



## **THE FRONTIER CORPS ORDINANCE, 1959**



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# THE FRONTIER CORPS ORDINANCE, 1959

ORDINANCE No. XXVI OF 1959

[29th April, 1959]

*An Ordinance to consolidate and amend the law relating to the regulation of the Frontier Corps Units <sup>1\*\*\*</sup>.*

WHEREAS it is expedient to consolidate and amend the law relating to the Regulation of the Frontier Corps Units <sup>1\*\*\*</sup> ;

NOW, THEREFORE, in pursuance of the Proclamation of the seventh day of October, 1958, and in exercise of all powers enabling him in that behalf, the President is pleased to make and promulgate the following Ordinance, namely:—

**1. Short title commencement and application.**—(1) This Ordinance may be called the Frontier Corps Ordinance, 1959.

(2) It shall come into force at once.

(3) It shall apply to the members of the Frontier Corps wherever they may be.

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

- (a) “active service” means service against an external aggressor or enemy, or against hostile tribes, raiders or other hostile persons, or persons co-operating with or assisting such aggressor, enemy, tribes, raiders or hostile persons;
- (b) “Commandant” means a person appointed under section 5 to be a Commandant of a Unit of the Frontier Corps;
- (c) “custody” means the arrest or confinement of a person according to the usages of the service;
- <sup>2</sup>[(cc) “Deputy Inspector General” means <sup>3</sup>[a] the Deputy Inspector General, Frontier Corps, appointed under section 5;]
- (d) “Frontier Corps” means the Corps or Unit referred to in section 3 or any of the individual forces comprising it, as the context may require;
- (e) “Inspector General” means <sup>3</sup>[an] Inspector General, Frontier Corps, appointed under section 5 <sup>4</sup>\* \* \*;
- (f) “Junior Commissioned Officer” means a person commissioned, gazetted or in pay, as a Junior Commissioned Officer in the Frontier Corps;

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<sup>1</sup> The words “operating in West Pakistan” omitted by the Frontier Corps (Amdt.) Act, 1965 (1 of 1965), s. 2.

<sup>2</sup> Cl. (cc) ins. by the Frontier Corps (Amdt.) Act, 1965 (1 of 1965), s. 3.

<sup>3</sup> Subs. and shall be deemed always to have been so subs. by the Frontier Corps. (Amdt.) Act, 1974 (2 of 1975), s. 3.

<sup>4</sup> The words “and includes the Deputy Inspector General, Frontier Corps appointed under that section” omitted, by Act 1 of 1965 s. 3.

- (g) “member of the Frontier Corps” means a person other than a person appointed under section 5 by the <sup>1</sup>[Federal Government], who at the commencement of this Ordinance, is serving in the Frontier Corps or who after the commencement of this Ordinance has been appointed to the Frontier Corps under this Ordinance and has signed a recruiting roll set out in the Second Schedule and the affirmation in the form set out in the Third Schedule, if not already signed by him:

Provided that every person who has from the date of enrolment been in the receipt of pay as a member of the Frontier Corps and has been borne on its roll shall be deemed to be a member of the Frontier Corps notwithstanding that he has not signed the said recruiting roll and affirmation;

- (h) “officer” means a person, other than a Junior Commissioned Officer, who is commissioned, gazetted or in pay, as an officer of the Pakistan Army or of the Frontier Corps;
- <sup>2</sup>[(i) “Political Officer” means the Political Agent, Additional Political Agent, Deputy Commissioner, Assistant Political Agent or Magistrate under whose jurisdiction any Unit of the Frontier Corps may be stationed;].
- (j) “prescribed” means prescribed by rules made under this Ordinance; and
- (k) the expressions “assault”, “criminal **force**”, “fraudulently”, “murder”, “reason to believe” and “voluntarily causing hurt” have the meaning respectively assigned to them in the Pakistan Penal Code (XLV of 1860).

**3. Powers to maintain Frontier Crops.**—There shall continue to be maintained by the <sup>1</sup>[Federal Government] the Frontier Corps forces or units as listed in the First Schedule, primarily for the better protection and administration of the external frontiers of Pakistan within the limits of or adjoining the <sup>3</sup>[Tribal Areas] of <sup>4</sup>[Pakistan]:

Provided that the <sup>1</sup>[Federal Government] may, by notification in the official Gazette, make any addition to or omission from the list in that Schedule as and when a new force or unit is raised or an existing one disbanded.

**4. Constitution of Frontier Crops.**—The Frontier Corps shall be constituted in such manner, and the members of the Frontier Corps shall receive such pay, pension and other remuneration, and shall enjoy such leave and other privileges as may be prescribed by the <sup>2</sup>[Federal Government] from time to time.

**5. Appointment and powers of superior officers.**—(1) The <sup>1</sup>[Federal Government] may appoint <sup>5</sup>[as many Inspectors General, Frontier Corps, and Deputy Inspectors General, Frontier Corps, as it considers necessary] and the Commandants or other officers of any unit of the Frontier Corps.

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<sup>1</sup> Subs. by the Frontier Corps (Amdt) Act, 1974 (2 of 1975), s. 2 for “Central Government”.

<sup>2</sup> Cl. (i) subs. by the Frontier Corps (Amdt.) Ordinance, 1965 (35 of 1965), s. 2, for the original clause (i) (with effect from the 15th May, 1965), have further been subs. by the Frontier Corps (Amdt.) Ordinance, 1981 (9 of 1981), s. 2, to read as above.

<sup>3</sup> Subs. by A.O., 1964, Art. 2 and Sch., for “Special Areas”.

<sup>4</sup> Subs. by F.A.O., 1975, Art. 2 and Sch., for “West Pakistan”.

<sup>5</sup> Subs. and shall be deemed always to have been so subs., by Act, 1974 (2 of 1975), s. 4.

<sup>1</sup>[(1A) Where the Federal Government appoints more than one Inspector General or Deputy Inspector General, it shall, by notification in the official Gazette, specify the area within which each one of them shall exercise jurisdiction under this Ordinance.]

(2) Every Commandant and other officer so appointed shall possess, and may exercise, such powers and authority over the subordinate officers and members of the Frontier Corps for the time being under their command as is provided by or under this Ordinance.

**6. Appointment of subordinate officers and men.**—(1) The appointment of all subordinate officers and other members of the Frontier Corps shall be made by the Inspector General or the Commandants in such manner and subject to such conditions as may be prescribed.

(2) Before a person is appointed under sub-section (1) the statement contained in the recruiting roll and affirmation set out respectively in the Second and Third Schedules shall at any convenient place be read out and, if necessary, explained to him in the presence of a Commandant, or other officer appointed under section 5, and shall thereafter be signed by such person in acknowledgement of its having been so read out to him.

(3) When the affirmation set out in the Third Schedule is read out it shall be repeated by the person making affirmation before he signs it.

**7. Superintendence, command control and administration of Frontier Corps.**—(1) The superintendence of and command and control over the Frontier Corps shall vest in the <sup>2</sup>[Federal Government], and the Frontier Corps shall be administered, commanded and controlled by the Inspector General and the Commandants in accordance with the provisions of this Ordinance and any rules made thereunder and such orders and instructions as may be made or issued by the <sup>2</sup>[Federal Government] from time to time.

<sup>3</sup>[(2) Every Frontier Corps and the Commandant of every Unit of a Frontier Corps shall, in time of peace, be subject, save in respect of administration, internal economy and training, to the directions of the Political Agent or the Deputy Commissioner of the Area within which the headquarters of the Frontier Corps are located.]

**8. More heinous offences.**—(1) Every member of the Frontier Corps who—

- (a) begins, excites, causes or conspires to cause or joins in any mutiny, or being present at any mutiny does not use his utmost endeavours to suppress it, or knowing, or having reason to believe in, the existence of any mutiny or of any intention or conspiracy to mutiny, or of any conspiracy against the authority of the Government does not, without delay, give information thereof to his superior officer ; or
- (b) uses, or attempts to use, criminal force to, or commits an assault on, his superior officer whether on or off duty and whether or not knowing or having reason to believe him to be such ; or
- (c) shamefully abandons or delivers up any garrison, fortress, post or guard which is committed to his charge, or which it is his duty to defend ; or
- (d) directly or indirectly holds correspondence with, or assists or relieves,

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<sup>1</sup> Ins. by the Frontier Corps (Amdt.) 1974 (2 of 1975), s. 2.

<sup>2</sup> Subs. by the Frontier Corps (Amdt) Act, 1974 (2 of 1975), s.2, for “Central Government”.

<sup>3</sup> Subs. by the Frontier Corps (Amdt.) Act, 1965 (1 of 1965), s. 4, for the original sub-section (2).

any person in arms against the authority of the Government, or omits to disclose immediately to his superior officer any such correspondence coming to his knowledge ; or

<sup>1</sup>[(dd) deserts the Frontier Corps ; or]

(e) while on active service—

(i) disobeys the lawful command of his superior officer; or

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(iii) being a sentry, sleeps upon his post, or quits it without being regularly relieved or without leave ; or

(iv) leaves his superior officer or his post or party to go in search of plunder ; or

(v) quits his guard, picquet party or patrol without being regularly relieved or without leave ; or

(vi) uses criminal force to, or commits an assault on, any person bringing provisions or other necessities to camp or quarters, or forces a safe-guard, or breaks into any house or other place for plunder, or plunders, destroys or damages any property of any kind ; or

(vii) intentionally causes or spreads a false alarm in action or in camp, garrison or quarters ; or

(viii) displays cowardice in the execution of his duty; shall be punishable, in the case of clause (a), with death or imprisonment for a term which may extend to fourteen years, and in other cases, with <sup>3</sup>[imprisonment] for life or for a period of not less than seven years, or with imprisonment for a term which may extend to fourteen years, or with fine which may extend to three months' pay and allowances excluding warm clothing and half mounting allowances, or with fine to that extent in addition to such sentence of <sup>4</sup>\* \* \* imprisonment:

Provided that if any member of the Frontier Corps while on active service with a force beyond the limits of Pakistan commits any offence described in clause (c), clause (d) or <sup>5</sup>[clause (dd)], he may be punished with death.

(2) If any member of the Frontier Corps is charged with committing any offence described in clause (a) of sub-section (1), or an offence punishable under the proviso to that sub-section, or the offence of murder, he may, notwithstanding anything contained in this Ordinance or in any other law for the time being in force, be summarily tried for such offence by the Political Officer <sup>6</sup>[\* \* \*] sitting with two other officers appointed by the Political Officer in consultation with the Commandant for such purpose.

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<sup>1</sup> Cl. (dd) ins. by the Frontier Corps (Amdt.) Act 1965 (I of 1965), s. 5.

<sup>2</sup> Sub-Clause (ii) Omitted, *ibid*.

<sup>3</sup> Subs. by the Federal Laws (Revision and Declaration) Ordinance, 1981 (27 of 1981), s. 3 and Sch. II.

<sup>4</sup> Omitted, *ibid*.

<sup>5</sup> Subs. by the Frontier Corps (Amdt.) Act, 1965 (1 of 1965), s. 5, for "sub-clause (ii) of clause (e)".

<sup>6</sup> Omitted by the Frontier Corps (Amdt.) Ordinance, 1981 (9 of 1981), s. 3.

(3) Every officer appointed under sub-section (2) shall be either—

- (a) a person appointed under section 5, or
- (b) a person holding a commission in the Pakistan Army; or
- (c) a civil officer of the Provincial or <sup>1</sup>[Federal Government] holding Gazetted Class I post:

Provided that, if circumstances permit, not less than one such officer shall be a person appointed under section 5.

(4) Notwithstanding anything contained in any other law for the time being in force, if in a trial under sub-section (2) one or both of the officers sitting with the Political Officer concur with him in finding the accused person guilty of an offence referred to in that sub-section, and if the Political Officer considers the case one in which a sentence of death should be passed, he may, in passing such sentence, direct that the accused person shall be forthwith shot to death, and such sentence shall be carried out in accordance with such direction.

**9. Less heinous offences.** Every member of the Frontier Corps who—

- (a) is in a state of intoxication when on, or after having been warned for, any duty, or on parade or on the line of march; or
- (b) strikes or attempts to force any sentry; or
- (c) being in command of a guard, picquet or patrol, refuses to receive any prisoner or person duly committed to his charge, or releases without proper authority any prisoner or person placed under his charge, or negligently suffers any such prisoner or person to escape; or
- (d) being under arrest or in confinement, leaves his arrest or confinement before he is set at liberty by proper authority; or
- (e) is grossly insubordinate or insolent to his superior officer in the execution of his office; or
- (f) refuses to superintend or assist in the making of any fieldwork or other work of any description ordered to be made either in quarters or in the field; or
- (g) strikes or otherwise ill-uses any member of the Frontier Corps subordinate to him in rank or position; or
- (h) being in command at any post or on the march, and receiving a report that any one under his command has beaten or otherwise maltreated or oppressed any person or has committed any riot or trespass, fails, on proof of the truth of the report, to report the matter to the proper authority; or
- (i) designedly or through neglect injures or loses or fraudulently disposes, of, his arms, clothes, tools, equipments, ammunition, accoutrement <sup>2</sup>[, animals] or Frontier Corps necessities, or any such articles entrusted to him or belonging to any other person, or any animals belonging to the Frontier Corps; or

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<sup>1</sup> Subs. by the Frontier Corps (Amdt.) Act, 1974 (2 of 1975), s. 2 for “Central Government”.

<sup>2</sup> Ins. by the Frontier Corps (Amdt.) Act, 1965 (1 of 1965), s. 6.

- (j) malingers, or feigns or produces disease or infirmity in himself, or intentionally delays his cure or aggravates his disease or infirmity; or
- (k) with intent to render himself or any other person unfit for service, voluntarily causes hurt to himself or any other person; or
- (l) does not, when called upon by his superior officer so to do or, upon ceasing to be a member of the Frontier Corps forthwith deliver up, or duly account for, all or any arms, ammunition, stores, accoutrements or other property issued or supplied to him, or in his custody or possession, as a member of the Frontier Corps; or
- (m) knowingly furnishes a false return or report of the number or state of any men under his command or charge or of any money, arms ammunition, clothing equipments, stores or other property in his charge, whether belonging to such men or to the Government or to any member of, or any person attached to, the Frontier Corps, or through design or culpable neglect omits or refuses to make or send any return or report of any of the matters aforesaid; or
- (n) absents himself without leave, or without sufficient cause over-stays leave granted to him; or
- (o) contravenes any provision of this Ordinance for which no punishment is expressly provided; or
- (p) is guilty of any act or omission which, though not specified in this Ordinance, is prejudicial to good order and discipline; or
- (q) while not on active service, commits any of the offences described in clause (e) of sub-section (1) of section 8, shall be punishable with imprisonment for a term which may extend to one year, or with fine which may extend to three months pay and allowances excluding half mounting and warm clothing allowances or with both.

**10. Summary punishments.**—(1) The Inspector General may, subject to any rules made under this Ordinance summarily award, in lieu of or in addition to suspension, <sup>1</sup>[Compulsory retirement,] removal, or dismissal from service, any one or more of the following punishments to any member of the Frontier Corps whom he considers to be guilty of disobedience, neglect of duty or remissness in the discharge of any duty, or of rendering himself unfit to discharge his duty, or of other misconduct in his capacity as a member of the Frontier Corps, that is to say:—

- (a) reduction in rank;
- (b) fine to any amount not exceeding one month's pay and allowances;
- (c) detention in quarters for a term not exceeding one month;
- (d) rigorous imprisonment for a term not exceeding two years, with or without drill, extra guard, fatigue or other duty;
- (e) removal from any office of distinction or special emolument in the Frontier Corps;
- (f) extra guards and picquets;

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<sup>1</sup> Ins. by the Frontier Corps (Amdt.) Ordinance, 1981 (9 of 1981), s. 4.



<sup>1</sup>[(g) forfeiture of increment in pay;]

(h) in the case of Junior Commissioned Officers and non commissioned officers, reprimand or severe reprimand:

Provided that the punishments specified in clauses (c) and (d) shall not be awarded to Junior Commissioned Officers.

<sup>2</sup>[(1A) The Inspector General may delegate, to such extent and in respect of such Frontier Corps as he may think fit, the powers conferred upon him by sub-section (1) to the Deputy Inspector General.]

(2) A Commandant may, in respect of members of the Frontier Corps subordinate to him exercise the powers conferred on the Inspector General by sub-section (1):

Provided that a Commandant shall not award imprisonment for a term exceeding one year, or, in the case of a Junior Commissioned Officer, the punishment of reduction in rank.

(3) A Commandant may delegate, to such extent as he may think fit, the powers conferred upon him by sub-section (2) to any person appointed under section 5 who is under his command.

**11. Place of imprisonment, and liability to dismissal on imprisonment.**—(1) Every person sentenced under this Ordinance to imprisonment <sup>3</sup>\* \* \* may be removed or dismissed from the Frontier Corps and shall be further liable by special order of the <sup>4</sup>[Federal Government] or the Court, to forfeiture of pay and allowances and other public money due to him as well as of any medals and decorations received by him.

(2) Every person so sentenced to imprisonment shall, if he is so removed or dismissed, be imprisoned in the nearest prison or such other prison as the <sup>4</sup>[Central Government] may, by general or special order, direct, but if he is not so removed or dismissed, he may, if the Court or the Commandant so directs, be confined in the quarter guard or such other place as the Court or the Commandant may consider suitable.

**12. Deductions from pay and allowances.** The following penal deductions may be made from the pay and allowances of a member of the Frontier Corps by the Commandant under whom he is serving, that is to say,—

(a) all pay and allowances excluding half mounting and warm clothing allowances for every day of absence either on desertion or without leave and for every day of imprisonment by a Criminal Court or of rigorous imprisonment awarded under section 10;

(b) all pay and allowances excluding half mounting and warm clothing allowances for every day while he is in custody on a charge for an offence of which he is afterwards convicted;

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<sup>1</sup> Subs. by the Frontier Corps (Amdt.) Act, 1965 (1 of 1965), s. 7, for the original clause (g).

<sup>2</sup> Sub-section (1A), ins. *ibid*.

<sup>3</sup> Omitted by the Federal Laws (Revision and Declaration), 1981 (27 of 1981), s. 3, and Sch. II.

<sup>4</sup> Subs. by the Frontier Corps (Amdt.) Act, 1974, (2 of 1975), s.2., for “Central Government”.

- (c) all pay and allowances excluding half mounting and warm clothing allowances for every day on which he is in hospital on account of sickness certified by the medical officer attending on him at the hospital to have been caused by an offence under this Ordinance committed by him;
- (d) good service or good conduct pay ordered to be forfeited under section 10; and
- (e) such sum as may be ordered by the Inspector General or the Commandant in order to make good any expenses caused by the member of the Frontier Corps, or any loss by him of, or damage or destruction done by him to, any arms, ammunition, equipment, clothings, instruments, decorations or necessaries belonging to the Frontier Corps or to any buildings or property,

**13. Collective fines.**—Whenever any weapon or part of a weapon or ammunition forming part of the equipment of a company or other similar unit of the Frontier Corps is lost or stolen, the Commandant may, after making such inquiry as he thinks fit and subject to such rules as may be prescribed, impose a collective fine upon the subordinate officers and men of such unit, or upon so many of them as in his judgment should be held responsible for such loss or theft.

**14. Resignation and withdrawal from the Frontier Corps.** No member of the Frontier Corps shall be at liberty to—

- (a) resign his appointment during the term of engagement,
- (b) withdraw himself from all or any of the duties of his appointment, without the sanction of the Commandant under whom he is serving or of some other officer authorized by the Commandant to grant such sanction.

**15. General duties of members of the Frontier Corps.**—(1) It shall be the duty of every member of the Frontier Corps promptly to obey and to execute all orders and warrants lawfully issued to him by any competent authority, to detect and bring offenders to justice, and to apprehend all persons whom he is legally authorized to apprehend and for whose apprehension sufficient grounds exist.

(2) Every member of the Frontier Corps shall be liable to serve anywhere without and beyond, as well as within, the land frontiers of Pakistan.

**16. Protection of persons serving in the Frontier Corps.**—(1) In any suit or proceeding against any person appointed under section 5 or any member of the Frontier Corps for any act done by him in pursuance of a warrant or order of a competent authority, it shall be lawful for him to plead that such act was done by him under the authority of such warrant or order.

(2) Such plea may be proved by the production of the warrant or order directing the act, and if it is so proved, the defendant shall thereupon be discharged from liability in respect of the act so done by him, notwithstanding any defect in the jurisdiction of the authority which issued the warrant or order.

(3) Notwithstanding anything contained in any other law for the time being in force, all suits and proceedings (whether civil or criminal) against any person which may lawfully be brought for anything done or intended to be done under the powers conferred by, or in pursuance of, any provision of this Ordinance or the rules made thereunder, shall be commenced within three months after the act complained of was committed, and not otherwise, and notice in writing of such suit or proceeding and of the cause thereof shall be given to the defendant or his superior officer one month at least before the commencement of the suit or proceeding.

**17. Jurisdiction.**—(1) Notwithstanding anything contained in the Code of Criminal Procedure, 1898 (Act V of 1898), the <sup>1</sup>[Federal Government] may declare that any Court specified for the purpose and no other shall be deemed to be the Court of Session or the Court of a Magistrate for the disposal of cases or any class of cases arising under this Ordinance and that appeals from sentences passed under this Ordinance or from any class of such sentences shall lie to any authority specified by the <sup>1</sup>[Federal Government] and no other.

(2) Any person invested with any powers under the Code of Criminal Procedure, 1898 (Act V of 1898), for the disposal of any case under this Ordinance within the limits of Pakistan shall, in relation to any case arising under this Ordinance beyond such limits, have the same power and be subject to the same conditions as to appeal and other matters as if such case had arisen within such limits.

**18. Commencement and execution of sentence.**—(1) Whenever any person is sentenced under this Ordinance to <sup>2</sup>[imprisonment for life], rigorous imprisonment or detention, the term of sentence shall, whether it has been revised or not, be reckoned to commence on the day on which the original proceedings were signed by the Court.

(2) Whenever any sentence of <sup>2</sup>[imprisonment for life] or rigorous imprisonment is passed under this Ordinance, or whenever any sentence of death so passed is commuted to <sup>2</sup>[imprisonment for life] or to rigorous imprisonment, the Commandant of the corps to which the person under sentence belongs, or such other officer as may be specified by the Inspector General shall forward a warrant in the prescribed form to the officer in charge of the civil prison in which such person is to be confined and shall forward him to such prison with the warrant:

Provided that in the case of a sentence of rigorous imprisonment for a period not exceeding one month, the Court, may direct that the sentence shall be carried out in the Frontier Corps custody:

Provided further that, on active service, a sentence of rigorous imprisonment may be carried out by confinement in such place as the Commandant of the corps in the field, may, from time to time appoint.

(3) Whenever, in the opinion of the Inspector General, any sentence or portion of a sentence of imprisonment cannot, for special reasons, be conveniently carried out in accordance with the aforementioned provision, the Inspector General, may direct that such sentence or portion of sentence shall be carried out by confinement in any civil prison or other fit place.

**19. Execution of sentence of detention.**—Where a sentence of detention is passed under this Ordinance the person on whom that sentence has been passed shall undergo the term of his detention either in a detention barrack specified by the Inspector General for the purpose, or in the Frontier Corps custody, or partly in one and partly in the other but not in a prison.

**20. [Interim Custody of offenders sentenced to transportation.]**— Omitted by the Frontier Corps (Amdt.) Ordinance, 1981 (9 of 1981), s. 6.

**21. Conveyance of prisoners from place to place.**—A person under sentence of <sup>3</sup>[imprisonment for life], rigorous imprisonment or detention may, during his conveyance from place to place, be subjected to such restraint as is necessary for his safe conduct and removal.

**22. Communication of certain orders to civil prison officers.**— Whenever an order is duly made under this Ordinance setting aside or varying any sentence, order or warrant under which any person is confined in a civil prison, a warrant in accordance with such order shall be forwarded by the court or the officer, appointed for the purpose by the Inspector General, to the officer in charge of the prison in which the person is confined.

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<sup>1</sup> Subs. by the Frontier Corps (Amdt.) Act, 1974 (2 of 1975), s. 2, for “Central Government”.

<sup>2</sup> Subs. by the Frontier Corps (Amdt.) Ordinance, 1981 (9 of 1981), s. 5, for “Transportation”.

<sup>3</sup> Subs., *ibid*, s.7.

**23. Custody of offenders.**— (1) Any person subject to this Ordinance who is charged with any offence may be taken into Frontier Corps custody by any Junior Commissioned Officer or non-commissioned officer senior in rank to the person charged with any offence:

Provided that in the case of offences of mutiny or murder, the offender may also be arrested by any person junior to him in rank.

(2) Every Commandant shall take care that a person under his command when charged with an offence is not detained in custody for more than forty-eight hours after the committal of such person into custody is reported to him, without the charge being investigated, unless investigation within that period seems to him to be impracticable having due regard to the public service and every case of a person detained in custody beyond a period of forty-eight hours and the reason therefore shall be reported by the Commandant to the prescribed authority while making an application for the trial of the person charged:

Provided that in reckoning the period of forty-eight hours all public holidays shall be excluded.

(3) In every case where any such person as is mentioned in sub-section (1) remains in custody for a period exceeding eight days, without the orders of his trial, a special report giving reason for the delay shall be made by the Commandant concerned to the Inspector General.

**24. Capture of deserters.**—(1) Whenever any person subject to this Ordinance deserts, his Commandant shall give written information of the desertion to such civil authorities as in his opinion may be able to afford assistance towards the capture of the deserter and such authorities shall thereupon take steps for the apprehension of the said deserter in like manner as if he were a person for whose apprehension a warrant had been issued by a magistrate, and shall deliver the deserter, when apprehended, to Frontier Corps custody.

(2) Any police officer may arrest without warrant any person whom he reasonably believes to be subject to this Ordinance and a deserter or absentee without leave and bring him without delay before the nearest magistrate, as if he were a deserter from the Pakistan Army.

**25. Saving.**— No suit, prosecution or other legal proceeding shall lie for anything which is in good faith done or intended to be done under this Ordinance or any rules made thereunder.

**26. Power to make rules.**—The <sup>1</sup>[Federal Government] may, by notification in the official Gazette, make rules<sup>2</sup>—

- (a) regulating the functions and powers of persons appointed under section 5;
- (b) regulating the classes and grades of, and the remuneration to be paid to, members of the Frontier Corps and their conditions of service;
- (c) fixing the period of service for members of the Frontier Corps in any local areas;
- (d) regulating the award of summary punishments under section 10, and providing for appeals from or the revision of, orders under that section, and for the remission of fines imposed under that section and of deductions made under section 12;
- (e) regulating the several or collective liability of members of the Frontier Corps in the case of the loss or theft of weapons or ammunitions; and

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<sup>1</sup> Subs. by the Frontier Corps (Amdt.) Act, 1974 (2 of 1975), s. 2, for “Central Government”.

<sup>2</sup> For the Frontier Corps Rules, 1961, see Gaz. of P., 1961, Pt. I, pp. 228—232.

- (f) generally, for the purpose of carrying into effect the <sup>1</sup>[provisions] of this Ordinance.

**27. [Repeal.]**— Omitted by the Federal Laws (Revision and Declaration) Ordinance, 1981 (27 of 1981), s. 3 and II Sch.

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**<sup>2</sup>[FIRST SCHEDULE**

(See section 3)

Frontier Corps forces maintained by the Federal Government—

A. Frontier Corps, North-West Frontier Province—

- (1) The Headquarters, Frontier Corps, North-West Frontier Province;
- (2) The Chitral Scouts;
- (3) The Khyber Rifles;
- (4) The Khurram Militia;
- (5) The Thall Scouts;
- (6) The Tochi Scouts;
- (7) The South Waziristan Scouts;
- (8) The Dir Scouts;
- (9) The Mohmand Rifles;
- (10) The Mahsud Scouts ;
- (11) The Bajaur Scouts;
- (12) The Shawal Rifles ;
- (13) Training Centre; and
- (14) The Kohistan Scouts;

B. Frontier Corps, Baluchistan—

- (1) The Headquarters, Frontier Corps, Baluchistan;
- (2) The Zhob Militia;
- (3) The Pishin Scouts;

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<sup>1</sup> Subs. by the Frontier Corps (Amdt.) Act, 1965 (1 of 1965 ), s. 8, for “purposes”.

<sup>2</sup> Subs. by the Frontier Corps (Amdt.) Ordinance, 1981 (9 of 1981), s. 8 for the first Schedule which was previously amended by Act, 1 of 1965 and Ordinance, 35 of 1965, to read as above.

- (4) The Chagai Militia;
- (5) The Mekran Scouts;
- (6) The Kalat Scouts;
- (7) The Sibi Scouts;
- (8) The Maiwand Rifles;
- (9) Training Center;
- (10) The Bhambore Rifles;
- (11) The Ghazaband Scouts;
- (12) The Kharan Rifles and
- (13) The Loralai Scouts.]

## **SECOND SCHEDULE**

[See section 6(2)]

(Recruiting roll)

After you have served in the Frontier Corps for such period as has been fixed under the Frontier Corps Ordinance, 1959, you may at any time when not on active service, apply for your discharge, through the officer to whom you may be subordinate to the Commandant, and you will be granted your discharge after three months from the date of your application, unless your discharge would cause the vacancies in that unit of the Frontier Corps to exceed one-tenth of the sanctioned strength, in which case you shall be bound to remain until this objection is waived or removed. But when on active service, you shall have no claim to a discharge, and you shall be bound to remain to do your duty until the necessity for retaining you in the Frontier Corps ceases, when you may make your application in the manner mentioned above.

Signed in acknowledgement of the above having been read out to me. I have understood the purport of what has been read out.

Person enrolled

Date.....

Signed in my presence after I had ascertained that the recruit understood the purport of what he signed.

Commandant or other enrolling officer.

Date.....

**THIRD SCHEDULE**  
**FORM OF AFFIRMATION**  
[See section 6(2)]

I, ..... solemnly affirm in the presence of Almighty God that I will be faithful and bear true allegiance to the Government of Pakistan and that I will, as in duty bound, honestly and faithfully serve in the Pakistan Frontier Corps and go within the terms of my enrolment wherever I may be ordered by air, land or sea, and that I will observe and obey all commands of any officer set over me even to the peril of my life.

Signed in acknowledgement of the above  
having been read out to me.  
I subscribed to it.

Signed in my presence after I had  
ascertained that the person  
understood the purport of  
what he signed.

*Roman Urdu Translation of Affirmation*

Main ..... Khuda-i-Taala ko Hazir-o-nazir jankar iman se iqrar karta hun kh main Pakistan ki Hukumat ka sache dil se wafadar rahunga aur Pakistan Frontier Corps men imandari aur wafadari se khidmat ka farz baja launga. Bharti hone ki sharait ke mutabiq hawa, khushki ya tari ke raste jahan bhi jane ka hukam melega jaounga our jise mera afsar muqarrar kia jaega, uske sab hukam ki tamil our pairwi karunga, khah us men jan ka khatra ho.

*Roman Pushto Translation of Affirmation*

Zeh ..... Pak Khudai Taala hazir au nazir ganran, au laiman sara iqrar kawam the zo ba da Pakistan da Hukumat pa wafadari au da khpul zrah sidq zara ba da Pakistan Frontier Corps khidmat kawam, au laka the ma bande farz wi so ba da zrah sadiq sara da bhartai da shartunu pa mutdbiq, da darya khushki ya da hawa pa liyare har charta the ma to hukam wushi ba zam au harsok the pa ma bande afsar muqarrar wi da hagba tolo bukmuno ba tamil au pairwi kawam ka pa de ke da zan khatra, ham wi.

<sup>1</sup>[Roman Baluchi Translation of Affirmation,

Man..... Khuda-i-Tala-Ha-Hazir-o-Nazir Zanta Imana Goon Quol Khna ghan ke man Pakistan ae Hukumata Goon sidiq-e-Dila wafadare beyan Pakistan Frontier Corps-e-Taha Imandari-o-Wafadari Khidmat-o-Farzha ada Kanen, Bharti Bayage sooratht Hawa, Hushki ya Daryae-o-Zirri Raha Goon Key har Handia ke Rawagae Hukum Beraseeot-Rawaan-o-Har kesey dey mani Afsar Muqarrar kanag bibeet aanhiencae har Hukama manna Tonrhein key anhienha ma saaye Kahtra bibeet.].

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<sup>1</sup> Added by the Frontier Corps (Amdt.) Ordinance, 1981 (9 of 1981), s. 9.