



House of the Federation

SENATE SECRETARIAT

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

**“THE CRIMINAL LAWS (AMENDMENT) BILL, 2021” MOVED
BY SENATOR MUHAMMAD SABIR SHAH IN THE SENATE SITTING
HELD ON 25TH JANUARY, 2021**

PRESENTED BY

**SENATOR MOHSIN AZIZ
Chairman
Standing Committee on Interior**

SENATE SECRETARIAT

Report of Senate Standing Committee on "The Criminal Laws (Amendment) Bill, 2021" moved by Senator Muhammad Sabir Shah in the Senate sitting held on 25th January, 2021.

1. Chairman of Senate Standing Committee on Interior, have the Honour to present report on "The Criminal Laws (Amendment) Bill, 2021" moved by Senator Muhammad Sabir Shah in the Senate sitting held on 25th January, 2021.

2. The Bill, upon introduction in the Senate, was referred to the Standing Committee for consideration and report back to the House under Rule-98 of the Rules of Procedure and Conduct of Business in the Senate, 2012.

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

1.	Senator Mohsin Aziz	Chairman
2.	Senator Syed Yousaf Raza Gillani (Leader of the Opposition)	Member
3.	Senator Samina Mumtaz Zehri	Member
4.	Senator Azam Nazeer Tarar	Member
5.	Senator Moula Bux Chandio	Member
6.	Senator Saifullah Abro	Member
7.	Senator Rana Maqbool Ahmad	Member
8.	Senator Faisal Saleem Rahman	Member
9.	Senator Shahadat Awan	Member
10.	Senator Muhammad Talha Mahmood	Member
11.	Senator Fawzia Arshad	Member
12.	Senator Syed Faisal Ali Subzwari	Member
13.	Senator Sarfraz Ahmed Bugti	Member
14.	Senator Dilawar Khan	Member
15.	Minister for Interior	Ex-Officio Member

4. The Committee considered and discussed the Bill in its meeting held on 30th September, 2021. The meeting was attended by the following Members: -

i.	Senator Mohsin Aziz	Chairman
ii.	Senator Samina Mumtaz Zehri	Member
iii.	Senator Azam Nazeer Tarar	Member
iv.	Senator Rana Maqbool Ahmad	Member
v.	Senator Shahadat Awan	Member
vi.	Senator Muhammad Talha Mahmood	Member
vii.	Senator Fawzia Arshad	Member
viii.	Senator Syed Faisal Ali Subzwari	Member
ix.	Senator Sarfraz Ahmed Bugti	Member
x.	Senator Dilawar Khan	Member
xi.	Senator Fida Muhammad	Mover
xii.	Senator Saadia Abbasi	Mover

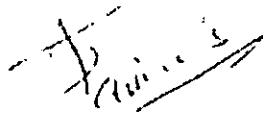
- xiii. Senator Mushtaq Ahmed Mover
xiv. Senator Muhammad Sabir Shah Mover

5. The Committee considered "The Criminal Laws (Amendment) Bill, 2021" Moved by Senator Muhammad Sabir Shah in the Senate sitting held on 25th January, 2021.

6. Senator Muhammad Sabir Shah, Mover, briefed the Committee on the reasons and objective of the Bill. He stated that the objective of this Bill is to keep the prestige of the National Flag and the Portrait of Founder of Pakistan Quaid-e-Azam Muhammad Ali Jinnah. Defiling of National Flag is already a criminal offence in the Pakistan Penal Code but enhancement in its punishment has been proposed in the Bill in order to make it more detrimental. Moreover, a new section has been proposed in order penalize the defiling of Portrait of Founder of Pakistan Quaid-e-Azam Muhammad Ali Jinnah. Consequential amendments have also been proposed in the Code of Criminal Procedure. The Bill seeks to achieve the said objects.

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 (Amendments) Bill, 2021" as introduced in the House, may be passed by the Senate. (Copy of the Bill is enclosed).



(TANVIR AHMED)
D.G. / Secretary Committee



(SENATOR MOHSIN AZIZ)
Chairman
Senate Standing Committee on Interior

Islamabad, the
30th September, 2021

^{As}
[~~TO BE~~ INTRODUCED IN THE SENATE]

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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 Laws (Amendment) Act, 2020.

(2) It shall come into force at once.

2. Amendment in section 123 B, Act XLV of 1860.- In the Pakistan Penal Code, 1860 (XLV of 1860), hereinafter referred to as the Code, in section 123 B, for the words "three years" the words "five years but shall not be less than six months" shall be substituted and after the word "fine" the words "which shall not be less than fifty thousand rupees", shall be inserted.

3. Insertion of new section 123 C, Act XLV of 1860.- In the Code, amended as aforesaid, after Section 123 B, the following new section shall be added, namely:-

"123 C. Defiling or un-authorizedly removing the portrait of Quaid-e-Azam Muhammad Ali Jinnah, Founder of Pakistan.- Whoever deliberately defiles or puts on fire the portrait of Quaid-e-Azam Muhammad Ali Jinnah, Founder of Pakistan or un-authorizedly removes it from any office or premises or other property of Government, shall be punished with imprisonment of either description for a term which may extend to five years but shall not be less than six month, or with fine which shall not be less than fifty thousand rupees, or with both."

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

- (i) For the entry of section 123 B in column 7 the following shall be substituted, namely,-

"Imprisonment of either description for a term which may extend to five years but shall not be less than six month, or with fine which shall not be less than fifty thousand rupees, or with both."

- (ii) After the entry for section 123 B, amended as aforesaid, following new entry 123 C shall be inserted, namely:-

"123 C	Defiling or un-authorizedly removing the portrait of Quaid-e-Azam Muhammad Ali Jinnah, Founder of Pakistan	May arrest without warrant	Warrant	Not bailable	Not compoundable	Imprisonment of either description for a term which may extend to five years but shall not be less than six month, or with fine which shall not be less than fifty thousand rupees, or with both	Magistrate of first class"
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STATEMENT OF OBJECTS AND REASONS

The objective of this Bill is to keep the prestige of the National Flag and the Portrait of Founder of Pakistan Quaid-e-Azam Muhammad Ali Jinnah. Defiling of National Flag is already a criminal offence in the Pakistan Penal Code but enhancement in its punishment has been proposed in the Bill in order to make it more detrimental. Moreover, a new section has been proposed in order to penalize the defiling of Portrait of Founder of Pakistan Quaid-e-Azam Muhammad Ali Jinnah. Consequential amendments have also been proposed in the Code of Criminal Procedure. The Bill seeks to achieve the said objects.

SENATOR SYED MUHAMMAD SABIR SHAH
Member-In-Charge