

EXTRAORDINARY

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THE BALOCHISTAN GAZETTE

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NO. 220 QUETTA WEDNESDAY AUGUST 24, 2011.

BALOCHISTAN PROVINCIAL ASSEMBLY SECRETARIAT.

NOTIFICATION.

Dated Quetta, the 24th August, 2011.

No. PAB/Legis: V (10)/2011. The Balochistan Police Bill No. 10 of 2011, having been passed by the Provincial Assembly of Balochistan on 19th August, 2011 and assented to by the Governor, Balochistan on 24th August, 2011 is hereby published as an Act of the Balochistan Provincial Assembly.

THE BALOCHISTAN POLICE ACT 2011

(ACT NO.X OF 2011).

(First published after having received the assent of the Governor Balochistan in the Balochistan Gazette (Extra-ordinary) dated 24th August, 2011.

AN

ACT

to reconstruct and regulate the Police

Preamble. WHEREAS it is expedient to re-organize the police and to make it a more efficient instrument for the prevention and detection of crime;

It is hereby enacted as under:-

1. Short title, extent and commencement. (1) This Act may be called "the Balochistan Police Act, 2011."

(2) It extends to the whole of Balochistan.

(3) It shall come into force at once.

2. Definitions. In this Act unless there is anything repugnant in the subject or context,-

(a) "A-Area" means the area as notified by Government in official Gazette, where Police shall act as law enforcement agency and any change in A-Area will be subject to approval of the Provincial Cabinet;

(b) "Act" means the Balochistan Police Act 2011;

(c) "Cattle" shall, besides horned cattle, include elephants, camels, horses, asses, mules, sheep, goats and swine.

(d) "District Magistrate" means an officer appointed under Code of Criminal Procedure 1898.(Act V of 1898) who shall act as the chief officer charged with the executive administration of a district and exercising the powers of a Magistrate, by whatever designation the chief officer charged with such executive administration is styled;

(e) "Government" mean Government of Balochistan;

(f) "Inspector General of Police" means the Provincial Head of Police;

(g) "Magistrate" shall include all persons, exercising all or any of the powers of a Executive Magistrate;

(h) "police" shall include all persons who shall be enrolled under this Act;

(i) "person" shall include a company or corporation;

(j) "property" shall include any moveable property, money or valuable security;

(k) "Rules" means rules made under this Act

(l) "Subordinate ranks of a police-force" shall be construed as references to members of that force below the rank of Deputy Superintendent of Police; and

(m) "Superintendent of Police" means the head of Police of A-Area of a District.

3. Constitution of the Police. (1) The entire police-establishment under a Provincial Government shall, for the purposes of this Act, be deemed to be one police-force, and shall be formally enrolled; and shall consist of such number of officers and men, and shall be constituted in such manner, as shall from time to time be ordered by the Government.

(2) Subject to the provisions of this Act, the pay and all other conditions of service of members of the subordinate ranks of any police force shall be such as may be determined by the Government.

4. Superintendence in the Government. The superintendence of the police throughout of the Province shall vest in and shall be exercised by the Government.

5. Inspector General of Police. The administration of the police shall be vested in an officer to be styled the Inspector General of Police, and in such Additional Inspector General of Police, Deputy Inspectors-General and Assistant Inspectors-General as the Government shall deem fit.

6. Powers of Inspector General. The Inspector General of Police shall exercise such powers on direction of Government issued from time to time and perform such functions and duties and shall have such responsibilities as may be provided by or under this Act and any other law for the time being in force.

7. Appointment, dismissal etc of inferior officers. Subject to such rules as the Government may from time to time make under this Act, the Inspector-General, Additional Inspector General, Deputy Inspectors-General, Assistant Inspectors-General and Superintendents of Police may at any time dismiss, compulsorily retire, suspend or reduce either in rank or within time scale any police-officer of the subordinate ranks whom they shall think remiss or negligent in the discharge of his duty, or unfit for the same ; or may award any one or more of the following punishments to any police-officer of the subordinate ranks who shall discharge his duty in a careless or negligent manner, or who by any act of his own shall render himself unfit for the discharge thereof, namely:-

- (a) fine to any amount not exceeding one month's pay ;
- (b) confinement to quarters for a term not exceeding fifteen days, with or without punishment drill, extra guard, fatigue or other duty ;

- (c) deprivation of good-conduct pay;
- (d) removal from any office of distinction or special emolument; and
- (e) stoppage of increments.

8. Certificate to Police Officers. Every police officer appointed to the police-force other than an officer mentioned in Section 5 shall receive on his appointment a certificate in the form annexed to this Act, under the seal of the Inspector-General or such other officer as the Inspector-General shall appoint, by virtue of which the person holding such certificate shall be vested with the powers, functions and privileges of a police-officer:

Provided that such certificate shall cease to have effect whenever the person named in it ceases for any reason to be a police-officer, and, on his ceasing to be such an officer, shall be forthwith surrendered by him to any officer empowered to receive the same:

Provided further that a police-officer shall not by reason of being suspended from office cease to be a police-officer. During the term of such suspension the powers, functions and privileges vested in him as a police officer shall be in abeyance, but he shall continue subject to the same responsibilities, discipline and penalties and to the same authorities, as if he had not been suspended.

9. Police officer not to resign without leave or two months' notice. No police-officer shall be at liberty to withdraw himself from the duties of his office, unless expressly allowed to do so by the Superintendent of Police or by some other officer authorized to grant such permission, or, without the leave of the Superintendent of Police, to resign his office, unless he shall have given to his superior officer notice in writing, for a period of not less than two months, of his intention to resign.

10. Police Officer not to engage in other employment. No police-officer shall engage in any employment or office whatever other than his duties under this Act, unless expressly permitted to do so in writing by the Inspector-General.

11. Investigation and regulation of Police accounts. The Inspector General shall, subject to the orders of the Government have authority to regulate all matters of accounts connected with the police force subject to his authority and all persons concerned shall be bound to give him reasonable aid and facilities in conducting such investigation, and to comply with his lawful orders in that behalf.

12. Powers of Inspector General to make Rules. The Inspector-General of Police may, from time to time, subject to the approval of the Government, frame such orders and rules as he shall deem expedient relative to the organization, classification and distribution of the police force, the places at which the members of the force shall reside, and the particular services to be performed by them; their inspection, the description of arms, accoutrements and other necessaries to be furnished to them; the collecting and communicating by them of intelligence and information; and all such other orders and rules relative to the police-force as the Inspector-General, shall, from time to time, deem expedient for preventing abuse or neglect of duty, and for rendering such force efficient in the discharge of its duties.

13. Additional Police Officers employed at cost of individuals. It shall be lawful for the Inspector-General of Police, or any Deputy Inspector-General, or Assistant Inspector-General or for the Superintendent of Police, subject to the general direction of the District Magistrate, on the application of any person showing the necessity thereof, to deploy any additional number of police-officers to keep the peace at any place within the A-Area of the District, and for such time as shall be deemed proper. Such force shall be exclusively under the orders of the Superintendent of Police, and shall be at the charge of the person making the application:

Provided that it shall be lawful for the person on whose application such deployment shall have been made, on giving one month's notice in writing to the Inspector-General, Deputy Inspector-General, or Assistant Inspector-General, or to the Superintendent of Police to require that the police-officers so deployed shall be withdrawn; and such person shall be relieved from the charge of such additional force from the expiration of such notice.

14. Appointment of Additional force in the neighborhood of Railway and any other works. Whenever any railway, canal or other public work, or any manufactory or commercial concern shall be carried on, or be in operation in any part of the province, and it shall appear to the Inspector-General that the employment of an additional police force in such place is rendered necessary by the behavior or reasonable apprehension of the behavior of the persons employed upon such work, manufactory or concern, it shall be lawful for the Inspector-General, with the consent of the Government, to depute such:

additional force to such place, and to employ the same so long as such necessity shall continue, and to make orders, from time to time, upon the person having the control or custody of the funds used in carrying on such work, manufactory or concern, for the payment of the extra force so rendered necessary, and such person shall thereupon cause payment to be made accordingly.

15. Special Police Officers. When it shall appear that any unlawful assembly, or riot or disturbance of the peace has taken place, or may be reasonably apprehended, and that the police-force ordinarily employed for preserving the peace is not sufficient for its preservation and for the protection of the inhabitants and the security of property in the place where such unlawful assembly or riot or disturbance of the peace has occurred, or is apprehended, it shall be lawful for any police-officer not below the rank of Inspector to apply to the nearest Magistrate to appoint so many of the residents of the neighborhood as such police-officers may require to act as special police-officers for such time and within such limits as he shall deem necessary ; and the Magistrate to whom such application is made shall, unless he sees cause to the contrary, comply with the application.

16. Powers of Special Police Officers. Every special police-officer so appointed shall have the same powers, privileges and protection, and shall be liable to perform the same duties and shall be amenable to the same penalties, and be subordinate to the same authorities, as the ordinary officers of police.

17. Refusal to serve as Special Police Officer. If any person being appointed a special police-officer as, aforesaid shall without sufficient excuse, neglect or refuse to serve as such, or to disobey such lawful order or direction as may be given to him for the performance of his duties, he shall be liable, upon conviction before a Magistrate, to a fine not exceeding fifty rupees for every such neglect, refusal or disobedience.

18. Authority to be exercised by Police officers. Police-officers enrolled under this Act shall not exercise any authority, except the authority provided for a police-officer under this Act and any Act which shall hereafter be passed for regulating criminal procedure.

19. Village Police Officer. Nothing in this Act shall affect any hereditary or other village-police-officer, unless such officer shall be enrolled as a police-officer under this Act. When so enrolled, such officer shall be bound by the provisions of the last preceding

section. No hereditary or other village-police-officer shall be enrolled without his consent and the consent of those who have the right of nomination.

20. Police Officer always on duty and may be employed in any part of Province.

Every police-officer shall, for all purposes in this Act contained, be considered to be always on duty, and may at any time be employed as a police-officer in any part of the A-Area of the Province.

21. Duties of Police Officers. It shall be the duty of every police-officer promptly to obey and execute all orders and warrants lawfully issued to him by any competent authority; to collect and communicate intelligence affecting the public peace; to prevent the commission of offences and public nuisances; to detect and bring offenders to justice and to apprehend all persons whom he is legally authorized to apprehend, and for whose apprehension sufficient ground exists : and it shall be lawful for every police-officer, for any of the purposes, mentioned in this section, without a warrant, to enter and inspect any drinking-shop or other place of resort of loose and disorderly characters.

22. Police officers may lay information etc. It shall be lawful for any police-officer to lay any information before a Magistrate, and to apply for a summons, warrant, search-warrant or such other legal process as may by law issue against any person committing an offence.

23. Police Officers to take charge of unclaimed property and be subject to District Magistrate's order as to disposal. (1) It shall be the duty of every police-officer to take charge of all unclaimed property, and to furnish an inventory thereof to the District Magistrate.

(2) The police-officers shall be guided as to the disposal of such property by such orders as they shall receive from the District Magistrate.

(3) The District Magistrate may detain the property and issue a proclamation, specifying the articles of which it consists, and requiring any person who has any claim thereto to appear and establish his right to the same within six months from the date of such proclamation.

(4) The provisions of section 525 of the Code of Criminal Procedure, 1898, shall be applicable to property referred to in this section.

(5) If no person shall within the period allowed claim such property, or the proceeds thereof, if sold, it may, if not already sold under sub-section (4), be sold under the orders of the District Magistrate.

(6) The sale-proceeds of property sold under the preceding sub-sections to which no claim has been established shall be at the disposal of the Government.

24. Persons refusing to deliver certificate etc. on ceasing to be Police Officer. Every person, having ceased to be an enrolled police officer under this Act, who shall not forthwith deliver up his certificate, and the clothing, accoutrements, appointments and other necessaries which shall have been supplied to him for the execution of his duty, shall be liable, on conviction before a Magistrate, to a penalty not exceeding five thousand rupees, or to imprisonment with or without hard labor, for a period not exceeding six months, or to both.

25. Penalties for neglect of duty etc. Every police-officer who shall be guilty of any violation of duty or wilful breach or neglect of any rule or regulation or lawful order made by competent authority, or who shall withdraw from the duties of his office without permission, or without having given previous notice for the period of two months, or who, being absent on leave, shall fail, without reasonable cause, to report himself for duty on the expiration of such leave, or who shall engage without authority in any employment other than his police-duty, or who shall be guilty of cowardice, or who shall offer any unwarrantable personal violence to any person in his custody, shall be liable, on conviction before a Magistrate, to a penalty not exceeding three months' pay, or to imprisonment with or without hard labor, for a period not exceeding three months, or to both.

26. Regulation of Public assemblies and processions and licencing of same. (1) The Superintendent of Police or Deputy Superintendent of Police may, as occasion requires, direct the conduct of all assemblies and processions on the public roads, or in the public streets or thoroughfares, and prescribe the routes by which, and the times at which, such processions may pass.

(2) He may also, on being satisfied that it is intended by any persons or class of persons to convene or collect an assembly in any such road, street or thoroughfare, or

to form a procession which would, in the judgment of the District Magistrate, or of the Sub Divisional Magistrate, if uncontrolled, be likely to cause a breach of the peace, require by general or special notice that the persons convening or collecting such assembly or directing or promoting such procession shall apply for a licence.

(3) On such application being made, he may issue a licence specifying the names of the licencees and defining the conditions on which alone such assembly or such procession is to be permitted to take place and otherwise giving effect to this section:

Provided that no fee shall be charged on the application for, or grant of, any such licence.

(4) He may also regulate the extent to which music may be used in the streets on the occasion of festivals and ceremonies.

27. Powers with regard to assemblies and processions violating conditions of licence.

(1) Any District Magistrate, Sub Divisional Magistrate, Executive Magistrate or Superintendent of Police or Deputy Superintendent of Police or Inspector of Police or any police-officer in charge of a station may stop any procession which violates the conditions of a licence granted under the last foregoing section, and may order it or any assembly which violates any such conditions as aforesaid to disperse.

(2) Any procession or assembly which neglects or refuses to obey any order given under the last preceding sub-section shall be deemed to be an unlawful assembly.

28. Police to keep order in public etc. It shall be the duty of the police to keep order on the public roads, and in the public streets, thoroughfares, gats and landing-places, and at all other places of public resort, and to prevent obstructions on the occasions of assemblies and processions on the public roads and in the public streets, or in the neighborhood of places of worship, during the time of public worship, and in any case when any road, street, thoroughfare, gats or landing-place may be thronged or may be liable to be obstructed.

29. Penalty for disobeying orders issued under last three sections etc. Every person opposing or not obeying the orders issued under the last three preceding sections, or violating the conditions of any licence granted by the Superintendent of Police or Deputy

Superintendent of Police for the use of music, or for the conduct of assemblies and processions, shall be liable, on conviction before a Magistrate, to a fine not exceeding five thousands rupees.

30. Saving of control of District Magistrate. Nothing in the last four preceding sections shall be deemed to interfere with the general control of the District Magistrate over the matters referred to therein.

31. Powers of the District Magistrate to make rules regarding use of streets, etc.(1)
In any town or other place in which he thinks fit, the District Magistrate may, from time to time and subject to such order as may have been made by a municipal or other authority empowered in that respect, make rules or orders-

- (a) closing certain streets or places temporarily, in cases of danger from ruinous buildings or other cause, with such exceptions as shall appear reasonable ;
- (b) for guarding against injury to persons and property in the construction, repair and demolition of buildings, platforms and other structures from which danger may arise to passengers, neighbors or the public ;
- (c) regulating the leading, driving, conducting or conveying of any elephant or wild or dangerous animal through or in any street ;
- (d) prohibiting the hanging or placing of any cord or pole across a street or part thereof, or the making of a projection of structure so as to obstruct traffic or the free access of light and air ;
- (e) prescribing certain hours of the day during which ordure and offensive matter or objects shall not be taken from or into houses or buildings in certain streets or conveyed through such streets and during which cattle shall not be driven along the streets or along certain specified streets, except subject to such reasonable regulations as he may prescribe in that behalf;
- (f) prohibiting the setting fire to or burning any straw or other matter, or lighting a bon fire, or wantonly discharging a firearm or air gun, or letting off or throwing a fire-work, or sending up a fire balloon in or upon or within fifty feet of a street or building or the putting tip of any post or other thing on the side of or across a street for the purpose of affixing thereto lamps or other contrivances for

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(f) prohibiting the setting fire to or burning any straw or other matter, or lighting a bon fire, or wantonly discharging a firearm or air gun, or letting off or throwing a fire-work, or sending up a fire balloon in or upon or within fifty feet of a street or building or the putting tip of any post or other thing on the side of or across a street for the purpose of affixing thereto lamps or other contrivances for

- illumination, except subject to such reasonable regulations as he may prescribe in that behalf ;
- (g) prohibiting, except under such reasonable regulations as the District Magistrate may impose, the making of any excavation, the placing of building materials or other articles, or the fastening or detention of any horse or other animal in any street ;
- (h) prohibiting, save under such regulations as aforesaid, the exposure or movement in any street of persons or animals suffering from contagious or infectious diseases and the carcasses of animals or part thereof and the corpses of persons deceased ;
- (i) setting apart places for the slaughtering of animals, the cleaning of carcasses or hides, the deposit of noxious or offensive matters, and for obeying calls of nature ;
- (j) in cases of existing or apprehended epidemic or infectious diseases of men or animals, with respect to cleanliness and disinfection of premises by the occupier thereof and residents therein, and as to the segregation and management of the persons or animals diseased or supposed to be diseased, as may have been directed or approved by the Government with a view to prevent the disease or to check the spreading thereof ;
- (k) directing the closing or disuse, wholly or for certain purposes, or limiting to certain purposes only the use, of any source, supply or receptacle of water, and providing against pollution of the same or of the water therein ;
- (l) regulating the hours during which and the manner in which any place for the disposal of the dead, any sarai, village-gate or other place of public resort may be used, so as to secure the equal and appropriate application of its advantages and accommodation and to maintain orderly conduct amongst those who resort thereto;
- (m) regulating the movement of persons, animals and vehicles at such times and such places at which, in the opinion of the Magistrate, special regulations may be necessary for the public safety and convenience ; and

(n) prescribing the number or position of lights to be used on vehicles in streets and the hours between which such lights shall be used.

(2) Every regulation made under clause (h) or made under clause (i) with respect to the use of a place for the disposal of the dead shall be framed with due regard to ordinary and established usages and to the necessities of prompt disposal of the dead in certain cases ; and every rule or order made by the District Magistrate under clauses (c), (e), (f), (g), (h), (i) or (n) shall be published by affixing a copy thereof, in the language of the district on some public building in the town or place in which the same is to have operation, and a copy, in the language of the district, of every rule or order made under clauses (a), (b), (j), (k) or (l) shall be kept affixed in a conspicuous spot near to the building, structure, work or place to which the same specially relates.

(3) Every rule promulgated under the authority of clause (j) of subsection (1) shall be forthwith reported to the Commissioner and shall be in force for not more than fifteen days unless extended by the Commissioner for a longer period and, in such case, for so long as the Commissioner directs.

(4) It shall be the duty of all persons concerned to conform to any order duly made as aforesaid so long as the same shall be in operation.

32. Punishment for certain offences of roads etc. Any persons who, on any road or in any open place or street or thoroughfare within the limits of any town to which this section shall be specially extended by the Government, commits any of the following offences, to the obstruction, inconvenience, annoyance, risk, danger or damage of the residents or passengers shall, on conviction before a Magistrate, be liable to a fine not exceeding five thousand rupees, or to imprisonment with or without hard labour not exceeding fifteen days ; and it shall be lawful for any police-officer to take into custody, without a warrant, any person who within his view commits any of such offences, namely:

First.-Any person who slaughters any cattle or cleans any carcaes ; any person who rides or drives any cattle recklessly or furiously, or trains or breaks any horse or other cattle;

Second.-Any person who wantonly or cruelly beats, abuses or tortures any animal;

Third.-Any person who keeps any cattle or conveyance of any kind standing longer than is required for loading or unloading or for taking up or setting down passengers, or who

leaves any conveyance in such a manner as to cause inconvenience or danger to the public;

Fourth.-Any person who throws or lays down any dirt, filth, rubbish or any stones or building materials, or who constructs any cowshed, stable or the like, or who causes any offensive matter to run from any house, factory, dung-heap or the like;

Fifth.-Any person who is found drunk or riotous or who is incapable of taking care of himself;

Sixth.-Any person who wilfully and indecently exposes his person, or any offensive deformity or disease, or commits nuisance by easing himself, or by bathing or washing in any tank or reservoir not being a place set apart for that purpose;

Seventh.-Any person who neglects to fence in or duly to protect any well, tank or other dangerous place or structure;

33. Penalty for contravention of any rule or order made under section 31.-Whoever contravenes any rule or order made under section 31 or abets the commission of any such offence shall be punished with fine which may extend to five thousand rupees.

34. Summary disposal of cases. (1) A Court taking cognizance of an offence punishable under section 32 or section 33 may state upon the summons to be served on the accused person that he:

- (a) may appear by pleader and not in person; or
- (b) may, by a specified date prior to the hearing of the charge, plead guilty to the charge by register letter and remit to the Court such sum not exceeding five thousand rupees as the Court may specify.

(2) The accused person shall if he pleads guilty and remit the sum specified and complied with the provisions of sub section (1) no further proceedings in respect of offence shall be taken against him. or shall be liable to be disqualified for holding or obtaining a license by reason of his having pleaded guilty.

35. Jurisdiction. Any charge against a police-officer above the rank of a constable under this Act shall be enquired into and determined only by an officer exercising the powers of a Magistrate.

36. Power to prosecute under other law not affected. Nothing contained in this Act shall be construed to prevent any person from being prosecuted under any other law for

the time being enforced for any offence made punishable by this Act, or from being liable under any other law for the time being in force or any other or higher penalty or punishment than is provided for such offence by this Act:

Provided that no person shall be punished twice for the same offence.

37. Recovery of penalties and fine imposed by Magistrate. The provisions of sections 64 to 70, both inclusive, of the Pakistan Penal Code, and of sections 386 to 389, both inclusive, of the Code of Criminal Procedure, 1898, with respect to fines, shall apply to penalties and fines imposed under this Act on conviction before a Magistrate:

Provided that, notwithstanding anything contained in section 65 of the first-mentioned Code, any person sentenced to fine under section 33 of this Act may be imprisoned in default of payment of such fine for any period not exceeding fifteen days.

38. Plea that act was done under warrant. When any action or prosecution shall be brought or any proceedings held against any police-officer for any act done by him in such capacity, it shall be lawful for him to plead that such act was done by him under the authority of a warrant issued by a Magistrate.

Such plea shall be proved by the production of the warrant directing the act, and purporting to be signed by such Magistrate and the defendant shall thereupon be entitled to a decree in his favour, notwithstanding any defect of jurisdiction in such Magistrate. No proof of the signature of such Magistrate shall be necessary, unless the Court shall see reason to doubt its being genuine:

Provided always that any remedy which the party may have against the authority issuing such warrant shall not be affected by anything contained in this section.

39. Police officers to keep diary. (1) It shall be the duty of every officer in charge of a police station to keep a general diary in such form as shall, from time to time, be prescribed by the Government and to record therein all complaints and charges preferred, the names of all persons arrested, the names of the complainants, the offences charged against them, the weapons or property that shall have been taken from their possession or otherwise, and the names of the witnesses who shall have been examined.

(2) The District Magistrate shall be at liberty to call for and inspect such diary.

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(2) The District Magistrate shall be at liberty to call for and inspect such diary.

40. Shifting of Investigation to the Special Investigation Agency. The Provincial Government or the Inspector General of Police may order for shifting of Investigation of a case from one Police Station to another Police Station or to a Special Investigation Agency.

41. Government may prescribe form returns. The Government may direct the submission of such returns by the Inspector-General and other police-officers as to such Government shall deem proper, and may prescribe the form in which such returns shall be made.

42. Rule making and adoption thereof. (1) The Government may by notification in the official gazette make rules for carrying into effect the provisions of this Act.

(2) The Government may also from time to time by a notification in the official gazette adopt or make effective, any rules made under any law for the time being in force.

(3) The Police Rules 1934, shall be deemed to have been made under this Act:

Provided that in the event of any inconsistency, the Government shall by notification in the official gazette make inoperative any such rules to the extent of its inconsistency.

43. Issuance of instructions by Government. The Government may, from time to time, by notification in the official gazette issue instructions consistent with this Act and rules thereunder:

(a) for due observance of the relationship between the commissioners/ Magistrates and police officers in the discharge of duty under this Act and rules thereunder; and

(b) generally, for giving effect to the provisions of this Act and rules thereunder.

44. Delegation of powers. The Government may, by a notification in the official gazette, delegate all or any of its powers under this Act to the Home and Tribal Affairs Department.

45. Notification of rules and regulations in the Official Gazette. Every rule and regulation made under this Act shall be made by notification in the Official Gazette.

46. Repeal and savings. - (1) The application of the Police Order, 2002, (hereinafter referred to as the said order) to the extent of Balochistan Province is hereby repealed:

Provided that :

- (a) all rules prescribed, appointments made, powers conferred, orders made or passed, consent, permit, permission of licences given, summons or warrants issued or served, persons, arrested or detained or discharged on bail or bond, search warrants issued, bond forfeited, penalty incurred under the said Order shall, so far as they are consistent with this Act, be deemed to have been respectively, made, conferred, given, passed, served, arrested, detained, discharged, forfeited and incurred hereunder;
 - (b) all references made to the said Order or in any law or instrument shall be construed as references to the corresponding provisions of this Act.
- (2) Notwithstanding the repeal of the said Order, the repeal shall not -
- (a) affect the validity, invalidity, effect or consequence of anything duly done or suffered under the said Order;
 - (b) affect any right, privilege, obligation or liability acquired, accrued or incurred under the said Order;
 - (c) affect any penalty, forfeiture or punishment incurred or inflicted in respect of any act or offence committed against the said Order;
 - (d) affect any investigation, legal proceeding or remedy in respect of any such right, privilege, obligation, liability, penalty, forfeiture or punishment as aforesaid; and any such investigation, legal proceeding or remedy may be instituted, continued or enforced, and any such penalty, forfeiture or punishment may be imposed, as if the said Order has not been repealed; and
 - (e) affect any proceeding pending in any court or before any authority under the said Order, and any such proceeding and any appeal or revision arising out of such proceeding shall be continued, instituted or disposed of, as if the said Order had not been repealed.

47. Existing police deemed to be constituted under this Act. – Without prejudice to the provisions contained in Section 46, the police functioning in the Balochistan Province immediately before the commencement of this Act shall on such commencement be deemed to be police constituted under this Act.

48. Power to remove difficulties. - (1) If any difficulty arises in giving effect to the provisions of this Act, the Government may, by notification in the Official Gazette, make such provisions as appear to be necessary or expedient for removing the difficulty:

Provided that no such notification shall be issued after the expiry of six months from the commencement of this Act.

(2) Every notification issued under this Section shall be laid before the Provincial Assembly.

FORM

See Section 8

A.B; has been appointed as member of the Police force under Act X of 2011 and is vested with the powers, functions and privileges of a police officer.

SAFDER HUSSAIN
Secretary
Balochistan Provincial Assembly