

THE WEST PAKISTAN QAUMI RAZAKARS ORDINANCE,

1965.

(WEST PAKISTAN ORDINANCE NO. XXVIII OF 1965)

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[25 September, 1965.]

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AN
ORDINANCE

to consolidate the law relating to Qaumi Razakars in the Province of West Pakistan.

WHEREAS it is expedient to consolidated the law relating to Qaumi Razakars in the Province of West Pakistan;

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 Constitution, the Governor of West Pakistan is pleased to make and promulgate the following Ordinance:—

1. (1) This Ordinance may be called the West Pakistan Qaumi Razakars Ordinance, 1965.

(2) It extends to the whole of the [Province of Khyber Pakhtunkhwa]
except the Tribal Areas.

(3) It shall come into force at once.

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—

Preamble.

Short title, extent
and commencement.

Definitions.

(a) "Government" means the Government of *[Khyber Pakhtunkhwa.]

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

¹ Substituted vide Khyber Pakhtunkhwa Act No. IV of 2011.

² Substituted vide Khyber Pakhtunkhwa Act No. IV of 2011.

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 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. '[:]'

*TProvided that no such order shall be passed without giving the member concerned an opportunity or 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.

' Substituted vide Khyber Pakhtunkhwa Ord. No. III of 1985.

> Added vide Khyber Pakhtunkhwa Ord. No. III of 1985.

Constitution for
Qaumi Razakars.

Duties of Qaumi
Razakars.

Call for training
or duty.

Call in aid of
Police force.

Dismissal.

Punishment.

9. A member of the Qaumi Razakars shall be 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) prescribed 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;

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

13. (1) The following enactment are hereby repealed:—

Qaumi Razakars
to be Police
servants.

Bar to legal
proceedings.

Cognizance
of offences.

Power to make
rules.

Repeal and

savings.

'[(a), (bd).]

(c) the *[Khyber Pakhtunkhwa] 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.

¹ Omitted vide Khyber Pakhtunkhwa Adaptation of Laws Order, 1975.

² Substituted vide Khyber Pakhtunkhwa Adaptation of Laws Order, 1975.