

The Jammu and Kashmir Instruments (Control of Noises) Act, 1959

JAMMU & KASHMIR

India

The Jammu and Kashmir Instruments (Control of Noises) Act, 1959

Act 7 of 1959

- Published on 14 April 1959
- Commenced on 14 April 1959
- [This is the version of this document from 14 April 1959.]
- [Note: The original publication document is not available and this content could not be verified.]

The Jammu and Kashmir Instruments (Control of Noises) Act, 1959 Act No. 7 of 1959 [Received the assent of the Sadar-i-Riyasat on 14th April, 1959 and published in Government Gazette dated 20th April, 1959.] An Act to control the use and play of instruments such as loud-speaker, microphones and amplifiers. Be it enacted by the State Legislature in the Tenth Year of the Republic of India as follows:-

1. Short title, extent and commencement.

(1) This Act may be called the Jammu and Kashmir Instruments (Control of Noises) Act, 1959. (2) It shall come into force [with effect from 4th day of September 1986.] [Enforcement date notified by Act XIII of 1988 Section 1.]

2. Definitions.

- In this Act, unless there is anything repugnant in the subject or context, -"instrument" means a loud-speaker, an amplifier and such other apparatus for the play of sounds as may be declared to be an instrument under this Act by the Government.

3. Restriction on the use of instruments.

- No person shall use or operate any instrument in or upon any premises at such pitch or volume as to be audible beyond the precincts thereof, except under the written permission of the District Magistrate or any officer authorised by him in this behalf and under such conditions as may be attached to it.

4. Limitation on the use of instruments.

- No person shall use or operate any instrument between ten o'clock in the night and six o'clock in the morning, except with the written permission of the District Magistrate or any officer authorised by him in this behalf and under such conditions as may be attached to it.

4A. [Fee for the use of loud-speaker. [Section 4-A inserted by Act XXXIV of 1962.]

- A fee of rupees ten [per-hour] shall be charged in the case of permission, if and when granted, for the use of a loud-speaker.]

5. Penalty.

- Whoever contravenes the provisions of this Act shall be liable to be punished with imprisonment of either description for a term which may extend to six months, or with fine which may extend to one thousand rupees, or with both.

6. [Exemption. [Sections 6 and 7 inserted by Act XXXIV of 1962.]

(1)Nothing in this Act shall apply to the use of any instrument by any department of the Government or the Government of India or to the loud-speakers fitted with the machines of cinemas.(2)The Government may, by a notification published in the Government Gazette, remit the fee leviable under section 4-A in any case or class of cases.

7. Repeal and Saving.

(1)The Jammu and Kashmir Instruments (Control of Noises) (Amendment) Ordinance, 1962 is hereby repealed.(2)Notwithstanding such repeal, anything done under the said Ordinance shall be deemed to have been done under this Act as if this Act were in force on the day such thing was done.]