

As
[TO BE INTRODUCED IN THE SENATE]

A

bill

to amend the Prevention of Trafficking in Persons Act, 2018

Whereas it is expedient to amend the Prevention of Trafficking in Persons Act, 2018 (XXXIV of 2018) in the manner and for the purposes hereinafter appearing;

It is hereby enacted as follows:-

1. **Short title and commencement** – (1) This Act shall be called the Prevention of Trafficking in Persons (Amendment) Act, 2024.

(2) It shall come into force at once.

2. **Amendment of section 3, Act XXXIV of 2018.** - In the Prevention of Trafficking in Persons Act, 2018 (XXXIV of 2018), in section 3, -

(a) in sub-section (1), after word “labour” the words “or organized beggary” shall be inserted; and

(b) in sub-section (3),-

(i) in clause (a), in sub-clause (iv), the word “and”, at the end, shall be omitted; and

(ii) in clause (b), for the full stop, at the end, a semi colon and the word “and” shall be substituted and thereafter the following new clause shall be inserted, namely:-

(c) ‘organized beggary’ includes an act of a person to allure, entice or coerce a person intentionally, knowingly, by use of force, fraud or without fraudulent intention to indulge or to be indulged in soliciting or receiving alms directly, indirectly or on any pretext.

(i) solicits or receives alms in a public place, whether or not, under any pretence, such as a fortune telling, performing tricks, selling articles or frequently by knocking at the window panes of vehicles waiting on signals or sometimes forcefully cleaning the windscreen of vehicles in order to seek alms;

(ii) having no visible means of subsistence and wandering about or remaining in any public place in such condition or manner which raise a presumption

that the person doing so subsists by soliciting or receiving alms;

- (iii) enters on any private premises for the purposes of soliciting or receiving alms;
- (iv) exposes or exhibits with the object of obtaining or extorting alms, any sore, wound, injury, deformity or disease, whether of human being or of an animal; or
- (v) allows oneself to be used as an exhibit for the purpose of soliciting or receiving alms.”.

Statement of Objects and Reasons

Prevention of Trafficking in Persons Act 2018 has been enacted to provide for effective measures to prevent and combat the trafficking in persons especially women and children; to promote and facilitate national and international co-operation in this regard. To effectively enforce the provisions of the Act, 2018, and to create further deterrence amongst culprits by enhancing the punishments, and to monitor the activities of the members of the Criminal Organized Group and other connected individuals as a preventive measure and to remove anomalies and overlapping of the laws between the provisions of the Prevention of Trafficking in Persons Act 2018, Pakistan Penal Code 1860, and Bonded Labour Directive System (Abolition) Act 1992.

2. Moreover, the Diplomatic Missions of Pakistan at GCC countries, Iraq and Malaysia have highlighted that some Pakistanis who come to these countries for Hajj, Umrah, Ziarat and personal visits are involved in beggary. They have urged Pakistani authorities to take stern action against those involved in begging and the gangs behind them. The agents and gangs who are involved in this practice easily dodge prosecution as beggary is not a crime in any law entrusted to FIA. The sensitivity of issue demands urgent need of making beggary a crime. Therefore, it has been divulged that amendments in sections 2, 3, 4, 6, 9 and 10 in the Prevention of Trafficking in Persons Act, 2018 are required.


(Minister In-charge)