

NATIONAL ASSEMBLY SECRETARIAT

REPORT OF THE STANDING COMMITTEE ON INTERIOR AND NARCOTICS CONTROL ON THE CRIMINAL LAW (AMENDMENT) BILL, 2017

1. The Chairman of Standing Committee on Interior and Narcotics Control, have the honor to present this report on the Bill further to amend the Pakistan Penal Code (Act XI.V of 1860) and the Code of Criminal Procedure, 1898 (Act V of 1898) [The Criminal Law (Amendment) Bill, 2017] (Private Member's Bill) referred to the Committee on 07th March, 2017.

2. The Committee consists of the following: -

1) Rana Shamim Ahmad Khan	Chairman
2) Syed Javed Ali Shah	Member
3) Mr. Ghalib Khan	Member
4) Dr. Ibadullah	Member
5) Sheikh Muhammad Akram	Member
6) Syed Ifikhar-ul-Hassan	Member
7) Makhdoomzada Basit Bokhari	Member
8) Mian Shahid Hussain Khan Bhatti	Member
9) Makhdoom Syed Ali Hassan Gillani	Member
10) Ms. Tahmina Daultana	Member
11) Mir Dostain Khan Domki	Member
12) Mr. Nauman Islam Shaikh	Member
13) Mr. Ehsan-ur-Rehman Mazari	Member
14) Nawab Muhammad Yousuf Talpur	Member
15) Mr. Khial Zaman Orakzai	Member
16) Dr. Arif Alvi	Member
17) Kanwar Naveed Jameel	Member
18) Mr. Salman Khan Baloch	Member
19) Ms. Nacema Kishwer Khan	Member
20) Mr. Sher Akber Khan	Member
21) Ch. Nisar Ali Khan, Minister for Interior and Narcotics Control	Ex-officio Member

3. The Committee considered the Bill in its meeting held on 03-05-2017. The Committee recommends that the Bill placed at Annex-A may not be passed by the Assembly.

Sd/-
(JAWAD RAFIQUE MALIK)
Secretary
Islamabad, the 03rd August, 2017

Sd/-
(RANA SHAMIM AHMAD KHAN)
Chairman
Standing Committee on
Interior and Narcotics Control

A

BILL

further to amend the Pakistan Penal Code¹⁸⁶⁰ and the Code of Criminal Procedure, 1898

Whereas it is expedient further to amend the Pakistan Penal Code (Act XLV of 1860), and the Code of Criminal Procedure, 1898 (Act V of 1898), for the purposes hereinafter appearing;

It is hereby enacted as follows:-

1. **Short title and commencement.**- (1) This Act may be called the Criminal Law (Amendment) Bill, 2017.

(2) It shall come into force at once.

2. **Insertion of new section 377, Act XLV of 1860.**- In the Pakistan Penal Code, 1860 (Act No. XLV of 1860), after section 377, the following new section shall be inserted, namely:-

"377A Committing rape or unnatural offence with minor Child.- Whoever commits rape or unnatural offence, as the case may be, with a minor child shall be punished with death but not less than imprisonment for life and shall also be liable to fine which shall not be less than rupees five hundred thousand which shall be paid to the victim or heirs of the victim.

Note I.- For the purposes of this section child means a girl or boy of less than eighteen years of age.

Note II.- Notwithstanding anything contained in the Qanun-e-Shahadat, 1984, any scientific or modern means of evidence like DNA testing or other such evidence, etc. proving the offence shall be enough to impose punishment under this section."

3. **Amendment of Schedule II, Act V of 1898.**- In the Code of Criminal Procedure, 1898 (Act V of 1898), in Schedule II, after entry relating to section 377, the following new entry in column 1 and the entries relating thereto in columns 2 to 8 shall be inserted, namely:-

"377 A.	Committing rape or unnatural offence with minor child.	May arrest without warrant	Warrant	Not bailable	Not compoundable	Death sentence but not less than imprisonment for life and fine which shall not be less than rupees five hundred thousand.	Court of Sessions."
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STATEMENT OF OBJECTS AND REASONS

There is growth of heinous crimes in the country but it is miserable to note that minor children are also becoming victims of heinous offences like rape and unnatural offences and in such lusty offences sometimes victims are losing their lives. Such type of offences are not only traumatizing the victims but also making rest of their life as hell in this world. They are living a life which is more than a burden for them with humiliation and disgrace with none of their fault. There is need of harsh punishments for such type of offences as the existing penal provisions are unable to provide sufficient deterrence to intending offenders.

2. The instant Bill seeks to achieve the aforesaid objectives.

Sd/-
(MS. SHAHIDA REHMANI)
Member, National Assembly