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GOVERNMENT OF BALUCHISTAN
LAW DEPARTMENT. W

NOTIFICATION.

Dated Quetta, the 19th July, 1976,

No. Legis: 1-14/Law /71. The following Ordinance made by the Governor of Baluchistan on the 10th of July, 1976, is hereby published for general information:—

BALUCHISTAN ORDINANCE NO. V OF 1976.

THE CRIMINAL LAW (SPECIAL PROVISION) (BALUCHISTAN AMENDMENT)
ORDINANCE, 1976.

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ORDINANCE

to further amend the Criminal Law (Special Provisions) Ordinance 1968 in

its application to
Baluchistan.

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GP(Q) 14-450-7-76

Preamble.

WHEREAS it is expedient to further amend the Criminal Law (Special Provisions) Ordinance 1968 (West Pakistan Ordinance II of 1968) in the manner hereafter appearing; AND

Whereas the Provincial Assembly is not in session and the Governor of Baluchistan is satisfied that circumstances exist which render immediate legislation necessary;

Now, THEREFORE, in exercise of the powers conferred by the Constitution of the Islamic Republic of Pakistan, the Governor of Baluchistan promulgate the following Ordinance:—

Enacted upon him by Clause (1) of Article 128 of the Constitution of the Islamic Republic of Pakistan, the Governor is pleased to make and hereby promulgates the following Ordinance:

1. Short title and commencement. A \ w

(1) This Ordinance may be called the Criminal Laws (Special Provisions) (Baluchistan Amendment) Ordinance, 1976. It shall come into force at once.

(2) It shall come into force at once.

2A Amendment OPS of 1968 of West Pakistan Ordinance of 1968.

In the Criminal Law (Special Provisions), Ordinance 1968 | (Ordinance 1 of 1968) hereinafter referred to as the Principal Ordinance in section-4 the word "exclusive" shall be deleted and the words "or if so empowered under section 22-A, a Tehsildar or a Naib Tehsildar", shall be added after the words "Assistant Commissioner." — — ;

3. Amendment of Section 5 of the West Pakistan Ordinance of 1968.

In the Criminal Law (Special Provisions) Ordinance 1968, in Section 5 the words "or if so empowered under section 22-A, a Tehsildar or Naib Tehsildar" shall be added after the words "Assistant Commissioner."

Amendment of Section 6 of Ordinance 1968:

In Section 6 of the Principal Ordinance the words "or if so empowered under section 22-A, a Tehsildar or a Naib Tehsildar", shall be added after the words "Assistant Commissioner" in

the last line. , Or

5; Insertion of new section 22-A. .

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in Section 22 in the Principal Ordinance; the following new section 22-A shall be added,

namely

"22-A (1) (a) The Deputy Commissioner may by a general or special order empower a Tehsildar or a Naib Tehsildar to take cognizance of such scheduled offences under clause (a) or (b) of Section 4 which they are competent to try,

Section 4 of the

(b) The Provincial Government may by a special or general order empower any Tehsildar or Naib Tehsildar to take cognizance of such scheduled offences under clause (c) of Section

4, which they are competent to try.

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Explanation: Power to take cognizance' referred to.in this sub section shall include the power to constitute tribunal under section 6 and to grant bail.

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0) The Tehsildar or the Naib Tehsildar who has been empowered under sub_section (1) to take cognizance of offences, shall himself try the case as President of the Tribunal and may award, any { sentence which he is competent to award. ;

@) A Tehsildar or Naib Tehsildar taking cognizance of an offence under this section may himself act as President of the tribunal constituted by him under section 6.

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(4) The provisions of section 11 shall not apply to the order or sentence made or passed by a
- or Naib Tehsildar under this section.”

6. Insertion of sub section (5) in section 23.

In section 23 of the Principal Ordinance, after sub section (4) following new sub section(S)
shall be added, namely :-

“ (5) if the decision, sentence or order referred to in sub section (1) has been passed or made
by a Tehsildar or Naib Tehsildar in exercise of powers under section 22-A ,the appeal

shall lie to the Assistant Commissioners.”

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Governor Baluchistan.

Faxuruppin H. Shaikh,
Secretary,
Government of Baluchistan
Law Department.

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