THE BALOCHISTAN FORENSIC SCIENCE AGENCY ACT, 2015

(BALN. ACT NO. VIII of 2015)

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[1]THE BALOCHISTAN FORENSIC SCIENCE AGENCY ACT, 2015

(BALN. ACT NO. VIII of 2015)

[*19th August, 2015*]

An Act to establish the Balochistan Forensic Science Agency for Forensic examination of documents, materials, equipments, impressions or other objects.

Preamble.

Whereas it is expedient to provide for the establishment and constitution of an Agency for the purpose of examination of forensic material and rendering of expert opinion in respect thereof before a Court, Tribunal or any other authorities; and for matters connected therewith or ancillary thereto;

It is hereby enacted as follows: —

CHAPTER – I
PRELIMINARY

Short title, extent and commencement.

1. (1) This Act may be called the Balochistan Forensic Science Agency Act, 2015.

(2) It extends to the whole of Balochistan, except the Tribal Areas.

(3) It shall come into force from the date notified by the Government in the official Gazette.

Definitions.

2. (1) In this Act, unless there is anything contrary to the subject and context, —

(a) "Act" means the Balochistan Forensic Science Agency Act, 2015;

(b) "Agency" means the Balochistan Forensic Science Agency established and constituted

[1] This Act was passed by the Balochistan Assembly on 7th August 2015, assented by the Governor of Balochistan on 17th August 2015, and published in the Balochistan Gazette (Extraordinary) No. 136, dated 19th August 2015.

under section 3 of the Act;

(c) "Authority" includes an officer authorized to hold an investigation or inquiry under any law for the time being in force;

(d) "Code" means the Code of Criminal Procedure, 1898 (V of 1898);

(e) "Director General" means the Director General of the Agency;

(f) "expert" includes a qualified expert working in the Forensic Science Agency and whose evidence is admissible before a Court, Tribunal or any other authority;

(g) "forensic material" means a document, material, equipment, impression, electronic/digital or any other object connected with the commission of an offence, a civil cause or any other proceedings;

(h) "Government" means the Government of Balochistan;

(i) "offence" means an act or omission made punishable under any law for the time being in force;

(j) "police officer" means a police officer defined in the Code;

(k) "prescribed" means prescribed by the rules; *and*

[1][(k-i) "Public Servant" means a Public Servant as defined in Section 21

[1] A new clause (K-i) inserted by the Balochistan Assembly on 10th September 2025, and assented by the Governor of Balochistan on 15th September 2025.

of the Pakistan Panel Code, 1860[1] (XLV of 1860);]

(l) "rules" means the rules made or adopted under the Act.

(2) A word or an expression used in the Act and not defined hereinabove sub-section shall have the same meaning as defined in the Code.

CHAPTER – II
CONSTITUTION AND ADMINISTRATION

Establishment and constitution of the Agency.

3. (1) The Government shall by a notification in the official Gazette, establish and constitute an Agency to be called the Balochistan Forensic Science Agency.

(2) The Agency shall consist of the Director General, experts and as many officers/officials as may be appointed by the Government from time to time.

(3) The Government may, by a notification in the official Gazette, absorb in the Agency a body, bureau, laboratory or any other facility with its ancillary staff concerned with the examination and rendering of expert opinion about forensic material. All properties, assets held in or owned by such body, bureau, laboratory etc on absorption shall stand transferred to the Agency.

Function of the Agency.

4. The Agency shall: —

(a) undertake examination of forensic material;

(b) render expert opinion with regard to examination of forensic material conducted by it. The agency may seek assistance from sister agencies with in the country or abroad;

(c) subject to control of the Government, procure, operate and maintain scientific

[1] Act No. XLV of 1860, dated 6th October 1860.

instruments for examination of forensic material;

(d) propose advancement in forensic techniques and suggest use of suitable scientific instruments for examination of forensic material. The agency also seek cooperation from departments/ institutions for acquisition of National Database from AFIP, NADRA and FIA etc;

(e) seek clarification from the person involved in collection or handling of forensic instruments for examination of forensic material in the prescribed manner;

(f) recommend the procedure for the collection, preservation and handling of forensic material;

(g) subject to the direction of the Government, collect forensic material that requires special expertise or scientific methods for collection and preservation;

(h) maintain record for examination of forensic material, including record pertaining to the identity of a person connected with or accused of an offence, in the prescribed manner;

(i) promote general awareness on matters relating to forensic science and develop capacity of the staff and institutions related with the subject including Courts, Police, Levies, Law and Prosecution; *and*

(j) perform any other function connected with or ancillary to the above functions.

Superintendence and Administration of

5. The Government shall exercise superintendence and Administration of the Agency

the Agency. through Director General.

CHAPTER – III
APPOINTMENT OF DIRECTOR GENERAL AND EXPERTS

Appointment of Director General.

6. The Government shall appoint the Director General in the manner as may be prescribed.

Administrative and financial powers of the Director General.

7. The Director General shall exercise such administrative and financial powers as may be prescribed by the Government under this Act or under any other Law for the time being in force.

Experts.

8. (1) The Government shall appoint experts for the Agency in the prescribed manner.

(2) No person shall be appointed as an expert unless he is qualified to conduct examination of a forensic material

(3) A person appointed in the Agency as an expert shall be deemed as an expert appointed under section 510 of the Code and a person specially skilled in a forensic material under Article 59 of the *Qanun-e-Shahadat* Order, 1984 (X of 1984) and Investigation for Fair Trial Act, 2013[1] (Act No. I of 2013).

(4) The Government or the Agency shall not entrust examination of a forensic material to a person who has been convicted of an offence related to giving false evidence under any law for the time being in force.

CHAPTER – IV
EXPERT OPINION AND CLARIFICATION

Expert opinion.

9. (1) A Court, Tribunal or Authority may send to the Agency, a forensic material related to investigation or proceedings before it, for examination and expert opinion.

(2) The Agency shall authenticate and send

[1] Act I of 2013, an Act of Majlis-e-Shoora (Parliament); assented by President on 20th February, 2013; and published in the Gazette of Pakistan (Extraordinary) Part-1, dated 22nd February, 2013, Pages 19-35.

expert opinion to the Court, Tribunal or Authority in the prescribed manner.

(3) An expert opinion shall carry the name and designation of the expert who conducted the examination.

Clarification in case of certain opinion.

10. (1) If an expert opinion is not clear, the Court, Tribunal or Authority may refer it to the Agency for clarification on specific question.

(2) The Agency may on receipt of the reference seek clarification on the question referred from the Court, Tribunal or Authority.

(3) If the condition of the forensic material or any other fact does not allow submission of a clear answer to the question, the Agency shall state its inability to answer the question.

Re-examination of forensic material.

11. (1) A person affected by the opinion of an expert, may for a sufficient cause, submit an application for re-examination before the Court, tribunal or authority other than a police officer before which the opinion is rendered or the Court or tribunal before which the opinion is submitted by the authority.

(2) If the Court or Tribunal or Authority is satisfied that there are sufficient grounds for re-consideration of the opinion, it may for reasons to be recorded in writing, direct the Agency to re-examine the forensic material.

(3) The Director General shall on receipt of the direction, constitute a panel of three or more experts to re-examine the forensic material or refer the same to a forensic examination facility for examination and opinion.

(4) The Director General shall submit the finding of the expert or the forensic facility and his opinion to the Court, tribunal or authority.

(5) Forensic material may be sent for re-examination to another agency, other than the

same, if the court is not satisfied.

CHAPTER – V
MISCELLANEOUS

Offence.

12. (1) If an expert or official of the Agency knowingly or negligently renders false, incorrect or misleading opinion before a Court, tribunal or authority, he shall be punished with imprisonment which may extend to six months or with fine which may extend to fifty thousand rupees or with both.

(2) Notwithstanding anything contained in the Code or any other Law for the time being in force, an offence under this Act shall be triable by a Court of Sessions.

(3) The Court shall not take cognizance of an offence under this Act unless the Director General makes a complaint in writing in the prescribed manner.

Appeal.

13. A person aggrieved by an order or sentence passed under section 12 may within sixty days, prefer an appeal to the High Court.

Annual Performance report.

14. (1) The Agency shall submit its annual performance report to Government before July 31 of every year.

(2) The Government shall, within the period of one month of the receipt of the annual performance report, submit the same in the Provincial Assembly of Balochistan.

Act to be read in conjunction with other laws.

15. The Provisions of this Act shall be read in conjunction with and not in derogation of any other law for the time being in force.

Existing composition deemed to be constituted under this Act.

16. Without prejudice to the provisions of this Act, the existing composition functioning in the Province immediately before the commencement of this Act shall on such commencement be deemed to be Balochistan Forensic Science Agency constituted under this Act.

[1][Employees of the Agency to be Public Servants.

16-A. The Employees of the Agency appointed by the Government or Agency shall be deemed to be public servants within the meaning of Section 21 of the Pakistan Panel Code, 1860[2] (Act XLV of 1860).]

Indemnity.

17. No suit, prosecution or other proceedings shall lie for anything which is in good faith done or intended to be done under this Act or any rules made thereunder.

Power to make rules.

18. The Government may by a notification in the official gazette make rules for giving effect to the provisions of this Act.

Delegation of Power.

19. The Government may by a Notification in the official gazette delegate any or all of its Powers to any officer subordinate to it.

Power to Remove Difficulty.

20. If any difficulty arises in giving effect to the provision of this Act, the Government may, by notification in the official Gazette, make such provisions as appear to be necessary or expedient for removing the difficulty:

Provided that no such notification shall be issued after the expiry of six months from the commencement of this Act.

Overriding effect.

21. (1) Subject to such conditions as the Government may specify by notification in the Official Gazette, the provisions of this Act shall have effect notwithstanding anything contained in any other law for the time being in force.

(2) In case there is any conflict between the provision of this Act and any other law for the time being in force, the provisions of this Act shall prevail to the extent of inconsistency.

Validation.

22. All rules prescribed, appointments made, powers conferred, opinion rendered, forensic

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1 A new section "16-A" inserted by the Balochistan Assembly on 10th September 2025, and assented by the Governor of Balochistan on 15th September 2025.

2 Act No. XLV of 1860, dated 6th October 1860.

material examined before coming into force of this Act so far as they are consistent with this Act, be deemed to have been validly prescribed, made conferred, examined, done, issued, assumed or exercise under this Act and shall have effect accordingly.

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