

**BALOCHISTAN SOUND SYSTEMS (REGULATION)
ACT, 2016**

(Balochistan 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 15th February, 2016, assented to by the Governor of Balochistan on 224 February, 2016 and received the Royal Assent on 224 February, 2016.

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

Power of seizure.

Cognizance and
summary trial.

Compounding of
offence.

Confiscation.

Power to make
rules.

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 2TM March, 1965; approved by the Provincial Assembly of Pakistan under clause (3) of Article 79 of the Constitution of Islamic Republic of Pakistan, 1962; published in the West Pakistan Gazette (Extraordinary), dated 14th June, 1965, at pages 2799-2801; adopted by Balochistan Laws (Adaptation) Order, 1975; a

repealed, s. 12.

saved, orders, permits and notification issued, anything done, action taken, obligation, liability, penalty or 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.