

THE PUNJAB QAUMI RAZAKARS ORDINANCE, 1965
(XXVIII of 1965)

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TEXT

¹THE ²[PUNJAB] QAUMI RAZAKARS ORDINANCE, 1965 (XXVIII of 1965)

[25th September, 1965]

An Ordinance

to consolidate the law relating to Qaumi Razakars in the Province of ³[the Punjab].

Preamble.— WHEREAS it is expedient to consolidate the law relating to Qaumi Razakars in the Province of ⁴[the Punjab];

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. Short title, extent and commencement.— (1) This Ordinance may be called the ⁵[Punjab] Qaumi Razakars Ordinance, 1965.

(2) It extends to the whole of the Province of ⁶[the Punjab], except the Tribal Areas.

(3) It shall come into force at once.

2. Definitions.— 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 ⁷[Provincial Government of the Punjab];

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

¹This Ordinance was promulgated by the Governor of West Pakistan on 21st September, 1965; approved by the Provincial Assembly of West Pakistan on 2nd December, 1965, under clause (3) of Article 79 of the Constitution of the Islamic Republic of Pakistan (1962); and, published in the West Pakistan Gazette (Extraordinary), dated 2nd December, 1965, pages 5939-41.

²Substituted for the words “West Pakistan” by the Punjab Laws (Adaptation) Order, 1974 (P.O. No. 1 of 1974), w.e.f. 14.8.1973, Article 2 and the Schedule; and published in the Punjab Gazette (Extraordinary), dated 20.11.1974, pages 1425-A to 1425-PP.

³Substituted for the words “West Pakistan” by the Punjab Laws (Adaptation) Order, 1974 (P.O. No. 1 of 1974), w.e.f. 14.8.1973, Article 2 and the Schedule; and published in the Punjab Gazette (Extraordinary), dated 20.11.1974, pages 1425-A to 1425-PP.

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⁷Substituted for the words “Government of West Pakistan” by the Punjab Laws (Adaptation) Order, 1974 (P.O. No. 1 of 1974), w.e.f. 14.8.1973, Article 2 and the Schedule; and published in the Punjab Gazette (Extraordinary), dated 20.11.1974, pages 1425-A to 1425-PP.

3. Constitution of Qaumi Razakars.— (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. Duties of Qaumi Razakars.— 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. Call for training or duty.— 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. Call in aid of Police force.— 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. Dismissal.— 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.

⁸[Provided that such member shall be provided an opportunity of being heard before an order against him is passed.]

8. Punishment.— 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.

9. Qaumi Razakars to be public servants.— A member of the Qaumi Razakars shall be deemed to be a public servant within the meaning of section 21 of the Pakistan Penal Code⁹.

10. Bar to legal proceedings.— 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. Cognizance of offences.— When any member of the Qaumi Razakars is accused of any offence alleged to have been committed by him, while acting or

⁸Added by the Punjab Qaumi Razakars (Amendment) Ordinance, 1985 (XXIV of 1985), w.e.f. 23.2.1985, s.2; and published in the Punjab Gazette (Extraordinary), pages

⁹XLV of 1860.

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. Power to make rules.— (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.

13. Repeal and savings.— (1) The following enactments are hereby repealed:—

- (a) the Sind Home Guards Act, 1948¹⁰;
- (b) the West Punjab Qaumi Razakars Act, 1949¹¹; and
- (c) the North-West Frontier Qaumi Razakars Act, 1952¹².

(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.

¹⁰Sind XXI of 1948.

¹¹West Punjab XVI of 1949.

¹²N.W.F.P. V of 1952.