

THE WEST PAKISTAN REGULATION AND CONTROL
OF LOUD SPEAKERS AND SOUND AMPLIFIERS
ORDINANCE, 1965.

(WEST PAKISTAN ORDINANCE NO. II OF 1965.)

[2nd March, 1965.]

CONTENTS

PREAMBLE

SECTIONS

1. Short title, extent and commencement.
2. Restriction on the use of loudspeakers, etc.
3. Punishment.
4. Power of seizure.
5. Offences to be cognizable.
6. Court.
7. Confiscation.
- 8.

Repeal.

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AN
ORDINANCE

to regulate and control the use of loudspeakers and sound amplifiers
in the Province of West Pakistan.

WHEREAS it is expedient, for the purposes of preventing public
nuisance and the voicing of utterances of a controversial nature likely to cause
public disorder, to regulate, control and prohibit in the interest of public order,
decency and for the prevention of incitement to the commission of any offence
the use of loudspeakers and sound amplifiers in the Province of West Pakistan;

AND WHEREAS the Provincial Assembly of West Pakistan is not in
session and the Governor, of West Pakistan is satisfied that circumstances exist
which render immediate legislation necessary;

NOW, THEREFORE, in exercise of the powers conferred on him by
clause (1) of Article 79 of the Constitution the Governor of West Pakistan is

pleased to make and promulgate the following Ordinance:—

1. (1) This Ordinance may be called the West Pakistan Regulation and
Control of Loudspeakers and Sound Amplifiers Ordinance, 1965.

(2) It shall extend to the whole of the [Province of Khyber
Pakhtunkhwa] except the Tribal Areas.

(3) It shall come into force at once.

2. (1) No person shall operate or use or cause to be operated or used a
loudspeaker or a sound amplifier:—

¹ Substituted vide Khyber Pakhtunkhwa Act No. IV of 2011.

Preamble.

Short title, extent
and commencem-
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Restriction on
the use of load
speaker etc.

(a) in a public place, in a manner so as to cause or to be likely to cause annoyance or injury to persons residing in any residential locality; or

(b) in any place in the proximity of—

(i) a place of worship during prayer times.

(ii) a hospital providing facilities for indoor patients at any time of the 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 such place of worship, hospital, educational institution, court, or other public institution, office or undertaking is likely to be disturbed by the use or operation of such loud speaker or sound amplifier; or

(c) in a mosque, church, temple or other place of worship in a manner or at a volume whereby any sound from such loud speaker or sound amplifier could be heard outside the immediate precincts of such mosque church, temple or other 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 can be heard outside or beyond the immediate limits or precincts of such place.

(2) Nothing in the section shall be applicable to the use of loudspeaker or sound amplifiers for the purposes of Azan, prayers, or of Khutba delivered on Friday or at the time of Eid prayers in a moderate tone.

Explanation.— For the purposes of this section, a public place" means a public street, a public thoroughfare, a public park or playground, or any other place to which the members of the public have access with or without invitation.

3. Whoever contravenes the provisions of section 2, shall in addition to any other penalty to which he may be liable under any other law for the time being in force be punished with simple imprisonment for a term which may extend to one month, or with fine, which may extend to two hundred rupees or with both.

Punishment.

4. (1) Any police officer not below the rank of Sub-Inspector may seize and take possession of any loudspeaker or sound amplifier used or reasonably suspected to have been used in the commission of an offence under this Ordinance.

(2) Any loudspeaker or sound amplifier seized or taken possession of under the provisions of this section shall, as soon as may be, be produced before the Court having jurisdiction to try offences under this Ordinance.

5. Notwithstanding anything to the contrary contained in the Code of Criminal Procedure, 1898, or in any other law for the time being in force, an offence under this Ordinance shall be cognizable within the meaning of the said Code.

6. No Court inferior to that of a Magistrate of the First Class shall try offence punishable under the Ordinance.

7. A Court trying an offence under this Ordinance may order the confiscation of any loud speaker or sound amplifier or apparatus used in the commission of an offence under this Ordinance.

8. The West Pakistan Regulation of Loudspeakers and Sound Amplifiers Ordinance. 1964, is hereby repealed.

Power of seizure.

Offences to be cognizable.

Court.

Confiscation.

Repeal.