

THE BALOCHISTAN QAUMI RAZAKARS
ORDINANCE, 1965

(W. P. Ordinance. XXVIII of 1965)

CONTENTS

SECTIONS

Preamble.

1. Short title, extent and commencement.

2. Definitions.

3. Constitution of Qaumi Razakars.

4. Duties of Qaumi Razakars.

5. Call for training or duty.

6. Call in aid of police force.

7. Dismissal.

8. Punishment.

9. Qaumi Razakars to be public servants.

10. Bar to legal proceedings.

11. Cognizance of offences.

12. Power to make rules.

13. Repeal and savings.

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'THE 7BALOCHISTAN? QAUMI RAZAKARS
ORDINANCE, 1965

(W. P. Ord. XXVIII of 1965)

[25 September, 1965]

An Ordinance to consolidate the law relating to Qaumi Razakars in the Province of *[Balochistan].

Preamble. WHEREAS it is expedient to consolidate the law relating to Qaumi Razakars in the Province of *[Balochistan].

AND WHEREAS the Provincial Assembly of West Pakistan is not in session, and the Governor of West Pakistan is satisfied that circumstances exist which render immediate legislation necessary;

NOW, THEREFORE, in exercise of the powers conferred on him by clause (1) of Article 79 of the Constitution, the Governor of West Pakistan is pleased to make and promulgate the following Ordinance:—

Short title, extent 1. (1) This Ordinance may be called the *[Balochistan] and Qaumi Razakars Ordinances, 1965.

commencemen

t. (2) It extends to the whole of the Province of

[Balochistan] except the Tribal Areas.

Definitions. 2. In this Ordinance, unless the context otherwise requires, the following expressions shall have the meanings hereby respectively assigned to them, that is to say—

(a) "Government" means the Government of [Balochistan];

(b) "Prescribed" means prescribed by rules made under this Ordinance.

a

This Ord. was promulgated by the Governor of W. P. on 21% September, 1965; approved by the Provincial Assembly of W. P. December, 1965, under clause (3) of Article 79 of the Constitution of the Islamic Republic of Pakistan (1962); and, published in Gazette (Extraordinary), dated 2"! December, 1965, pages 5939-41.

2 Subs. by Balochistan Laws (Adaptation) Order, 1975, for the words "West Pakistan".

Spelling of the word "Baluchistan", wherever it appears in this Ordinance, is corrected by insertion of letter "o" instead of "u"; as Government of Balochistan, S&GAD's Notification No. SORI (4) 6/ S&GAD-89, dated 18" June, 1989.

Constitution of
Qaumi
Razakars.

Duties of Qaumi
Razakars.

Call for training or
duty.

Call in aid of police
force.

Dismissal.

Punishment.

3. (1) The Deputy Commissioner may cause to be
constituted for his district a body, to be called the Qaumi
Razakars, consisting of such number of persons and in such
manner as may be prescribed.

(2) The Deputy Commissioner may appoint as
members of the Qaumi Razakars such persons as are fit and
willing to serve.

(3) The superintendence of and control over the
body shall vest in the Deputy Commissioner and it shall be
commanded by such persons as the Deputy Commissioner may
appoint.

4. The Qaumi Razakars shall perform such duties in
connection with the maintenance of law and order, public
security and natural calamities as may be prescribed.

5. The Deputy Commissioner may in the prescribed
manner at any time call out Qaumi Razakars or a member
thereof by a general or special order for training or discharge of
duties under this Ordinance.

6. A member of Qaumi Razakars when called out by the
Deputy Commissioner in aid of the police force or any other
service established by law, shall be under the control of the
officers of such force or service, in such manner and to such
extent as may be prescribed, and shall have the same powers,
privileges and protection as a person appointed to such force or
service.

7. The Deputy Commissioner may, by an order in writing
dismiss any member of the Qaumi Razakars for misconduct or
failure in the discharge of his duties or for any other sufficient
cause [*] [after giving him an opportunity of being heard.]

8. If a member of the Qaumi Razakars, on being called out

under section 5, neglects or refuses to obey such order or any other lawful order or direction given to him for the performance of his duties, without sufficient cause, he shall be punished with imprisonment which may extend to three months or with fine which may extend to fifty rupees, or with both.

1 Fullstop deleted and words added by Baln. Ord. IX of 1985; shall be deemed to have taken effect on 1.10.1984.

Qaumi Razakars to
be public
servants.

Bar to legal
proceedings.

Cognizance of
offences.

Power to make
rules.

1 ie. Act XLV of 1860.

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9. A member of the Qaumi Razakars shall be Qaumi
deemed to be a public servant within the meaning of section 21
of the Pakistan Penal Code!.

10. _No suit, prosecution or other legal proceedings shall lie
against any member of the Qaumi Razakars for anything which
is in good faith done or intended to be done, in pursuance of
this Ordinance, or any rules made thereunder.

11. | When any members of the Qaumi Razakars is accused
of any offence alleged to have been committed by him while
acting or purporting to act in the discharge of his duties under
this Ordinance, no Court shall take cognizance of such offence
except with the previous sanction of the Deputy Commissioner.

12. (1) Government may make rules to carry out the
purposes of this Ordinance.

(2) In particular and without prejudice to the
generality of the foregoing powers, such rules may—

(a) regulate the organization, conditions of
service and discipline of the members of
the Qaumi Razakars

(b) prescribe the uniform and accoutrements
of the Qaumi Razakars;

(c) prescribe duties that Qaumi Razakars
may perform under section 4;

(d) prescribe the manner in which the Qaumi
Razakars may be called out for training
or service;

(e) provide for the exercise of control by
officers of the police force or any other
service established by law over members

of the Qaumi Razakars when acting in aid
of such force or service;

(f) prescribe the form of certificate of
membership of the Qaumi Razakars.

Repeal and savings.

2 ie. Sind Act XXI of 1948.

3 ie. West Punjab Act XVI of 1949.

4 ie. N.W.F.P. Act V of 1952.

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13. (1) ~~ The

repealed:—

(a)

(b)

(c)

following enactments are hereby

the Sind Home Guards Act?, 1948;

the West Punjab Qaumi Razakars Act',

1949; and

the North-West Frontier Qaumi Razakars

Act*, 1952.

(2) Notwithstanding the repeal of the enactments mentioned in sub-section (1), members of the Home Guards and Qaumi Razakars thereby appointed shall be deemed to be members of the Qaumi Razakars hereby constituted.