

BALUCHISTAN SOUND SYSTEMS (REGULATION)  
ACT, 2016

(Baluchistan Act No. II of 2016)

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'THE BALOCHISTAN SOUND SYSTEMS (REGULATION)  
ACT, 2016

(Balochistan Act No. II of 2016)

[224 February, 2016]

An Act to regulate and control the use of sound systems in  
Balochistan.

Preamble. WHEREAS, it is expedient for purposes of preventing public nuisance and the voicing of utterances of a controversial nature likely to cause public disorder; to regulate, control and prohibit the use of certain sound systems in the interest of environment, public order, decency and the prevention of incitement to terrorism or the commission of any offence in Balochistan, and to deal with the matters connected therewith or incidental thereto;

It is hereby enacted as follows:—

Short title and 1. (1) This Act may be called as the Balochistan Sound

(2) It shall extend to the whole of Balochistan  
except Tribal Areas.

(3) It shall come into force at once.

Definitions. 2. In this Act, unless there is anything repugnant in the subject or context—

(a) "Act" means the Balochistan Sound Systems  
(Regulation) Act, 2016;

(b) "Code" means the Code of Criminal Procedure, 1898  
(Act No. V of 1898);

(c) "Government" means the Government of  
Balochistan;

(d) "place of worship" means a mosque, /mambargah,  
church, temple or any other place of worship of any

; ; sect or religion;

"prescribed" means prescribed by the rules made under the Act

(e) "prescribed" means prescribed by rules made under  
this Act;

(f) "public place" means a public street, a public  
thoroughfare, a public park or playground or any

1 This Act was passed by the Provincial Assembly of Balochistan on 15" February, 2016, assented to by the Governor of Balo

17" February, 2016; and published in the Balochistan Gazette (Extraordinary) No. 26, dated 22" February, 2016.

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Prohibition on use  
of sound system.

Regulation of sound  
system.-

other place to which the members of the public or  
section of public have access with or without  
invitation;

(g) "sound system" means a\_ loudspeaker, sound  
amplifier or such other equipment as may be  
prescribed; and

(h) "vicinity" means an area or place within ten yards of  
the place where the sound system is placed.

(i) "Rules" means the rules prescribed under this Act.

3. (1) Subject to this Act, it shall be unlawful for any  
person to use, or assist in using, permit or allow use of a sound  
system which generates any loud, unnecessary or unusual noise or  
any noise which annoys, disturbs, injures, or endangers the  
comfort, repose, health, peace, or safety of persons in or beyond  
the vicinity.

(2) Notwithstanding anything contained in this  
Act or any other law, a person shall not use a sound system which  
contravenes the prescribed specifications.

(3) The Government shall, by notification,  
determine the specification of a sound system.

4. (1) Subject to sub-section (2), a person shall not operate  
or use or cause to be operated or used a sound system:

(a) in a public place, in a manner so as to cause  
or to be likely to cause annoyance or injury  
to persons in the vicinity; or

(b) in any place in the vicinity of—

(i) a place of worship during prayer  
times;

(i1) a hospital providing facilities for  
indoor patients at any time of day or  
night;

(iii) | an educational institution, a court, a  
hospital not providing facilities for

indoor patients or any other public  
institution, office or undertaking  
during their usual working hours at  
a volume or in a manner whereby  
the working or the use of the

Inspections.

Punishment.

(2)

may use:

establishment is likely to be disturbed by the use of the sound system; and

(iv) a house or any other place used for human dwelling at any time as may be prescribed; or

(c) in a place of worship in a manner or at a volume whereby any sound from the sound system could be heard beyond ten yards outside the boundaries of the place of worship; or

(d) in any public or private place, for the voicing of any sectarian or other utterances of a controversial nature likely to lead to public disorder, if such utterances are, or may be heard outside or beyond the immediate limits or precincts of such place.

Subject to sub-section (2) of section 3, a person

(a) one external sound system at a place of worship for the purpose of Azan, Arabic Khutba delivered on a Friday or on Eid, announcement of death of a person, lost or found a thing or a person; or

(b) external sound system at a public place and during reasonable hours with the prior permission of the Government or an officer authorized by the Government and the use of such sound system is in accord with the conditions mentioned in — such permission.

5. The police officer incharge of the local area police station/incharge levies thana shall, at such regular intervals as

may be prescribed, inspect or cause to be inspected sound

systems of every place of worship to ensure compliance with the

provisions of this Act and shall maintain record of all such inspections in the prescribed manner.

6. Whoever contravenes any provision of section 3 or 4 shall be liable to punishment with imprisonment for a term

which may extend to six months and fine which shall not be

less than twenty five thousand rupees but shall not exceed one

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Power of seizure.

Cognizance and  
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Repeal and Savings.

hundred thousand rupees.

7. (1) A police officer not below the rank of Assistant Sub-Inspector/Risaldar Levies may seize any sound system used or reasonably suspected to have been used in the commission of an offence under this Act.

(2) Any sound system seized under this section shall, as soon as may be, be produced before the Court having jurisdiction to try an offence under this Act.

8. (1) An offence under this Act shall be cognizable and not bailable.

(2) A Magistrate of the first class shall conduct the trial of an offence under this Act in accordance with the provisions of Chapter XXII of the Code relating to the summary trials.

9. (1) Subject to sub-section (2), the Government or an officer of the Government specifically authorized in this behalf may, at any stage, compound an offence under this Act subject to the deposit of administrative penalty which shall not be less than twenty five thousand rupees.

(2) The offence under this Act shall not be compoundable if the accused had been previously convicted under the Act or his previous offence had been compounded by the Government or the officer authorized by the Government.

10. A court trying an offence under this Act may order the confiscation of any loudspeaker or sound amplifier or apparatus used in the commission of an offence under this Act.

11. The Government may, by notification in the official Gazette, make rules for carrying out the purposes of this Act.



12. (1) The Balochistan Regulation of Loudspeakers and Sound Amplifiers Ordinance, 1965? (Balochistan Ordinance No. II of 1965), is hereby repealed.

(2) Notwithstanding the repeal of the Balochistan Regulation of Loudspeakers and Sound Amplifiers Ordinance, 1965 (Balochistan Ordinance No. II of 1965), hereinafter referred as the repeal Ordinance), the rules made or

This Ordinance was promulgated by the Governor of West Pakistan on 2<sup>TM</sup> March, 1965; approved by the Provincial Assembly Pakistan under clause (3) of Article 79 of the Constitution of Islamic Republic of Pakistan, 1962; published in the West Pakistan Gazette (Extraordinary), dated 14" June, 1965, at pages 2799-2801; adopted by Balochistan Laws (Adaptation) Order, 1975; a

repealed, s. 12.

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saved, orders, permits and notification issued, anything done, action taken, obligation, liability, penalty of punishment incurred, inquiry or proceeding commenced, person authorized, jurisdiction of powers conferred under any of the provision of this Act, if not inconsistent with the provision of this Act , shall continue to be in force and deem to have been done, taken, incurred, commenced, authorized, conferred, made, imposed or assessed, released or issued under this Act, until they are repealed, rescinded, withdrawn, cancelled, replaced or modified in accordance with the provisions of this Act.