

**ADEQUATE REMEDIES AND SPEEDY TRIAL REGARDING
NUISANCE IN PAKISTAN**



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The document is without annex (the law drafted by the students).

ABSTRACT:

The rights of every individual or public at large must be protected and quick remedies should be provided regarding nuisance. Interference in the enjoyment of rights with respect to nuisance is the lack of adequate remedies in Pakistan.

The purpose of this research is to find out the gaps and inadequacy at national level and it is determined that whether national laws are compatible with international laws or not. The domestic civil and criminal laws are compared with the laws of developed countries, to fill gaps in domestic legislation.

The focus of this research is to make recommendations for proposing altogether a new legislation or reconstruct the existing legal framework of nuisance to secure the rights of citizens of Pakistan more effectively.



INTRODUCTION:

'Nuisance' is derived from the French word "nuire". The Latin word "nocere" or "no nocerantur" that means 'annoyance' or 'harm' are used for nuisance. In Merriam Webster Dictionary nuisance is defined as one that is irritating, troublesome, vexatious, uncontrollable, offensive or objectionable. However, there are two types of nuisances, private nuisance and public nuisance, in the law of Torts. Private nuisance deals with the rights of an individual and public nuisance talks about the rights of public at large. There are several domestic laws in Pakistan regarding nuisance available in different statutes.

This research paper comprises of three chapters. The first chapter is about the status of nuisance in Pakistan. Available remedies regarding nuisance are discussed in this chapter.

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RESEARCH PROJECT FOR THE DEGREE OF LLB

SUPERVISOR'S APPROVAL

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May, 2018

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DECLARATION OF ETHICAL CONDUCT IN RESEARCH

We, as students of Bahria University, hereby declare that firstly, we have abided by the research ethics while writing this research project.

Secondly, we have not committed any acts that may discredit or damage the credibility of our research. These include, but are not limited to: falsification, distortion of research findings, or plagiarism.

Thirdly, we have subjected this work to plagiarism check before submitting the research project.

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Without Allah's and His beloved Prophet's (P.B.U.H) help, this could not have been possible

We dedicate this research work to our parents, family and friends.

And we also dedicate this research work to the citizens of Pakistan who are not aware of their rights.

We express our gratitude to our supervisor Ma'am Sabeen Arif who has guided us sincerely by spending a lot of her precious time.

We hope and pray that our efforts have produced something valuable. (Ameen)

DEDICATION

This research work is dedicated to our parents who taught us to stay positive in every difficulty and stood by our side in each and every phase of life. We dedicate this work to Law Department of Bahria University Islamabad Campus. This research project would not have been completed without the cooperation of our teachers, parents, seniors, juniors.

LIST OF ABBREVIATIONS

Full Form	Abbreviations
i. Pakistan Penal Code, 1860	PPC
ii. The Code of Civil Procedure, 1908	CPC
iii. The Code of Criminal Procedure, 1898	Cr.Pc
iv. United Kingdom	UK

ABSTRACT

The rights of citizens of Pakistan with respect to nuisance are not secured. There are lacunas and gaps in our domestic laws that dealt with nuisance. The rights of every individual or public at large must be protected and quick remedies should be provided regarding nuisance. Intervention in the enjoyment of rights with respect to nuisance is the lack of adequate laws in Pakistan.

The purpose of this research is to find out the gaps and inadequacy in the laws of nuisance at national level. The domestic laws that dealt with nuisance are civil and criminal nature. The domestic civil and criminal laws are compared with the laws of United Kingdom (UK) to fill gaps in domestic legislation by adopting the procedure as prescribed in the Noise and Statutory Act, 1993.

The focus of this research is to made recommendations for proposing altogether a new legislation or reconstruct the existing legal framework of nuisance to secure the rights of citizens of Pakistan more effectively.

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