

**A  
BILL**

*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:

"(l) "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 control 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. Sr. No.	2. Type of Narcotics.	3. Quantity.	4. Punishment.
1.	Recreational Drugs.	(a) Up to 999 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 grams up-to 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

			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 9999 grams up-to 19999 grams.	Imprisonment which may extend to fourteen years along-with fine which may be up to two 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 19999 grams.	Imprisonment which may extend to life imprisonment along-with fine to two 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.
2.	Post or Poppy Straw.	(a) Up to 999 grams.	Imprisonment which may extend up to four years along-with fine which may be up to twenty 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 grams up-to 9999 grams.	Imprisonment which may extend to eight years along-with fine which may be up to two 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 9999 grams up-to 14999 grams.	Imprisonment which may extend to fourteen 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 14999 grams.	<p>Imprisonment which may extend to life imprisonment along-with fine up-to three hundred thousand rupees:</p> <p>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.</p>
3.	Charas.	(a) Up to 499 grams.	<p>Imprisonment which may extend to two years along-with fine which may be up to forty thousand rupees:</p> <p>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.</p>
		(b) exceeding 499 grams up-to 999 grams.	<p>Imprisonment which may extend up to five years along-with fine which may be up to eighty thousand rupees:</p> <p>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.</p>
		(c) exceeding 999 grams up-to 4999 grams.	<p>Imprisonment which may extend up to fourteen years along-with fine which may be up to four hundred thousand rupees:</p> <p>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.</p>
		(d) exceeding 4999 grams up-to 9999 grams.	<p>Imprisonment which may extend to twenty years along-with fine which may be up to eight hundred thousand rupees:</p> <p>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.</p>
		(e) exceeding 9999 grams.	<p>Imprisonment which may extend to life imprisonment along-with fine to eight hundred thousand rupees:</p> <p>Provided that if the offence is</p>

			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 and liquid Hashish	(a) Up to 499 grams/ml.	Imprisonment which may extend to five 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 grams/ml up-to 999 grams/ml.	Imprisonment which may extend to seven 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 grams/ml up-to 4999 grams/ml.	Imprisonment which may extend 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 4999 grams/ml.	Imprisonment which may extend to life imprisonment along-with fine 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.
5.	Opium.	(a) Up to 499 grams/ml.	Imprisonment which may extend to six years along-with fine which may be up to fifty 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 grams/ml up to 999 grams/ml.	<p>Imprisonment which may extend to nine years along-with fine which may be up to one hundred thousand rupees:</p> <p>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.</p>
		(c) exceeding 999 grams/ml up-to 2999 grams/ml.	<p>Imprisonment which may extend to twelve years along-with fine which may be up to three hundred thousand rupees:</p> <p>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.</p>
		(d) exceeding 2999 grams/ml up-to 4999 grams/ml.	<p>Imprisonment which may extend to fifteen years along-with fine which may be up to five hundred thousand rupees:</p> <p>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.</p>
		(e) Exceeding 4999 grams/ml up-to 7999 grams/ml.	<p>Imprisonment which may extend to twenty years along-with fine which may be up to eight hundred thousand rupees:</p> <p>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.</p>
		(f) exceeding 7999 grams/ml.	<p>Imprisonment which may extend to life imprisonment along-with fine up-to eight hundred thousand rupees:</p> <p>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.</p>
6.	Heroin and Morphine.	(a) Up to 99 grams.	<p>Imprisonment which may extend to seven years along-with fine which may be up to twenty five thousand rupees:</p> <p>Provided that if the offence is</p>

			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 99 grams up-to 499 grams.	<p>Imprisonment which may extend to ten years along-with fine which may be up to one hundred and twenty-five thousand rupees:</p> <p>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.</p>
		(c) exceeding 499 grams up-to 1999 grams.	<p>Imprisonment which may extend to fourteen years along-with fine which may be up to five hundred thousand rupees:</p> <p>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.</p>
		(d) exceeding 1999 grams up-to 3999 grams.	<p>Imprisonment which may extend to twenty years along-with fine which may be up to one million rupees:</p> <p>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.</p>
		(e) exceeding 3999 grams up-to 5999 grams.	<p>Imprisonment which may extend to life imprisonment along- with fine which may be up to one and half million rupees:</p> <p>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.</p>
		(f) exceeding 5999 grams.	<p>Imprisonment for life or death punishment along-with fine which may extend to two million:</p> <p>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</p>

2023  
 Assistant Drafting Officer-VII  
 Govt. of Khyber Pakhtunkhwa  
 Law Department

			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:  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 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:  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 grams up-to 4999 grams.	Imprisonment which may extend to twenty years along-with fine which may be up to two million and 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.
		(d) exceeding 4999 grams.	Imprisonment for life or death punishment along-with fine 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.

(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. Sr. No.	2. Quantity of Psychotropic Substance.	3. 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 years along-with fine which may be up to one hundred thousand rupees.
3.	More than 50-grams and up to 100grams.	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 500grams.	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 seven years along-with fine which may be up to eight hundred thousand rupees.
6.	More than 1000 grams (01 kg) and up to 2000 grams (02 kg).	Imprisonment which may extend to ten years along-with fine which may be up to 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 years along-with fine which may be up to eighteen hundred thousand rupees.
9.	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).

(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. Type of Controlled Substance.	2. Quantity.	3. Punishment.
Ephedrine, Ergometrine, Ergotamine, Lysergic acid, 4-pheny 1-2 propanone, Pseudoephedrine, N-acetylanthranilic acid, Isosafrole, 3,4 methylnedeioxphenyl, 2-propanone, Piperonal and Safrole.	Up to 100 grams.	Imprisonment which may extend to six months along-with fine which may be up to twenty-five thousand rupees.
	More than 100 grams and up to 500grams.	Imprisonment which may extend to one year along-with fine which may be up to fifty thousand rupees.
	More than 500 grams and up to 1000 grams (01 kg).	Imprisonment which may extend to three years long-with fine which may be up to one hundred thousand rupees.
	More than 1000 grams (01 kg) and up to 2000grams (02 kg).	Imprisonment which may extend to five years along-with fine which may be up to one hundred and fifty thousand rupees.
	More than 2000 grams (02 kg) and up to 5000 grams (05 kg).	Imprisonment which may extend to seven years along-with fine which may be up to three hundred thousand rupees.
	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 to fourteen years along-with fine which may be up to seven hundred thousand rupees.

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

	Exceeding 10000 grams (10 kg).	Imprisonment which may extend up to life imprisonment along-with fine which may be up to one million rupees.
--	--------------------------------	--

**Table-II**

1. Type of Controlled Substance.	2. Quantity.	3. Punishment.
Acetic anhydride, Acetone, Anthranilic acid, Ethyle eter, Phenylacetic acid, Vb Piperidine, Hydrochloric acid, Methyl ethyl, Ketone, Potassium permanaganate, Sulphuric acid and Toluene.	Up to 1000 grams (01 kg).	Imprisonment which may extend to six months along-with fine which may be up to ten thousand rupees.
	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 to three years along-with fine which may be up to one hundred thousand rupees.
	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.
	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 to fourteen years along-with fine which may be up to seven hundred thousand rupees.
	Exceeding 50000 grams (50 kg).	Imprisonment for life imprisonment along-with fine which may be up to one 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) 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.”

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:

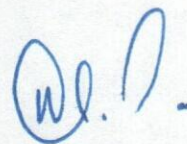
- “(a) Special Courts, having the power to try all offences, the punishment of which shall exceed three years under this Act; and
- (b) Special Courts, having the power to try all offences, the punishment of which shall not exceed three years under this Act.”.

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.	CI-581, CL-369, CM-52372-2.
89.	Fentanyl.	Actiq, Duragesic, Sublimaze.”.	

### STATEMENT OF OBJECTS AND REASONS

It is desirable further to amend the Khyber Pakhtunkhwa Control of Narcotic Substances Act, 2019 (Khyber Pakhtunkhwa Act No. XXXI of 2019), in light of directions of the Honorable High Court and the reservations of International Community in relation to death penalty viz-a-viz EU GSP Plus status of Pakistan i.e. death penalty has been limited to most heinous crimes relating to Heroin, Cocaine and Psychotropic Substances. Further, the punishments have been bracketed and rationalized so as to link the punishments with the nature of Narcotics Substance. Hence, this Bill.



Peshawar,  
dated the

03-02, 2025.

**MINISTER IN CHARGE.**

**KHALIQUE-UR-REHMAN**  
Minister for Excise, Taxation  
& Narcotics Control Department  
Khyber Pakhtunkhwa