

The Public Prostitutes Registration Rules, 1977

JAMMU & KASHMIR

India

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Rule THE-PUBLIC-PROSTITUTES-REGISTRATION-RULES-1977 of 1977

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The Public Prostitutes Registration Rules, 1977 Rules to provided for the control of Public Prostitutes[Sanctioned by the Darbar vide Chief Minister Letter No. 17197 dated 12th February, 1921 and published in Government Gazette dated 6th Baisakh, 1978.]

1. Title.

- These rules may be called "Public Prostitutes Registration Rules, 1977".

2. Extent.

- (i) These rules shall not come into force in any part of the Jammu and Kashmir State unless and until they have been declared applicable thereto by the [Minister-in-charge of Municipalities] [Wherever the words 'Home Minister' occur in the rules, the words 'the Minister-in-charge of Municipalities' substituted by Notification No 12-S dated 9th October, 1933 Published in Government Gazette dated 3rd Katik, 1990.] as hereinafter provided.(ii)The Minister-in-charge of Municipalities, may by a notification in the Jammu and Kashmir Government Gazette, apply these rules to any place within the Jammu and Kashmir State. The limits of such place shall for purpose to these rules, be such has may be defined in the said notification.(iii)The Minister-in-charge of Municipalities may, in the manner aforesaid, cancel or amend any notification issued under clause (ii) of this rule.

3. Definition.

- In these rules "Public Prostitute" means a woman who earns her livelihood by offering her person to lewdness for hire.

4. [Duty of public prostitute to have her name registered. - Every public prostitute starting or carrying on or continuing business as such public prostitute, within the limits of any place where these rules are in force shall, in the manner herein provided have her name entered in the register kept at such place and obtain a certificate of registration as prescribed by rules 5 and 7.] [Proviso to rule 4 omitted by Notification No 12-S dated 9th October, 1933 Published in Government Gazette dated 3rd Katik, 1990.]

5. Register.

- (i) A register of public prostitute shall be prepared in the form prescribed in schedule A of these rules and shall be kept in the office of the [Dy. Commissioner] [Substituted for 'Wazir-i-Wazarat' by Act III of 2008.] or other public servant especially empowered in this behalf by the Minister-in-charge of Municipalities with the previous sanction of [the Government] [Substituted by Act VII of 2001, for 'His Highness'.],

6. Application for registration.

- (i) Every woman who is bound to be registered as a public prostitute at a place where these rules are in force shall make an application in person for registration to the officer charged with preparation of the register provided by rule 5 at such place.(ii)The application shall be in writing, [shall be accompanied by a payment of Rs. 5 as registration fee] [In rule 6 (ii) words in brackets added by Notification 12-S dated 9th October, 1933 published in Government Gazette dated 3rd Katik, 1990.] and shall state the name, parentage, caste, age, residence and business of the applicant and shall be signed and verified by the applicant in the manner provided for signing and verifying the complaints by the Code of Civil Procedure.

7. Registration.

- (i) On receipt of application made to him under rule-6, the officer concerned shall, unless he considers it expedient on grounds of public policy to disallow it, cause necessary particulars to be entered in the register prepared in his office under rule 5, and a certificate of registration to be prepared under his signature in the form prescribed in Schedule B of these rules and issued to the applicant.(ii)The certificate issued under this rules shall be a presumptive proof of its holder being a person registered under these rules.

8. Cancellation.

- (i) Any registered public prostitute may, at any time, apply to have her name removed from the register on the ground that she intends to cease the business for which her name is registered and if the officer, in whose register she is entered, is satisfied that she has truly stated such intention, her name shall be removed from the register.(ii)The office charged with the preparation of the register

provided by rule 5 on being satisfied that carrying on the business by a registered public prostitute, in any place within his jurisdiction, is undesirable on grounds of public policy, may remove her name from his register, and on such removal of her name from the register she shall cease to carry on her business within the limits of such place. [The notice informing a public prostitute to cease business in the certain locality shall be served on her in the manner prescribed for the service of summons in the Code of Civil Procedure.] [Words in brackets in rule 8 (ii) added by Notification 12-S dated 9th October, 1933 published in Government Gazette dated 3rd Katik, 1990.](iii)The certificate of registration shall be returned by the person whose name has been so removed from the register to the officer concerned and cancelled by him.

9. Prohibition of transfer of certificate of registration.

- No public prostitute registered under these rules shall transfer or lend her certificate of registration to any other person on any account or for any purpose whatsoever.

10. Power of inspection.

- It shall be competent to the officer, in whose register a public prostitute has been registered, to inspect or to a Police Officer not lower in rank than that of an officer-in-charge of a Police Station to inspect her certificate of registration and every such public prostitute when required to do so shall exhibit her certificate of registration to such officer.

11. Change of residence.

- When any registered public prostitute wishes to change her residence in any place where she has been registered she shall signify her intention to the registering officer of such place who shall cause such change of residence to be noted in the register and in her certificate of registration.

12. Leaving place of registration.

- Whenever any registered public prostitute wishes to leave the place in which she has been registered for a time or permanently she shall signify her intention to the registering officer of such place. The officer shall cause a note of her intention to be made in the register and in her certificate of registration. If she intends to leave the place permanently she shall before departure deliver her certificate to the said officer.

13. Removal of name on account of permanent departure.

- On the permanent departure from the place of registration or on the death of any registered public prostitute, her name shall be removed from the register, and certificate of registration shall be cancelled.

14. Registration at one place will not entitle residence or business at another.

- The registration of a public prostitute, or issue of certificate of such registration in her favour at one place shall not, in any way authorise such public prostitute to carry on her business in any other place where these rules are in force and she has not been duly registered.

15. Brothel keeper not to allow unregistered public prostitute to resort for prostitution in brothel.

- If any brothel keeper has reason to believe any woman to be a public prostitute and not registered under these rules, he or she shall not induce her or suffer her to resort or be for the purpose of prostitution, to or in the house, room, tent, boat, or place in which he or she carries on his or her business. Explanation. - "Brothel keeper" means the occupier of any house, room, tent, boat, or place resorted to by person of both sexes for the purpose of committing sexual immorality and every person managing or assisting in the management of any such house, room, tent, boat or place.

16. Power of Minister-in-charge of Municipalities to prohibit brothel or residence of public prostitute within any specified locality.

- The Minister-in-charge of Municipalities may, with the sanction of [the Government] [Substituted by Act X of 2010 for 'His Highness'.] by notification published in the Jammu and Kashmir Government Gazette, prohibit the keeping of a brothel or the residence of a public prostitute in any specified part of the place to which these rules apply.

17. Power of Minister-in-charge of Municipalities to prohibit public prostitute from visiting any specified locality during certain hours and subject to conditions prescribed.

- The Minister-in-charge of Municipalities may, by notification published within the limits of the place to which these rules apply, prohibit public prostitutes from visiting any specified locality within such place, except during such hours and subject to such conditions as he may think fit to prescribe.

18. [[Rule 18 added by Notification No. 12-S dated 9th October, 1933 published in the Government Gazette dated 3rd Katik, 1990.]

Whoever acts in contravention of these rules or any notice or order issued thereunder shall, on conviction before a [Judicial Magistrate,] be liable to be sentenced to a fine not exceeding Rs.100 or simple imprisonment not exceeding a period of one month or with both.]

A (Rule 5)

Registration of public prostitutes etc. _____ at _____

No.	Date of registering	Name	Parentage	Caste	Age and personal appearance	Place of residence	Nature of business Remarks	Entries under rules 8, 11, 12 and 13
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B (Rule 7)

Certificate of registration _____ at _____ I (name of
officer) _____ hereby certify that (name of applicant) daughter of
_____ caste _____ age
_____ who _____
(personal appearance) has been registered (vide No. _____ dated
_____ of the Register of Public Prostitutes) as a public prostitute and her place of
residence shall be _____ dated (place) the _____ 19
