



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

(WEST PAKISTAN ORDINANCE NO. II OF 1965)



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THE PAKISTAN CODE

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

(WEST PAKISTAN ORDINANCE NO. II OF 1965.)

[2nd March, 1965.]

## 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. Short title, extent and commencement.** (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 West Pakistan, except the Tribal Areas.

(3) It shall come into force at once.

**2. Restriction on the use of loudspeakers, etc.** (1) No person shall operate or use or cause to be operated or used a loudspeaker or a sound amplifier:—

(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.

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This Ordinance was approved by the West Pakistan Provincial Assembly under Article 79 (3) of the Constitution at its meeting held on 14<sup>th</sup> June 1965, see Gazette of West Pakistan 1965, Extraordinary P. 2799-2801.

(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 loudspeaker 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 loudspeaker 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 this section shall be applicable to the use of loudspeakers or sound amplifiers for the purposes of Azan, prayers, or of Khutba delivered on Fridays 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. Punishment.** 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 <sup>1</sup>[one year], or with fine, which may extend to <sup>1</sup>[up to fifty thousand] rupees, or with both.

**4. Power of seizure.** (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. Offences to be cognizable.** Notwithstanding anything to the contrary contained in the Code of Criminal Procedure, 1898 (v of 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. Court.** No Court inferior to that of a Magistrate of the First Class shall try any offence punishable under the Ordinance.

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<sup>1</sup>Subs by The West Pakistan Regulation and control Loudspeakers and Sound Amplifier (Amendment) Act, 2011 (Act No. iv of 2011), s.2 (only to the extent of ICT)

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

**8. Repeal.** The West Pakistan Regulation of Loudspeakers and Sound Amplifiers Ordinance, 1964 (W.P. Ord. XIII of 1964) is hereby repealed.

