**THE DRAMATIC PERFORMANCES ACT, 1876.**

**(Act No. XIX of  1876)**

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**THE DRAMATIC PERFORMANCES ACT, 1876**
(Act **No. XIX of 1876)**
[16th December,1876]

AN

Act

*for the better control of public dramatic performances,*

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| WHEREAS it is expedient to empower the Government to prohibit public dramatic performances which are scandalous, defamatory, seditious or obscene; | Preamble |

It is hereby enacted as follows:—

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| 1.     This Act may be   called the Dramatic Performances Act, 1876. | Short title, |

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| It extends to   [[1]](#footnote-2)[the whole of Pakistan]. | Local extent. |

[[2]](#footnote-3) [\*       \*           \*           \*           \*                \*]

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| 2. In this Act “Magistrate” means, [[3]](#footnote-4)[\*     \*     \*] the Magistrate of the district. | “Magistrate” defined. |

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| 3. Whenever the [[4]](#footnote-5)[Provincial Government] is of opinion that any play, pantomime or other drama performed or about to be performed [[5]](#footnote-6)[or any film, picture or slide, displayed or about to be displayed] in a public place is- | Power to prohibit certain dramatic performances. |

1. of a scandalous  or defamatory nature, or

*(b)*likely to excite feelings of disaffection to the Government established by law in [[6]](#footnote-7) [Pakistan], or

(c)   likely  to deprave and   corrupt   persons   present at the
performance, or

*[[7]](#footnote-8)(d)*repugnant to the tenets of Islam,

the [[8]](#footnote-9)[Provincial  Government [[9]](#footnote-10)[\*  \*    \*    \*] or such Magistrate as it may empower in this behalf, may by order prohibit the performance-

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

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| 4.   A copy of any such order may be served on any   person about to take part in the performance so prohibited, or on the owner or occupier of any house, room, or place 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 fine, or with both. | Power to serve order or prohibition |

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| 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. |

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| 6.    Whoever after the notification of any such order— | Penalty for disobeying prohibition. |

1. takes part in the performance prohibited thereby or in any performance substantially the same as 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 Magistrate with imprisonment for a term which may extend to three months, or with fine, or with both.

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| 7. For the purpose of ascertaining the character of any intended public dramatic performance, the [[10]](#footnote-11)[Provincial Government], or such officer as it may specially empower in this behalf, may apply to the author, proprietor or printer of the drama about to be performed or to the owner or occupier of the place in which it is intended to be performed, for such .information as the [[11]](#footnote-12)[Provincial Government] or such officer thinks necessary | power to call for information |

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

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| 8.   If any Magistrate has reason to believe that any house, roomor place is used, or is about  be used, for any performance prohibited under this Act, he may, by his warrant, authorize  anyOfficerof Police to enter with such assistance as may be requisite, by night or by day, and by force, if necessary, any 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 reasonable   suspected to have been used,  or to be intended to be used, forthe purpose of such performance. | Power to grant warrant to police to enter and arrest and seize. |
| 9. No conviction under this   Act shall bar a prosecution, under - section124 A  or section 294 of the Pakistan Penal Code. | Saving of prosecutions under penal Code, (XLV of 1860) sections 124-A and 294. |

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| [[12]](#footnote-13)10. Whenever it appears to the   [[13]](#footnote-14)[Provincial Government] that the provisions of this section are required in any    local area, it may [[14]](#footnote-15)[\* \* \*] declare, by notification in the [[15]](#footnote-16)[Official Gazette], that such provisions are applied to such area from a day to be fixed in the notification. | Power to prohibit dramatic performance in any local area, except under license. |

On and after that day, the  [[16]](#footnote-17)[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 [[17]](#footnote-18)[Provincial Government] or such officer as it may specially empower in this behalf.

 The [[18]](#footnote-19)[Provincial Government] may also order that no drama­tic performance shall take place in any place of public entertain­ment within such area, unless shall 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 in pantomime, has been furnished, not less than three days before the performance to the [[19]](#footnote-20)[Provincial Government] or to such officer as 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 permits, 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, or with fine, or with both.

11.   *Powers exercisable by Governor-General].    Rep. by* *A.O.,*1937.

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| 12.   Nothing in this Act applies to any Jatras or performances of a like kind at religious festivals | Exclusion of performance at religious festivals. |

1. Subs. by the central laws ( Statute Reforms) Ordinance, 1960(XXI of 1960), ( with effect from the 14th October, 1955) , for “ all the Provinces and the Capital of the Federation” which had been subs. by A.O., 1949, for “ the whole of British India”. [↑](#footnote-ref-2)
2. The words “ And it shall come into force at once “ rep. by the Repealing and Amending Act, 1914(X 0f 1914). [↑](#footnote-ref-3)
3. The words” in the Presidency- towns, a Magistrate of Police, and elsewhere” omitted by A.O., 1949. [↑](#footnote-ref-4)
4. Subs. by A.O., 1937, for local Government”. [↑](#footnote-ref-5)
5. Ins. By Khyber Pakhtunkhwa, Act No. XIX of 1987. [↑](#footnote-ref-6)
6. Subs, by  the  Federal Laws (Revision  and Declaration) Act,   1951

 (XXVI of  1951,for "British  India [for British  Burma"]' The words in brackets had been  ins. by  A.O.,   1937. [↑](#footnote-ref-7)
7. Ins. by Khyber Pakhtunkhwa, Act. No. XIX of 1987 [↑](#footnote-ref-8)
8. Subs, by A. O., 1937, for "Local Government”. [↑](#footnote-ref-9)
9. These words  omitted by A. O., 1949. [↑](#footnote-ref-10)
10. Subs, by A. O., 1937, for "Local Government”. [↑](#footnote-ref-11)
11. Subs, by A. O., 1937, for "Local Government”. [↑](#footnote-ref-12)
12. The provision of section 10 shall apply to the whole of Khyber Pakhtunkhwa with effect from the 4th January, 1955, for certain condition, see gazette of k, 1955 Pt.1.P.7. [↑](#footnote-ref-13)
13. Subs, by A. O., 1937, for "Local Government”. [↑](#footnote-ref-14)
14. Rep: by Act No. IV, of 1914. [↑](#footnote-ref-15)
15. Sub: by A.O., 1937, for “Local Official Gazette”. [↑](#footnote-ref-16)
16. Subs, by A. O., 1937, for "Local Government”. [↑](#footnote-ref-17)
17. Subs, by A. O., 1937, for "Local Government”. [↑](#footnote-ref-18)
18. Subs, by A. O., 1937, for "Local Government”. [↑](#footnote-ref-19)
19. Subs, by A. O., 1937, for "Local Government”. [↑](#footnote-ref-20)