

**THE BALOCHISTAN FRONTIER CROSSING
REGULATION, 1939**

(Baln Reg. IV of 1939)

CONTENTS

SECTIONS

Preamble.

1. Short title and commencement.
2. Persons duly warned not to enter Tribal areas or cross frontier.
3. Certain persons not to cross frontier without passport or pass.
4. Penalty for contravention of section 2 or 3.
5. Power to arrest and detain persons contravening orders under section 4(1) (b).
6. Power to require security for good behaviour in certain cases.
7. Special rule of evidence.
8. Repeals.

THE ¹BALUCHISTAN FRONTIER CROSSING REGULATION, 1939

(Baln Reg. IV of 1939)

A Regulation to make better provision for regulating the crossing of the frontier of ²[* * * * *] Balochistan.

Preamble. WHEREAS it is expedient to make better provision regulating the crossing of the frontier of ²[* * *] Balochistan.

It is hereby enacted as follows:—

Short title and commencement. 1. (1) This Regulation may be called the ²[*****] Balochistan Frontier Crossing Regulation, 1939.

(2) It shall come into force at once.

Persons duly warned not to enter Tribal areas or cross frontier. 2. (1) No person warned in the manner provided in sub- section (2) shall pass out of ²[*****] Balochistan in to the ²[*****] ³Balochistan ⁴[Tribal Areas] or cross the Frontier into Afghanistan or Iran.

(2) Every warning for the purpose of this Regulation shall be in writing and shall,-

(a) if addressed to an individual, be signed by the ⁵[Provincial Government] ⁶[*****] within which such individual dwells or may be found, and be served upon him in such manner as the ⁵[Provincial Government] may by general or special order prescribe; or

(b) if addressed to a class of persons or to the public generally, be published with the previous sanction of the ⁷[President], in the official Gazette and otherwise in such manner as the ⁸[Provincial Government] may be

¹ Spelling of the word “Baluchistan”, wherever it appears in this Regulation, is corrected by insertion of letter “o” instead of “u”, as per Government of Balochistan, S&GAD’s Notification No. SORI (4) 6/ S&GAD-89, dated 18th June, 1989.

² The word “British” omitted by Reg. VI of 1953.

³ Now to be construed as referring to the Districts of Kalat, Kharan, Mekran, Pishin, Sibi, Duki, Quetta, Bolan, Marri Bugtti, Loralai, Zhob, Dalbandin, see W.P. Act, XVI of 1957, s. 3(i), Schs. I.

⁴ Sub. for “Leased or Tribal Areas” by P.O.4 of 1975.

⁵ Subs. for the words “Chief Commissioner”, by W.P. Act XVI of 1957.

⁶ The words “or by the Magistrate of the District” deleted by Ordinance XXVIII of 2001; published in the Balochistan Gazette (Extraordinary) No. 145, dated 22nd September, 2001.

General or special direct.

- Certain persons not to cross frontier without passport or pass.
3. No ¹[citizen of Pakistan and no other person for the time being within Pakistan] shall pass out ²[***] Balochistan across the frontier with the intention of proceeding into Afghanistan or Iran unless he is in possession of either a passport duly endorsed with permission to cross that frontier or a pass to cross that frontier issued under the authority of the ²[Provincial Government].
- Penalty for contravention of section 2 or 3.
4. (1) If any person contravenes, or attempts to contravene, or abets another person in contravening or attempting to contravene, the provision of section 2 or section 3,-
- (a) he shall be punishable with fine which may extend to five hundred rupees, and
- (b) the ²[Provincial Government] may order him to remove to such place within ⁴[***] Balochistan as he may direct in this behalf.
- (2) No proceeding shall be taken under this section in respect of any contravention of the provisions of section 3 save with sanction of the ²[Provincial Government].
- Power to arrest and detain persons contravening orders under section 4(1) (b).
5. If any person contravenes an order under clause (b) of sub-section (1) of section 4, the ²[Provincial Government] ³[*****] within which such person dwells or may be found may cause him to be arrested and detained in custody until he accepts his release upon such conditions as the ⁴[Provincial Government] thinks fit to impose.
- Power to require security for good behaviour in certain cases.
6. (1) If the ¹[Provincial Government] ⁵[*****] with in which any person is dwelling or may be found, reasonably suspects that such person intends to contravene any of the provisions of section 2 and 3, the ¹[Provincial Government] ⁶[*****] may require security for such persons good behaviour

⁷ Sub. for "Governor General", by P.O.4 of 1975.

⁸ Sub. for the words "Chief Commissioner" by W.P. Act XVI of 1957.

¹ Subs. for "British subject or subject of a State in India and no inhabitant of any territory under His Majesty's Protection" by P.O. 4 of 1975.

² The word "British" omitted by Reg. VI of 1953.

³ The words "or by the Magistrate of the District" deleted by Ordinance XXVIII of 2001; published in the Balochistan Gazette (Extraordinary) No. 145, dated 22nd September, 2001.

⁴ Subs. for the words "Chief Commissioner", by W.P. Act XVI of 1957.

⁵ The words "or by the Magistrate of the District" deleted by Ordinance XXVIII of 2001; published in the Balochistan Gazette (Extraordinary) No. 145, dated 22nd September, 2001.

⁶ The words "or the said Magistrate" deleted by Ordinance *ibid*.

for a period not exceeding six months.

(2) The provisions of sections 112 to 162-A (both inclusive) and 514 of the Code of Criminal Procedure, 1898¹ shall, so far as they can be made applicable, apply to all proceedings under this section.

Special rule of
evidence.

7. For the purposes of section 3 and 4, it shall be presumed, until the contrary is proved, that a person crossing or attempting to cross, the frontier without a passport or a pass referred to in section 3 was intending to proceed into Afghanistan or Iran.

Repeals.

8. (1) So much of schedule I to the ²[* * *] Balochistan Laws Regulation, Reg. II of 1913 as relates to the Upper Burma and Arakan Frontier Crossing and Disturbed Districts Regulations, Reg. I of 1907 is hereby repealed.

(2) The Punjab Frontier Crossing Regulation 1873 shall cease to have effect in ³[* * *] Balochistan.

—

¹ i.e. Act V of 1898.

² The word "British" omitted by Reg. VI of 1953.