



## THE PAKISTAN COAST GUARDS ACT, 1973



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**FIRST SCHEDULE.**  
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**THIRD SCHEDULE.**  
[See section 2(viii)]

# THE PAKISTAN COAST GUARDS ACT, 1973.

<sup>1</sup>ACT NO. XVIII OF 1973

[4th February, 1973]

## An Act to provide for the constitution and regulation of the Pakistan Coast Guards.

WHEREAS it is expedient to provide for the constitution and regulation of the Pakistan Coast Guards and for special measures to effectively check smuggling of any kind across the frontiers of Pakistan in the coastal area of the Arabian Sea and also to deal with persons acting in a manner prejudicial to the defence and security of Pakistan in that area;

It is hereby enacted as follows:—

### CHAPTER I

#### PRELIMINARY

**1. Short title, application and commencement.**—(1) This Act may be called the Pakistan Coast Guards Act, 1973.

(2) It shall apply to all members of the Pakistan Coast Guards wherever they may be serving.

(3) It shall come into force at once.

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

- (i) "Coastal area" means the area specified in the First Schedule;
- (ii) "Commandant" means a person appointed under section 4 to be a Commandant of a Unit of the Force;
- (iii) "Custody" means the arrest and confinement of a person as prescribed;
- (iv) "Deputy Director General" means the Deputy Director General, Pakistan Coast Guards, appointed under section 4;
- (v) "Director General" means the Director General, Pakistan Coast Guards, appointed under section 4;
- (vi) "Force" means the Pakistan Coast Guards constituted under section 3 or any of the Individual forces comprising it, as the context may require;
- (vii) "Junior Commissioned Officer" means a person commissioned, gazetted or in pay as a Junior Commissioned Officer in the Force;

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<sup>1</sup>For Statement of Objects and Reasons, see Gaz. of P., 1973, Ext., Pt. III, p. 22.

- (viii) "Member of the Force" means a person, other than a person appointed under section 4, who is appointed to the Force and has signed a recruiting roll set out in the Second Schedule and the affirmation in the form set out in the Third Schedule;
- (ix) "Officer" means a person, other than a junior commissioned officer, who is commissioned, gazetted or in pay as an officer of any of the Defence Services of Pakistan or of the Force;
- (x) "Prescribed" means prescribed by rules made under this Act; and
- (xi) "Superior Officer", in relation to any member of the force, means a higher appointment, or any non-commissioned officer, junior commissioned officer and an officer of a higher class, a higher grade in the same class, or holding a higher appointment which may place him in a superior position in relation to others according to usage of the Force.

**3. Power to constitute and maintain the force and its functions.** The Federal Government may constitute and maintain a Force to be called the Pakistan Coast Guards for performing the following functions, namely:—

- (a) prevention of smuggling;
- (b) prevention of illegal immigration to and migration from the country;
- (c) stopping enemy agents or saboteurs from infiltrating into the country along the coastal areas; and
- (d) supplementing defence in war.

**4. Appointment of officers of Force.** The Federal Government may, by notification in the official Gazette, appoint any member of any of the Defence Services of Pakistan to be—

- (a) Director General;
- (b) Deputy Director General;
- (c) Commandant; and
- (d) any other Commissioned Officer of any of the Defence Services of Pakistan with any other designation.

**5. Appointment of subordinate and ministerial staff.**—(1) The Director General or a person authorised by the Federal Government in this behalf may appoint junior commissioned officers, subordinate and ministerial staff and other members of the Force and determine the duties to be performed by such officers, staff and other members.

(2) Appointments under sub-section (1) shall be made by direct recruitment or promotion or from personnel on deputation from any of the Defence Services of Pakistan, the Civil Armed Forces, or any other Department of Government in such manner as may be prescribed.

*Explanation.*—In this sub-section "Civil Armed Forces" means such forces as the Federal Government may, by notification in the official Gazette, specify.

(3) 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, in the presence of a Commandant, or other officer appointed under section 4, at any convenient place be read out and, if necessary, explained to him who shall, in acknowledgement of the statement having been so read out to him, put his signature to it.

(4) 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.

**6. Superintendence, command, control and administration of the Force.** Subject to the superintendence and control of the Federal Government, the Force shall be commanded and administered by the Director General in accordance with the provisions of this Act and the rules made thereunder and such orders and instructions as may be made or issued by the Federal Government from time to time.

**7. Pay, pension, etc., of officers and members.** The officers and members of the Force shall receive such pay, pension and other remuneration, and shall enjoy such leave and other privileges as may be prescribed from time to time.

**8. Members to be subject to Pakistan Army Act, 1952.**—(1) Every officer and member of the Force shall, unless he is already so subject, be subject to the Pakistan Army Act, 1952 ([XXXIX of 1952](#)), hereinafter referred to as the Act, as officers, junior commissioned officers and persons enrolled under the Act according as they are respectively officers, junior commissioned officers and other members of the Force.

(2) The Director General shall, in respect of all officers and members of the Force, have all the powers conferred by or under the Act on an officer empowered to convene a general court martial.

(3) Subject to sub-section (2), the Federal Government may, by general or special order, direct by what authority any jurisdiction, powers or duties incidental to the operation of the provisions of the Act shall be exercised or performed in respect of the Force.

**9. Consequence of sentence of imprisonment.** A member of the Force who is sentenced to a term of imprisonment for a term which is not less than ninety days shall be deemed to have been dismissed from the Force.

**10. Suspension.** Any officer or junior commissioned officer shall be competent to suspend in the prescribed manner a member of the Force working under him for any misconduct, remissness or negligence in the discharge of his duties.

**11. Place of imprisonment.** If a member of the Force sentenced under the Act to imprisonment for a term not exceeding one month is also dismissed from service, he shall be imprisoned in the nearest prison or such other prison as the Federal Government may, by general or special order, direct, but if he is not so dismissed, he may be confined in a quarterguard or such other place as the Director General may consider suitable.

**12. Capture of deserts.**—(1) Whenever any person subject to this Act 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