

**SENATE OF PAKISTAN  
HOUSE OF THE FEDERATION**

**Report No.13**



***Report of the Senate Standing Committee on Interior and Narcotics  
Control on the issue "The Pakistan Penal Code (Amendment) Bill,  
2017 introduced by Senator Sirajul Haq on 16th January, 2017"***

***PRESENTED BY***

***SENATOR A. REHMAN MALIK***  
CHAIRMAN

## SENATE SECRETARIAT

### REPORT OF THE STANDING COMMITTEE ON INTERIOR AND NARCOTICS CONTROL ON "THE PAKISTAN PENAL CODE (AMENDMENT) BILL, 2017 INTRODUCED BY SENATOR SIRAJUL HAQ ON 16TH JANUARY, 2017"

I, Chairman of the Standing Committee on Interior and Narcotics Control, have the honour to present the report on "The Pakistan Penal Code (Amendment) Bill, 2017 introduced by Senator Sirajul Haq on 16th January, 2017 and referred by the House to the Standing Committee on Interior and Narcotics Control for consideration and report thereof.

2. The composition of the Standing Committee on Interior & Narcotics Control is as under:-

1.	Senator A. Rehman Malik	Chairman
2.	Senator Shahi Syed	Member
3.	Senator Mir Israrullah Khan Zehri	Member
4.	Senator Muhammad Saleh Shah	Member
5.	Senator Muhammad Talha Mehmood	Member
6.	Senator Col. (R) Syed Tahir Hussain Mashhadi	Member
7.	Senator Dr. Jehanzeb Jamaldini	Member
8.	Senator Chaudhary Tanvir Khan	Member
9.	Senator Muhammad Javed Abbasi	Member
10.	Senator Muhammad Ali Khan Saif	Member
11.	Senator Mukhtiar Ahmed Dhamrah @ Aajiz	Member
12.	Senator Syed Shibli Faraz	Member
13.	Minister for Interior	Ex-officio Member

3. The matter was taken up in the meetings of the Standing Committee held on 21.02.2017 and 13.03.2017.

4. The Committee disposed of the matter on 13<sup>th</sup> March, 2017 and allowed to submit the report to the House. The following members of the Committee attended the meeting.

1.	Senator A. Rehman Malik	Chairman
2.	Senator Chaudhary Tanvir Khan	Member
3.	Senator Muhammad Ali Khan Saif	Member
4.	Senator Syed Shibli Faraz	Member
5.	Senator Mian Muhammad Ateeq Shaikh	Mover
6.	Senator Sirajul Haq	Mover
7.	Senator Mohammad Azam Khan Swati	Mover

## SUMMARY

The proposed legislation was discussed in detail. The Committee agreed to the point of view of the Mover, Senator Sirajul Haq. While appreciating the amendments, the Committee emphasized on blocking the obscene material.

## RECOMMENDATIONS

The Committee disposed of the Bill with the recommendation that the Bill may be passed. The Bill is annexed.

  
(JAVAID IQBAL)  
Secretary Committee

  
(SENATOR A. REHMAN MALIK)  
Chairman

[TO BE INTRODUCED IN THE SENATE]

A

**BILL**

*further to amend the Pakistan Penal Code, 1860*

**WHEREAS** it is expedient further to amend the Pakistan Penal Code, 1860 (XLV of 1860) for the purposes hereinafter appearing;

It is hereby enacted as follows:-

**1. Short title and commencement.**- (1) This Act may be called the Pakistan Penal Code (Amendment) Act, 2017.

(2) It shall come into force at once.

**2. Amendment of section 292, Act XLV of 1860.**- In the Pakistan Penal Code, 1860 (XLV of 1860), hereinafter referred to as the Code, in section 292, for the words and commas "three months, or with fine, or with both", the words "three years and with fine of two hundred thousand rupees" shall be substituted.

**3. Amendment in section 293, Act XLV of 1860.**- In the Code, in section 293, for the words "under the age of twenty years", the words "of any age" shall be substituted and for the words and commas "six months, or with fine, or with both", the words "two years and with fine of one hundred thousand rupees" shall be substituted.

**4. Amendment in section 294, Act XLV of 1860.**- In the Code, in section 294,-

- (i) after the words "to the annoyance of others", the words "or otherwise" shall be inserted;
- (ii) in paragraph (b), for the word "recites", the word "performs" shall be substituted; and
- (iii) for the words and commas "three months, or with fine, or with both" the words and commas "one year, or with fine of one hundred thousand rupees, or with both" shall be substituted.

**STATEMENT OF OBJECTS AND REASONS**

With the passage of time, obscenity has not only disturbed the individual life but it has become a terrible act of annoyance for the whole society, especially for women folks.

Article 14 of the Constitution of the Islamic Republic of Pakistan clearly states that "the dignity of man and, subject to law, the privacy of home, shall be inviolable".

In Article 37(g) of the Constitution, it is stated that "the State shall prevent prostitution, gambling and taking of injurious drugs, printing, publication, circulation and display of obscene literature and advertisements;" Sections 292, 293 and 294 of the Pakistan Penal Code (PPC) directly relate to the persons who sells, lets to hire, distributes, publicly exhibits or in any manner puts into circulation or for purposes of sale, hire, distribution, public exhibition or circulation, makes, produces or has in his possession any obscene book, pamphlet, paper, drawing, painting, representation or figure or any other obscene object whatsoever, or imports, exports or conveys any obscene object for any of the purposes aforesaid, or knowing or having reason to believe that such object will be sold, let to hire, distributed or has reason to believe that any such obscene objects are, for any of the purposes aforesaid, made, produced, purchased, kept, imported, exported, conveyed, publicly exhibited or in any manner put into circulation, or is ready to engage in any act which is an offence under this section, or that any such obscene object can be procured from or through any person, or offers or attempts to do any act which is an offence under above sections.

It is clear from the contents of the sections that above sections relate to the above Articles of the Constitution, but unfortunately, punishments and fines thereof are nominal. Through the above amendments, enhancement of punishments has been proposed.

**SENATOR SIRAJUL HAQ**  
Member-In-Charge