

(REPORT 49 OF 2020)



House of the Federation

SENATE SECRETARIAT

**REPORT OF THE
SENATE STANDING COMMITTEE ON INTERIOR**

ON

**“THE CRIMINAL LAWS (AMENDMENT) BILL, 2020
[SECTION 297A, ACT XLV OF 1860]”**

PRESENTED BY

**SENATOR A. RHMAN MALIK
Chairman
Standing Committee on Interior**

SENATE SECRETARIAT

REPORT OF SENATE STANDING COMMITTEE ON INTERIOR ON
“THE CRIMINAL LAWS (AMENDMENT) BILL, 2020 [SECTION
297A, ACT XLV OF 1860]” INTRODUCED BY SENATOR
MUHAMMAD JAVED ABBASI

I, Chairman of Senate Standing Committee on Interior, have the Honour to present report on “The Criminal Laws (Amendment) Bill, 2020 [Section 297A, Act XLV of 1860] introduced by Senator Muhammad Javed Abbasi in the House on 26th October, 2020.

2. The Bill, upon introduction in the Senate, was referred to the Standing Committee for consideration and report back to the House.

3. The composition of the Standing Committee on Interior is as under: -

1.	Senator A. Rehman Malik	Chairman
2.	Senator Muhammad Javed Abbasi	Member
3.	Senator Muhammad Azam Khan Swati	Member
4.	Senator Muhammad Tahir Bizinjo	Member
5.	Senator Mian Muhammad Ateeq Shaikh	Member
6.	Senator Rana Maqbool Ahmad	Member
7.	Senator Muhammad Talha Mehmood	Member
8.	Senator Farooq Hamid Naek	Member
9.	Senator Kauda Babar	Member
10.	Senator Sardar Muhammad Shafiq Tareen	Member
11.	Senator Dr. Shahzad Waseem	Member
12.	Senator Nusrat Shaheen	Member
13.	<u>Senator Haji Momin Khan Afridi</u>	<u>Member</u>
14.	Minister for Interior	Ex-Officio Member

4. The Committee considered and discussed the Bill in its meeting held on 02nd February, 2021. The following attended the Committee: -

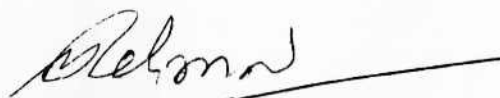
1.	Senator A. Rehman Malik	Chairman
2.	Senator Shahzad Waseem	Member
3.	Senator Muhammad Javed Abbasi	Member/Mover
4.	Senator Sardar Muhammad Shafiq Tareen	Member
5.	Senator Nusrat Shaheen	Member

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5. The Mover briefed the committee that in context of the increasing cases of raping the human corpse, there is a need to make a law which could deter the offenders and the people of like mind from committing the offense. He stated that the human corpse has dignity in Islamic Law, hence to preserve the right of dignity of the human corpse, the said amendment is needed.
6. Chairman committee stated that all graveyards should be provided with proper boundary walls, monitoring system and CCTV Cameras so that immoral and illegal activities could be eliminated once for all.
7. The Committee discussed all aspects of the Bill in its meeting.
8. In view of the above, the Committee recommends that "The Criminal Laws (Amendment) Bill, 2020 [Section 297A, Act XLV of 1860]" as introduced in the House, may be passed by the Senate. (Copy of the Bill is enclosed).



(TANVIR AHMED)
D.G./Secretary Committee



(SENATOR A. REHMAN MALIK)
Chairman Committee

ISLAMABAD, THE
02nd February, 2021.

A

Bill

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

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

It is hereby enacted as follows:-

1. Short title, extent and commencement.- (1) This Act may be called the Criminal Laws (Amendment) Act, 2020.

(2) It shall extend to the Islamabad Capital Territory.

(3) It shall come into force at once.

2. Insertion of new Section 297A, Act XLV of 1860. - In the Pakistan Penal Code, 1860 (XLV of 1860), after Section 297, the following new Section shall be inserted, namely:-

"297A. Rape, molestation or sexual intercourse of any kind to any human corpse.- Whoever commits rape, molestation or sexual intercourse of any kind to any human corpse shall be punished with imprisonment for life but not less than fourteen years and fine which may extend to one million rupees but not less than one hundred thousand rupees."

3. Amendment of Schedule II, Act V of 1898.— In the Code of Criminal Procedure, 1898 (V of 1898), in Schedule II, after section 297 the new section 297A, shall be inserted, and the following new entries shall be made in the subsequent columns accordingly:

"297A.	Rape, molestation or sexual intercourse of any kind to any human corpse.	May arrest without warrant	Warrant	Non-bailable	Not-compoundable	Imprisonment for life but not less than 14 years and fine which may extend to one million rupees but not less than one hundred thousand rupees	Court of Sessions
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STATEMENT OF OBJECTS AND REASONS

In context of the increasing cases of raping the human corpse, there is a need to make a law which could deter the offenders and the people of like mind from committing the offense. The human corpse has dignity in Islamic Law, hence to preserve the right of dignity of the human corpse, the said amendment is needed.

Senator Muhammad Javed Abbasi
Member-In-Charge