

**<sup>1</sup>[Khyber Pakhtunkhwa] (DISTRIBUTION OF ARMS  
AND AMMUNITION FOR PATROL DUTY)  
RULES, 1972**

(<sup>2</sup>[Khyber Pakhtunkhwa] Gazette, Pt. I. 17-01-75)

Notification No. SO(DC)/Arms/24-HD-70 dated 16.8.73. In exercise of the powers conferred by section 17, read with section 16 of the <sup>3</sup>[Khyber Pakhtunkhwa] (Villages and Small Towns Protection) Ordinance, 1972 (<sup>4</sup>[Khyber Pakhtunkhwa] Ord. No. IX of 1972), the Governor of the <sup>5</sup>[Khyber Pakhtunkhwa], is pleased to make the following rules, namely:---

1. *Short title, extent and commencement.* (1) These rules may be called the <sup>6</sup>[Khyber Pakhtunkhwa] (Distribution of Arms and Ammunition for Patrol Duty) Rules, 1972.

(2) They shall extend to the whole of the <sup>7</sup>[Khyber Pakhtunkhwa], except the Tribal Areas.

2. *Definitions.* In these rules, unless the context otherwise requires, the following expressions shall have the meanings here by respectively assigned to them, that is to say---

- (a) “arms and ammunition” means arms and ammunition distributed under these rules;
- (b) “Commissioner” means the Commissioner of the Division concerned.
- (c) “Council” means, in the case of a Municipality, the Municipal Committee, in the case of a town, the Town Committee, and in the case of any other village, the whole body of the village headmen and such other persons as the Sub-Divisional Magistrate of the Sub-Division concerned may appoint after consulting the village community concerned; provided that the number of persons so appointed shall not be more than twice the number of the village headmen;
- (d) “District Magistrate” means the District Magistrate of the District concerned;
- (e) “Form” means the Form of Security Bond appended to these rules;
- (f) “Inspector General of Police” means the Inspector General of Police, <sup>8</sup>[Khyber Pakhtunkhwa];

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<sup>1</sup> Subs. by the Khyber Pakhtunkhwa Act No. IV of 2011.

<sup>2</sup> Subs. by the Khyber Pakhtunkhwa Act No. IV of 2011.

<sup>3</sup> Subs. by the Khyber Pakhtunkhwa Act No. IV of 2011.

<sup>4</sup> Subs. by the Khyber Pakhtunkhwa Act No. IV of 2011.

<sup>5</sup> Subs. by the Khyber Pakhtunkhwa Act No. IV of 2011.

<sup>6</sup> Subs. by the Khyber Pakhtunkhwa Act No. IV of 2011.

<sup>7</sup> Subs. by the Khyber Pakhtunkhwa Act No. IV of 2011.

<sup>8</sup> Subs. by the Khyber Pakhtunkhwa Act No. IV of 2011.

- (g) “Schedule” means a Schedule to these rules; and
- (h) “Unlawful purpose” means any purpose not connected with ensuring peace and tranquility, under the <sup>9</sup>[Khyber Pakhtunkhwa] (Village and Small Towns Patrol and Protection) Ordinance, 1972 (<sup>10</sup>[Khyber Pakhtunkhwa] Ord. No. IX of 1972).

3. *Distribution of arms and ammunition.* (1) Whenever it is necessary in the opinion of the Council appointed under section 3 that a village should be armed for the purpose of defence against incidents of crimes, the Council shall make a request in writing to the District Magistrate in this behalf and the District Magistrate may upon such request order distribution of rifles, and such ammunition as he may determine.

(2) Receipt of rifle and such number of cartridges there with as may be delivered shall be acknowledged in the Form (Schedule ‘A’).

4. *Furnishing of security.* (1) No arms and ammunition shall be distributed under these rules without security, which as a rule will be a community, except in the case of men of real wealth and position who may deposit an amount equal to the value of the arms and ammunitions issued to them under rule 3.

(2) The security deposited in case under sub-rule (1) shall be refundable on return of the rifle and used cartridges in good order.

5. *Safe custody, maintenance and inspection of arms, etc.* (1) All arms and ammunition distributed under these rules shall be kept in safe custody maintained in good order and produced for inspection and repairs when necessary.

(2) If any arms and ammunition distributed under these rules are lost, the person to whom such arms and ammunition have been issued shall report the loss to the nearest Police Station.

(a) Within twenty-four hours in the case of loss of a rifle; and

(b) Within three days in the case of loss of cartridges.

(3) The Inspector-General of Police shall by order in writing authorises Police Officers for conducting inspection and repairs of the arms and ammunition distributed under these rules.

(4) Inspection of the arms and ammunition shall be made after every three months.

6. *Use of arms, etc.* (1) All arms and ammunition distributed under these rules, shall not be used for any unlawful purpose.

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<sup>9</sup> Subs. by the Khyber Pakhtunkhwa Act No. IV of 2011.

<sup>10</sup> Subs. by the Khyber Pakhtunkhwa Act No. IV of 2011.

(2) The cartridges used for the lawful discharge of the duties under these rules shall be reported to the Council, who shall, after satisfying itself that the cartridges were used lawfully, enter the same in a register to be maintained for the purpose.

(3) Whenever it is necessary in the opinion of the Council that the used cartridges should be replaced by new cartridges, the Council shall make a request in writing to the District Magistrate in this behalf and the District Magistrate may upon such request order for the distribution of the cartridges equal to the number of the cartridges used.

7. *Responsibility and duty.* No person to whom arms and ammunition have been distributed under these rules, shall show cowardice or lack of zeal in defending the village against incidents of crimes.

8. *Training and rehearsal.* (1) Before distribution of arms and ammunition under these rules, a fifteen days training course shall be held and all persons whose names have been recommended by the Council under rule 3 shall undergo the said training.

(2) No person shall be distributed arms and ammunition under these rules who does not successfully complete the training prescribed under sub-rule (1).

(3) The training in the first instance shall be given on dummy cartridges. At the end of the training a final test will be taken. A rehearsal for week shall be taken after every three months.

9. *Imposition of penalty.* (1) If any person to whom arms and ammunition have been distributed, commits any of the acts specified in column 2 of Schedule 'B' the District Magistrate may, on the recommendations of the Councils and after such inquiry as he thinks proper, and after affording to the person concerned an opportunity of being heard, impose a penalty not exceeding the amount shown against that act in column 3 of the said Schedule.

(2) Penalty imposed under sub-rule (1) shall, in default of payment, be recovered under section 386 of the Code of Criminal Procedure, 1898 (Act V of 1898).

10. *Appeal* (1) An appeal against the penalty imposed under sub-rule (1) of rule 9 shall be within thirty days of the imposition of such penalty to the Commissioner.

(2) Any order passed by the Commissioner in such appeal shall be final.

**SCHEDULE 'A'**

**FORM OF SECURITY BOND**

[See rule 3(2)]

WHEREAS I \* ..... have received in trust\* ..... No.\*\* ..... the property of Government I hereby undertake that the said rifle/musket shall be kept in my personal custody or in the custody of one of my relatives or dependents on my responsibility on the conditions given in the statutory rules also that I will at any time return the said rifle/musket without any conditions whatsoever and will produce the same for inspection when called upon by an Authorized Officer and should I fail therein, I agree to pay such fines as may be imposed upon me according to the rules printed overleaf.

Sealed, signed and delivered.  
Seal

Witness

Surety

- \*Fill in name, father's name, tribe and village.
- \*\*Fill in the numbers of the rifles.
- \*Fill in number and description of the rifles.

**SCHEDULE 'B'**

Serial No.	Actions punishable with penalty.	Extent of penalty.
1.	Use of arms and ammunition for unlawful purpose	Rs. 500/- in case of rifle and Rs.50/- in case of each round.
2.	Failure to keep the arms and ammunition in proper custody maintained in good order and produce for inspection and repairs when necessary.	Rs. 3,00/- in case of rifle and Rs. 25/- in case of each round,
3.	Loss of rifle and cartridges.	Rs. 3,000/- in case of rifle and Rs. 25/- in case of each round,
4.	Failure to attend training and rehearsal	Rs 500/-
5.	Showing cowardice and lack of zeal in performance of duties.	Rs. 500/-