

REPORT NO. 24.../2023-24

# SENATE OF PAKISTAN



## REPORT OF THE SENATE STANDING COMMITTEE ON INTERIOR

ON

A BILL FURTHER TO AMEND THE PAKISTAN PENAL CODE, 1860  
[THE PAKISTAN PENAL CODE (AMENDMENT) BILL, 2023]  
(AMENDMENT OF SECTION 377A PPC).

INTRODUCED BY  
SENATOR SHAHADAT AWAN  
ON 6TH NOVEMBER, 2023.

PRESENTED BY

SENATOR MOHSIN AZIZ  
CHAIRMAN SSC ON INTERIOR

## SENATE SECRETARIAT

**SUBJECT: REPORT OF THE SENATE STANDING COMMITTEE ON INTERIOR ON THE PAKISTAN PENAL CODE (AMENDMENT) BILL, 2023.**

I, Senator Mohsin Aziz, Chairman Senate Standing Committee on Interior, have the honor to present report of the Committee on a Bill further to amend the Pakistan Penal Code, 1860 [The Pakistan Penal Code (Amendment) Bill, 2023], (Amendment of Section 377A PPC), introduced by Senator Shahadat Awan on 6th November, 2023.

2. The composition of the Committee is as under: -

<b>Senator Mohsin Aziz</b>	<b>Chairman</b>
Senator Syed Yousuf Raza Gillani	Member
Senator Azam Nazeer Tarar	Member
Senator Samina Mumtaz Zehri	Member
Senator Sherry Rehman	Member
Senator Saifullah Abro	Member
Senator Faisal Saleem Rehman	Member
Senator Shahadat Awan	Member
Senator Faisal Subzwari	Member
Senator Fawzia Arshad	Member
Senator Danesh Kumra	Member
Senator Dilawar Khan	Member
Senator Kamil Ali Agha	Member
<u>Minister for Interior</u>	<u>Ex-Officio Member</u>



3. The Committee considered the Bill in its meetings held on 29<sup>th</sup> November, 2023 but on that date the Ministry of Interior sought deferment due to the reason that the response from the provincial government was still awaited till that date.

4. The Committee finally considered the Bill in its meeting held on 14<sup>th</sup> December, 2023. The meeting was attended by the following Members:

1. Senator Mohsin Aziz	Chairman
2. Senator Samina Mumtaz Zehri	Member
3. Senator Sherry Rehman	Member
4. Senator Faisal Saleem Rehman	Member
5. Senator Shahadat Awan	Member/Mover
6. Senator Kamil Ali Agha	Member
7. Senator Danesh Kumar	Member

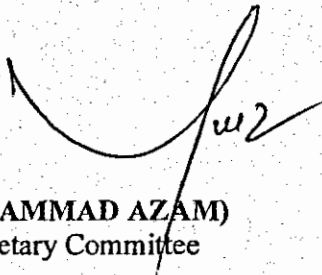
5. The Mover briefed the Committee about the objects and reasons of the Bill. He was of the view that the existing section 377A of PPC merely addresses the offence of sexual abuse against a person who is below the age of 18 years. He was of the view that in view of the tendency of such crimes in the country, such provision is also required for the persons above the age of 18 as well and to achieve this objective he has introduced the instant Bill in the Senate with its extent to the whole of Pakistan.

6. The Ministry of Interior submitted its brief through their File No.5/5/2022-Law according to which the Ministry of Interior had issued two reminders dated 20<sup>th</sup> November and 7<sup>th</sup> December, 2023 to all the provincial government to seek their comments but the comments are still awaited. The Special Secretary of Ministry of Interior was of the view that the Ministry has no objection on the Bill as a principle but it would be more appropriate if the comments of


the provincial governments may also come on record. But he reiterated that as far as the Ministry of Interior is concerned, they have no objection on the amendment proposed by the Mover.

7. The Committee was of the view that if the provincial governments have not responded within time despite issuance of two reminders by the Ministry of Interior, then as per standing instructions of this Committee, their consents are deemed to have received on the Bill so the Committee should proceed further with the Bill.

8. Since the Bill was not opposed by the Government, therefore, the Committee members also endorsed the Bill unanimously as introduced in the Senate. The Bill as introduced in the Senate is at Annexure-A. The Committee also gave approval of presentation of report of the Committee to the House. Hence, this report is presented to the House.



(MUHAMMAD AZAM)  
Secretary Committee



(SENATOR MOHSIN AZIZ)  
Chairman Committee

INTRODUCED ON 23.05.2022.

[AS 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, 2022.

(2) It shall come into force at once.

2. **Amendment of section 377A, Act XLV of 1860.** - In the Pakistan Penal Code, 1860 (XLV of 1860), in section 377A the words "where age of person is less than eighteen years" shall be omitted.

#### STATEMENT OF OBJECTS AND REASONS

The existing provision of the Pakistan Penal Code only caters for the offenses against the persons below the age of eighteen years. However, such protection is equally required for the persons of all ages especially the women.

The proposed amendment aims to achieve this objective.

**SENATOR SHAHADAT AWAN  
MEMBER-IN-CHARGE**