

Repealed by the West Pakistan Repealing Ordinance, 1970 (W.P. Ordinance XVIII of 1970) S.R. Sec. 157

SIND ACT No. XXIX OF 1952.

[THE SIND SPECIAL TRIBUNAL ACT, 1952.]

[24th January, 1953.]

An Act to provide for the setting up of a Special Tribunal to try certain offences committed by Rahim Hingoro and other outlaws.

WHEREAS it is expedient to make special provisions for the setting up of a Special Tribunal to try certain offences committed by Rahim Hingoro and other outlaws,

AND WHEREAS the Governor of Sind has, in pursuance of a proclamation issued by the Governor-General under section 92-A of the Government of India Act, 1935, assumed on behalf of the Governor-General, all powers vested in or exercisable by the Provincial Legislature under the said Act;

NOW, THEREFORE, in exercise of the powers so assumed, the Governor is hereby pleased to enact as follows:—

1. (1) This Act may be called the Sind Special Tribunal Act, 1952. Short title, extent and commencement.
- (2) It extends to the whole of ~~the Province of~~ Sind.
- (3) It shall come into force at once.
2. (1) For the trial of the cases specified in the schedule to this Act (hereinafter called the 'said cases') the Provincial Government shall set up a Special Tribunal consisting of one person who is or has been a Sessions Judge. Constitution of a Special Tribunal.
- (2) The Provincial Government may fix a place at which the trials by the Special Tribunal shall be held and may fix different places for different trials.
3. (1) The Special Tribunal shall have exclusive jurisdiction to try the said cases. Jurisdiction of the Special Tribunal and cognizance of offences.

1. Subs. by W.P. Laws (Adap.) Ordinance 1964, for "the Province of Sind".

(2) The Special Tribunal shall take cognizance of the offences involved in the said cases without the accused being committed to it for trial, and in so trying the accused, shall follow the procedure prescribed by the Code of Criminal Procedure, 1898, for the trial or warrant cases by magistrates :

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Provided that the Special Tribunal may refuse to summon a witness if satisfied after examination of the accused that the evidence of such witness will not be material and shall not be bound to adjourn any trial for any purpose, unless such adjournment is in its opinion necessary in the interests of justice.

(3) The Special Tribunal shall not by reason of a change in its Presiding Officer, be bound to recall and re-hear any witness who has given evidence, and it may act on the evidence already recorded by or produced before it.

(4) After an accused person has once appeared before it, the Special Tribunal may try him in his absence, if, in its opinion, his absence has been brought about by the accused himself for the purpose of impeding the course of justice, or if the behaviour of the accused in Court has been such as is liable to impede the course of justice.

(5) The Special Tribunal may, if it thinks fit, order at any stage of a trial that the public generally, or any particular person shall not have access to, or be or remain in the room of building used by the Special Tribunal as a Court.

4. In the said cases before the Special Tribunal the prosecution shall be conducted by a Special Public Prosecutor appointed by the Provincial Government.

5. The Special Tribunal may pass any sentence which by law a Court of Session is authorised to pass.

6. (1) A person sentenced by the Special Tribunal shall have a right to appeal to the Chief Court of Sind.

(2) If the Special Tribunal passes a sentence of death, the proceedings shall be submitted to the Chief Court of Sind, and the sentence shall not be executed unless it is confirmed by that Court.

7. The provisions of this Act shall have effect notwithstanding anything inconsistent therewith contained in the Code of Criminal Procedure, 1898, or any other law for the time being in force.

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Public Pro-
secutor to
conduct the
prosecution.

Sentence.

Appeal
and confir-
mation of
death sen-
tence.Provisions
inconsistent
with other
laws.

SCHEDULE.

Cases under the Pakistan Penal Code, 1860, and the Arms Act, 1878, against :—

Serial No.	Name.	Residence.
1	RAHIM son of HAKIM, Caste Hingoro ..	Deh Haranthra, Taluka Sanghar, Tharparkar
2	IBRAHIM <i>alias</i> Usman <i>alias</i> Ibru son of SAWAN, Caste Gaho.	Village Nangro, Khairpur State.
3	DARYAKHAN son of PARIO, Caste Hingoro.	Janib Dhoro and Mian, Taluka Sanghar.
4	MASU son of BUDHIO, Caste Hingoro ..	Do do.
5	MANU <i>alias</i> Manthar son of YOUSIF, Caste Hingoro.	Taluka Sanghar.
6	GULU <i>alias</i> KAZI son of ALLAHYA, Hingoro.	Taluka Sanghar.
7	NOOR KHAN son of GAMBHO, Caste Hingoro.	Taluka Sanghar.
8	MAHOMED ALI Malookani	
9	MUHAMMAD RAHIM <i>alias</i> ALISHER Caste Khaskheli son of ACHAR Khaskheli.	Hasanali Nizamani P. S. Sanghar, Tharparkar.
10	MIRDOST <i>alias</i> KADIR-BUX son of AL-LAH BACHAYO Caste Mari.	Village Bauth Mari, P. S. Sinjhor, District Nawabshah.
11	UMED ALI <i>alias</i> MENDHU son of DINO, Caste Nizamani.	Sanghar, District Tharparkar.
12	MOHRAM <i>alias</i> SOBDAR son of ALIM MUHAMMAD Daheri.	Maruf Dahri, P. S. Shahdadpur, Nawabshah District.
13	SABHAGO <i>alias</i> SABHAYO son of HYDER Khaskheli.	Village DIM No. 20, Taluka Sinjhor, Nawabshah.
14	JURIO son of JAFFAR, Caste Khaskheli.	Fazal Wassan, Taluka Sinjhor, Nawabshah.
15	MEWO son of RAMZAN, Caste Khaskheli.	Sanghar, P. S. District Tharparkar or Village Rantiani, P. Sinjhor, Nawabshah.
16	SAHAHBAZI son of SHERAI <i>alias</i> SHERU Caste Mari.	Village Ismail Narejo, P. S. Sanghar, Tharparkar.
17	ALLAHBUX <i>alias</i> MITHO son of ALLAH BACHAYO, Sanjrani.	Village KASSIM SANJRANI, Sinjhor Taluaka, Nawabshah.
18	MISRI son of USMAN, Caste Kori ..	Ganag, P. S. Sinjhor, Nawabshah.
19	GULLU son of MARUF, Wassan ..	KOT HAJI SUMAR PATLIO, Tando Allahyar, Hyderabad.

Serial No.	Name.	Residence.
20	PANDHU son of LIMUN, Caste Gaho ..	Village Pathario, Khairpur State.
21	SATIL <i>alias</i> SATLIO son of SALEH Caste Rajar.	Village LAKHIYO, Tar, P. S. and Taluka Khipro, Thar Parkar.
22	OBHAYO <i>alias</i> UBHARYO son of MALOOK, Caste Mangrio.	Village Adilpur, P. S. Adilpur, Taluka Ghotki, Sukkur.
23	SALEH <i>alias</i> SALIK son of SEWAYO, Caste Mangrio.	Village Wadero Waheddino Arsar Outpost Syed Ghulam Nabi, Taluka Samaro, Tharparkar.
24	ALI MUHAMMAD son of SALEH Caste Rajar.	Village LAKHIO-J-OTar P. S. Khipro, District Tharparkar.
25	TAJU son of BUDHO, Caste Chandio ..	Village Seth Kesharam, Taluka Jacobabad, U. S. F.
26	UMAR son of TAJ MUHAMMAD <i>alias</i> TAJU, Caste Waryah.	Village Bachal Waryah, Taluka Hala Hyderabad (Sind).
†[27	HUSSAIN son of MANJHI, Caste Vasir	Village Mir Khan Vasir, Taluka -Mirpur-Mathelo, District Sukkur.
28	KAIM son of YOOSIF, Caste Siyal ..	Village Razi Siya, Taluka Mirpur Mathelo, District Sukkur.
29	LAL BUX son of MANJHI Caste Vasir ..	Village MIR KHAN Vasir, Taluka Mirpur Mathelo, District Sukkur.
30	ATTA MUHAMMAD son of YOOSIF, Caste Siyal.	Village RAZI SIYAL, Taluka Mirpur Mathelo, District Sukkur.
31	MITHO son of PUNHOO, Caste Jat ..	Village MURID SETHER, Taluka Shikarpur, District Sukkur.
32	WAHID BUX son of NABI BUX, Caste Jat.	Village near Village MURID SETHER, Taluka Shikarpur, District Sukkur.
33	ABDUL RAZZAK <i>alias</i> RAZO son of Mitho Caste Bhayo.	Village near DAYAM JI-WANDHI, Taluka Shikarpur, District Sukkur.]