

# THE CIVIL PIONEER FORCE ORDINANCE, 1965

<sup>1</sup>ORDINANCE NO. XXVII OF 1965

[9th September, 1965]

**An Ordinance to constitute a Civil Pioneer Force for service in Pakistan and to provide for the organisation, control and discipline thereof.**

WHEREAS it is expedient to constitute a Civil Pioneer Force for service in Pakistan and to provide for the organisation, control and discipline thereof ;

AND WHEREAS a Proclamation of Emergency issued under clause (1) of Article 30 of the Constitution is in force ;

AND WHEREAS the President is satisfied that immediate legislation is necessary to meet the emergency ;

NOW, THEREFORE, in exercise of the powers conferred by clause (4) of Article 30 of the Constitution, read with clause (2) of Article 131 thereof, and of all other powers enabling him in that behalf, the President is pleased to make and promulgate the following Ordinance:-

**1. Short title, extent and commencement.**—(1) This Ordinance may be called the Civil Pioneer Force Ordinance, 1965.

(2) It extends to the whole of Pakistan.

(3) It shall come into force at once.

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

- (a) "Chief Controller " means the gazetted officer appointed to command all the units of the Civil Pioneer Force constituted in, a Province;
- (b) " Civil Pioneer " means an enrolled person other than a gazetted or non-gazetted officer ;
- (c) " Controller " means the gazetted officer appointed to command a unit of the Civil Pioneer Force, and includes, in his absence from duty, the senior gazetted officer of the unit present with the unit ;
- (d) "Detachment " means any portion of a unit of the Civil Pioneer Force serving away from the headquarters of the unit ;
- (e) "enrolled person " means a person for the time being subject to the provisions of this Ordinance ;

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<sup>1</sup>Approved by the National Assembly of Pakistan on 26th November, 1965, *see* Gaz. of P., 1965, Ext., pp. 1416-1423.

For notifi. Entrusting to the Provincial Government the functions of the Central Government under this Ordinance, *see* Gaz., of P., 1965, Ext., p. 1152.

- (f) "party" means any portion of a unit or detachment ordered to perform any particular job or duty at the headquarters or elsewhere ;
- (g) "prescribed" means prescribed by rules made under this Ordinance ;
- (h) "service in a war area " means service in an area in Pakistan in which for the time being enemy action is taking place, or in an area in Pakistan declared by the <sup>1</sup>[Federal Government], by notification in the official Gazette, to be a war area for the purposes of this Ordinance ;
- (i) "Superior Officer " means, in relation to a person subject to this Ordinance, a gazetted officer or a non-gazetted officer who is of a class higher than that person or is senior to that person in the same class ;
- (j) "unit " means a unit of the Civil Pioneer Force constituted under section 3.

**3. Constitution of the Civil Pioneer Force.**—(1) There shall be raised and maintained in the manner hereinafter provided a force to be designated the Civil Pioneer Force (hereinafter called the "Force ") to perform in Pakistan the duties hereinafter specified.

(2) The <sup>1</sup>[Federal Government] may constitute for service in any part of Pakistan one or more units and may disband or reconstitute any unit so constituted.

(3) The strength and composition of a unit shall be such as may be prescribed.

**4. Duties of the Force.**—(1) It shall be the duty of the Force and of the persons enrolled therein as and when required by the <sup>2</sup>[Federal] or a Provincial Government or by an authority authorised in this behalf by the <sup>2</sup>[Federal] or Provincial Government, for the purpose of securing the defence of Pakistan or any part thereof, the public safety, the maintenance of public order or the efficient prosecution of war, or for maintaining supplies and services essential to the life of the community-

- (a) to repair and maintain important lines of communications, to clear roads after an enemy raid, to construct diversions in case of floods, bridges and air landing grounds ;
- (b) to load, unload or stack large quantity of warlike and other important items which of necessity may, have to be moved from one place another ;

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<sup>1</sup>Subs., by F.A.O., 1975, Art. 2 and Table, for "Central Government".

<sup>2</sup>Subs. *ibid.*, for "Central".

- (c) to construct defence works and air raid shelters ;
- (d) to man vital or other installations in case of emergencies ;
- (e) to clear debris from important headquarters and offices after enemy bombardment ;
- (f) to perform work in factories, workshops and shipyards ;
- (g) to render such other services as, in the opinion of the <sup>1</sup>[Federal] or a Provincial Government, are necessary or expedient for the purposes aforesaid:

Provided that the <sup>2</sup>[Federal Government] may, subject to such condition as may be prescribed, levy a charge for any work carried out by the Force for or on behalf of a Provincial Government, a local authority or industrial commercial undertaking.

(2) A unit shall be liable for service in the part of Pakistan which it has been constituted under section 3, and shall be liable, if the <sup>2</sup>[Federal Government] so orders, for service in any other part of Pakistan.

**5. Officers of the Force.** There shall be the following classes of officers in the Force, namely:-

- (i) gazetted officers Class I-
  - (a) Chief Controllers,
  - (b) Controllers,
  - (c) Deputy Controllers,
  - (d) Assistant Controllers,
  - (e) Group Officers;
- (ii) gazetted officers Class II-
  - (a) Administrative Officers,
  - (b) Store Officers;
- (iii) non-gazetted officers-
  - (a) Chief Supervisors,
  - (b) Group Supervisors,
  - (c) Assistant Group Supervisors;

and such grades in the classes of non-gazetted officers as the <sup>2</sup>[Federal Government] may direct.

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<sup>1</sup> Subs. by F.A.O., 1975, Art. 2 and Table, for Central Government.

<sup>2</sup>Subs. *ibid.*, for "Central "Government".

**6. Appointment of officers.**-(1) Gazetted officers, Class I and Class II shall respectively be selected by the <sup>1</sup>[Federal Government] and the Provincial Government and the <sup>1</sup>[Federal Government] shall issue to each such officer order of appointment.

(2) Non-gazetted officers shall be appointed from amongst Civil Pioneers in the unit by the Controller of the unit or by such other authority and such manner as may be prescribed.

**7. Enrolment and appointment to units.**-(1) Any person who is or is deemed to be a citizen of Pakistan may, if he has attained the age of eighteen and is not employed in the Army, Navy or Air Force of Pakistan or in the Civil Armed Forces including their Reserves, the Pakistan National Guard, village defence or such functionary bodies as are planned to be co-opted by the Armed Forces in time of war, including Ansars, unless any of them is specifically allowed by the competent authority, or in any employment to which the Pakistan Essential Services (Maintenance) Act, 1952 (LIII of 1952), for the time being applies, offer himself for appointment to or enrolment in the Force, and, if he satisfies the prescribed conditions, may be enrolled therein in such manner and for such period as may be prescribed, and shall thereupon become subject to the provisions of this Ordinance.

(2) Subject to the prescribed conditions, if any, an applicant for enrolment may apply to be enrolled for service in a particular unit.

(3) Any person enrolled shall without unnecessary delay be appointed in the prescribed manner to a unit constituted for the part in which he for the time being resides, or if he applies for enrolment in a particular unit to that unit.

**8. Transfers.** Any person appointed to a unit under section 7 may be transferred, whether on disbandment of the unit or otherwise, to another unit in such manner as may be prescribed :

Provided that a person who is not a gazetted officer shall not, without his own consent, be transferred to a unit constituted for a part other than that in which he was enrolled.

**9. Liability for service.** Every person subject to this Ordinance shall be bound to serve in the unit of the Force to which he has been appointed or transferred or is for the time being attached until he is discharged from the Force.

**10. Discharge and dismissal.**-(1) Every person subject to this Ordinance shall be entitled to receive his discharge from the Force on the expiration of the period for which he was enrolled or on his attaining the age of fifty; but any such person may, before he becomes so entitled, be discharged by such authority and subject to such conditions as may be prescribed.

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<sup>1</sup> Subs. by F.A.O., 1975, Art. 2 and Table, for Central Government.

(2) The prescribed authority may, subject to such conditions as may be prescribed, dismiss any person from the Force.

**11. Major offences.** Any person subject to this Ordinance who-

- (a) begins, incites, causes or conspires with any other person to cause, or joins in any mutiny, or
- (b) being present at any mutiny, does not use his utmost endeavour to suppress it, or
- (c) knowing or having reason to believe in the existence of any mutiny or of any intention to mutiny, does not, without delay, give information thereof to his superior officer, or
- (d) uses or attempts to use criminal force to, or commits an assault on, his superior officer, whether on or off duty, knowing or having reason to believe him to be such, or
- (e) while on service in a war area,
  - (i) disobeys the lawful command of his superior officer, or
  - (ii) deserts or attempts to desert the service, or
  - (iii) quits his post or party without being relieved or without leave, or
  - (iv) fails to perform his duty, or
  - (v) intentionally causes or spreads a false alarm, or
  - (vi) plunders, destroys or damages property of any kind,

shall be punishable with imprisonment for a term which may extend to seven years and with fine which may extend to five hundred rupees.

**12. Minor offences.** Any person subject to this Ordinance who-

- (a) is in a state of intoxication when on or detailed for duty, or
- (b) is grossly insubordinate or insolent to his superior officer in the execution of his office, or
- (c) refuses or wilfully neglects to perform or assist in any work or duty ordered to be done either in quarters or elsewhere, or
- (d) while incharge of a party, permits behaviour prejudicial to good order and discipline, or