

[AS] INTRODUCED IN THE NATIONAL ASSEMBLY]

A

BILL

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

WHEREAS it is expedient further to amend the Pakistan Penal Code (Act XLV of 1860), and the Code of Criminal Procedure, 1898 (Act 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 Law (Amendment) Bill, 2017.

(2) It shall come into force at once.

2. **Insertion of new section 364-B (Act XLV of 1860).**- In the Pakistan Penal Code, 1860, after section 364-A, the following new section shall be added, namely;

“364-B. Kidnapping or abducting or maiming a person under the age of fourteen years for purposes of begging.- (1) Whoever kidnaps or abducts any person under the age of fourteen years in order that such person may be employed or used for the purposes of begging shall be punishable with rigorous imprisonment for not be less than five years, which may extend to ten years and shall also be liable to fine.

(2) Whoever maimed the person under the age of fourteen years in order that such person may be employed or used for the purposes of begging shall be punishable with imprisonment for life and shall also be liable to fine.

(3) In this section,-

“begging” means-

- (i) soliciting or receiving, alms in a public;
- (ii) entering on any private premises for the purposes of soliciting or receiving alms;
- (iii) exposing or exhibiting, with the object of obtaining or extorting alms, any sore, wound, injury, deformity or disease, whether of himself or of any other person or an animal; or
- (iv) using a person under the age of fourteen years as an exhibit for the purpose of soliciting or receiving alms.”.

3. **Amendment of Schedule II (Act V of 1898).**- In the Code of Criminal Procedure, 1898, in Schedule II, after the entries relating to section 364-A, the following shall be added, namely:-

1	2	3	4	5	6	7	8
"346-B	Kidnapping or abduction of a person under age of fourteen years for purpose of begging	May arrest without warrant	Warrant..	Not bailable	Not Compoundable	Rigorous Imprisonment for a term which extend to 10 years but not less than five years and fine.	Court of Session
	Maiming a person under the age of fourteen years for purpose of begging	Ditto	Ditto	Ditto	Ditto	Imprisonment for life and fine.	Ditto"

STATEMENT OF OBJECTS AND REASONS

Children are the future of this country and thus the State has a huge responsibility to ensure that rights of the children are safeguarded. It is a sad fact that child begging is rampant in the country. Many children are used for begging by organized crime rackets. These criminal gangs abduct children and use them for begging. These gangs also maim or mutilate children for using them in this menace of beggary. The widespread beggary cannot stop unless these criminal elements are dealt with in a strict manner. This Bill strives to amend the criminal law in order to fix strict penalties for the people who kidnap or abduct children for using them in child beggary.

The Bill seeks to achieve the aforesaid objectives.

Sd/-
(MS. ZAHRA WADOOD FATEMI)
 Member, National Assembly