REGISTERED No. M - 302
L.-7646

The Gazette of Pakistan

EXTRAORDINARY
PUBLISHED BY AUTHORITY

ISLAMABAD, MONDAY, DECEMBER 31, 2018

PART I

Acts, Ordinances, President's Orders and Regulations

GILGIT-BALTISTAN
ASSEMBLY SECRETARIAT

Gilgit, the 24th December, 2018

No. Legis-8(3)/2018 Preamble.—to reconstruct and regulate the Gilgit-Baltistan Levies Force in Gilgit-Baltistan

ACT NO. VIII OF 2018

WHEREAS, it is expedient to provide for the regulation of the Levies for maintenance of Public order, coordinate as well as support other law enforcing agencies and enforcing municipal laws according to the law and democratic aspirations of the people;

It is hereby enacted as follows:

1. **Short Title, extent, commencement and application.**—(1) This Act may be called the Gilgit-Baltistan Levies Force Act 2018.

Price: Rs. 20.00

[8054 (2018)/Ex. Gaz.]

Scanned with CamScanner

(2) It extends to the whole of Gilgit-Baltistan.

(3) It shall come into force at once.

(4) It shall apply to the members of the Gilgit-Baltistan Levies Force or any other person inducted from other force and the officers authorized by the Government to command the Gilgit-Baltistan Levies Force wherever they may be.

2. **Definitions.**

(1) In this Act unless there is anything repugnant in the subject or context.

(a) "Act" means the Gilgit-Baltistan Levies Force Act 2018;

(b) "Competent Authority" means any person or class of persons declared as such by the Government under the rules.

(c) "Code" means the Code of Criminal Procedure, 1898 (Act of V of 1898).

(d) "Commissioner" means the Commissioner of the Division appointed under WP Land Revenue Act 1967 as adopted in Gilgit-Baltistan.

(e) "Department" means the Home & Prisons Department of Gilgit-Baltistan.

(f) "Deputy Commissioner" means an officer appointed as such under the WP Land Revenue Act 1967 as adopted in Gilgit-Baltistan. May include an Additional Deputy Commissioner as well.

(g) "Assistant Commissioner" means an officer appointed as such under the WP Land Revenue Act 1967 as adopted in Gilgit-Baltistan.

(h) "Government" means the Government of Gilgit-Baltistan.

(i) "Levies Officer" means a member of Gilgit-Baltistan Levies Force who is subject to this Act.

(j) "Prescribed" means prescribed by rules made under this Act.

Scanned with CamScanner

(k) "Rules" means rules framed under this Act.

(l) "Service" means Gilgit-Baltistan Levies Force Service.

(m) "Secretary" means the Secretary to the Government of Gilgit-Baltistan Home & Prisons Department.

(n) "Schedule" means a schedule to this Act.

3. Power to maintain Gilgit-Baltistan Levies Force.

The Government shall establish and maintain Gilgit-Baltistan Levies Force for maintenance of Law and order.

4. Constitution of Gilgit-Baltistan Levies Force.

(1) The Force shall consist of a Director General to be appointed by the Government and such number of other officers/officials as the Government may from time to time appoint to be the members of the Force.

(2) Not withstanding anything contained in any other law for the time being in force the members of the Gilgit-Baltistan Levies Force shall receive such pay and other privileges as may be prescribed by the Government from time to time.

5. Appointments/ Recruitments.

Recruitments/Appointments in the service shall be made subject to the rules as prescribed by the Government.

6. Superintendence, command, control and Administration of Gilgit-Baltistan Levies Force.

(1) The superintendence, command and control over the Gilgit-Baltistan Levies Force shall vest in the Government.

(2) The Government shall exercise superintendence and control over Gilgit-Baltistan Levies Force through Home & Prisons Department.

(3) The Administrative control and supervision of the Gilgit-Baltistan Levies Force on field shall be vested in Commissioner, Deputy Commissioner, Additional Deputy Commissioner and Assistant Commissioner as the case may be.

Scanned with CamScanner

7. **Duties and Functions of the Levies Force.**

(1) Subject to law, it shall be the duty of the Levies Force to:

(a) Inquire into, investigate offences relating to summary trials or connected with any other Local or Special law upon orders from Executive Magistrates including Sub-divisional Magistrate and District Magistrate.

(b) Protect life, property and liberty of citizens.

(c) Preserve and promote public peace.

(d) Ensure that the rights and privileges, under the law, of a person taken in custody, are protected.

(e) Prevent the commission of offences and public nuisance.

(f) Collect and communicate and share intelligence with other Law Enforcement Agencies affecting public peace and crime in general.

(g) Keep order and prevent obstruction/ encroachments on public roads and in the public streets and thoroughfares and all other places of public resort and in the neighborhood of and at the places of public worship.

(h) Regulate and control traffic on public roads and streets as and when directed by competent authority.

(i) Take charge of all unclaimed property and to prepare its inventory.

(j) Detect and bring offenders to Justice.

(k) Apprehended all persons whom it is legally authorized to apprehend and for whose apprehension, sufficient grounds exist.

(l) Ensure that the information about the arrest of a person is promptly communicated to the concerned person/authority.

(m) Enter and inspect any place by obtaining of a warrant on reliable information any public place, shop or gaming house where alcoholic drinks or narcotics are sold or weapons are

Scanned with CamScanner

illegally stored and other public places of resort for loose and disorderly characters or where anti-state literature, material is found.

(n) Obey and cooperate with other agencies for the prevention of destruction of public property by violence, fire, or natural calamities.

(o) Perform other duties and exercise powers as are conferred by this Act or any other law for the time being in force.

(p) Assist in preventing members of public from exploitation by any person or organized groups.

(q) Take charge of lunatics at large to prevent them from causing harm to themselves or other members of public and their property.

(r) Prevent harassment of women and children in public places.

(2) The member of the Levies Force shall make every effort in Gilgit-Baltistan:-

(a) Afford relief to people in distress situations, particularly in respect of women and children.

(b) Provide assistance to victims of road accidents.

(c) Assist accident victims or their heirs or their dependents, where applicable, with such information and documents as would facilitate their compensation claims and.

(d) Cause awareness among the victims of road accident of their rights and privileges.

(e) Enforce municipal laws within the municipal areas of the district.

(f) Assist Disaster Management in relief and distribution etc.

(3) It shall be the duty of a Levy officer to lay information before a competent court and to apply for a summons, warrant or such other legal process as may, by law, be issued against any person suspected of committing an offence.

Scanned with CamScanner

(4) Gilgit-Baltistan Levies Service shall be an essential service; it shall be the duty of every Levy officer to obey any lawful orders given by a senior officer in relation to the declaration of emergency.

(5) The attitude and responsibilities of the members of the Levies Force towards the public shall be to:-

(a) Behave with the members of the public with due decorum and courtesy;

(b) Promote amity;

(c) Guide and assist members of the public particularly the poor, disabled or physically weak and children who are either lost or find themselves helpless on the streets or other public places and.

(d) Aid individuals who are in danger of physical harm particularly women and children.

8. Power of the Levies Officer.

The Levies officer shall for the purpose of inquiry or investigation under this Act have such powers including the powers relating to search, arrest of person and seizures of property and such duties, privileges and liabilities as a Police officer has in respect of offences under the Code or any other law for the time being in force.

9. Withdrawal from duty and Resignation.

(1) No officer or member of the Levies Force shall withdraw from the duties of his office unless expressly allowed to do so in writing by the competent authority or by an officer authorized to grant such permission.

Explanation: An officer or member of the Levies Force who being absent on leave fails without reasonable cause to report for duty on the expiration of such leave shall be deemed within the meaning of this Section to withdraw himself from the duties of his office.

(2) No officer or member of the Levies Force shall resign his office unless he has given to his superior officer notice in writing for a period of not less than two months of his intention to resign.

Scanned with CamScanner

(3) No officer or member of Levies Force shall engage in any private employment/business while he is a member of the Gilgit-Baltistan Levies Force.

10. **Employment of additional Levies at the cost of the person making the application.**

(1) The Commissioner, Deputy Commissioner subject to approval of Home & Prisons Department may on application/request of any organization, institution or person depute any additional number of Levies Force to keep peace, to preserve order, to enforce any provisions of law, in respect of any particular class or classes of offences or to perform any other duties imposed on the levies.

(2) Subject to rules, such additional Levies Force shall be employed at the cost of the organization/ institution or person making the application/request.

(3) If the organization/ institution or the person upon whose request/ application such additional Levies Force are employed gives fifteen days notice for the withdrawal of the said Levies Force, the organization or person shall be relieved from the cost thereof at the expiration of such notice.

(4) If there is any dispute on payment, the district head of Levies Force refer the written objections of aggrieved party to the Home Department for final decision which shall be final and not challengeable in any court.

(5) When any loss, damage or death or grievous hurt is caused during course of his duty to any member of the Force, the said organization or person shall pay the amount of compensation on the basis of the rates fixed by the Government or rates previously agreed by both the parties.

(6) Any amount payable under Section 16 (2),(3),(4) and (5) shall be recovered in the same manner as if it were arrears of land revenue.

(7) Amount payable under Section 16 (2),(3),(4) and (5) shall be credited to the Government treasury.

11. **Offence by and punishment for Levies officers.**

Every member of Gilgit-Baltistan Levies Force who

Scanned with CamScanner

(a) is found in a state of intoxication while on duty or after having been warned for any duty, or on parade,

(b) strikes or attempts to force any Levy man,

(c) being in command of guard, picket 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 assists in the making of any field work or other work of any description ordered to be made,

(g) strikes or otherwise ill uses any member of the Gilgit-Baltistan Levies Force subordinate to him in rank or position,

(h) designedly or through neglect injuries or loses or fraudulently disposes of his arms, clothes, tools, equipments, ammunitions, or levies necessaries or any such articles entrusted to him or belonging to any other person, or

(i) with intent to render himself or any other person unfit for service, voluntarily causes hurt to himself or any other person, or

(j) does not, when called upon by his superior officer so to do, upon ceasing to be a member of Gilgit-Baltistan Levies Force forthwith or duly account for, all or any arms, ammunitions, stores, accouter mentor other property issued or supplied to him, or in his custody or possession, as a member of levies, or

(k) absents himself without leave, or without sufficient cause for overstay leave granted to him, or

(l) contravenes any provision of this Act for which no punishment is expressly provided shall be punishable with imprisonment for a term which may extend to two years or with fine which may extend rupees fifty thousands or with both and on conviction from the competent court of law he shall cease to be a member of the

Scanned with CamScanner

Levies Force. Constitution of Selection and Promotion committees for Gilgit-Baltistan Levies Force.

12. Subject to the rules framed by the Government there shall be Selection and Promotion Committee comprising of such members as Government may notify from time to time for initial recruitment and promotion of employees of Gilgit-Baltistan Levies Force.

13. Except as otherwise expressly provided in this Act no suit, prosecution or other legal proceedings hall lie against any member of the Levies Force, Government or any other authority or person for anything which is in good faith done or intended to be done under the Act or any rule made there under.

14. **Notification of Rules and Regulations in the official gazette.** Every rule, regulation and notification made under this Act shall be notified in the official Gazette.

15. **Act to override other laws.** The Provisions of this Act shall be enforced notwithstanding anything repugnant to contrary contained in any other law for the time being in force.

16. **Power to make rules.**

(1) The Government may make rules for carrying out the purposes of this Act.

(2) In particular and without prejudice to the generality of foregoing power such rules may provide for:

(a) regulating the functions and powers of employees of Gilgit-Baltistan Levies Force,

(b) regulating the classes and grades of, and the remuneration to be paid to, members of the Gilgit-Baltistan Levies Force and their conditions of service,

(c) the conduct of employees of Gilgit-Baltistan Levies Force,

(d) number and terms and conditions of service of Levies Force/ ministerial staff, or

(e) Any other matter that the Government may deem fit.

Scanned with CamScanner

17. **Existing Levies Force deemed to be constituted under this Act.**

Without prejudice to the provisions contained in this Act the functioning of Levies Force in Gilgit-Baltistan immediately before the commencement of this Act shall be deemed to be constituted under this Act.

18. **Removal of difficulties.**

If any difficulty arises in giving effect to any of the provisions of this Act, the Government may make such order, not inconsistent with the provision of this Act, as may appear to it to be necessary for the purpose of removing the difficulty.

SPEAKER,
Gilgit-Baltistan Assembly.

GOVERNOR,
Gilgit-Baltistan.

Scanned with CamScanner