

THE BALOCHISTAN PROHIBITION OF KITE FLYING

ACTIVITIES ACT, 2006

(Baln Act I of 2006)

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'THE BALOCHISTAN PROHIBITION OF KITE FLYING ACTIVITIES

Preamble.

Short title,  
extent and

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Definitions.

ACT, 2006

(Baln Act I of 2006)

[20% June, 2006]

An Act to prohibit the Kite Flying in the Province of  
Balochistan.

WHEREAS, it is expedient to prohibit the Kite Flying in  
the Province of Balochistan for safety of human life, public and  
private properties in the manner hereinafter appearing;

It is hereby enacted as follows:

1. (1) This Act may be called the Balochistan  
Prohibition of Kite Flying Activities Act, 2006.

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

(3) It shall come into force at once.

2. In this Act, unless the subject or context otherwise  
requires the following expressions shall have the meanings  
hereby respectively assigned to them that is to say:—

(a) "district" shall have the same meaning as are  
assigned to it section 2 (x) of the Balochistan  
Local Government Act, 2001(X VIII of 2001);

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

(c) "Kite flying" means the flying of a kite at any  
place with metallic wire nylon cord (tandi) or  
any other thread coated with sharp maanjha  
or any other material which endanger or is  
likely to endanger human life or property;

(d) "Place" means a street, road, thoroughfare,  
park, garden, play ground, graveyard, hotel,

restaurant, motel, mess, club, house, building,  
tent, vessel, any roof and open space;

(e) "sharp maanjha" means a\_ mixture of  
chemicals and grinded glass or any other

1 This Act was passed by the Balochistan Assembly on 9" June, 2006: assented to by the Governor of Balochistan on 17" Jun  
Balochistan Gazette (Extraordinary) No. 104, dated 20" June, 2006.

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Cognizable and non-bailable offence.

Offence and Punishment.

Registration.

Power of entry, search, seizure and

injurious and dangerous material coated on thread for the purpose of kite flying.

3. Notwithstanding anything contained in any other law for the time being in force, an offence under this Act shall be cognizable and would be tried summarily under Chapter XXII of the Code of Criminal Procedure, 1898 (Act V of 1898).

4. (1) No person shall:—

(a) | commit or abet an act of kite flying;

(b) manufacture sale or offer for sale a kite; and

(c) manufacture, store, sell or offer for sale metallic wire, nylon cord (tandi), any other thread coated with sharp mannjha or any other injurious material for the purpose of kite flying.

(2) The Nazim of the concerned district may through a notification issued with the prior approval of the Government, allow kite flying at specified places and sale of kites for a period not exceeding fifteen days during the spring season in a year:

Provided that the kite manufacturing may be allowed for such period as the Government may specify by a general or special order.

Explanation: Nothing in this sub-section shall be construed to allow flying of a kite with metallic wire, nylon cord (tandi) or a thread coated with sharp mannjha manufacturing or sale of any such injurious material for the purpose of kite flying.

(3) Subject to sub-section (2), a person, who contravenes the provision of sub-section (1), shall be liable to imprisonment for a term not exceeding three months or to fine not exceeding forty thousand rupees or to both.

5. (1) Every manufacturer, traders or seller of kites or kite flying materials shall get himself registered with the concerned City District Government or the District Government in the manner as may be prescribed by the Government through a notification.

(2) Any person, who contravenes the provision of sub-section (1), shall be liable to imprisonment for a term not exceeding three years or to fine not exceeding one hundred thousand rupees or with both.

6. A Police Officer, not below the rank of Sub-Inspector upon information or from his personal knowledge and after

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arrest without  
warrant.

Mode of making  
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such inquiry as he thinks necessary, may—

(a) arrest without warrant any person committing or suspected to have committed an offence under section 5;

(b) enter and search such place at any time with such assistance as he may require and using such force as may be necessary; and

(c) seize and take possession of any article reasonably suspected to have been used or intended to be used for the purpose of committing an offence under this Act.

7. The provisions of the Code of Criminal Procedure, 1898, except those of section 103, shall mutatis mutandis apply to all searches and arrests in so far as they are not inconsistent with the provisions of section 6.

8. An appeal against the order of a Magistrate shall lie to the Court of Sessions whose decision thereon shall be final.

9. The Balochistan Prohibition of Kite Flying Activities Ordinance, 2006 (III of 2006), is hereby repealed.

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