

A
BILL

to establish and maintain a Regulatory Force to investigate regulatory offences in the Province of Khyber Pakhtunkhwa.

WHEREAS it is expedient to establish and maintain a separate Regulatory Force in the Province of Khyber Pakhtunkhwa for effective enforcement of regulatory laws, investigation of regulatory offences and bringing the offenders before the Courts of Law and for matters connected therewith and ancillary thereto;

It is hereby enacted by the Provincial Assembly of Khyber Pakhtunkhwa as follows:

1. Short title, extent and commencement.---(1) This Act may be called the Khyber Pakhtunkhwa Regulatory Force Act, 2025.

(2) It shall extend to the whole of the Province of the Khyber Pakhtunkhwa.

(3) It shall come into force at once.

2. Definitions.---In this Act, unless the context otherwise requires,-

- (a) **“Code”** means the Code of Criminal Procedure, 1898 (Act V of 1898);
- (b) **“Chief Regulatory Force Officer”** means the Chief Regulatory Force Officer as mentioned under section 7 of this Act;
- (c) **“Deputy Commissioner”** means the Deputy Commissioner of the district concerned;
- (d) **“Director General”** means the Director General as appointed under section 6 of this Act;
- (e) **“District”** means a revenue district notified under the West Pakistan Land Revenue Act, 1967 (W.P Act No. XVII of 1967);
- (f) **“Government”** means the Government of Khyber Pakhtunkhwa;
- (g) **“person”** includes a natural and legal person;
- (h) **“prescribed”** means prescribed by rules;
- (i) **“Regulatory Force”** means the Regulatory Force, established under section 3 of this Act;

- (j) **“Regulatory Force Officer”** means a Regulatory Force Officer of the Regulatory Force and includes the Chief Regulatory Force Officer;
- (k) **“regulatory offence”** means an offence mentioned in the Schedule appended to this Act;
- (l) **“rules”** mean rules made under this Act; and
- (m) **“Schedule”** means Schedule, appended to this Act.

3. Establishment of Regulatory Force.---(1) On coming into force of this Act, Government shall establish and maintain a separate Regulatory Force for the Province of Khyber Pakhtunkhwa.

(2) The Head Office of the Regulatory Force shall be at Peshawar, having separate Regulatory Force, at each district.

4. Organization of Regulatory Force at district.---(1) The Regulatory Force, at each district, shall consist of such ranks and having such organizations, as Government may, from time to time, determine.

(2) Government may organize Regulatory Force, at each district, in such branches as may deem appropriate.

5. Superintendence of Regulatory Force.---The superintendence of the Regulatory Force shall vest in Government, which shall be exercised through Home and Tribal Affairs Department of Government, strictly in accordance with law, rules and general instructions, as Government may prescribe or issue from time to time.

6. Director General.---(1) The Chief Minister shall post an officer of Government as Director General for the Regulatory Force, for a period of three years, in the prescribed manner:

Provided that the Chief Minister may transfer the Director General earlier before the completion of the period of three years:

(2) The Director General shall be assisted by such number of officers and staff as may be determined by Government.

7. Chief Regulatory Force Officer.---The Deputy Commissioner of the District concerned shall be ex-officio Chief Regulatory Force Officer for each Regulatory Force, at district level.

8. Administration of the Regulatory Force.---(1) Subject to the provisions of this Act, the administration of the Regulatory Force shall vest in the Director General, who shall have general control over the affairs of Regulatory Force and for this purpose he may issue directions from time to time.

(2) Subject to sub-section (1), the administration of Regulatory Force, throughout a district, shall vest in the Chief Regulatory Force Officer.

9. Establishment of Regulatory Police Station.---Government may, by notification in the official Gazette, establish such numbers of Regulatory Police Stations, as may be required, from time to time.

10. Power to give directions.---(1) Government may issue directions to the Director General or the Chief Regulatory Force Officer to take enforcement action with regard to one or more laws, specified in the Schedule, for a part or whole of the Province of Khyber Pakhtunkhwa.

(2) The Chief Regulatory Force Officer may issue directions to an officer in-charge of the Regulatory Police Station to take enforcement action with regard to any one or more laws, mentioned in the Schedule for a part or whole of the district.

11. Request by officers for enforcement.---(1) An officer, charged with the enforcement of a law, specified in the Schedule, may request the concerned officer in-charge of the Regulatory Police Station for assistance in enforcement.

(2) On receipt of such request, the officer in-charge of the Regulatory Police Station shall render such assistance as may be required in accordance with law.

12. Strategic plans for enforcement.---(1) The Chief Regulatory Force Officer, after getting approval from the Director General, shall, before the beginning of each financial year, issue a plan for improving enforcement of the laws mentioned in the Schedule.

(2) In preparing the draft plan, the Chief Regulatory Force Officer shall have regard to the resources available with him, the need for enforcement and the views of the concerned heads of Government Departments in the district.

13. Appointment in Regulatory Force.---(1) The appointment in the Regulatory Force shall be made either by initial recruitment, promotion or transfer, in the prescribed manner.

(2) Government may absorb members of any other Police Force or Levies in the Regulatory Force subject to such procedure as may be prescribed.

(3) Subject to rules, a Regulatory Force Officer shall be liable to posting in any branch of the Regulatory Force.

(4) Posting to a specialized branch shall be subject to prescribed certified training.

14. Certificate of appointment.---(1) Every Regulatory Force Officer shall, on appointment, receive an order and badge of appointment.

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(2) The certificate of appointment shall become null and void, whenever the Regulatory Force Officer, named therein, ceases to be part of the Regulatory Force.

(3) The badge shall be displayed or shown when demanded by a member of the public.

15. Regulatory Force Officer at any time liable to be called for duty.---A Regulatory Force Officer, when off-duty, on leave or under suspension, shall be liable to be called for duty.

16. Withdrawal from duty.---No Regulatory Force Officer shall withdraw from the duties of his office, unless expressly allowed to do so in writing by the Director General.

17. Regulatory Force Officer not to engage in any other employment.---No Regulatory Force Officer, appointed under this Act, shall engage in any private employment while he is a member of the Regulatory Force.

18. Powers of Regulatory Force Officers appointed under this Act.---A person appointed as a Regulatory Force Officer shall have all the powers conferred on police officers under the Code and such other powers as may be conferred by this Act or rules.

19. No person to wear uniform similar to uniform of regulatory Force.---No person shall wear a dress which is similar to the uniform worn by the Regulatory Force.

20. Power of Regulatory Force to seize property in connection with commission of an offence.---(1) A Regulatory Force Officer, appointed under this Act, may take into possession any property which has been used in the commission of an offence under a law mentioned in the Schedule.

(2) Property, seized under sub-section (1), shall be dealt with in the manner provided in the Code.

21. Power to issue Code of Conduct.---Government shall issue a Code of Conduct to provide for-

- (a) the questioning of suspects and recording of their testimony;
- (b) the identification of suspects;
- (c) the arrest and detention of persons; and
- (d) the search and seizure of persons and movable and immovable properties.

22. Annual report.---(1) Within two (02) months of the end of each financial year, each Chief Regulatory Force Officer shall submit an annual report to the Director General concerned regarding enforcement of laws specified in the Schedule.

(2) The annual report, under sub-section (1), shall contain the targets, set by the strategic plan, the achievement of those targets and such other information as Government may direct.

(3) The Director General shall present annually a report to Government on the performance of the Regulatory Force.

23. Record of files and cases.---Every Regulatory Force Officer shall maintain record of files and cases in the prescribed manner.

24. Penalty for unauthorized use of Regulatory Force uniform.---If any person, not being a member of the Regulatory Force, wears, without authorization, the uniform of the Regulatory Force, he shall, on conviction, be punished with imprisonment for a term, which may extend to one year, or with fine, up to one hundred thousand rupees, or with both.

25. Penalty for frivolous or vexatious complaint.---Any person, who files a complaint against a Regulatory Force Officer, is found frivolous or vexatious, shall be punished, on conviction with imprisonment up to six months or with fine, which may extend to fifty thousand rupees or with both.

26. Penalty for certain types of misconduct by Regulatory Force Officers.---(1) Any Regulatory Force Officer, who-

- (a) makes a false statement or a statement which is misleading in material particulars with regard to any offence investigated under this Act;
- (b) is guilty of any willful breach of any provision of law or rules;
- (c) is guilty of violation of duty;
- (d) maligns or feigns or voluntarily causes hurt to himself with the intention to render himself unfit for duty;
- (e) is grossly insubordinate to his superior officer or uses criminal force against a superior officer; or
- (f) engages himself or participates in any demonstration, procession or strike or resorts to or in any way abets any form of strike or coercion or physical duress to force any authority to concede anything,

shall, on conviction for every such offence, be punished with imprisonment for a term which may extend to one year and with fine.

(2) Prosecution, under sub-section (1), shall require a report, in writing by an officer, authorized in this behalf, under the rules.

27. Penalty for vexatious entry, search, arrest, seizure of property, torture, etc.---Whoever, being a Regulatory Force Officer,-

- (a) without lawful authority or reasonable cause, enters or searches or causes to be entered or searched any building, vessel, tent or place;
- (b) vexatiously and unnecessarily seizes the property of any person;
- (c) vexatiously and unnecessarily detains, searches or arrests any person; and
- (d) inflicts torture or violence to any person in his custody;

shall, for every such offence, on conviction, be punished with imprisonment for a term, which may extend to three years and with fine.

28. Penalty for unnecessary delay in producing arrested persons in Courts.---Any Regulatory Force Officer, who vexatiously and unnecessarily delays the forwarding to a Court or to any other authority, to whom he is legally bound to forward any arrested person, shall, on conviction, be punished with imprisonment for a term, which may extend to one year and with fine.

29. Criminal statistics and reports.---(1) Each Regulatory Force shall, at such times and in such form as Government may direct, transmit statistics and reports to Government with respect to officers, offenders, criminal proceedings as Government may require.

(2) The Director General shall publish an annual report regarding the performance of the Regulatory Force.

30. Competence of officers.---Wherever in consequence of the office of the Chief Regulatory Force Officer becoming vacant, any officer who holds charge of such post or succeeds either temporarily to this office under the orders of the competent authority, shall be competent to exercise all the powers and perform all the duties respectively conferred and imposed by this Act on the Chief Regulatory Force Officer.

31. Indemnity.---No Regulatory Force Officer shall be liable to any penalty or to payment of damages, on account of an act, done in good faith, in pursuance or intended pursuance of any duty, imposed or any authority conferred on him by any of the provisions of this Act or any other law for the time being in force or any rule, order or direction made or given therein.

32. Limitation.---In case of an alleged offence by a Regulatory Force Officer, or a wrong alleged to have been done by him or by any act, done under color of duty, or in exercise of any such duty or authority of this Act, or when it shall appear to the Court that the offence or wrong, if committed or done, was of the character aforesaid, the prosecution or suit shall not be entertained, or shall be dismissed, if instituted after six months, from the date of the action, complained of.

33. Notice of suit to be given with sufficient description of wrong complained of.---In the case of an intended suit, on account of an alleged wrong, the person, intending to sue, shall give two month notice , as prescribed in section 80 of the Code of Civil Procedure, 1908 (Act No. V of 1908), of the intended suit, with sufficient description of the wrong, complained of.

34. Powers to prosecute under any other law not affected.---Nothing contained in this Act shall be construed to prevent any person from being prosecuted under any other law for the time being in force for any offence made punishable under this Act.

35. Bar of jurisdiction.---No police officer other than the Regulatory Force Force appointed under this Act shall take cognizance of any regulatory offence mentioned in the Schedule.

36. Mutual co-operation.---The Police Establishment, established under the Khyber Pakhtunkhwa Police Act, 2017 (Khyber Pakhtunkhwa Act No. II of 2017), and the Regulatory Force, established under this Act, shall cooperate and provide necessary assistance to each other for implementation of laws in force in the Province of Khyber Pakhtunkhwa.

37. Power to amend Schedule.---Government may add or omit an entry in the Schedule.

38. Power to make rules.---Government may make rules, by notification in the official Gazette, to give effect to the provisions of this Act.

SCHEDULE

[see sections 2 (k) & (m), 10, 11 (1), 12 (1), 20 (1), 22 (1), 35 & 37]

LAWS

1. The Canal and Drainage Act, 1873.
2. The Electricity Act, 1910.
3. The West Pakistan Graveyards (Preservation and Maintenance) Act, 1958.
4. The Standard Weights and Measures Enforcement Act, 1976.
5. The Khyber Pakhtunkhwa Public Property (Removal of Encroachment) Act, 1977.
6. The Price Control and Prevention of Profiteering and Hoarding Act, 1977.
7. The Fertilizer Control Act, 1999.
8. The Khyber Pakhtunkhwa Forest Ordinance, 2002.
9. The Agriculture and Livestock Produce Act, 2007.
10. The Khyber Pakhtunkhwa Local Government Act, 2013.
11. The Khyber Pakhtunkhwa Food Safety and Halal Food Authority Act, 2014.
12. The Khyber Pakhtunkhwa Protection of Communal Properties of Minorities Act, 2014.
13. The Khyber Pakhtunkhwa Environmental Protection Act, 2014.
14. The Khyber Pakhtunkhwa Hotels Restrictions (Security) Act, 2014.
15. The Khyber Pakhtunkhwa Antiquities Act, 2016.
16. The Peshawar Development Authority Act, 2017.
17. The Khyber Pakhtunkhwa Mines and Minerals Act, 2017.
18. The Khyber Pakhtunkhwa Charities Act, 2018.
19. The Khyber Pakhtunkhwa Censorship of Motion Pictures Act, 2018.

STATEMENT OF OBJECTS AND REASONS

It is desirable to establish and maintain a separate Regulatory Force in the Province of Khyber Pakhtunkhwa for effective enforcement of regulatory laws, investigation of regulatory offences and bringing the offenders before the Courts of Law. Hence, this Bill.

Peshawar,
dated the
, 2025.


MINISTER-IN-CHARGE.