

C O N F I D E N T I A L

Not to be released for publication in the press before presentation to the Assembly

PROVINCIAL ASSEMBLY OF THE PUNJAB REPORT OF THE STANDING COMMITTEE ON HOME AFFAIRS REGARDING THE PUNJAB EXPLOSIVES (AMENDMENT) BILL 2014 (BILL NO. 24 OF 2014)

The Punjab Explosives (Amendment) Bill 2014 (Bill No. 24 of 2014) was referred to the Standing Committee on Home Affairs on 20 October, 2014. The Committee considered the bill in its meeting held on 10 November 2014.

2. The following were present:—

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| 1. | Makdum Syed Muhammad Masood Alam, MPA (PP-285) | Chairman |
| 2. | Col (Retd) Shuja Khazada
Minister for Home | <i>ex-officio</i> Member |
| 3. | Mehr Ijaz Ahmad Achalana, MPA (PP-265)/
Parliamentary Secretary for Home | <i>ex-officio</i> Member |
| 4. | Ch Rafaqat Hussain Gujjar, Advocate, MPA (PP-102) | Member |
| 5. | Major (Retd) Moeen Nawaz Warraich, MPA (PP-109) | Member |
| 6. | Mr Ihsan ul Haq Bajwa, MPA (PP-281) | Member |
| 7. | Mrs Kanwal Nauman, MPA (W-321) | Member |
| 8. | Mr Awais Qasim Khan, MPA (PP-132) | Member |
| 9. | Ch Aamar Sultan Cheema, MPA (PP-32) | Member |

3. Dr Shoaib Akbar, Special Secretary, Home Department and Dr Riaz Mahmood, Director, Law and Parliamentary Affairs Department represented their Departments. Hafiz Muhammad Shafiq Adil, Special Secretary, Provincial Assembly of the Punjab functioned as Secretary to the Committee.

4. The Special Secretary, Home Department apprised the Committee about the aims and objects of the bill. He said that the subject on which that law had been enacted had devolved on the Provinces by virtue of the Eighteenth Amendment. He explained that the Explosive Act, 1884 was required to be adapted by the Provincial Assembly of the Punjab in terms of clause (6) of the Article 270AA of the Constitution. He further explained that the Government may, for whole or any part of the Province, make rules to regulate, prohibit, manufacture, possess, use, transport or export of explosives or any specified class of explosives. He also said that nothing in the Act, except Sections 8, 9 and 9-A would apply to the manufacture, possession, use, transport or importation of any explosive by any of the armed forces of Pakistan in accordance with rules and regulations made by the Federal Government. He requested the Committee that the bill, as introduced, may be recommended to be passed by the Assembly.

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5. The Committee after hearing the Members, having the view point of the Administrative Department and discussing various points, unanimously decided to recommend that the bill may be passed by the Assembly subject to the following amendments:-

AMENDMENTS IN THE BILL

(1) CLAUSE 2

para (b) be omitted and para (c) be renumbered as para (b).

(2) ADDITION OF A NEW CLAUSE 8

the following be added as new clause 8:-

“REPEAL.- The Punjab Explosives (Amendment) Ordinance 2014 (XIII OF 2014) is hereby repealed.”

6. A copy of the bill as introduced in the Assembly is at Annexure-A and a copy of the bill as recommended by the Committee is at Annexure-B.

(MAKDUM SYED MUHAMMAD MASOOD ALAM)

Lahore
10 November, 2014

Chairman
Standing Committee on Home Affairs

Mumtaz Hussain

Lahore
10 November, 2014

(RAI MUMTAZ HUSSAIN BABAR)
Secretary

PROVINCIAL ASSEMBLY OF THE PUNJAB

BILL NO 24 OF 2014

THE PUNJAB EXPLOSIVES (AMENDMENT) BILL 2014

A
Bill

further to amend the Explosives Act 1884.

Whereas it is expedient further to amend the Explosives Act 1884 (IV of 1884) for purposes hereinafter appearing;

It is enacted as follows:

1. **Short title and commencement.**— (1) This Act may be cited as the Punjab Explosives (Amendment) Act 2014.
(2) It shall come into force at once.
2. **Amendment in Act IV of 1884.**— In the Explosives Act 1884 (IV of 1884), hereinafter referred to as the said Act:
 - (a) for the words "Federal Government", wherever occur, the word "Government" shall be substituted;
 - (b) for the words "appropriate Government", wherever occur, the word "Government" shall be substituted; and
 - (c) for the words "Chief Inspector of Explosives in Pakistan", wherever occur, the words "Secretary to the Government, Home Department" shall be substituted.
3. **Amendment in section 1 of Act IV of 1884.**— In the said Act, in section 1, in subsection (2), for the word "Pakistan", the words "the Punjab" shall be substituted.
4. **Amendment in section 4 of Act IV of 1884.**— In the said Act, in section 4:
 - (a) for clause (6), the following shall be substituted:
“(6) "import" means to bring into the Punjab by land, air or river; and”;
 - (b) for clause (7), the following shall be substituted:
“(7) "Government" means Government of the Punjab.”
5. **Amendment in section 5 of Act IV of 1884.**— In the said Act, in section 5, for subsection (1), the following shall be substituted:
“(1) The Government may, for whole or any part of the Province, make rules to regulate, prohibit, manufacture, possess, use, transport, import or export of explosives or any specified class of explosives.”
6. **Amendment in section 14 of Act IV of 1884.**— In the said Act, in section 14, in subsection (1), for clauses (a) and (b), the following shall be substituted:
 - “(a) by any of the armed forces of Pakistan in accordance with rules and regulations made by the Federal Government; and
 - (b) by any person employed under the Government for enforcement of this Act.”
7. **Omission of section 15 of Act IV of 1884.**— In the said Act, section 15 shall be omitted.

MINISTER INCHARGE

Lahore:
20 October 2014

RAI MUMTAZ HUSSAIN BABAR
Secretary

(BILL AS RECOMMENDED BY
STANDING COMMITTEE ON HOME AFFAIRS)

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Bill

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Whereas it is expedient further to amend the Explosives Act 1884 (IV of 1884) for purposes hereinafter appearing;

It is enacted as follows:

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(2) It shall come into force at once.
2. **Amendment in Act IV of 1884.**— In the Explosives Act 1884 (IV of 1884), hereinafter referred to as the said Act:
 - (a) for the words “Federal Government”, wherever occur, the word “Government” shall be substituted; and
 - (b) for the words “Chief Inspector of Explosives in Pakistan”, wherever occur, the words “Secretary to the Government, Home Department” shall be substituted.
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6. **Amendment in section 14 of Act IV of 1884.**— In the said Act, in section 14, in subsection (1), for clauses (a) and (b), the following shall be substituted:
 - (a) by any of the armed forces of Pakistan in accordance with rules and regulations made by the Federal Government; and
 - (b) by any person employed under the Government for enforcement of this Act.”
7. **Omission of section 15 of Act IV of 1884.**— In the said Act, section 15 shall be omitted.
8. **Repeal.**— The Punjab Explosives (Amendment) Ordinance 2014 (XIII of 2014) is hereby repealed.