

[AS PASSED BY THE NATIONAL ASSEMBLY]

A

BILL

further to amend the Pakistan Penal Code, 1860 and the Code of Criminal Procedure 1898

WHEREAS, it is expedient further to amend the Pakistan Penal Code, 1860 (XLV of 1860) and the Code of Criminal Procedure, 1898 (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) Act 2022.

(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; and
- (ii) in paragraph (b), for the word "recites" , the word "performs" shall be substituted.
- (iii) for the expression "imprisonment of either description for a term which may extend to three months, or with fine or with both" the expression "Imprisonment of either description for one year, or with fine of one hundred thousand rupees, or with both".

5. Amendment of Schedule II, Act V of 1898.- In the Code of Criminal Procedure, 1898 (V of 1898), in Schedule II,-

- (i) against section 292, for the entry in column 7, the expression "Imprisonment of either description for three years and with fine of two hundred thousand rupees", shall be substituted;

- (ii) against section 293, for the entry in column 7, the expression "Imprisonment of either description for two years and with fine of one hundred thousand rupees" shall be substituted; and
- (iii) against section 294, for the entry in column 7, the expression "Imprisonment of either description for 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 subject to law, the privacy of home, shall be inviolable".

In Article 37(g) of the Constitution, stated that "the State shall prevent prostitution, gambling and taking of injurious drugs, printing, publication circulation and display of obscene literature and advertisements".

Unfortunately, punishments in sections 292, 293 and 294 of the Pakistan Penal Code for acts of obscenity are nominal. Through the above amendments, enhancement of punishments has been proposed.

Sd/-
MOULANA ABDUL AKBAR CHITRALI
Member National Assembly