



THE SIND GOVERNMENT GAZETTE

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KARACHI SUNDAY AUGUST 5, 1984

PART 1

GOVERNMENT OF SIND

INFORMATION DEPARTMENT

(FILMS & TOURISM)

NOTIFICATION

Karachi the 24th July 1984

NO. SECY / INF / DPA /84 – In exercise of the powers conferred by section 10 of the **DRAMATIC PERFORMANCE ACT, 1876, THE GOVERNMENT OF SIND** are pleased to declare that the provisions of the said section shall apply to the whole of the Province of Sind with effect from the date of publication of this Notification in official Gazette.

ABDUL AZIZ ASHRAFI
Secretary to Government of Sind
Information Department
Karachi.

L (IV) Ext. – I – 326

(869)

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THE DRAMATIC PERFORMANCE ACT, 1876
Act No. XIX of 1876

(16 December, 1876)

An act for the better control of public dramatic performances.

PREMBLE

Whereas it is expedient to empower the Government to prohibit public dramatic performances which are scandalous, defamatory, seditious or obscene; it is hereby enacted as follows:-

Short title:-

1. This act may be called **the Dramatic Performance Act, 1876.**

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1. Subs. By the Bombay Revenue Jurisdiction (Amendment) Act, 1929 (Bom. 21 of 1929), S.2, for the original S. 16.
 2. The original words "against Government" were first subs. By A.O., (1937 and then amended by A.O, 1949 Sch., and A.O., 1961, art.2 (with effect from 23rd march, 1956) to read as above.
 3. The original words "against Government undertakes" were first subs. By A.O., 1937 and then amended by A.O., 1949 Sch., and A.O., 1961, Art.2 (with effect from the 23rd March, 1956), to read as above.
 4. Subs. By A.O., 1937, for "for the Government".
 5. Subs. Ibid, for "on Government".
 6. The repeal of the first clause of S. 17 does not operate in any schedule District unless and until the Bombay Land Revenue see Act 15 of 1880, S. 2.
 7. For the statement of objects and reasons, see Gazette of India, 1876, pt. V P 347: for proceedings in council, see *ibid*: supplement, pp.328, 343 & 1314.

This act has been declared to be in force in the Baluchistan see the Baluchistan Laws regulation, 1913 (Reg.2 of 1913), S. 3, as amended by Regulation No.5 of 1939.

It extends to (The whole of Pakistan)

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2. In this Act "Magistrate" means, 3 *** the Magistrate of the district. ["Magistrate" defined]
 3. Whenever the 4 (Provincial Government) is of opinion that any play, pantomime or other drama performed or about to be performed in a public place is- [Power prohibit certain dramatic performance]
 - a. **Of a scandalous or defamatory nature, or**
 - b. **Likely to excite feelings of disaffection to the Government established by law in 5(Pakistan), or**
 - c. **Likely to deprave and corrupt persons present at the performances, the 4 (provincial Government), 6 *** of such magistrate as It may empower in this behalf, may by order prohibit the performances.**

Explanation. – Any building or enclosure to which the public are admitted to witness a performance in payment of money shall be deemed a "public place" within the meaning of this section.

4. **A copy of** such order may be served on any person about to take part in the performance so prohibited in which such performance is intended to take place; and any person on whom such copy is served, and who does, or willingly permits, any act in disobedience to such order, shall be punished on conviction before a magistrate with imprisonment for a term which may extend to three months, **or with both.** [Power to serve order of prohibition. Penalty for disobeying order].
5. Any such order may be notified by proclamation, and a written or printed notice thereof may be stuck. Up at any place or places adapted for giving information of the order to the persons intending to take part in or to **witness the performance so prohibited.** [Power to notify order]
6. Whoever after the notification of any such order-
 - a. Takes part in the performance prohibited thereby, or in any performance substantially the same as **the performance so prohibited** so prohibited, or
 - b. In any manner assists in conducting any such performance, or [Penalty for disobeying prohibition]

1. Subs. By the central Laws (statute reform) ordinance, 1960 (21 of 1960) S.3 and 2nd Sch. (with effect from the 14th October, 1955) for "all the provinces and the capital of the Federation" which had been subs. By __.0, 19-49, Art.3 (2) and 4, for "the whole of British India".
2. The words "And it shall come into force at once" rep. by the Repealing and Amending act, 1914 (10 of 1914).
3. The words "in the presidency-towns, a Magistrate of Police and elsewhere" omitted by A.O, 1914 Sch.
4. Subs. By A.O., 1937 for "L.G."
5. Subs. By the Federal Laws (Revision and Declaration) Act, 1951 (26 of 1951), for "British India (or British Burma)". The words in brackets had been ins. By A.O., 1937.
6. The words "or outside the presidency-towns the provisional Government" omitted by A.O., 1949 Sch.

- 6 (c). Is, in willful disobedience to such order, present as a spectator during the whole or any part of any such performance, or
- 6 (d) Being the owner of occupier, or having the use if any house, room or place, opens, keeps or uses the same for any such performance, or permits the same to be opened, kept or used for any such performance.

Shall be punishable on conviction before a Magistrate with imprisonment or a term which may extend to three months, or with fine, or with both.

7. For the purpose of ascertaining the character of any intended public dramatic performance, the (provincial Government), or such officer as it may specially empower in this behalf may be apply to the author, proprietor or printer of the drama about to be performed, or to the owner of occupier of the place in which it is intended to be performed, for such information as the 1(Provincial Government) or such officer thinks necessary.

[Power to call for information.]

Every person so applied to shall be bound to furnish the same XLV to the best of his ability, and whoever contravenes this section shall be deemed to have committed an offence under section 176 to 1860. The Pakistan Penal Code

8. If any Magistrate has reason to believe that any house, room or place is used, or is about to be used, for any performance prohibited under this act, he may, by his warrant, authorize any officer of Police to enter with such assistance as may be requisite, by night or day, and by force, if necessary, and such house, room or place and to take into custody all persons whom he finds therein, and, to seize all scenery, dresses and other articles found therein and reasonably suspected to have been used, or to be intended to be used, for the purpose of such performance. [Power to grant warrant to Police to enter & arrest & seize.]
9. No conviction under this Act shall bar a **prosecution under XLV of 1860 section 124-A, or section 294n of the Pakistan Penal Code.** [Saving of prosecution under penal code section 124-A and 294.]
10. Whenever it appears to the 1(Provincial Government) that the provisions of this section are required in my local area, it may ~~3***~~ declare, by notification in the (official Gazette), that such provisions are applied to such area from a day to be fixed in the notification. [Power prohibit dramatic performance in any local area except under license.]

i. Subs. By A.O., 1937 for "L.G".

ii. The provision or section 10 shall apply to the whole of the N.W.F.P., with effect from the 4th January, 1955, for certain conditions, see Gazette of N.W.F.P., 1955, Pt. I., P.7.

iii. The words "with the sanction of the G.G in C". rep. by the Decentralization Act, 194 (4 of 1914).

iv. Subs. By A.O., 1937 for "Local official Gazette".

On and after that day, the 1 (Provincial government) may order that no dramatic performance shall take place in any place of public entertainment within such area, except under a license to be granted by such 1(Provincial Government), or such officer as it may specially empower in this behalf.

The 1 (Provincial Government) may also order that no dramatic performance shall take place in any place of public entertainment within such area, unless a copy of the piece if and so far as it is written or some sufficient account of its purport, if and so far as it is and pantomime, has been furnished, not less than three days before the performance, to the 1(Provincial Government) or to such officer as it may appoint in this behalf.

A copy of any order under this section may be served on any keeper of a place of public entertainment; and if thereafter he does, or willingly pr units, any act in disobedience to such order, he shall be punishable on conviction before a Magistrate with imprisonment for a term which may extend to three months to with fine, or with both.

11. (Powers exercisable by Governor-General) Rep by A.O., 1937.

12. Nothing in this act applies to any jattras or performances of any kind at religious festivals.

[Exclusion of performance at religious festivals.]



NOTE FOR CHIEF SECRETARY SINDH

Subject:- VIOLATION OF DRAMATIC PERFORMANCE ACT 1876/1984

With a view to promote and patronize cultural and social activities in the province, the government encourages various organizations/event managers to hold functions in hotels/theaters/amp-theater/lawns etc within the purview of Dramatic Performance Act 1876, which was adopted by the Government of Sindh in 1984. The mandatory provision for holding events/dramas under the said Act is reproduced below :-

“under section 124-A & section 294 of Pakistan Panel Code (XLV of 1860) read as follows:-

12[Section 124-A. Sedition. Whoever by words, either spoken or written, or by signs, or by visible representation, or otherwise brings or attempts to bring into hatred or contempt, or excites or attempts to excite. Disaffection towards, 13[The 14[Federal] Government or Provincial Government established by law shall be punished with 15[imprisonment for life], to which fine may be added, or with imprisonment which may extend to three years, to which fine may be added, or with fine.

Section 294: 16[294. Obscene acts and songs. Whoever, to the annoyance of others,

- a) Does any obscene act in any public place, or
- b) Sings, recites or utters any obscene songs, ballad or words, in or near any public place,

Shall be punished with imprisonment of either description for a term which may extend to three months, or with fine, or with both.]

2. However, it has been noted with concern that various programs such as musical shows/fashion shows, dramas and variety programs are staged at leading places of the city without obtaining NOC from Information Department, which is a mandatory requirement under the Dramatic Performance Act 1876/1984.

The Secretary, Information Department and the Commissioner Karachi had held a meeting with management of Hotels Associations as well as representatives of Art Council of Pakistan, NAPA, Mohotta Palace on 3rd April 2014 wherein it was emphasized that abiding by the provision of Dramatic Performance Act is mandatory and obligatory for event managers as non-compliance of the Dramatic Performance Act would result in heavy fines and punishments or both. It was assured by the stakeholders that in future the provision of Dramatic Performance Act would be strictly abided in letter and spirit but unfortunately the department has observed that compliance of Dramatic Performance Act has not been satisfactory as many events/functions are being organized all over Sindh without obtaining NOC from the Information Department which is compulsory requirement. Recently the Government of Sindh with the approval of Chief Minister Sindh has imposed certain fee for holding such events with a view to enhance the collection of revenue for the government treasury.

4. In order to ensure compliance of Dramatic Performance Act 1876/1984, the Information Department feels compelled to hold another meeting of all stakeholders under your kind Chairmanship at your convenience so that provision of Dramatic Performance Act are emphasized again to all the stakeholders so that strict compliance of the Act can be ensured with a view to increase collection of revenue for the provincial Government.

5. Your kind indulgence in this regard would be a great favour to enhance and assure rule of law in this province. The list of Stakeholders is also enclosed herewith (F/A).

6. CHIEF SECRETARY SINDH

Zulfiqar e.

(DR. ZULFIQAR ALI SHALLWANI)
SECRETARY

INFORMATION & ARCHIVES DEPARTMENT

31.12.2014

Handwritten notes:
2/1/15
2/1/15
2/1/15

o/c

NO.SO(Res-I)2(121)/2014-15
Government Of Sindh
Finance Department
Karachi dated the 16th September 2014

URGENT



The Secretary to Government of Sindh,
Information & Archives Department,
Karachi.

SUBJECT: RESOURCE MOBILIZATION PROPOSALS FOR 2014-15.

I am directed to refer to your letter No.SOG(IFN)-B.E-2014-15/RMP/2014 dated 10th March, 2014, on the captioned subject and convey approval of the Hon'ble Chief Minister Sindh, regarding your following Non-Tax proposals, which are come into force with immediate effect, through notification by the Administrative Department :-

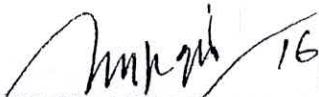
Details of Proposals	Existing Rate	Proposed Rate
(i) Service fee on websites being registered with Information Department (Registration fee).	None	Rs.5000/- (One time at the time of registration).
(ii) Service fee on Advertising agencies enlisted with information Department (Enlistment fee).	None	Rs. 25,000/- (One time at the time of registration).
(iii) Service fee for enlisting print/electronic media for advertisements.		Rs.10,000/- per annum
<u>DIRECTORATE OF PRESS</u>		
Director Information Press put forwarded following proposals:-		
(i) Service fee on declaration of any new newspaper/periodical as per the given categories.	None	

Contd..P/2

of Proposals	Existing Rate	Proposed Rate
a. Daily		Rs.10,000/-
b. Weekly		Rs.7,000/-
c. Fortnightly		Rs.5,000/-
d. Monthly		Rs.3,000/-
e. Quarterly		Rs.3,000/-
(ii) Service fee for declaration to printing press and publishers.	None	Rs.25,000/-
<u>DIRECTORATE OF PRESS INFORMATION</u> Director Information Press Information also submitted proposal to charge fee against issuance of Accreditation Cards to journalists.	None	Rs.500/- per annum for each card. (2000 per annum)
<u>DIRECTORATE OF FILMS</u> The Director Information Films proposed services on :		
(i) Issuance of NOC with regard to any upholding event in any hotel, club or government and semi-government space.	None	Rs. 5,000/-
(ii) Service fee for issuance of NOC to Cinema Halls and Covered places like Auditoriums, Marriage Halls etc.	None	Rs. 3,000/-
(iii) Service fee for issuance of NOC to Cinema Halls and uncovered places like Lawns, open ground etc.	None	Rs.2,000/-

2. It is, therefore, requested to kindly take further necessary action in the matter under intimation to this Department.

Encl. As above

 16/9/14
(ZULFIQAR AHMED AWAN)
SECTION OFFICER (RES-1)

Contd. P/3...

Off. ☎ 021-99213803
Fax #: 021-99212036

NO.S.LEGIS: 2(14)2015/ SCS
GOVERNMENT OF SINDH
LAW DEPARTMENT

www.sindhlaws.gov.pk
E-mail: law@lawdepartment.gos.pk

"SAY NO TO CORRUPTION"

Karachi, dated the 19 November, 2015.

To,

The Secretary,
Information and Archives Department,
Government of Sindh,
Karachi.

SUBJECT: DRAMATIC PERFORMANCE ACT 1876/1984.

I am directed to refer your Note bearing No. PS /SECY /INF / 2015 /205 dated the 31st July, 2015 on the subject noted above and to state that section 6 of the Dramatic Performance Act, 1876 regulates the penalty for disobeying prohibition which reads as under:-

"6. **Penalty for disobeying prohibition.**- Whoever after the notification of any such order-

- (a) takes part in the performance prohibited thereby or in any performance substantially the same is the performance so prohibited; or
- (b) in any manner assists in conducting any such performance; or
- (c) is, in willful disobedience to such order, present as a spectator during the whole or any part of any such performance; or
- (d) being the owner or occupier, or having the use of any house, room or place, opens, keeps or uses the same for any such performance, or permits the same to be opened, kept or used for any such performance,

shall be punishable on conviction before a Judicial Magistrate with imprisonment for a term which may extend to three months, or with fine, or with both.

If the person contravenes the provisions of section 3 which provides prohibition certain dramatic performances, he shall be dealt in accordance with the provisions of section 6 reproduced above.

Qjullil Alt Matters 2015
Legislation 2015
No.S LEGIS. 2(14)2015
06-11-2015

Signature
19/11/15

F/E *Signature*
19/11/15

Handwritten notes:
19/11/15
16/11/2015
6824
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GOVERNMENT OF SINDH
LAW DEPARTMENT

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"SAY NO TO CORRUPTION"

(2)

As regards the jurisdiction and implementation of the said Act, Information Department is administratively concerned with the said Act and the enforcement of the provisions thereof is the responsibility of that department.

(BASHIR AHMED MEMON)
DEPUTY SECRETARY (REGULATION)
FOR SECRETARY TO GOVERNMENT OF SINDH
LAW DEPARTMENT.