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és : PART I

Acts, Ordinances, President's Orders and Regulations

GOVERNMENT OF GILGIT-BALTISTAN

GILGIT-BALTISTAN SECRETARIAT

(Law and Prosecution Department)

Gilgit, the 17th June, 2017

THE GILGIT-BALTISTAN SOUND SYSTEMS (REGULATION) ACT, 2017

(Act No. I of 2017)

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ACT

to regulate and control use of sound systems in Gilgit-Baltistan.

ALA-1(1)/GBLA/2017.—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 Province in the interest of environment, public order, decency .

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Price : Rs. 20.50

[1196 (2017)/Ex. Gaz.] we

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ne commission of any offence, and ,

and the prevention of incitement to terrorism or tl
to deal with ancillary matters,
Now THEREFORE, the following is enacted:
ment.—(1) This Act may be

1. Short title, extent and commence
) Act No. lof 2017.

called the Gilgit-Baltistan Sound Systems (Regulation

(2) "Itshall extend to the whole of the Gilgit-Baltistan. 4

(3) It shall not apply on religious events/gatherings: |
(4) It shall come into force-at once.

2. Definitions.—In this Act:

(a) . "Code" means the Code of Criminal Procedure, 1898 (V of J 898);

(b) "Government" means Government of Gilgit-Baltistan;

(c) "place of worship" means a mosque, Imambargah. Jamat Khana,

Khankah, church, temple or any other place of worship of any sect or
religion; i

(d) "Prescribed" means prescribed by the rules made under the Act;

(e) "public place" means a public st

park or playground or any other
public or section of public have access with or without invitation;

reet, a public thoroughfare, a public
place to which the members of the

"Sound system" means a loudspeaker, sound amplifier or such other
equipment as may be prescribed; and —

(f)

"Vicinity" means an area or place within twenty yards of the place

where the sound system is placed.

| (g)

'3. prohibition on the use of sound system.—(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, as

person shall not use a sound system which contravenes the prescribed specifications.

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

4. Regulation of sound system.—(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;

| (ii) 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 establishment is likely to be disturbed by the use of the sound system; :

(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 20 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.

(2) . Subject to sub-section (2) of section 3, a person may use:

(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.

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cer incharge of the local area police
be prescribed, inspect or cause to be
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5. Inspections.—The police offi
Station shall, at such regular intervals as may
inspected sound systems of every place of wors' 4
provisions of this Act and shall maintain record of all such it
manner.

6. Punishment.—If a person contravenes any POY eae
4, he shall be liable to punishment of imprisonment which may ex caethid attall nk
and fine which shall not be less than twenty five thousand rup
exceed one hundred thousand rupees.

7. Power of seizure.—(1) A police officer not below the aes
Assistant Sub-Inspector may seize any sound system used or reasonably suspe
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." Cognizance and summary trial.—(1) An offence under this Act
shall be cognizable and non-bailable. ;

°(2) A Magistrate of the first class (Executive Magistrate) 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. Compounding of offence.—(1) Subject to sub-section (2), the
Government or an orticer 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 shail not be less than twenty five thousand rupees.

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

10. Confiscation.—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.

ee I]. Power to make rules.—The Government may, by notification in the
official Gazette, make rules for carrying out the purposes of this Act.

12. Repeal and savings —(1) The Regulation of Loudspeakers and Sound
Amplifiers Ordinance, 1965 (17 of 1965) is hereby repealed.

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(2) Notwithstanding the repeal of the Regulation of Loudspeakers and Sound Amplifiers Ordinance, 1965 (17 of 1965), anything done or action taken under | the repealed Ordinance, shall have the effect as if the thing is done or action taken under this Act. 7)