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THE PUBLIC ORDER (POLITICAL UNIFORMS) ORDINANCE, 1958.

ORDINANCE NO. XV OF 1958

[19th September, 1958]

An Ordinance to prohibit the wearing of uniforms in connection with political purposes and the maintenance by private persons of associations of a military or semi-military character, and matters connected therewith.

WHEREAS it is expedient to prohibit the wearing of uniforms in connection with political purposes and the maintenance by private persons of associations of a military or semi-military character, and matters connected therewith ;

AND WHEREAS the National Assembly is not in session and the President is satisfied that circumstances exist which render immediate action necessary ;

NOW, THEREFORE, in exercise of the powers conferred by Article 69 of the Constitution and of all other powers enabling him in that behalf, the President is pleased to make and promulgate the following Ordinance, namely :—

1. Short title, extent and commencement.—(1) This Ordinance may be called the Public Order (Political Uniforms) Ordinance, 1958.

(2) It extends to the whole of Pakistan.
(3) It shall come into force at once.

2. Interpretation.—In this Ordinance, unless there is anything repugnant in the subject or context,—

“ Meeting ” means a meeting held for the purpose of the discussion of matters of public interest or for the purpose of the expression of views on such matters ;

“ Private premises ” means premises to which the public have access (whether on payment or otherwise) only by permission of the owner, occupier, or lessee of the premises ;

“ Public meeting ” includes any meeting in a public place and any meeting which the public or any section thereof are permitted to attend, whether on payment or otherwise.

3. Prohibition of uniforms in connection with political objects.—Subject as hereinafter provided, any person who in any public place or at any public meeting marches or parades in military order or wears uniform signifying his association with any political organization or with the promotion of any political object shall be guilty of an offence :

Provided that if the District Magistrate is satisfied that the wearing of any such uniform as aforesaid on any ceremonial, anniversary, or other special occasion will not be likely to involve risk of public disorder, he may, with the previous consent of the [Provincial Government], by written order permit the wearing of such uniform on that occasion either absolutely or subject to such conditions as may be specified in the order.

'Subs. by the Central Adaptation of Laws Order, 1964 (President's Order No. 1 of 1964), Art. 2 and Sched.

4. Prohibition of quasi-military organisations.—(1) If the members of adherents of any association of persons, whether incorporated or not, are—

(a) organised or trained or equipped for the purpose of enabling them to be employed in usurping the functions of the police or of the armed forces of Pakistan ; or

(b) organised and trained or organised and equipped either for the purpose of enabling them to be employed for the use or display of physical force in promoting any political object, or in such manner as to arouse reasonable apprehension that they are organised and either trained or equipped for that

purpose ;

then any person who takes part in the control and management of the association, or in so organising or training as aforesaid any members or adherents thereof, shall be guilty of an offence under this section :

Provided that in any proceedings against a person charged with the offence of taking part in the control or management of such an association as aforesaid it shall be a defence to that charge to prove that he neither consented to nor connived at the organisation, training or equipment of members or adherents of the association in contravention of the provisions of this section.

(2) In any criminal proceedings under this section proof of things done or of words written, spoken or published (whether or not in the presence of any party to the proceedings) by any person taking part in the control or management of an association or in organising, training or equipping members or adherents of an association shall be admissible as evidence of the purposes for which, or the manner in which, members or adherents of the association (whether those persons or others) were organised, or trained, or equipped.

(3) Nothing in this section shall prohibit employment of a reasonable number of persons as stewards without any distinctive uniforms to assist in the preservation of order at any public meeting held upon private premises, or the making of arrangements for that purpose or the instruction of the persons to be so employed in their lawful duties as such stewards, or their being furnished with badges or other distinguishing signs.

5. Offences to be cognizable and non-bailable.—Offences under this Ordinance shall be cognizable and non-bailable.

6. Punishment.—An offence under this Ordinance shall be punishable with imprisonment for two years or with fine which may extend to one thousand rupees or with both.