an offence of trafficking of person—

- (i) for the purpose of forced labour or bonded labour by using violence, intimidation, inducement, promise of payment of money, deception or coercion or by subtle means including, allegations of accumulated debt by the person, retention of any identity paper, threats of denunciation to authorities; or

- (ii) for the purpose of bearing child, either naturally or through assisted reproductive techniques; or
- (iii) by administering any narcotic drug or psychotropic substance or alcohol on a person for the purpose of trafficking or forcing him to remain in exploitative condition; or
- (iv) by administering any chemical substance or hormones on a person for the purpose of early sexual maturity; or
- (v) for the purpose of marriage or under the pretext of marriage traffics a woman or child after marriage; or
- (vi) by causing serious injury resulting in grievous hurt or death of any person, including death as a result of suicide as a consequence of trafficking of person; or
- (vii) who is a pregnant woman or the offence results in pregnancy of the person; or
- (viii) by causing or exposing the person to a life-threatening illness including acquired immune deficiency syndrome or human immune deficiency virus; or
- (ix) for the purpose of begging; or
- (x) who is a mentally ill person as defined under Mental Health Ordinances/ Acts in relevant Provinces and federal Capital or a person with disability as defined under rights of persons with disabilities Ordinances/Acts in relevant Provinces and federal Capital, or as a consequence of trafficking, the person becomes mentally ill or disabled; or
- (xi) by encouraging or abetting any person to migrate illegally into Pakistan or Pakistani in to some other country, is said to commit an offence of aggravated form of trafficking of the person.

32. Whoever commits the offence of aggravated form of trafficking of a person shall be punished with rigorous imprisonment for a term which shall not be less than ten years but which may extend to imprisonment for life and shall also be liable to fine which shall not be less than one lakh rupees.

33. Whoever is convicted of the offence of trafficking on more than one occasion shall be punished with imprisonment for life, which shall mean imprisonment

for the remainder of that person's natural life, and shall also be liable to fine which shall not be less than two lakh rupees.

34. (1) Whoever keeps or manages, or acts or assists in the keeping or management of a premises to be used as a place for trafficking of any person shall be punished with rigorous imprisonment for a term which may extend to five years and also with fine which may extend to one lakh rupees and in the event of a second or subsequent conviction with rigorous imprisonment for a term which shall not be less than seven years and with fine which may extend to two lakh rupees.

(2) Whoever—

- (i) being a tenant, lessee, occupier or person in-charge of any premises. uses, or knowingly allows any other person to use, the premises or any part thereof as a place for trafficking of persons; or Aggravated form of trafficking of persons.
- (ii) being the owner, lesser or landlord of any premises, or the agent of such owner, lesser, or landlord, lets out the same, or any part thereof with the knowledge that the same or any part thereof is intended to be used as a place of exploitation of the victim, or is willfully a party to the use of the premises or any part thereof as a place for trafficking of persons, shall be punished on first conviction with imprisonment for a term which may extend to three years and with fine which may extend to one lakh rupees and in the event of a second or subsequent conviction, with rigorous imprisonment for a term which may extend to five years and with fine which may extend to two lakh rupees.

Explanation.—For the purposes of sub-section (2), it shall be presumed until the contrary is proved that any person referred to in clause (i) or clause (ii) of that sub-section has not exercised due diligence in allowing to use or letting out the premises or in allowing the premises or any part thereof to be used as a place of exploitation or, as the case may be, and has knowledge that the premises or any part thereof was being used as a place of exploitation of the victim.

(3) Notwithstanding anything contained in any other law for the time being in force, on conviction of any person referred to in clause (i) or clause (ii) of sub-section (2) of any offence under this Act in respect of any premises or any part thereof any lease or agreement under which such premises have been leased out or held or occupied at the time of the commission of the offence, shall become void with effect from the date of the said conviction.

35. (1) Notwithstanding anything contained in any other law for the time being in force, the Magistrate shall, on receipt of information from the police or otherwise, that any premises or any part thereof is being used for the purpose of trafficking of persons, issue notice to the owner, lessor or landlord of the premises or part thereof, or the agent of the owner, lessor or landlord, or on the tenant, lessee, occupier of, or any other person in charge of such premises or part thereof to show cause within seven days of the receipt of the notice why the same should not be sealed or attached for improper use thereof; and, after hearing the person concerned, if the Magistrate is satisfied that the premises or part thereof is being used for trafficking of persons, then, the Magistrate may pass an order—

- (i) directing eviction of the occupier or any person from the premises, within seven days of the passing of the order;
- (ii) directing that the owner, lessor, or landlord, or the agent of the owner, before letting out the premises or any part thereof, which, during the rescue or search has been found to be used for the purpose of trafficking, shall obtain the previous permission of the Magistrate and the Magistrate shall pass appropriate orders within thirty days from the date of order and where no permission is granted within such period, the permission shall be deemed to have been granted.

(2) If the Magistrate, after the notice issued under sub-section (1), finds that the premises or any part thereof was used for trafficking of any person, the owner, lessor, landlord the agent of the owner, lessor, landlord exercised due diligence in letting out premises or any part thereof then, the same shall be restored to the owner, lessor or landlord, or the agent of the owner or lessor or landlord as the case may be, with an undertaking that the premises or any part thereof shall not be leased out, or otherwise given possession of, or for the benefit of the person who was allowing the improper use therein, within two months from the date of issuing the notice by the Magistrate.

(3) If the Magistrate is satisfied that the premises or part thereof was not used for trafficking of any person, he shall cause the same to be restored to the owner, lessor or landlord, or the agent of the owner, lessor, landlord, tenant, lessee, occupier or any other person in-charge of the premises or part thereof within two months of the issuance of the notice.

(4) When an owner, lessor or landlord, or the agent of the owner, lessor or landlord fails to comply with a direction given under clause (ii) of sub-section (1), he shall be punished with fine which may extend to one lakh rupees.

36. (1) A person is said to promote, procure or facilitate the commission of trafficking of person, if that person—

- (i) produces, prints, issues or distributes unissued, tampered or fake certificates, registration or stickers as proof of compliance with Government requirements; or
- (ii) advertises, publishes, prints, broadcasts or distributes, or causes the advertisement, publication, printing or broadcast or distribution by any means, including the use of information technology or any brochure, flyer or any propaganda material that promotes trafficking of person or exploitation of a trafficked person in any manner; or
- (iii) assists in the conduct of misrepresentation or fraud for the purposes of procuring or facilitating the acquisition of clearances and necessary documents from Government agencies for the purpose of trafficking of any person.

(2) Whoever commits an offence under sub-section (1) shall be punished with rigorous imprisonment for a term which shall not be less than three years but which may extend to seven years and shall also be liable to fine which shall not be less than one lakh rupees.

37. Whoever abets any person to commit any offence under this Act and if the act abetted is in consequence of the abetment, shall be punished with the punishment provided for that offence.

38. Notwithstanding anything contained in any other law for the time being in force, whoever knowingly or having reason to believe that a person has been trafficked, fails to perform a duty, which he is entrusted under this Act for providing care, protection and rehabilitation to a victim or performs duty but knowingly causes physical or mental injury or hardship or trauma to the victim shall be punished with fine which shall not be less than fifty thousand rupees and in the event of a second or subsequent offence with rigorous imprisonment for a term which may extend to one year and with fine which shall not be less than one lakh rupees.

39. (1) Whoever buys or sells any person for a consideration, shall be punished with rigorous imprisonment for a term which shall not be less than seven years but may extend to ten years, and shall also be liable to fine which shall not be less than one lakh rupees.

(2) Whoever solicits or publicises electronically, taking or distributing obscene photographs or videos or providing materials or soliciting or guiding tourists or using agents or any other form which may lead to the trafficking of a person shall be punished with rigorous imprisonment for a term which shall not be less than five years but may extend to ten years, and shall also be liable to fine which shall not be less than fifty thousand rupees but which may extend to one lakh rupees.

40. Whoever hires or otherwise obtains possession, or lets to hire, or in any manner disposes of a person, for the purpose of trafficking of person, shall be punished with imprisonment of either description for a term which shall not be less than three years but may extend to five years and shall also be liable to fine which shall not be less than one lakh rupees.

41. (1) Whoever commits trafficking of a person with the aid of media, including, but not limited to print, internet, digital or electronic media, shall be punished with rigorous imprisonment for a term which shall not be less than seven years but may extend to ten years and shall also be liable to fine which shall not be less than one lakh rupees.

(2) Whoever distributes, or sells or stores, in any form in any electronic or printed form showing incidence of sexual exploitation, sexual assault, or rape for the purpose of extortion or for coercion of the victim or his family members, or for unlawful gain shall be punished with rigorous imprisonment for a term which shall not be less than three years but may extend to seven years and shall also be liable to fine which shall not be less than one lakh rupees.

42. (1) No report or newspaper or magazine or news-sheet or audio-visual media or any other form of communication regarding any inquiry or investigation or judicial proceedings at any stage shall disclose the name, address or any other particulars, which may lead to the identification of a victim or witness of trafficking of person under this Act shall be published: Provided that for reasons to be recorded in writing, the designated court may permit such disclosure, if in its opinion, such disclosure is in the best interest of the victim.

(2) Any person who contravenes the provisions of sub-section (1) shall be punished with imprisonment for a term which may extend to six months or with fine which may extend to one lakh rupees, or with both:

Provided that in case, the victim is a child, the provisions of the Juvenile Justice Act, 2018 shall apply.

43. (1) Where an act or omission constitutes an offence punishable under this Act and also under any other law for the time being in force, then, notwithstanding anything contained in any such law, the person found guilty of such offence, shall be liable to punishment under such law which provides for punishment which is greater in degree.

(2) A designated court convicting a person of any offence under this Act may also pass an order for the auction of the premises or any part thereof and the proceeds of such auction shall be ordered to be remitted to the Rehabilitation Fund.

(3) When an occupier or any other person fails to comply with a direction given under clause (i) of sub-section (1) of section 35, he shall be deemed to have committed an offence under section 34 and shall be punished accordingly.

44. Whoever attempts to commit an offence punishable by this Act with imprisonment, or to cause such an offence to be committed, and in such attempt does any act towards the commission of the offence, shall be punished with imprisonment of any description provided for the offence, for a term which may extend to one-half of the imprisonment or, as the case may be, one-half of the longest term of imprisonment provided for that offence, or with such fine as is provided for the offence. or with both.

45. Nothing is an offence which is committed or attempted to have been committed by a victim, punishable with death or imprisonment for life or for imprisonment for ten years, if the offence is committed or attempted to have been committed, under coercion or compulsion or intimidation or threat or undue influence by any person and where, at the time of committing the offence, the victim is subjected to reasonable apprehension of his death, grievous hurt or any other injury to him or to any other person whom he is interested in.

CHAPTER XIII

DESIGNATED COURTS

46. For the purposes of providing speedy trial of any offence under this Act, the Provincial Government shall, in consultation with the Chief Justice of the High Court, by notification, within two months from the date of commencement of this Act, designate in each district, the court of session as a Designated Court.

47. (1) The appropriate Government may, by notification, appoint Special Public Prosecutors for every designated court for conducting cases under this Act.

(2) Every person appointed as a Special Public Prosecutor under sub-section (1) shall be deemed to be a Public Prosecutor within the meaning under the sections 492-495 of the Code of Criminal Procedure. 1898 and provisions of that Code shall have effect accordingly.

(3) the victim shall be entitled to the assistance of a legal counsel of his choice for any offence under this Act: Provided that if the victim is unable to afford a legal counsel. the same shall be provided to him under the Pakistan Bar Council Free Legal Aid Rules 1999.

48. (1) The designated court shall complete the trial, as far as possible, within a period of one year from the date of taking into cognizance of any offence under this Act.

(2) The designated court may record the statement of any victim through video conferencing in any case, where the victim is unable to appear before the court for the reasons of safety or confidentiality.

(3) In all matters of trans-border and inter-State crimes where the victim has been repatriated to any other State or country is unable to attend the court proceedings, the court may order video conferencing to record his statement.

(4) Notwithstanding anything contained in this Act, the inquiry and trial of offences under this Act, may be conducted in camera, if an application is made in this regard by the victim.

49. (1) The designated court may order, where applicable, any back wages of the victim to be paid to him.

(2) The appropriate Government shall ensure that the relief, if any, ordered by the designated court is paid within sixty days from the date of receipt of the order.

50. (1) Notwithstanding anything contained in the Code of Criminal Procedure, 1898, an appeal shall lie from any judgment, sentence or order, not being an interlocutory order, of the designated court to the High Court.

(2) Every appeal under this section shall be preferred within a period of sixty days from the date of judgment, sentence or order appealed against: Provided that the High Court may entertain an appeal after the expiry of the said period if it is satisfied that the appellant had sufficient cause for not preferring the appeal within the said period.

CHAPTER XIV

PROTECTION OF VICTIM, WITNESS AND COMPLAINANT

51. (1) The designated court, if on an application made by a victim, witness or a complainant in any proceeding before it or by the Special Public Prosecutor in relation to such victim, witness or a complainant or on its own motion, is satisfied that the life of such victim, witness or a complainant is in danger, it may, for reasons to be recorded in writing, take such measures to protect such victim, witness and the complainant.

(2) In particular, and without prejudice to the generality of the provisions of sub-section (1), the measures which a designated court may take under that sub-section may include—

- (a) the holding of the proceedings at a place to be decided by the designated court;
- (b) the avoiding of the mention of the names and addresses of the witnesses in its orders or judgments or in any records of the case accessible to public;
- (c) the issuing of any directions for securing that the identity and address of the witnesses are not disclosed; and
- (d) a decision that it is in the public interest to order that all or any of the proceedings pending before such a court shall not be published in any manner.

CHAPTER XV

MISCELLANEOUS

52. (1) All offences under this Act shall be cognizable and non-bailable.

(2) Notwithstanding anything contained in the Code of Criminal Procedure, 1898—

- (a) no person accused of committing an offence under this Act shall be released on bail or on his own bond unless—
 - (i) the Special Public Prosecutor has been given an opportunity to oppose the application for such release;
 - (ii) where the Special Public Prosecutor opposes the application, the court is satisfied that there are reasonable grounds for believing that the accused is not guilty of such offence and that he is not likely to commit any offence while on bail; and
- (b) the victim shall have a right to be heard in all bail matters.

(3) The conditions for granting of bail specified in clause (b) of sub-section (2) shall be in addition to the conditions provided under the Code of Criminal Procedure, 1898.

53. No suit, prosecution, or other legal proceeding shall lie against the Federal Government or the Provincial Government or any person acting under the directions of the Federal Government or the Provincial Government as the case may be, acting in good faith, or intended to be done in pursuance of this Act, or of any rules made there under.

54. (1) The Federal Government may, by notification, make rules for carrying out the purposes of this Act.

(2) Every rule made under this section shall be laid, as soon as may be after it is made, before each House of Parliament, while it is in session, for a total period of thirty days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid, both Houses agree in making any modification in the rule or both Houses agree that the rule should not be made, the rule shall thereafter have effect only in such modified form or of no effect, as the case may be; however, any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule.

55. (1) The Provincial Government may, by notification in the Official Gazette, make rules to carry out the purposes of this Act.

(2) Every rule made by the Provincial Government under this section shall be laid, as soon as may be after it is made, before each provincial Legislature.

56. (1) If any difficulty arises in giving effect to the provisions of this Act, the Federal Government may, by order, published in the Official Gazette, make such provisions not inconsistent with the provisions of this Act, as may appear to it to be necessary or expedient for removal of the difficulty:

Provided, that no such order shall be made under this section after the expiry of the period of two years from the date of commencement of this Act.

(2) Every order made under this section shall be laid, as soon as may be, before each House of Parliament.

57. The provisions of this Act, shall be in addition to and not in derogation of the provisions of any other law for the time being in force and, in case of any inconsistency, the provisions of this Act shall have overriding effect on the provisions of any law to the extent of the inconsistency.

58. Prevention of Trafficking in Persons Act, 2018 ACT NO. XXXIV OF 2018 shall stand repealed after the passage of this Act.

STATEMENT OF OBJECTS AND REASONS

Trafficking in human beings is one of the largest organized crime violating basic human rights. Trafficking in human beings may be for sexual and physical exploitation and also for other forms of exploitation like forced labour, etc. This is primarily fueled by poverty, illiteracy and lack of livelihood options. Majority of the Trafficking is within the country. However, there are instances where large number of persons are trafficked from neighboring countries and to other countries especially Middle East.

2. Presently, the subject matter of trafficking of persons is dealt with under the provisions of the Pakistan Penal Code 1898 and Prevention of Trafficking in Persons Act, 2018 the former only defines and penalizes the offence of trafficking of persons and, whereas, the latter deals with trafficking of persons for the purpose of commercial sexual exploitation and it does not recognize trafficking of persons for the purpose of physical and other forms of exploitation. There is no comprehensive definition of human trafficking in existing laws as well. In the said bill adult males have also been included in definition of victims of human trafficking. Besides, we also need a new law which should counter the menace of all forms of human trafficking and prevalence of this alarming crime from cross border till local level with a single coordinated mechanism among all the stakeholders.

3. Keeping in view of the above deficiencies in the existing legislations and after considering the issues relating to prevention, rescue and rehabilitation of victims of trafficking, it has been considered necessary to bring a comprehensive legislation, namely, the Trafficking of Persons (Prevention. Protection and Rehabilitation) Bill, 2019, covering all related aspects of trafficking of persons.

4. The salient features of the Trafficking of Persons (Prevention, Protection and Rehabilitation) Bill. 2018. *inter alia*, are as follows:— (a) it aims to prevent the trafficking of persons, to prosecute offenders and to provide care, protection and rehabilitation to the victims of trafficking; (b) it creates a conducive legal, economic and social environment for the victims of trafficking and also addresses the transnational nature of the crimes; (c) provides for dedicated institutional mechanism at District, Province and National level for prevention, protection, investigation and rehabilitation aspects relating to trafficking; (d) it provides for new offences with stringent punishment and fine, which are aggravated in nature and not addressed in existing laws; (e) it provides for timely disposal of cases and repatriation of the victims; (f) it provides for the confidentiality of victims, witnesses and complainants by not disclosing their identity. The confidentiality of the victims is maintained by recording their statement through video conferencing and by in camera

proceedings. (g) it also provides for Rehabilitation Fund for the welfare and rehabilitation of victims to ensure timely relief to the victims and also addresses their physical, mental trauma etc.: (h) in order to break the organized nexus, both at national and international level, the Bill proposes for attachment and forfeiture of property and to remit the proceeds of crime in the Rehabilitation Fund; (i) it also provides for immunity to victims for certain criminal actions against them; and (j) it is also proposed to designate a Sessions Court in each district for speedy disposal of the cases under the proposed legislation and for this purposes provides for appointment of Special Public Prosecutors to deal with such cases in a time bound manner.

5. The Bill seeks to achieve the above objectives.

MS. NAFEESA INAYATULLAH KHAN KHATTAK,
Member-in-Charge.

—————
N.A. BILL NO. 134 OF 2019

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, 2019.

(2) It shall come into force at once.

2. **Insertion of new sections 377C, Act XLV of 1860.**—In the Pakistan Penal Code, 1860 (Act XLV of 1860), after section 377B, the following new sections shall be inserted, namely:—

“377C.—Unnatural offence with child where age of victim is less than seven years.—Whoever has carnal intercourse against

the order of nature with a child having the age of seven years and below shall be punished with death or imprisonment for life which shall not be less than twenty five years and shall also be liable to a minimum fine of two million rupees:

Provided that, if the age of offender is above twenty one years, the sentence of death shall be carried in public place or gathering of not less than hundred people.

377D.—Unnatural offence with child where age of victim is less than ten years.—Whoever with consent or without consent has carnal intercourse against the order of nature with a child having the age of ten years but not below than seven years shall be punished with imprisonment for life or imprisonment of either description which shall not be less than ten years and a minimum fine of five hundred thousand rupees.

377E.—Unnatural offence with child where age of victim is less than fourteen years.—Whoever with consent or without consent has carnal intercourse against the order of nature with a child having the age of fourteen years but not below than ten years shall be punished with imprisonment for life or imprisonment of either description which shall not be less than seven years and a minimum fine of two hundred thousand rupees.

377F.—Unnatural offence where age of victim is less than eighteen years.—Whoever with consent or without consent has carnal intercourse against the order of nature with a child having the age of eighteen years but not below than fourteen years shall be punished with imprisonment for life or imprisonment of either description which shall not be less than five years and a minimum fine of fifty thousand rupees.

377G.—Unnatural offence where victim is mentally or physically disable.—Whoever has carnal intercourse against the order of nature where victim is mentally or physically disable shall be punished with imprisonment for fourteen years which shall not be less than seven years and a minimum fine of two hundred thousand rupees.”.

3. **Amendment of Schedule II, Act V of 1898.**—In the Code of Criminal Procedure, 1898 (Act V of 1898), in Schedule II, after section 377B and the corresponding entries relating thereto in columns 1 to 8, the following new sections and entries relating thereto shall be inserted, namely:—

1	2	3	4	5	6	7	8
377C	Unnatural offence with Child where age of victim is less than seven years	May arrest without warrant	Warrant	Not bailable	Not compoundable	Death or imprisonment for life which shall not be less than twenty five years and a minimum fine two million rupees	Court of Session
377D	Unnatural offence with Child where age of victim is less than ten years	May arrest without warrant	Warrant	Not bailable	Not compoundable	Imprisonment for life or Imprisonment of either description which shall not be less than seven years and a minimum fine five hundred thousand rupees	Court of Session
377E	Unnatural offence with Child where age of victim is less than eighteen years	May arrest without warrant	Warrant	Not bailable	Not compoundable	Imprisonment for life or Imprisonment of either description which shall not be less than seven years and a minimum fine two hundred thousand rupees	Court of Session
377F	Unnatural offence where age of victim is less than	May arrest without warrant	Warrant	Not bailable	Not compoundable	Imprisonment for life or Imprisonment of either description which shall not be less than five	Court of Session

	fourteen years					years and a minimum	
						fine fifty thousand rupees	
377G	Unnatural offence where victim is mentally or physically disable	May arrest without warrant	Warrant	Not bailable	Not compoundable	Imprisonment for fourteen years which Shall not be less than seven years and a minimum fine two hundred thousand rupees	Court of Session

STATEMENTS OF OBJECTIONS AND REASONS

Children are abused in Pakistan every day. Child abuse has become a prevalent offence which exhibit Pakistan as an unsafe country for children. There is nothing worse than the death of a child and there is nothing worse for parents than burying a child. After raping and killing the child, the body is thrown on a heap of garbage. Killing a child is neither an act of power nor a submission to a maniacal homicidal tendency. In other words, it is not easy to control the sexual abuse of children though efforts must be made to curtail these incidents with exemplary punishment.

MR. JAMES IQBAL,
Member-in-Charge

N.A. BILL NO. 135 OF 2019

A

BILL

further to amend the Elections Act, 2017

WHEREAS, it is expedient further to amend the Elections Act, 2017 (XXXIII), for the purposes hereinafter appearing;

1. **Short title, extent and commencement.**—(1) This Act may be called the Elections (Amendment) Act, 2019.

(2) It shall come into force at once.

2. **Amendment of Section 104 in the Election Act, 2017 (XXXIII of 2017).**—In the Elections Act, 2017 (XXXIII of 2017), in section 104, in sub-section (1), in the proviso, for the full stop at the end a colon shall be substituted and thereafter the following new proviso shall be added, namely:—

“Provided further that each political party shall ensure the representation of women from each Division of a Province in its priority list.”.

STATEMENT OF OBJECTS AND REASONS

It is the duty of all political parties to confirm the representation of women from all vicinity of Pakistan. Government of Pakistan is liable to take steps to ensure full participation of women in all spheres of national life as enshrined in Article 34 of the Constitution. For fulfillment of Constitutional obligation, it is necessary to make laws for equal opportunity of women from every region in the National Assembly of Pakistan.

MR. RIAZ FATYANA,
Member-in-Charge.

N.A. BILL NO. 136 OF 2019

A

BILL

further to amend the Higher Education Commission Ordinance, 2002;

WHEREAS it is expedient further to amend the Higher Education Commission Ordinance, 2002 (No. LIII of 2002), for the purposes hereinafter appearing;

It is hereby enacted as follows:

1. **Short title and commencement.**—(1) This Act may be called the Higher Education Commission (Amendment) Act. 2019.

(2) It shall come into force at once.

2. **Amendment of section 10 in the Higher Education Commission Ordinance, 2002 (No. LIII of 2002).**—In the Higher Education Commission Ordinance, 2002 (No. LIII of 2002), in section 10, in sub-section (1), after paragraph (w), the following new paragraph (wa) shall be inserted, namely:—

“(wa) Notwithstanding anything contained in any law for the time being in force, any judgment or order of any court or authority, tribunal or a quasi-judicial authority, the Commission shall make rules for formation, elections, purposes and code of conduct of Student Unions in institutions.”.

STATEMENT OF OBJECTS AND REASONS

Student unions have played a vital role in political history of Pakistan. These unions provide a platform that allows students to practice upon their skills of diplomacy, debate, politics and leadership. Moreover, Student unions are training grounds that provide responsible citizens to nation. The indulgence in constructive debate, campaigning, for intra-university positions, developing small-scale governance policies, highlighting and resolving issues affecting the student body and ensuing accountability are some of the drills that make students turn into fine individuals who could shape the country's future for the better. Constitution of Pakistan protects the fundamental rights of citizens of Pakistan. Article 17 of constitution guarantees freedom of association, which means that every citizen shall have the right to form associations or unions, subject to any reasonable restrictions imposed by law in the interest of sovereignty or integrity of Pakistan. public order or morality. Non-existence of student unions for decades has not only promoted violence in campuses but also resulted in stifling the intellectual growth and social development of students. This amendment Bill intends to revive student unions, so that, a democratic culture could flourish in Pakistan. This Bill therefore seeks to achieve the aforesaid objectives.

MR. KESSO MAL KHEEAL DAS,
Minister In-charge.

TAHIR HUSSAIN,
Secretary.