# FOR THE EXTRAORDINARY GAZETTE ISSUE OF THE KHYBER PAKHTUNKHWA

# PROVINCIAL ASSEMBLY SECRETARIAT KHYBER PAKHTUNKHWA

#### **NOTIFICATION**

Dated Peshawar, the 27/03/2025.

No.PA/Khyber Pakhtunkhwa/Bills-49/2025/ 69-21 The Khyber Pakhtunkhwa Control of Narcotic Substances (Amendment) Bill, 2025 having been passed by the Provincial Assembly of Khyber Pakhtunkhwa on 3<sup>rd</sup> March, 2025 and assented to by the Governor of the Khyber Pakhtunkhwa on 20<sup>th</sup> March, 2025 is hereby published as an Act of the Provincial Legislature of the Khyber Pakhtunkhwa.

# THE KHYBER PAKHTUNKHWA CONTROL OF NARCOTIC SUBSTANCES (AMENDMENT) ACT, 2025.

(KHYBER PAKHTUNKHWA ACT NO. XII OF 2025)

(First published after having received the assent of the Governor of the Khyber Pakhtunkhwa in the Gazette of the Khyber Pakhtunkhwa. (Extraordinary), dated the \$\frac{4}{7}\$ /03/2025).

(Here print as in the accompaniment).

SECRETARY,
Provincial Assembly of Khyber Pakhtunkhwa.

No. and date (as per notification above).

A copy of the above notification with the accompaniment is forwarded to the Manager, Government Stationery and Printing Department, Peshawar, with the request to publish the same in the extraordinary issue of the Khyber Pakhtunkhwa Government Gazette of today's date and distribute copies thereof immediately in accordance with the list given overleaf.

Proof should be sent to this Secretariat before publication.

Provincial Assembly of Khyber Pakhtunkhwa

Dated 27 /03/2025

E.No. PA/Khyber Pakhtunkhwa /Bills-49/2025/\_6323

1.

The Principal Secretary to Governor, Khyber Pakhtunkhwa.

2. The Secretary to Government of Khyber Pakhtunkhwa, Law Department.

3. The Secretary to Government of Khyber Pakhtunkhwa, Excise, Taxation and Narcotic Control Department.

The Director Information, Khyber Pakhtunkhwa.

A copy of the above is forwarded to:-

The Additional Director I.T, Provincial Assembly of Khyber Pakhtunkhwa for official website.

SECRETARY,
Provincial Assembly of Khyber Pakhtunkhwa

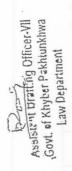
## AN ACT

further to amend the Khyber Pakhtunkhwa Control of Narcotic Substances Act, 2019.

WHEREAS it is expedient further to amend the Khyber Pakhtunkhwa Control of Narcotic Substances Act, 2019 (Khyber Pakhtunkhwa Act No. XXXI of 2019), for the purposes hereinafter appearing;

It is hereby enacted by the Provincial Assembly of Khyber Pakhtunkhwa as follows.

- 1. Short title and commencement.---(1) This Act may be called the Khyber Pakhtunkhwa Control of Narcotic Substances (Amendment) Act, 2025.
  - (2) It shall come into force at once.
- 2. General Amendment of the Khyber Pakhtunkhwa Act No. XXXI of 2019.—In the Khyber Pakhtunkhwa Control of Narcotic Substances Act, 2019 (Khyber Pakhtunkhwa Act No. XXXI of 2019), hereinafter referred to as the said Act, for the word "methamphetamine", wherever occurring, except in the definition clause, as defined in clause (x) of section 2 and Schedule appended to this Act, the words "psychotropic substance" shall respectively be substituted.
- 3. Amendment of section 2 of the Khyber Pakhtunkhwa Act No. XXXI of 2019.---In the said Act, in section 2,-
  - (a) in clause (f), after the word "hashish", occurring at the end, the words "recreational drug" shall be inserted;
  - (b) for clause (l), the following shall be substituted, namely:
    - "(1) "controlled substance" means any substance, which may be used for the production or manufacture of narcotic drug or psychotropic substance, or which is declared to be a controlled substance as given in Table-I and Table-II of section 11B of this Act, based on International Convention, 1988, and such substances as Government may, by notification in the official Gazette, declare to be a controlled substance;";
  - (c) for clause (aa), the following shall be substituted, namely:
    - "(aa) "narcotic substance" means and includes the narcotic drugs and recreational drugs;";
  - (d) for clause (aj), the following shall be substituted, namely:
    - "(aj) "psychotropic substance" means the substances, natural, synthetic or any natural material or any salt or preparation of such substance or material included



in the list of psychotropic substance, as specified in Schedule, appended to this Act, and such substances as Government may, by notification in the official Gazette, declare to be a psychotropic substance;"; and

- (e) clause (aj-i), shall be renumbered as clause (aj-ii), and before clause (aj-ii), as so renumbered, the following new clause shall be inserted, namely:
  - "(aj-i) "recreational drug" means the drug, used to induce an intoxicating effect, which creates hallucination for pleasure, by modifying the perception, feelings and emotions of the user, such as bhang, siddhi or ganja and other such drugs known by different names;".
- 4. Amendment of section 4 of the Khyber Pakhtunkhwa Act No. XXXI of 2019.--In the said Act, in section 4, in the proviso, for the words "it may specify", the words "Government may prescribe" shall be substituted.
- 5. Amendment of section 6 of the Khyber Pakhtunkhwa Act No. XXXI of 2019.---In the said Act, in section 6, for the words "specified by or under this Act", the words "as may be prescribed" shall be substituted.
- 6. Substitution of section 9 of the Khyber Pakhtunkhwa Act No. XXXI of 2019.---In the said Act, for section 9, the following shall be substituted, namely:
  - "9. Punishment for contravention of sections 6, 7 and 8.---(1) Whoever contravenes the provisions of sections 6, 7 and 8, regarding narcotic substance shall be punished with such punishment as given in Column No. 4 of the Table below, with regard to offences committed, as mentioned in Column No. 2 thereof, namely:

## **TABLE**

| 1.      | 2.                     | 3.  | 4.   |
|---------|------------------------|---|--|
| Sr. No. | Type of Narcotics.     | Quantity.                                       | Punishment.  |
| 1.      | Recreational<br>Drugs. | (a) Up to 999<br>grams.                         | Imprisonment which may extend to three years along-with fine which may be up to ten thousand rupees:  Provided that if the offence is committed within the premises of an educational institution, or it is established by a court of law that it was meant to be committed at an educational institution, shall be liable |
|         |                        |   | to maximum punishment.   |
|         |                        | (b) exceeding 999<br>grams up-to<br>9999 grams. | Imprisonment which may extend to seven years along-with fine which may be up to one, hundred thousand rupees:  Provided that if the offence is   |

Assistrat Draffing Officer-VII Govt, of Khyber Pakhtunkhwa Law Department

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|--|--|---|---|--|---|
|  |  |   |   |  | committed within the premises of an educational institution, or it is established by a court of law that it was meant to be committed at an educational institution, shall be liable to maximum punishment.                                 |
|  | o anis<br>vis rus<br>commo<br>sale, co   | nzeni kasolio<br>b k ya bedata<br>bil at manin<br>wilteni kanolio                 | (c)                                       | exceeding<br>9999 grams<br>up-to 19999<br>grams. | Imprisonment which may extend to fourteen years along-with fine which may be up to two hundred thousand rupees:   |
|  | th may the may the control of the co | lemen aumera<br>lev-gnole cass<br>keek vlot o s<br>le bebreer?<br>alder keek      |   |  | Provided that if the offence is committed within the premises of an educational institution, or it is established by a court of law that it was meant to be committed at an educational institution, shall be liable to maximum punishment. |
|  | of to his<br>edito his<br>epienes<br>i base ,no  | Hitter (see a c<br>o a yek bartaili<br>o bo bo bo<br>o kitan (see bo              | (d)                                       | exceeding<br>19999 grams.                        | Imprisonment which may extend to life imprisonment along-with fine to two hundred thousand rupees:  |
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| ri B<br>ii 1800 v<br>no 18 b<br>nidail ni              | 2.   | Post or<br>Poppy<br>Straw.  | (a)                                       | Up to 999<br>grams.                              | Imprisonment which may extend up to four years along-with fine which may be up to twenty thousand rupees:   |
| <u>L</u> аw Department                                 | a za yen i<br>nay za yen i<br>na katanaga<br>nayanan i   | laibyo mugat i<br>bidiv tuertinos<br>sela eteby osa<br>seot or ou ed<br>tuertinos | ta or<br>egre-<br>rusoli<br>yam<br>esca-i | 900 gminesons<br>or quisness<br>ameng 9000       | Provided that if the offence is committed within the premises of an educational institution, or it is established by a court of law that it was meant to be committed at an educational institution, shall be liable to maximum punishment. |
| Law  | s jung promite<br>or islam<br>out of ism<br>committee  | calditive better<br>biteni lenniti<br>o a yo bedeil<br>ad at tresco               | (b)                                       | exceeding 999<br>grams up-to<br>9999 grams.      | Imprisonment which may extend to eight years along-with fine which may be up to two hundred thousand rupees:  |
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| sa To as<br>al di<br>n tade sa<br>ro as fo<br>ethil sa | lion, es<br>un of law<br>seaming   | skant - fancts<br>a n set isengil<br>ad as manun                                  | (c)                                       | exceeding<br>9999 grams<br>up-to 14999<br>grams. | Imprisonment which may extend to fourteen years along-with fine which may be up to three hundred thousand rupees:   |
| ahi ai b<br>nagis oi                                   | 1990   | fried author<br>pira mateuce  |   |  | Provided that if the offence is committed within the premises of an educational institution, or it is established by a court of law that it was meant to be committed at an educational institution, shall be liable                        |

| V-10/4 | Assistrat Drafting Officer-VII | Govt. of Khyber Pakhtunkhwa | Law Department |  |
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|    |             | (1)   | to maximum punishment.  Imprisonment which may extend to life   |
|    | ¥           | (d) exceeding 14999 grams.                      | imprisonment which may extend to me imprisonment along-with fine up-to three hundred thousand rupees:               |
|    |             |   | Provided that if the offence is   |
|    |             | ,   | committed within the premises of an educational institution, or it is   |
|    |             |   | established by a court of law that it was meant to be committed at an educational institution, shall be liable      |
|    |             |   | to maximum punishment.  |
| 3. | Charas.     | (a). Up to 499 grams.                           | Imprisonment which may extend to two years along-with fine which may be up to forty thousand rupees:                |
|    |             |   | Provided that if the offence is   |
|    |             |   | committed within the premises of an educational institution, or it is   |
|    |             |   | established by a court of law that it was meant to be committed at an   |
|    |             |   | educational institution, shall be liable to maximum punishment.   |
|    |             | (b) exceeding 499                               | Imprisonment which may extend up to   |
|    |             | grams up-to<br>999 grams.                       | five years along-with fine which may be up to eighty thousand rupees:   |
|    |             |   | Provided that if the offence is committed within the premises of an   |
|    |             |   | educational institution, or it is   |
|    |             |   | established by a court of law that it was meant to be committed at an educational institution, shall be liable      |
|    |             |   | to maximum punishment.  |
|    |             | (c) exceeding 999<br>grams up-to<br>4999 grams. | Imprisonment which may extend up to fourteen years along-with fine which may be up to four hundred thousand rupees: |
|    |             |   | ·   |
|    |             |   | Provided that if the offence is committed within the premises of an educational institution, or it is               |
|    |             |   | established by a court of law that it was meant to be committed at an   |
|    |             |   | educational institution, shall be liable to maximum punishment.   |
|    |             | (d) exceeding                                   | Imprisonment which may extend to  |
|    |             | 4999 grams<br>up-to 9999<br>grams.              | twenty years along-with fine which may be up to eight hundred thousand rupees:                                      |
|    |             |   | Provided that if the offence is committed within the premises of an   |
| •  |             |   | educational institution, or it is   |
|    | ٤           |   | established by a court of law that it was meant to be committed at an   |
| v. |             |   | educational institution, shall be liable to maximum punishment.   |
|    |             | (e) exceeding<br>9999 grams.                    | Imprisonment which may extend to life imprisonment along-with fine to eight hundred thousand rupees:                |
|    | ,           |   | Provided that if the offence is   |
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|   |   |  |  | committed within the premises of an educational institution, or it is established by a court of law that it was meant to be committed at an educational institution, shall be liable to maximum punishment.                                 |
|---|---|--|--|---|
|   | 4.  | Hashish oil<br>and liquid<br>Hashish   | (a) Up to 499<br>grams/ml.   | Imprisonment which may extend to five years along-with fine which may be up to forty thousand rupees:   |
| or levelar management of management in the same state of the same | yara da<br>Di alahusa<br>bashinini s  | international  |  | Provided that if the offence is committed within the premises of an educational institution, or it is established by a court of law that it was meant to be committed at an educational institution, shall be liable to maximum punishment. |
|   | s piotes<br>our of the<br>minimum   | Clent Isports<br>a e yd Ladelig<br>ad of sacran  | (b) exceeding 499<br>grams/ml up-to<br>999 grams/ml.   | Imprisonment which may extend to seven years along-with fine which may be up to eighty thousand rupees:   |
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|   | o incide<br>d to bed<br>Disserted   | alded within the control of the cont | (c) exceeding 999<br>grams/ml up-to<br>4999<br>grams/ml.   | Imprisonment which may extend to fourteen years along-with fine which may be up to four hundred thousand rupees:  |
| Law Deparlment  | mept.<br>day<br>pant fi<br>bundad   | Sociation pointed to provide the provided of t |  | Provided that if the offence is committed within the premises of an educational institution, or it is established by a court of law that it was meant to be committed at an educational institution, shall be liable to maximum punishment. |
|   | el so xua<br>ericamos   | eran Louis<br>o a yo hoseid<br>od ot Insen   | grams/ml.  | Imprisonment which may extend to life imprisonment along-with fine up to four hundred thousand rupees:  |
|   | Jinem<br>Transpersion<br>Transpersion<br>Transpersion<br>Transpersion<br>Transpersion | Enody bedrand  | Miles<br>no er<br>speri<br>no er<br>signi<br>signi<br>signi<br>signi<br>signi<br>signi<br>signi<br>signi<br>signi<br>signi<br>signi<br>signi<br>signi<br>signi<br>signi<br>signi<br>signi<br>signi<br>signi<br>signi<br>signi<br>signi<br>signi<br>signi<br>signi<br>signi<br>signi<br>signi<br>signi<br>signi<br>signi<br>signi<br>signi<br>signi<br>signi<br>signi<br>signi<br>signi<br>signi<br>signi<br>signi<br>signi<br>signi<br>signi<br>signi<br>signi<br>signi<br>signi<br>signi<br>signi<br>signi<br>signi<br>signi<br>signi<br>signi<br>signi<br>signi<br>signi<br>signi<br>signi<br>signi<br>signi<br>signi<br>signi<br>signi<br>signi<br>signi<br>signi<br>signi<br>signi<br>signi<br>signi<br>signi<br>signi<br>signi<br>signi<br>signi<br>signi<br>signi<br>signi<br>signi<br>signi<br>signi<br>signi<br>signi<br>signi<br>signi<br>signi<br>signi<br>signi<br>signi<br>signi<br>signi<br>signi<br>signi<br>signi<br>signi<br>signi<br>signi<br>signi<br>signi<br>signi<br>signi<br>signi<br>signi<br>signi<br>signi<br>signi<br>signi<br>signi<br>signi<br>signi<br>signi<br>signi<br>signi<br>signi<br>signi<br>signi<br>signi<br>signi<br>signi<br>signi<br>signi<br>signi<br>signi<br>signi<br>signi<br>signi<br>signi<br>signi<br>signi<br>signi<br>signi<br>signi<br>signi<br>signi<br>signi<br>signi<br>signi<br>signi<br>signi<br>signi<br>signi<br>signi<br>signi<br>signi<br>signi<br>signi<br>signi<br>signi<br>signi<br>signi<br>signi<br>signi<br>signi<br>signi<br>signi<br>signi<br>signi<br>signi<br>signi<br>signi<br>signi<br>signi<br>signi<br>signi<br>signi<br>signi<br>signi<br>signi<br>signi<br>signi<br>signi<br>signi<br>signi<br>signi<br>signi<br>signi<br>signi<br>signi<br>signi<br>signi<br>signi<br>signi<br>signi<br>signi<br>signi<br>signi<br>signi<br>signi<br>signi<br>signi<br>signi<br>signi<br>signi<br>signi<br>signi<br>signi<br>signi<br>signi<br>signi<br>signi<br>signi<br>signi<br>signi<br>signi<br>signi<br>signi<br>signi<br>signi<br>signi<br>signi<br>signi<br>signi<br>signi<br>signi<br>signi<br>signi<br>signi<br>signi<br>signi<br>si<br>signi<br>signi<br>si<br>signi<br>si<br>si<br>si<br>si<br>si<br>si<br>si<br>si<br>si<br>si<br>si<br>si<br>si | Provided that if the offence is committed within the premises of an educational institution, or it is established by a court of law that it was meant to be committed at an educational institution, shall be liable to maximum punishment. |
| an to est<br>at 31<br>to rests to   | 5.  | Opium.   | (a) Up to 499<br>grams/ml.   | Imprisonment which may extend to six years along-with fine which may be up to fifty thousand rupees:  |
|   | w and do  |  | regular eff of q   | Provided that if the offence is committed within the premises of an educational institution, or it is established by a court of law that it was meant to be committed at an educational institution, shall be liable to maximum punishment. |

Assistant Drafting Officer-VII
Govt. of Khyber Pakhtunkhwa
Law Department

|    |                         | (b) exceeding 499<br>grams/ml up to<br>999 grams/ml.      | Imprisonment which may extend to nine years along-with fine which may be up to one hundred thousand rupees:  |
|----|-------------------------|---|--|
|    |                         |   | Provided that if the offence is committed within the premises of an educational institution, or it is established by a court of law that it was meant to be committed at an educational institution, shall be liable to maximum punishment.                  |
|    |                         | (c) exceeding 999<br>grams/ml up-to<br>2999<br>grams/ml.  | Imprisonment which may extend to twelve years along-with fine which may be up to three hundred thousand rupees:  |
|    |                         | ·   | Provided that if the offence is committed within the premises of an educational institution, or it is established by a court of law that it was meant to be committed at an educational institution, shall be liable to maximum punishment.                  |
|    | ·                       | (d) exceeding<br>2999 grams/ml<br>up-to 4999<br>grams/ml. | Imprisonment which may extend to fifteen years along-with fine which may be up to five hundred thousand rupees:  |
|    |                         |   | Provided that if the offence is committed within the premises of an educational institution, or it is established by a court of law that it was meant to be committed at an educational institution, shall be liable to maximum punishment.                  |
|    |                         | (e) Exceeding<br>4999 grams/ml<br>up-to 7999<br>grams/ml. | Imprisonment which may extend to twenty years along-with fine which may be up to eight hundred thousand rupees:  Provided that if the offence is committed within the premises of an educational institution, or it is established by a court of law that it |
|    |                         | (f) exceeding   | was meant to be committed at an educational institution, shall be liable to maximum punishment.  Imprisonment which may extend to life   |
|    |                         | 7999<br>grams/ml.   | imprisonment along-with fine up-to eight hundred thousand rupees:  Provided that if the offence is   |
|    |                         |   | committed within the premises of an educational institution, or it is established by a court of law that it was meant to be committed at an educational institution, shall be liable to maximum punishment.  |
| 6. | Heroin and<br>Morphine. | (a) Up to 99<br>grams.                                    | Imprisonment which may extend to seven years along-with fine which may be up to twenty five thousand rupees:   |
|    |                         |   | Provided that if the offence is  |

Assistent Drawing Officer-VII
Goyt, of Khyber Pakhtunkhwa
Law Department

|  | -  |   |
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| This was the second of the sec | (b) exceeding 99 grams up-to 499 grams.  | committed within the premises of an educational institution, or it is established by a court of law that it was meant to be committed at an educational institution, shall be liable to maximum punishment.  Imprisonment which may extend to ten years along-with fine which may be up to one hundred and twenty-five thousand rupees:                       |
| at inertial month of state of two sales and to sales and to sales and to sales and to sales and the sales are sales as sales as sales and to sales and the sales are sales as sales are sales as sales are sales as sales are sale | Rinitz atta<br>emitysia or<br>megalarni SK - nits**eye<br>ry usofiit ut-qu eman<br>o oo een earang 900   | Provided that if the offence is committed within the premises of an educational institution, or it is established by a court of law that it was meant to be committed at an educational institution, shall be liable to maximum punishment.   |
| on to estimate of males of   | (c) exceeding 499 grams up-to 1999 grams.  | Imprisonment which may extend to fourteen years along-with fine which may be up to five hundred thousand rupees:  Provided that if the offence is committed within the premises of an educational institution, or it is established by a court of law that it was meant to be committed at an educational institution, shall be liable to maximum punishment. |
| ovided that if the fifthere is no not permitted to a solution, of it is to a value of the country of the countr | 3999 grams.  | Imprisonment which may extend to twenty years along-with fine which may be up to one million rupees:  |
| Law Department   | School Parkers of the Control of the | Provided that if the offence is committed within the premises of an educational institution, or it is established by a court of law that it was meant to be committed at an educational institution, shall be liable to maximum punishment.   |
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| status on, shall be libble to gunish sent.  been o spylched for any antity convicted for the my antity convicted for the my average with a system.   | emizio en i  | Provided that if the offence is committed within the premises of an educational institution, or it is established by a court of law that it was meant to be committed at an educational institution, shall be liable to maximum punishment.   |
| specified in sul-section   | (f) exceeding 5999 grams.  | Imprisonment for life or death punishment along-with fine which may extend to two million:  |
|  | 4  | Provided that if the offence is committed within the premises of an educational institution, or it is established by a court of law that it was meant to be committed at an   |

|  | anthus Salis   | A COST   | educational institution, shall be liable to maximum punishment.   |
|--|--|--|---|
| 7.   | Cocaine.   | (a) Up to 99 grams.  | Imprisonment which may extend to seven years along-with fine up to fifty thousand rupees:   |
| District Services of Control of C | anua numi<br>univ numi<br>slaug vriti<br>dibaud sno<br>tid nights<br>dibaudist   | ider or sense et annus et  | Provided that if the offence is committed within the premises of an educational institution, or it is established by a court of law that it was meant to be committed at an educational institution, shall be liable to maximum punishment. |
| opin<br>Constitution<br>opin<br>Constitution<br>Constitution   | etteni landi<br>s a vd baña<br>ed at stean<br>latasi landi   | (b) exceeding 99 grams up-to 999 grams.  | Imprisonment which may extend to fifteen years along-with fine which may be up to five hundred thousand rupees:   |
| toro<br>to dive-g<br>be bland<br>to to to  | time or period of the common o | e emi 90 golbessi<br>siudi si-qa ana<br>l gem amara 99<br>sigut  | Provided that if the offence is committed within the premises of an educational institution, or it is established by a court of law that it was meant to be committed at an educational institution, shall be liable to maximum punishment. |
| The two  | o a ed bora<br>ed or Insen<br>surfient lanoi<br>lanne mumis  | (c) exceeding 999<br>grams up-to<br>4999 grams.  | Imprisonment which may extend to twenty years along-with fine which may be up to two million and five hundred thousand rupees:  |
|  | the special shall be also so one of an   | cont evel priceson content of the co | Provided that if the offence is committed within the premises of an educational institution, or it is established by a court of law that it was meant to be committed at an educational institution, shall be liable to maximum punishment. |
|  | o s vd bank<br>od od tosan<br>cutitani lanci   | (d) exceeding 4999 grams.  | Imprisonment for life or death punishment along-with fine up-to five hundred thousand rupees:   |
|  | The susual control of  | grafi es-qui arra<br>es-qui arra<br>es-qui arra<br>es-qui arra<br>agus   | Provided that if the offence is committed within the premises of an educational institution, or it is established by a court of law that it was meant to be committed at an educational institution, shall be liable to maximum punishment. |

- (2) If any person, who has previously been convicted for any offence under section 9 of this Act, is subsequently convicted for the offence relating to narcotic substance, shall be convicted with maximum punishment provided for that offence.
- (3) In case of non-payment of fine, as specified in sub-section (1), the accused shall undergo for further imprisonment for such term as the Special Court may deem fit.".

- 7. Amendment of section 11 of the Khyber Pakhtunkhwa Act No. XXXI of 2019.--In the said Act, for section 11, the following shall be substituted, namely:
  - "11. Punishment for contravention of section 10.---(1) Whoever contravenes the provisions of section 10, regarding psychotropic substances, shall be punished with punishment as given in Column No. 3 of the Table below, with regard to quantity of psychotropic substances given in Column No. 2 thereof, namely:

## TABLE

| 1.       | 2.   | 3.   |
|----------|--|--|
| Sr. No.  | Quantity of Psychotropic<br>Substance.                     | Punishment.  |
| 1.       | Up to 20 grams.  | Imprisonment which may extend to one year along-with fine which may be up to fifty thousand rupees.                      |
| 2.       | More than 20 grams and up to 50 grams.                     | Imprisonment which may extend to two<br>years along-with fine which may be up to<br>one hundred thousand rupees.         |
| 3.       | More than 50-grams and up to 100 grams.                    | Imprisonment which may extend to three years along-with fine which may be up to two hundred thousand rupees.             |
| 4.       | More than 100-grams and up to 500 grams.                   | Imprisonment which may extend to five years along-with fine which may be up to four hundred thousand rupees.             |
| 5.       | More than 500-grams and up to 1000 grams (01kg).           | Imprisonment which may extend to sever<br>years along-with fine which may be up to<br>eight hundred thousand rupees.     |
| 6.       | More than 1000 grams (01 kg) and up to 2000 grams (02 kg). | Imprisonment which may extend to tell<br>years along-with fine which may be up to<br>twelve hundred thousand rupees.     |
| 7.       | More than 2000 grams (02 kg) and up to 3000 grams (03 kg). | Imprisonment which may extend to fourteen years along-with fine which may be up to sixteen hundred thousand rupees.      |
| 8.       | More than 3000 grams (03 kg) and up to 4000 grams (04 kg). | Imprisonment which may extend to twenty<br>years along-with fine which may be up to<br>eighteen hundred thousand rupees. |
| 9. 3/4/4 | Exceeding 4000 grams (04 kg).                              | Imprisonment for life or death penalty along-with fine up-to two million rupees.   |

- (2) If any person, who has previously been convicted for any offence under sub-section (1), is subsequently convicted for the offence relating to psychotropic substances, shall be punished with maximum punishment provided for that offence.
- (3) If the offence is committed within the premises of educational institution or it is established by the Court of law that it was meant to be committed at an educational institution, the supplier of such psychotropic substances shall be punished with maximum punishment provided for each category in Column No. 3 of the Table under sub-section (1).

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- (4) In case of non-payment of fine, as specified in sub-section (1), the accused shall undergo for further imprisonment for such term as the Special Court may deem fit.".
- 8. Insertion of new sections to the Khyber Pakhtunkhwa Act No. XXXI of 2019.--In the said Act, after section 11, the following new sections shall be inserted, namely:
  - "11A. Prohibition of controlled substances.---No one shall produce, manufacture, extract, prepare, possess, offer for sale, sell, purchase, distribute, deliver, on any terms whatsoever, transport, dispatch controlled substance, except for medical, scientific or industrial purposes, in the manner and subject to such conditions as may be prescribed.
  - 11B. Punishment for contravention of section 11A.--(1) Whoever contravenes the provisions of sections 11A, regarding controlled substances and quantity thereof, specified in Columns No. 1 and 2 of Table-I and Table-II below, shall be punishable with such punishment as specified in Column No. 3 thereof.

Table-I

| 1.   | 2.  | 3.   |
|--|---|--|
| Type of Controlled Substance,  | Quantity.   | Punishment.  |
| Ephedrine, Erogometrine,<br>Ergotamine, Lysergic acid,<br>4-pheny 1-2 propanone,<br>Pseudoephedrine, N-<br>acetylanthranilic acid,       | Up to 100 grams.  | Imprisonment which may extend<br>to six months along-with fine<br>which may be up to twenty-five<br>thousand rupees.           |
| Isosafrole, 3,4<br>methylnedeioxphenyl, 2-<br>propanone, Piperonal and<br>Safrole.   | More than 100 grams and up to 500 grams.                    | Imprisonment which may extend<br>to one year along-with fine<br>which may be up to fifty thousand<br>rupees.                   |
| s sen denw anamen<br>s sen denw-ynote anest un<br>meanisch herbeini deutsis co<br>pantse vent delder mannes<br>gen ibede end diffe-gnote | More than 500 grams and up to 1000 grams (01 kg).           | Imprisonment which may extend<br>to three years long-with fine<br>which may be up to one<br>hundred thousand rupees.           |
| the homomed theorems of dead some services of dead some some some some some some some some   | More than 1000 grams (01 kg) and up to 2000 grams (02 kg).  | Imprisonment which may extend<br>to five years along-with fine<br>which may be up to one hundred<br>and fifty thousand rupees. |
| ently convicted for the  | More than 2000 grams (02 kg) and up to 5000 grams (05 kg).  | Imprisonment which may extend<br>to seven years along-with fine<br>which may be up to three<br>hundred thousand rupees.        |
| nod within the present of law the institution, the supplier of with maximum our  | More than 5000 grams (05 kg) and up to 7000 grams (07 kg).  | Imprisonment which may extend to ten years along-with fine which may be up to five hundred thousand rupees.                    |
|  | More than 7000 grams (07 kg) and up to 10000 grams (10 kg). | Imprisonment which may extend<br>to fourteen years along-with fine<br>which may be up to seven<br>hundred thousand rupees.     |

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Govt. of Khyber Pakhtunkhwa
Law Department

Exceeding 10000 Imprisonment which may extend up to life imprisonment alongwith fine which may be up to one million rupees.

## Table-II

| 1.   | 2.   | 3.   |
|--|--|--|
| Type of Controlled Substance.  | Quantity.  | Punishment.  |
| Acetic anhydride, Acetone, Anthranilic acid, Ethyle eter, Phenylacetic acid,                                 | Up to 1000 grams (01 kg).                                    | Imprisonment which may extend<br>to six months along-with fine<br>which may be up to ten<br>thousand rupees.               |
| Vb Piperidine, Hydrochloric acid, Methyl ethyl, Ketone, Potassium permanaganate, Sulphuric acid and Toluene. | More than 1000 grams (01 kg) and up to 3000 grams (03 kg).   | Imprisonment which may extend to one year along-with fine which may be up to fifty thousand rupees.                        |
|  | More than 3000 grams (03 kg) and up to 5000 grams (05 kg).   | Imprisonment which may extend<br>to three years along-with fine<br>which may be up to one hundred<br>thousand rupees.      |
| R OF MR. SPEAKER.<br>ASSEMBLY OF KHYBE<br>KITUNKHWA  | More than 5000 grams (05 kg) and up to 10000 grams (10 kg).  | Imprisonment which may extend to five years along-with fine which may be up to two hundred thousand rupees.                |
| ILLAS SERAN AFRIDAY Secretary White of Kileber Paldronbla  | More than 10000 grams (10 kg) and up to 20000 grams (20 kg). | Imprisonment which may extend to seven years along-with fine which may be up to three hundred thousand rupees.             |
|  | More than 20000 grams (20 kg) and up to 30000 grams (30 kg). | Imprisonment which may extend to ten years along-with fine which may be up to five hundred thousand rupees.                |
|  | More than 30000 grams (30 kg) and up to 50000 grams (50 kg). | Imprisonment which may extend<br>to fourteen years along-with fine<br>which may be up to seven<br>hundred thousand rupees. |
|  | Exceeding 50000 grams (50 kg).                               | Imprisonment for life imprisonment along-with fine which may be up to one million rupées:                                  |

- (2) If any person, who has previously been convicted for any offence under sub-section (1), is subsequently convicted for the offence relating to psychotropic substances, shall be punished with maximum punishment provided for that offence.
- (3) In case of non-payment of fine, as specified in sub-section (1), the accused shall undergo for further imprisonment for such term as the Special Court may deem fit.".

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- 9. Amendment of section 22 of the Khyber Pakhtunkhwa Act No. XXXI of 2019.--In the said Act, in section 22, in sub-section (2), for clauses (a) and (b), the following shall respectively be substituted, namely:
  - "(a) Special Courts, having the power to try all offences, the punishment of which shall exceed three years under this Act; and
  - (b) Special Courts, having the power to try all offences, the punishment of which shall not exceed three years under this Act.".
- 10. Amendment of Schedule of the Khyber Pakhtunkhwa Act No. XXXI of 2019.--In the said Act, in Schedule, after Serial No. 87, the following new entries, shall be added, in the respective Columns, namely:

| "88 | Ketamine. | Ketalar.                       | Cl-581, CL-369, CM-52372-2. |
|-----|-----------|--------------------------------|-----------------------------|
| 89. | Fentanyl. | Actiq, Duragesic, Sublimaze.". |                             |

# BY ORDER OF MR. SPEAKER PROVINCIAL ASSEMBLY OF KHYBER PAKHTUNKHWA

(KIFAYAT ULLAH KHAN AFRIDI)

Secretary
Provincial Assembly of Khyber Pakhtunkhwa