

BALUCHISTAN PROVINCIAL ASSEMBLY SECRETARIAT.

NOTIFICATION

Dated Quetta, the 20th August, 2015.

No.PAB/Legis:V(12)/2015. The Balochistan Restrictions of Rented Buildings (Security) Bill, 2015 (Bill No.12 of 2015) having been passed by the Provincial Assembly of Balochistan on 13th August, 2015 and assented by the Governor, Balochistan on 19th August, 2015 is hereby published as an Act of the Balochistan Provincial Assembly.

THE BALUCHISTAN RESTRICTIONS OF RENTED BUILDINGS (SECURITY) ACT,2015
Act No X of 2015.

AN

ACT

to provide mechanism for monitoring the business of rented buildings in the province of the Balochistan.

Preamble.

WHEREAS it is expedient to provide mechanism for monitoring the business of rented buildings for the purpose of counter terrorism and effectively combating crime in the Balochistan and the matters connected therewith or ancillary thereto;

It is hereby enacted as follows:-

Short title, extent and commencement.

1. (1) This Act may be called the Balochistan Restrictions of Rented Buildings (Security) Act, 2015.

(2) It shall extend to the whole of Balochistan except Tribal Areas.

(3) It shall come into force at once.

Definitions.

2. In this Act, unless there is anything repugnant in the subject or context-

(a) "Act" means the Balochistan Restriction of Rented Buildings (Security) Act, 2015;

(b) "Government" means the Government of the Balochistan;

(c) "landlord" means a person or body on whose name the building stands registered in Government records;

(d) "lessee" means a person to whom the building is given by the landlord on lease;

(e) "manager" means a person, who is employed or duly authorized by the landlord for the management of the rented building;

(f) "Officer Incharge" means the Station House Officer of a Police Station or a Levies Thana within whose jurisdiction the Rented Building is situated;

- (g) “prescribed” means prescribed by rules;
- (h) “Private Hostel” means any hostel other than student hostel;
- (i) “Property Dealer” means the property dealer, who deals the rented buildings for monetary consideration;
- (j) “province” means the province of Balochistan;
- (k) “rented building” means any building which is given or rented and include private hostels and student hostels;
- (l) “rules” means rules made under this Act;
- (m) “student hostel” means building used by educational institutions including madrassas for accommodation of their enrolled students;
- (n) “tenant” means a person to whom a building is given on rent on monthly basis or for a specific period by the owner, lessee or the manager, as the case may be;
- (o) “tenant acknowledgement receipt” means receipt issued by the officer in-charge of the concerned Police station/Levies Thana to the landlord, manager or the lessee, as the case may be; and
- (p) “schedule” means schedule annexed to this Act.

Rent agreement.

3. (1) Whenever the landlord, the lessee or the manager, as the case may be, agrees to allow any person other than his legal heirs to occupy his rented building, he shall reduce the agreement in writing on legal document which shall be signed by the landlord, the lessee or the manager and the property dealer in case the rented building is given through him, as the case may be, and the tenant. The agreement should contain meaningful information about the tenant through which the identity of the tenant could be verified.

(2) The landlord, the lessee or the manager, as the case may be, shall exercise due care and prudence in verification of the credentials of the tenant so that the rented building may not be used for any illegal or terrorist activities.

(3) The landlord, the lessee or the manager, as the case may be, shall get minimum two references of known persons who shall verify the credentials of the tenant. The complete particulars of the reference in the form of Computerized National Identity Card and contact number shall be obtained and reference shall be given in the rent agreement.

Information with regard to rent agreement.

(4) The rent agreement shall be further attested by a Magistrate, Notary Public or the Oath Commissioner.

4. (1) The landlord, the lessee or the manager, as the case may be, and the property dealer where the rented building is given through such property dealer, shall provide following information to the Officer Incharge within three days of signing of the agreement on Form-I of the schedule:-

- a) attested copy of the rent agreement;
- b) attested copy of the National Identity Card of tenant;
- c) name and copies of the National Identity Cards with contact number of two references, who identify the tenant; and
- d) particulars of the male members above the age of fourteen years living or residing with the tenant.

(2) After being satisfied, officer Incharge shall issue "tenant acknowledgment receipt" to the landlord, the lessee or the manger, as the case may be, on the submission of the requisite information on Form-II of the schedule. He shall also incorporate the entry in the Daily Diary, maintained in such Police Station/Levies Thana.

(3) The landlord, the lessee or the manager, as the case may be, shall provide one attested copy of the tenant acknowledgment receipt to the tenant.

(4) Any concerned police officer, not below the rank of Assistant Sub-Inspector and Levies officer not below the rank of Risaldar with approval of the Officer Incharge may inspect any rented building along with the landlord, the lessee or the manager, as the case may be. The landlord, the lessee or the manager, as the case may be, shall facilitate the police during inspection.

Hostels.

5. (1) No landlord, lessee or manger of a private hostel or student hostel, as the case may be, shall allow any person other than enrolled student to stay therein.

(2) Private hostel and student hostel, shall maintain complete record of all persons staying therein, as required in section 3 of this Act, and shall produce it to the concerned Police/Levies authority when required.

(3) No private hostel or student hostel shall allow any tenant to keep any arms or ammunition, explosive or hate and seditious material:

Provided that the landlord, the lessee or the manager, as the case may be, of such hostel may keep a licensed arms or ammunition for the purpose of the safety of such hostels and students registered therein.

- (4) The landlord, the lessee or the manager, as the case may be, shall make formal arrangement for checking of hostel rooms in order to ensure compliance with the provisions of this Act.
- Powers of Police/Levies. 6. The officer Incharge may call copy of the rent agreement and copy of tenant acknowledgment receipt, from any tenant of the rented building for verification. The tenant shall produce all such related documents provided in section 4 to the Police/Levies, within twenty-four (24) hours.
- Responsibilities of Police. 7. (1) The Officer Incharge of the local Police Station/Levies Thana shall be responsible to maintain record of all rented buildings and tenants, falling in the jurisdiction of such Police Station/Levies Thana.
- (2) The local police station, shall prepare a computerized database for such rented buildings.
- Central database. 8. (1) After promulgation of this Act, the Police Department of the Province shall develop a central database of the tenants in form of hardware and software at the shortest possible time, for the purpose of this Act.
- (2) Standardized software prepared for this purpose shall be utilized throughout the province.
- Assistance by Revenue and Estate Departments. 9 The Revenue and Estate Departments of the Government shall be bound to provide any information regarding ownership of the rented buildings to the Police/Levies.
- Penalties. 10 (1) Whoever contravenes the provision of section 3 to 6 of this Act shall be punished with imprisonment, which may extend to one year or with fine or with both.
- (2) In case of the reasonable grounds, the police find that the landlord, the lessee, the manger or the property dealer, as the case may be, was aware of the criminal designs of the tenant or he has not exercised due care in verification of the credentials of the tenant, he may be charged for the abetment of the offence committed by the tenant.
- Application of Code. 11. The provisions of the Code of Criminal Procedure, 1898(Act No.V of 1898) shall mutatis mutandis applicable to this Act.
- Cognizance. 12. The offence under this Act shall be cognizable, non-bail able and shall be tried by a Judicial Magistrate of First Class having territorial jurisdiction over the area of offences.
- Operation of other laws. 13. The provision of this Act shall be in addition to and not in derogation of any other law for the time being in force.
- Indemnity. 14. No suit or other proceeding shall lie against any person for anything done, or intended to be done, in good

faith under this Act or rules made there under.

Power to make rules.

15. The Government may, by notification in the official Gazette, make rules for carrying out the purpose of this Act.

Secretary
Balochistan Provincial Assembly.