

[TO BE INTRODUCED IN THE SENATE]

**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 Laws (Amendment) Act, 2026.

(2) It shall come into force at once.

2. Insertion of Section 328(B), Act XLV of 1860.- In the Pakistan Penal Code, 1860, after section 328(A), the following new section shall be inserted, namely:-

“328B. Abuse of domestic worker.-(1) Whoever, being an employer, a member of the employer’s household, or any person acting for the employer, abuses a domestic worker by taking advantage of their dependence for work, shelter, or livelihood, commits an offence under this section.

(2) “Abuse” means any of the following acts:

- 1) hitting, beating, or physical violence
- 2) sexual harassment or sexual abuse
- 3) threats, pressure, or intimidation
- 4) forcing the worker to work against their will
- 5) not paying wages or taking away earned wages
- 6) taking identity documents or stopping the worker from leaving
- 7) denying food, shelter, rest, or medical care
- 8) treating the worker in a humiliating or degrading way

(3) This section applies where the abuse happens in a domestic setting and is made possible because the worker depends on the employer for income or basic living conditions.

(4) Whoever commits this offence shall be punished with imprisonment which may extend to ten years and fine up to 100,000 rupees, and where the abuse results in serious injury or death, the offender shall be punished with imprisonment for life, fine up to 500,000 rupees or both.

(5) The employer will also be responsible for abuse done by household members or staff, unless they can show they took reasonable steps to stop it.

(6) It is not a defence to say the worker agreed if that agreement was made because of pressure, fear, or lack of real choice.

(7) A person can still be charged under other laws for the same incident, but they cannot be punished twice for the same act or the same incident.”

3. Amendment of schedule II, Act V of 1898. – In the Code of Criminal Procedure, 1898 (V of 1898), in schedule II, after the entries related to section 328A the following shall be inserted, namely:

CHAPTER XVI. OFFENCES AFFECTING THE HUMAN BODY							
Of offences affecting Life							
328B	Abuse of domestic worker	May arrest without warrant	Warrant	Non-Bailable	Non-Compoundable	imprisonment up to ten years and a fine up to 100,000 rupees. For serious injury or death, the punishment may extend to life imprisonment fine upto 500,000 rupees or both.	Court of Session

STATEMENT OF OBJECTS AND REASONS

Domestic workers in Pakistan are among the most vulnerable groups and are often exposed to abuse, exploitation, and degrading treatment within private households. Existing provisions of the Pakistan Penal Code, 1860 relating to hurt, intimidation, and wrongful confinement do not adequately address the specific nature of abuse that arises from the worker's dependency on the employer in a domestic setting.

This Bill seeks to fill this gap by inserting Section 328B in the Pakistan Penal Code, 1860 to specifically criminalise abuse of domestic workers arising from such dependency and control.

The Bill also amends the Code of Criminal Procedure, 1898 by inserting this offence in Schedule II to properly define its procedural status regarding arrest, bail, and trial by Court of Session.

The Bill is in line with Articles 9, 11, and 14 of the Constitution of the Islamic Republic of Pakistan, 1973, and aims to ensure protection of dignity, life, and liberty of domestic workers.

2. The Bill is designed to achieve the aforesaid objective.

Sd/-
Senator Sarmad Ali
Member-in-Charge