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LAW DEPARTMENT
GOVERNMENT OF SINDH
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SIND ORDINANCE NO. II OF 1977

THE ABKARI LAWS (SIND AMENDMENT) ORDINANCE, 1977

[8th February, 1977]

An Ordinance to further amend the Sind Abkari Act, 1878, the Sind Consumption of Intoxicants Restriction Act, 1940 and the West Pakistan Prohibition of Opium Smoking Ordinance, 1960.

Preamble

WHEREAS it is expedient to further amend the Sind Abkari Act, 1878, the Sind Consumption of Intoxicants Restriction Act, 1940 and the West Pakistan Prohibition of Opium Smoking Ordinance, 1960, in the manner hereinafter appearing;

AND WHEREAS the Provincial Assembly is not in session and the Governor of Sind is satisfied that circumstances exist which render it necessary to take immediate action;

NOW, THEREFORE, in exercise of the powers conferred by clause (1) of Article 128 of the Constitution of the Islamic Republic of Pakistan, the Governor of Sind is pleased to make and promulgate the following Ordinance:--

Short Title and commencement.

1 (1) This Ordinance may be called the Abkari Laws (Sind Amendment) Ordinance, 1977.

(2) It shall come into force at once.

Amendment of section 56 of Sind Act V of 1878.

2. In the Sind Abkari Act, 1878, for section 56, the following shall be substituted:--

Cognizance of offences.

"56. No offence punishable under this Act shall be tried by a Court other than the Court of the Magistrate of the First Class.".

Amendment of section 22 of Sind Act IV of 1940.

3. In the Sind Consumption of Intoxicants Restriction Act, 1940, for Section 22, the following shall be substitute:—

Cognizance of offences.

"22. (1) An offence under this Act shall be cognizable.

(2) No offence punishable under this Act shall be tried by a Court other than the Court of the Magistrate of the First Class.".

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Amendment of section 16 of W.P. Ordinance II of 1960.

4. In the West Pakistan Prohibition of Opium Smoking Ordinance, 1960, as applicable to the Province of Sind, for section 16, the following shall be substituted:—

Cognizance of offences.

"16. No offence punishable under this Ordinance shall be tried by a Court other than the Court of the Magistrate of the First Class.".

Transfer of cases.

5. All cases relating to offences punishable under the Sind Abkari Act, 1878, the Sind Consumption of Intoxicants Restriction Act, 1940 and the West Pakistan Prohibition of Opium Smoking Ordinance, 1960, as applicable to the Province of Sind, and pending in the Courts of Sessions Immediately before the coming into force of this Ordinance, except the cases fixed for arguments or judgment, shall stand transferred to the Courts of the Magistrate of the First Class having jurisdiction in such cases.