

WEST PAKISTAN CONTROL OF GOONDAS RULES, 1961

[Gazette of West Pakistan Extraordinary, 1st March 1961]

No. Judl. 1-15 (5)/60.—In exercise of the powers conferred by section 28 of the West Pakistan Control of Goondas Ordinance, 1959, Ordinance (XXXV of 1959) and in supersession of the Punjab Control of Goondas Rules, 1951, and the Sind Control of Goondas Rules, 1953, the Governor of West Pakistan is pleased to make the following rules, namely :—

1. *Short title.*—(1) These Rules may be called the West Pakistan Control of Goondas Rules, 1961.

(2) They shall come into force at once.

2. *Definitions.*—In these rules, unless the context otherwise requires, the following expressions shall have the meanings hereby respectively assigned to them, that is to say—

(a) " Form " means a form appended to these rules ;

(b) "Goonda" means a person who has been declared to be a goonda under section 13;

(c) " Ordinance" means the West Pakistan Control of Goondas Ordinance, 1959, (Ordinance XXXV of 1959);

(d) " Section " means a section of the Ordinance ; and

(e) " Tribunal" means the Tribunal .constituted under section 2.

3. *Maintenance of lists under section 13.*—The Tribunal, every officer in charge of a police station and the officer in charge of the Criminal Investigating Agency, and where there is no Criminal Investigating Agency, the officer in charge of the District Intelligence Bureau, or such other officer, not below the rank of a Sub-Inspector, as the Superintendent of Police may appoint in this behalf, shall maintain a list in Form 'A' of goondas residing within their respective jurisdictions.

4. *Publication of declarations and orders.*—Every declaration made under section 13 and every order made under section 14 shall be—

(a) affixed to some conspicuous part of the premises where the Tribunal holds its sittings ;

(b) published in the Official Gazette ;

(c) served on the person concerned ;

(d) posted on a notice board at the police station, within whose jurisdiction such person resides ;

(e) posted on the notice boards of the District and Tehsil Councils exercising jurisdiction within the area, where the person against whom the order is made ordinarily resides ;

(f) affixed to some conspicuous part of the house or premises where such person ordinarily resides ; and

(g) if considered necessary by the Tribunal, published in any other manner directed by the Tribunal.

5. *Permission to leave restricted area specified under section 14.*—(1) No person whose movements have been restricted under the provisions of clause (d) of subsection (1) of section 14 shall leave the area specified by the Tribunal unless he has obtained a permit as hereinunder provided, that is to say—

(a) for absence within the Municipal limits or local limits of the police station of which the restricted area forms a part---

(i) for less than 6 hours—from the officer in charge of the police station (not below the rank of Assistant Sub-Inspector) of which the restricted area forms a part ;

(ii) for more than 6 hours—from the Assistant or Deputy Superintendent of Police of the area or Sub-Division in which he resides ; and

(b) for absence outside the restricted place or area for any period— from the Superintendent of Police of the District.

(2) Every permit issued under sub-rule (1) shall be in Form 'B'.

(3) Except in the case of absence within the local limits of the police station of which the restricted area forms a part, a copy of the permit shall be sent to the officer in charge of the police station of the area which the goonda has been permitted to visit, and the date and time of arrival and departure to be reported by the goonda shall be entered in the station diary of such police station and also on the permit held by the goonda.

6. *Records to be maintained of goondas and their photographs, fingerprints and specimens of hand-writing and signatures to be taken.*—(1) The name of every goonda shall be entered in the Surveillance Register of the police station of the area in which he resides and his history sheet shall be opened by the officer in charge of such police station. A copy of the history sheet shall be maintained by the officer in charge of the Criminal Investigating Agency of the area, where such goonda resides, and where there is no Criminal Investigating Agency by the officer in charge of the District Intelligence Bureau or such other police officer, not below the rank of Sub-Inspector, as the Superintendent of Police of the District may appoint in this behalf.

(2) The Deputy Superintendent or Assistant Superintendent of Police and the Inspector or Police in charge of the area in which a goonda resides shall record in the history sheet of such goonda at regular intervals and in any case not less frequently than once in every quarter their remarks in regard to the manner in which the goonda is earning his living, whether he is living within or beyond his means, the company he keeps and his general conduct during the period covered by the report.

(3) The history sheet of every goonda shall be placed before the Tribunal once every quarter and any directions, which the Tribunal may make, shall be recorded thereon.

(4) Where a direction under section 20 has been made by the Tribunal against a goonda, the officer-in-charge of the prosecution shall arrange to have the goonda photographed and his finger-prints taken and where the goonda is able to sign or write, also arrange to have specimens of his signature and hand-writing.

(5) Two sets of finger-prints, specimens of hand-writing and signature, and two sets of photographs, one at full length photograph and another of the head and shoulders of the goonda showing the profile, shall be taken.

(6) One set of finger-prints and specimens of hand-writing and signature shall be sent to the Finger Print Bureau for record and the other set of fingerprints and specimens of hand-writing and signature, together with a copy each of the two sets of photographs shall be attached to the history sheet of the goonda maintained by the Criminal Investigating Agency officer in charge of the District Intelligence Bureau or other Police officer to whom such work has been entrusted by the Superintendent of Police, and the second copy of the two sets of photographs shall be attached to the history sheet of the goonda maintained at the police station within whose jurisdiction he resides.

(7) If a goonda disappears or cannot be traced, the set of finger-prints and the specimens of hand-writing and signature attached to his history sheet shall be sent to the Finger Print Bureau, which shall thereupon place the set of finger-prints and specimens of handwriting and signature of the goonda received by it under sub-rule (6) in the "look-out register" and return those received by it under this sub-rule to the officer from whom they were received, after making an endorsement thereon.

(8) The disappearance of every goonda, shall be notified in the West Pakistan Police Gazette and the District Police Gazettes of the districts which he is likely to visit.

7. If a person, who has been directed by the Tribunal under clause (d) of subsection (1) of section 14 to report himself at specified times and places, is unable to do so due to illness or other reasonable cause, such as death or serious illness in his family, he shall send to the officer in charge of the police station or other place where he is required to report himself, an application in writing specifying the reasons for his absence, supported, in the case of illness, by a medical certificate from a Registered Medical Practitioner, and in other cases, by a certificate from the Chairman of Union Council, having jurisdiction the area, or the Lambarbar of the

village, in which he is then residing, or from a police officer not below the rank of a Head Constable, verifying the statements made in the application.

8. *Maintenance of records.*—(1) The record of the proceedings before the Tribunal shall, after the Tribunal passes orders under section 13 or section 17, be sealed and consigned to the Judicial Record Room in the office of the District Magistrate where it shall be kept for the period specified in sub-rules (2) and (3).

(2) Where the Tribunal passes an order under section 13 declaring a person to be a goonda the Record of the proceedings before the Tribunal in respect of such person shall be kept for a period of fifty years or till the death of that person, whichever is earlier.

(3) Where the Tribunal passes an order under section 17 discharging the person informed against, the record of the proceedings before the Tribunal relating to such person, shall be kept for a period of ten years from the date of the order.

(4) The history-sheet of a goonda shall be kept for a period of ten years from the date of the order declaring him to be a goonda.

(5) The lists of goondas to be maintained under rule 3 shall form a permanent record.

FORM 'A'
[RULE 3]
Police Station

List of persons declared and notified as Goondas under section 13 of the West Pakistan Control of Goondas Ordinance, 1959 (Ordinance XXXV of 1959)

Serial No.	Date of Registration.	Name.	Parentage and caste.	Place of residence.	Summary of orders passed under sections 13 and 14.	Date of declaration under section 13.	Date of notification under sections 13 and 15.	Orders, if any passed under section 25 with date.	Remarks.
1	2	3	4	5	6	7	8	9	10.

FORM 'B'

Permit under rule 5 of the West Pakistan Control of Goondas Rules, 1961.

Permit under rule 5 of the West Pakistan Control of Goondas Rules, 1961

Permit under rule 5 of the West Pakistan Control of Goondas Rules 1961

Full name with father's name.....

Full name with father's name.....

Full name with father's name.....

Who has been declared a Goonda under the West Pakistan Control of Goondas Ordinance, 1959 (Ordinance XXXV of 1959) and is required to be restricted to..... is temporarily permitted to visit.....
 from..... hours on..... day of..... 19...to..... hours on..... day of..... 19...

Who has been declared a Goonda under the West Pakistan Control of Goondas Ordinance, 1959, (Ordinance XXXV of 1959) and is required to be restricted to..... is temporarily permitted to visit.....
 from..... hours on..... day of..... 19...to..... hours on..... day of..... 19...

Who has been declared a Goonda under the West Pakistan Control of Goondas Ordinance, 1959 (Ordinance XXXV of 1959) and is required to be restricted to..... is temporarily permitted to visit.....
 from..... hours on..... day of..... 19...to..... hours on..... day of..... 19...

Officer Incharge of Police Station/Deputy or Assistant Superintendent or Superintendent of Police.

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