

NATIONAL ASSEMBLY SECRETARIAT

**REPORT OF THE STANDING COMMITTEE ON INTERIOR ON THE COVID-19
(PREVENTION OF HOARDING) BILL, 2020**

I, Chairman of the Standing Committee on Interior have the honor to present this report on the Bill to provide for the prevention of hoarding in respect of scheduled articles, in the wake of an emergent situation resulting from the outbreak of the Corona virus pandemic (COVID-19) [Covid-19 (Prevention of Hoarding) Bill, 2020] (Government Bill) referred to the Committee on 8th July, 2020.

2. The Committee comprises the following:

1) Raja Khurram Shahzad Nawaz	Chairman
2) Mr. Sher Akbar Khan	Member
3) Mehar Ghulam Muhammad Lali	Member
4) Mr. Raza Nasrullah	Member
5) Khawaja Sheraz Mehmood	Member
6) Mr. Rahat Aman Ullah Bhatti	Member
7) Malik Karamat Ali Khokhar	Member
8) Sardar Talib Hassan Nakai	Member
9) Ms. Nafeesa Inayatullah Khan Khattak	Member
10) Mr. Muhammad Akhtar Mengal	Member
11) Nawabzada Shazain Bugti	Member
12) Malik Sohail Khan	Member
13) Rana Shamim Ahmed Khan	Member
14) Mr. Mohammad Pervaiz Malik	Member
15) Mr. Nadeem Abbas	Member
16) Ms. Maryam Aurangzaib	Member
17) Syed Agha Rafiullah	Member
18) Nawab Muhammad Yousuf Talpur	Member
19) Mr. Abdul Qadir Patel	Member
20) Mr. Asmatullah	Member
21) Mr. Ijaz Ahmad Shah	Ex-officio Member
Minister for Interior	

3. The Committee considered the Bill as introduced in the National Assembly placed at **Annex-A**, in its meetings held on 10-09-2020 and 28-9-2020 and proposed following amendments therein.-

1) **Clause 2**

In clause 2, after paragraph (c), the following new paragraph (d) shall be inserted and the remaining paragraphs shall be re-numbered accordingly.-

“(d) “maximum quantity” means the quantity of an item that is currently available for sale;”.

2)

Clause 15

In clause 15, before the expression, "The Government", in the beginning, the expression, "Within six months of the commencement of this Act," shall be inserted.

4. The Committee recommends that the Bill as reported by the Standing Committee placed at **(Annex-B)** may be passed by the National Assembly. Honorable Member Nawab Muhammad Yousuf Talpur showed his reservations and submitted note of dissent (**attached as Annex C**) on the Bill.

-Sd-

(TAHIR HUSSAIN)

Secretary

Islamabad, the 1st Decembr, 2020

-Sd-

(RAJA KHURRAM SHAHZAD NAWAZ)

Chairman

Standing Committee on Interior

[AS INTRODUCED IN THE STANDING COMMITTEE]

ANNEX. A

[Published in the Gazette of Pakistan, Extraordinary, Part-1,
dated the 20th April, 2020]

Ordinance No. II of 2020

An

Ordinance

*to provide for the prevention of hoarding in respect of scheduled articles, in the
wake of an emergent situation resulting from the outbreak of the Corona virus
pandemic (COVID-19)*

WHEREAS it is expedient to provide for the prevention of hoarding in respect of scheduled articles in an emergent situation resulting from the outbreak of the Corona virus pandemic (COVID-19) and for matters connected therewith and ancillary thereto:

WHEREAS Pakistan is a State Party to the International Health Regulations, 2005, issued by the World Health Organization, according to which Pakistan is under a direct obligation to prevent, protect against, control and provide a public health response to international diseases;

WHEREAS the World Health Organization has declared the Corona virus (COVID-19) to be a pandemic requiring multifaceted responses;

WHEREAS events of hoarding contribute to adversities, in geometric progression, to the people at large, especially in circumstances of partial or complete lock-down;

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

NOW, THEREFORE, in the exercise of powers conferred by clause (1) of Article 89 of the Constitution of the Islamic Republic of Pakistan 1973, the President is pleased to make and promulgate the following Ordinance:-

1. Short title, extent and commencement.— (1) This Ordinance shall be called COVID-19 (Prevention of Hoarding) Ordinance, 2020.

(2) It extends to the Islamabad Capital Territory.

(3) It shall come into force at once.

2. Definitions.— In this Ordinance, unless there is anything repugnant in the subject or context:—

- (a) "dealer" means any person, trader, partnership, firm, whether registered or unregistered, an association or body of persons or individuals, or a company, or their agents carrying on the business of purchasing, selling or stocking of any scheduled article and includes a manufacturer, producer, packager, importer, exporter, wholesaler or retailer of such article;
- (b) "Government" means the Federal Government;
- (c) "hoard" or "hoarding":
 - (i) means stocking or storing anything in excess of the maximum quantity of scheduled articles allowed to be held in stock or storage, in the manner as may be prescribed; or
 - (ii) where no maximum quantity of a scheduled article is prescribed under sub-clause (i), "hoard" or "hoarding" shall mean stocking or accumulation of scheduled articles without offering such articles for sale, despite there being a demand by consumers;
- (d) "officer" means the Deputy Commissioner of the Islamabad Capital Territory and such other officer as may be authorized by him in this behalf;
- (e) "prescribed" means prescribed by rules made under this Ordinance;
- (f) "scheduled article" means any of the articles specified in the schedule to this Ordinance;

3. Offence of hoarding.— (1) Any dealer who is found to hoard any scheduled article shall be guilty of an offence punishable with simple imprisonment up to three years and fine equivalent to fifty percent of the value of the scheduled articles involved in the case.

(2) The value of scheduled articles for purposes of sub-section (1) shall be determined in the manner as may be prescribed.

4. Power to search for and seizure of scheduled article.— (1) When an officer has reasonable grounds to suspect, either upon information from anyone or on its own, that there has been a contravention of any of the provisions of this Ordinance, it may, after recording in writing the grounds of his suspicion, enter and search, without any warrant, any place where a dealer keeps, or is for the time being keeping, any scheduled article, accounts, registers or any other related items or things.

(2) Upon entry in and search of a premise under sub-section (1), if scheduled articles are found at such premise in contravention of this Ordinance, the officer shall immediately seize the same and prepare a detailed report of the scheduled articles and other relevant material found during the search.

(3) The provisions of the Code of Criminal Procedure, 1898 (Act V of 1898) shall not be applicable on search and seizure under this Ordinance.

5. Power to auction seized scheduled articles.— (1) Notwithstanding anything contained in any other law for the time being in force and in addition to the prosecution under this Ordinance, the officer may sell the scheduled articles seized under section 4 by auction, in the manner as may be prescribed.

(2) The proceeds collected under sub-section (1) shall be deposited in a profit bearing bank account in the National Bank of Pakistan, and if: -