

PROVINCIAL ASSEMBLY OF THE PUNJAB

BILL NO. 6 OF 2015

THE PUNJAB MAINTENANCE OF PUBLIC ORDER (AMENDMENT) BILL 2015

A BILL

further to amend the Punjab Maintenance of Public Order Ordinance, 1960.

Whereas it is expedient further to amend the Punjab Maintenance of Public Order Ordinance, 1960 (XXXI of 1960) to deal with certain activities which are likely to prompt and propagate terrorism or support terrorists or are prejudicial to combating terrorists and terrorism or are injurious to public safety and maintenance of public order, and for incidental matters;

It is enacted as follows:

1. Short title and commencement.— (1) This Act may be cited as the Punjab Maintenance of Public Order (Amendment) Act 2015.

(2) It shall come into force at once.

2. Amendment in section 1 of Ordinance XXXI of 1960.— In the Punjab Maintenance of Public Order Ordinance, 1960 (XXXI of 1960), hereinafter referred to as the said Act, in section 1, for subsection (2), the following shall be substituted:

“(2) It extends to whole of the Punjab.”

3. Insertion of section 6-A in Ordinance XXXI of 1960.— In the said Act, after section 6, the following section 6-A shall be inserted:

“6-A. Prohibition of certain speeches, etc.— (1) A person shall not, by words spoken or written, or through visible representation, directly or by implication:

- (a) support, propagate or promote any terrorist, act of terrorism, terrorist organization or proscribed organization;
- (b) evoke or attempt to evoke sympathy or compassion for any terrorist, act of terrorism, terrorist organization or proscribed organization;
- (c) project, commend or glorify any terrorist, act of terrorism, terrorist organization or proscribed organization;
- (d) challenge, thwart, undermine or oppose any action of any law enforcement agency against any terrorist, act of terrorism, terrorist organization or proscribed organization; and
- (e) jeopardize any ongoing security operation against any terrorist, act of terrorism, terrorist organization, or proscribed organization.

(2) If a person contravenes any provision of subsection (1), he shall be liable to punishment of imprisonment which may extend to three years and fine which shall not be less than fifty thousand rupees but shall not exceed two hundred thousand rupees.

(3) In this section:

- (a) ‘terrorist and terrorism’ shall have the same meaning as assigned to these expressions under the Anti-Terrorism Act, 1997 (XXVII of 1997); and

- (b) 'proscribed organization' means an organization proscribed under section 11B of the Anti-Terrorism Act, 1997 (XXVII of 1997) or any other law for the time being in force."

4. Insertion of section 8-A in Ordinance XXXI of 1960.— In the said Act, after section 8, the following section 8-A shall be inserted:

"8-A. Recording of certain speeches.— (1) The incharge of a local area police station may direct, in writing, the organizer of a public meeting to make audio or video record of all the speeches made in a public meeting and submit, within twenty four hours from the time of conclusion of the last speech, or before noon on the next day, whichever is earlier, an unedited copy of such recording to such officer who shall immediately acknowledge receipt of the recording.

(2) The officer receiving the recording under subsection (1) shall transmit the recording to such officer or authority as may be prescribed or nominated by the Government.

(3) If a person contravenes any provision of subsection (1), he shall be liable to punishment of imprisonment which may extend to six months and fine which shall not be less than twenty five thousand rupees but shall not exceed one hundred thousand rupees.

(4) In this section:

- (a) "organizer" means the person or persons who has or have organized the public meeting or invited people to attend the same and includes owner, manager or incharge of the place where public meeting is held; and
- (b) "public meeting" shall have the same meanings as assigned to the expression in section 8."

5. Insertion of section 18-A in Ordinance XXXI of 1960.— In the said Act, after section 18, the following section 18A shall be inserted:

"18-A. Uniforms of an agency.— (1) A person shall not manufacture, possess, buy or sell uniform of police or of any other organization notified by the Government except under a licence from the police or, as the case may be, such other notified organization.

(2) The manner, duration, terms and conditions, revocation of a licence and other related matters may be prescribed by rules and until so prescribed, may be determined by the police or, as the case may be, such other notified organization.

(3) If a person contravenes any provision of subsection (1) or violates any conditions of the licence, he shall be liable to punishment of imprisonment which may extend to six months and fine which shall not be less than twenty five thousand rupees but shall not exceed one hundred thousand rupees, and any such uniforms shall be seized and forfeited to the Government.

(4) Nothing in this section shall apply to a person who is in the service of police or of other notified organization and is authorized by the police or, as the case may be such other organization to manufacture, possess or sell the uniform of police or the organization."

6. Amendment in section 21 of Ordinance XXXI of 1960.— In the said Act, for section 21, the following shall be substituted:

"21. Summary trial.— (1) A Magistrate of the first class shall conduct the trial of an offence under this Act punishable to imprisonment which may

extend to one year or fine or both in accordance with the provisions of Chapter XXII of the Code relating to the summary trials.

(2) Notwithstanding anything contained in any other law, the Government may, by notification, direct that a Magistrate of the first class shall conduct the trial of any offence under this Act in accordance with the provisions of Chapter XXII of the Code relating to the summary trials.”

7. Insertion of section 21-A in Ordinance XXXI of 1960.— In the said Act, after section 21, the following section 21-A shall be inserted:

“21-A. Compounding of offence.— (1) Subject to subsection (2), the Government or an officer of the Government specifically authorized in this behalf may, at any stage and under specified conditions, compound an offence under section 8-A or section 18-A of this Act subject to the deposit of administrative penalty which shall not be less than twenty five thousand rupees.

(2) The offence under this Act shall not be compoundable if the accused had been previously convicted under the Act or his previous offence had been compounded by the Government or an officer authorized by the Government.”

8. Repeal.— The Punjab Maintenance of Public Order (Amendment) Ordinance, 2015 (VI of 2015) is hereby repealed.

MINISTER INCHARGE

Lahore:
12 February 2015

RAI MUMTAZ HUSSAIN BABAR
Secretary