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PART |

Acts, Ordinances, President's Orders and Regulations

NATIONAL ASSEMBLY SECRETARIAT

Islamabad, the 1st April, 1975

The following Act of Parliament received the assent of the President on the 1st April, 1975, and is hereby published for general information :—

ACT No. XXXIIH oF 1975

An Act to make provisions to deal more effectively with the offences against life and property in the North-West Frontier Province

WHEREAS it is expedient to make provisions to deal more effectively with the offences against life and property in the North-West Frontier Province and for the matters connected therewith ;

AND WHEREAS the Proclamation of Emergency referred to in Article 280 of the Constitution is in force ;

It is hereby enacted as follows :—

1. Short title, extent and commencement.—(1) This Act may be called the North-West Frontier Province Suppression of Crimes Act, 1975.

(2) It extends to the whole of the North-West Frontier Province.

(3) It shall come into force at once.

2. Definitions—In this Act, unless there is anything repugnant in the subject or context,—

(a) "Government" means the Government of North-West Frontier Province : and

(b) "serious offence" means an offence punishable with death, imprisonment for life, or with imprisonment for a term which may extend to two years or more. :

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3. Fines on inhabitants accessory to crime.—(1) Where from the circumstances of any case, there appears to be good reason to believe that the inhabitants of any area or part thereof, or any of them, have—

(a) abetted or are concerned in the commission of any serious offence against person or property ; or

(b) failed to render, when called upon by the District Magistrate or any public servant, assistance in their power to discover the offender concerned in the commission of any serious offence against person or property ; or

(c) harboured any offender or person suspected of having taken part in the commission of a serious offence against person or property ; or

(d) suppressed material evidence of the commission of a serious offence against person or property ;

the District Magistrate may, with the previous sanction of Government, impose such fine, not exceeding one lac rupees, as he considers proper, on the male adult inhabitants of the area or part thereof, or any of them as a whole, as the case may be, after holding a summary enquiry and affording them an opportunity to show cause against the p. action,

(2) The District Magistrate, after such enquiry as he may deem necessary, shall apportion the fine imposed under sub-section (i) among the inhabitants of the area or part thereof who are liable collectively to pay it.

(3) The District Magistrate may, while making an order under this section, direct that the person liable to pay fine shall, in default of payment, undergo imprisonment for a term not exceeding six months.

(4) Fines imposed under this Act shall, in default of payment, be recoverable in the manner provided in section 386 of the Code of Criminal Procedure, 1898 (Act V of 1898).

4. Appeal.—(1) Any party aggrieved by an order made under section 3 may, within thirty days of such order, prefer an appeal to Government.

Explanation.—In computing the period of thirty days, the day on which the order to be appealed against was made and the time requisite for obtaining copy thereof shall be excluded.

(2) An order made by Government on appeal under sub-section (1) shall

— Provided that Government shall not make any order on an appeal without giving the aggrieved party an opportunity of being heard.

— 5. Appearance of legal practitioner—In proceedings under this Act the inhabitants of the area concerned shall be entitled to be represented by a legal

practitioner of their choice.

6. Jurisdiction of court barredj<-No@ proceedings under this Act and no order made or decision given in any such proceeding shall be called in question in any Court or before any other authority.

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7. Indemnity.—No suit, prosecution or other legal proceeding shall lie against any person or Government for anything which is in good faith done or intended to be done under or in pursuance of this Act or any rule or order made

thereunder.

8. Power to make rules—Government may, by notification in the official Gazette, make rules for carrying out the purpose of this Act.

9. Amendment of N.W.F.P. Ordinance No. IX of 1972.—In the North-West Frontier Province (Villages and Small Towns Patrol and Protection) Ordinance, 1972,—

(a) section 13 and section 14 shall be omitted ; and

(b) in section 15, the comma, figures and word “, 13 or 14” shall be omitted.

10. Repeal.—The North-West Frontier Province Suppression of Crimes Ordinance, 1975 (N.W.F.P. Ordinance No. I of 1975), is hereby repealed.

M. A. HAQ,  
Secretary.

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