THE POLICE ORDER, 2002

(UPDATED VERSION)

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THE POLICE ORDER, 2002

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AN

ORDER

to reconstruct and regulate the police;

WHEREAS the police has an obligation and duty to function according to the Constitution, law, and democratic aspiration of the people;

AND WHEREAS such functioning of the police requires it to be professional, service-oriented, and accountable to the people;

AND WHEREAS it is expedient to redefine the police role, its duties and responsibilities;

AND WHEREAS it is necessary to reconstruct the police for efficient prevention and detection of crime, and maintenance of public order;

AND WHEREAS the Chief Executive is satisfied that circumstances exist which render it necessary to take immediate action;

NOW, THEREFORE, in pursuance of the Proclamation of Emergency of the fourteenth day of October, 1999, and the Provisional Constitution Order No. 1 of 1999, and in exercise of all powers enabling him in that behalf, the Chief Executive of the Islamic Republic of Pakistan is pleased to make and promulgate the following Order:-

CHAPTER I

PRELIMINARY

1. **Short title, extent and commencement. –** (1) This Order may be called the Police Order, 2002.

(2) It extends to the whole of Pakistan.

(3) It shall come into force at once [1]**[**except in the Islamabad Capital Territory where it shall come into force on the date the local governments assume office in the said territory.**]**

2. Definitions. - (1) In this Order, unless the context otherwise requires, -

(i) 'Administration' includes management of administrative, operational and financial functions;

[2]**[**(i-a) "Capital City District" means the Islamabad City District, the Federal Capital; City District of Quetta, City District of Peshawar, City District of

1 Added vide the Police (Amendment) Order, 2002 (w.e.f. 14-8-2002).
2 Inserted vide the Police Order (Second Amendment) Ordinance, 2006.

Lahore or City District of Karachi being the metropolis of the Provinces of Baluchistan, North-West Frontier, Punjab and Sind respectively;**]**

(ii) 'Capital City Police Officer' means the head of police of a general police area of the capital city district who is not below the rank of Additional Inspector General of Police and is posted under Article 11;

(iii) 'City Police Officer' means the head of police of a general police area of the city district who is not below the rank of Deputy Inspector General of Police and is posted under Article 15;

(iv) 'Code' means the Code of Criminal Procedure, 1898 (Act V of 1898);

[1]**[**(iv-a) "cognizance" means taking notice by an authority legally empowered to take action on its decision regarding a matter relating to neglect, excess or misconduct by, or any omission or commission deemed illegal, committed by, a Police Officer for remedial and corrective measures under the provisions of this Order;**]**

(v) [2]**[**"Commission" means National Public Safety Commission, Provincial Public Safety and Police Complaints Commission, Islamabad District Public Safety Commission and District Public Safety and Police Complaints Commission established under this Order;**]**

[3] **[**(v-a) "direct" means a written order or instruction to a Police Officer issued by an authority empowered to direct under this Order and such directing authority shall be deemed to be an officer authorized under clause (2) of Article 155;**]**

(vi) 'District' means the district as defined in a Local Government Law;

(vii) 'District Police Officer' means the head of police of a district who is not below the rank of Senior Superintendent of Police and is posted under Article 15;

[4] **[**(vii-a) "ex-officio Secretary" means Provincial Police Officer who shall exercise administrative and financial powers of the Secretary to the Provincial Government with total autonomy in operational, administrative and financial matters subject to the policy, oversight and guidance given by the Chief Minister through the Chief Secretary and the Provincial Home Department;

(vii-b) "exigency of service", in relation to posting and transfer, means an urgent or unforeseen situation which, for the reasons to be recorded in writing, requires premature transfer of a Police Officer for performance

1 Inserted vide the Police Order (Second Amendment) Ordinance, 2006.
2 Paragraph (v) "Commission' means a Public Safety Commission established under this Order at the national, provincial, or district level" substituted vide ibid.
3 Inserted vide ibid.
4 Inserted vide ibid.

of specific tasks or duties but not as a replacement for what should be rightly treated as an efficiency and discipline matter; and

(vii-c) "fact finding inquiry" means an inquiry into the allegations contained in a complaint against a Police Officer, including the factual incidents, relating to neglect, excess or omission or commission of any act constituting an offence and the outcome of such inquiry shall be admissible in evidence before a court, tribunal or an authority;**]**

(viii) 'Federal Law Enforcement Agencies' include Federal Investigation Agency, Pakistan Railway Police, Anti-narcotics Force, Pakistan Motorway and Highway Police, Islamabad Police, Frontier Constabulary, and any other Federal or Provincial organization notified as such by the Government from time to time;

(ix) 'General Police Area' means a capital city district, a part of a province, or any territory for which separate police is established under Article 6;

(x) "Government" means the appropriate Government;

(xi) "Head of District Police" means a District Police Officer, City Police Officer or a Capital City Police Officer;

(xii) 'junior ranks' means members of the police of and below the rank of Inspector as set out in the First Schedule;

(xiii) 'person' includes community, a company, or corporation;

(xiv) 'Place' includes. -

(a) any building, tent, booth or other structure, whether permanent or temporary; and
(b) any area, whether enclosed or open.

(xv) 'place of public amusement' means any place where music, singing, dancing or game or any other amusement, diversion, or recreation or the means of carrying on the same is provided etc. to which the public are admitted either on payment of money or with the intention that money may be collected from those admitted;

(xvi) 'place of public entertainment' means any place of boarding and lodging to which public are admitted by any person owning, or having any interest in, or managing, such place;

(xvii) 'Provincial Police Officer' means head of the police of a general police area of the rank of Inspector General of Police posted under Article 11;

(xviii) 'Police Officer' means a member of the police who is subject to this Order;

(xix) 'Police or Police Establishment' means the police referred to in Article 6 and includes –

(a) all persons appointed as special police officers or additional police officers under this Order; and

(b) all other employees of the police.

(xx) 'prescribed' means prescribed by rules made under this Order;

(xxi) 'property' means any moveable property, money or valuable security;

(xxii) 'public place' means any place to which the public may have access;

[1]**[**(xxii-a) 'responsible' means a Police Officer who is answerable and accountable, for effective and efficient performance of assigned duties and functions, and for implementation of all lawful orders and instructions issued by an officer or an authority to whom he is responsible under this Order and non-compliance of such orders, directions and instructions which he is bound to observe or obey for action shall be liable under paragraph (c) of clause (1) of Article 155;**]**

(xxiii) 'rules' means rules made under this Order;

(xxiv) 'schedule' means a schedule to this Order;

(xxv) 'senior ranks' means members of the police above the rank of Inspector as set out in the First Schedule;

(xxvi) 'street' includes any highway, bridge, way, causeway, arch, road, lane, footway, square, alley or passage, whether or not it is a thoroughfare and to which the public have access, whether permanently or temporarily; [2]**[****]**

[3]**[**(xxvi-a) 'superintendence' means supervision of Police by the appropriate Government through policy, oversight and guidance and, in case of a Province, it shall be exercised by the Chief Minister through the Chief Secretary and the Provincial Home Department, while ensuring total autonomy of the Provincial Police Officer in operational, administrative and financial matters and, in case of Federal Capital, such supervision shall be exercised by the Ministry of Interior, Government of Pakistan; and**]**

(xxvii) 'vehicle' includes any conveyance of any description mechanically propelled or otherwise.

(2) All references in respect of District Superintendent of Police in any law in force shall mean Head of District Police posted under Article 11 and Article 15.

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1 Inserted vide the Police Order (Second Amendment) Ordinance, 2006.
2 The word "and" omitted vide ibid.
3 Inserted vide ibid.

CHAPTER II

RESPONSIBILITIES AND DUTIES OF THE POLICE

3. Attitude and responsibilities of police towards the public. - It shall be the duty of every police officer 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.

4. Duties of police. - (1) Subject to law**,** it shall be the duty of every police officer to -

(a) protect life, property and liberty of citizens;

(b) preserve and promote public peace;

(c) ensure that the rights and privileges, under the law, of a person taken in custody, are protected;

(d) prevent the commission of offences and public nuisance;

(e) collect and communicate intelligence affecting public peace and crime in general;

(f) keep order and prevent obstruction on public roads and in the public streets and thoroughfares at fairs and all other places of public resort and in the neighbourhood of and at the places of public worship;

(g) regulate and control traffic on public roads and streets;

(h) take charge of all unclaimed property and to prepare its inventory;

(i) detect and bring offenders to justice;

(j) apprehend all persons whom he is legally authorised to apprehend and for whose apprehension, sufficient grounds exist;

(k) ensure that the information about the arrest of a person is promptly communicated to a person of his choice;

(l) enter and inspect without a warrant on reliable information any public place, shop or gaming-house where alcoholic drinks or narcotics are sold or weapons are illegally stored and other public places of resort of loose and disorderly characters;

(m) obey and promptly execute all lawful orders;

(n) perform other duties and exercise powers as are conferred by this Order, the Code or any other law for the time being in force;

(o) aid and co-operate with other agencies for the prevention of destruction of public property by violence, fire, or natural calamities;

(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 the public and their property; and

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

(2) Police officer shall make every effort to -

(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 dependants, where applicable, with such information and documents as would facilitate their compensation claims; and

(d) cause awareness among the victims of road accidents of their rights and privileges.

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

5. Emergency duties of police with regard to essential services. - (1) The Government may, in an emergency, by notification in the Official Gazette, declare any specified service to be an essential service to the community.

(2) Upon a declaration being made under clause (1) and so long as it remains in force, it shall be the duty of every police officer to obey any lawful order given by a senior police officer in relation to the declaration.

CHAPTER III

CONSTITUTION AND ORGANIZATION OF THE POLICE

6. Separate police establishment for each general police area. - The Government shall maintain a separate police establishment for every general police area.

7. Constitution of police. - (1) The police establishment for each general police area shall consist of such numbers in the senior and junior ranks and have such organization as the Government may from time to time determine.

(2) The recruitment criteria, pay and allowances and all other conditions of service of the police shall be such as the Government may from time to time determine.

(3) The recruitment in the police other than ministerial and specialist cadres shall be in the rank of Constable, Assistant Sub-Inspector and Assistant Superintendent of Police:

Provided that selection for direct recruitment in the rank of Assistant Sub-Inspector shall be through the appropriate Public Service Commission and shall not exceed twenty-five percent of total posts in that rank:

Provided further that 25% of the quota for departmental promotions to the rank of Assistant Sub-Inspector shall be filled, subject to rules, through selection by the appropriate Public Service Commission from graduate Constables or Head Constables of clean record.

(4) The recruitment in the rank of Assistant Superintendent of Police shall be through the Federal Public Service Commission on all Pakistan basis.

(5) The recruitment in the rank of Constable and Assistant Sub-Inspector shall be on the basis of the district of domicile which for all service matters shall be their administrative unit up to the rank of Deputy Superintendent of Police and only such officers shall be posted to their district of domicile for field assignments. There will be no such bar on the posting of officers of other districts for investigation, traffic, security, reserve, and intelligence duties. Subject to rules, Inspectors and Deputy Superintendents of Police shall be promoted on the basis of provincial seniority.

(6) Every police officer while on police duty shall have all the powers and privileges of a police officer throughout Pakistan and be liable to serve at any time in any branch, division, bureau and section.

8. Police to be organized on functional basis. - (1) The police establishment constituted under Article 7 shall, as far as practicable, be organised on functional basis into branches, divisions, bureaus and sections.

(2) The branches, divisions, bureaus and sections referred to in clause (1) may include -

(a) Investigation;

(b) Intelligence;

(c) Watch and Ward;

(d) Reserve Police;

(e) Police Accountability;

(f) Personnel Management;

(g) Education and Training;

(h) Finance and Internal Audit;

(i) Crime Prevention;

(j) Crime against women;

(k) Traffic Planning and Management;

(l) Criminal Identification;

(m) Information Technology;

(n) Transport;

(o) Research and Development;

(p) Legal Affairs;

(q) Welfare;

(r) Estate Management.

(3) The specialist investigators shall be operationally responsible to the officer in-charge of the investigation branch.

4) Every police officer shall be liable for posting to any branch, division, bureau and section, or anywhere in or outside the police:

(5) Posting to any specialist branch, division, bureau or section shall be subject to necessary training and experience in accordance with the rules.

9. Superintendence of police. - (1) The superintendence of police throughout a general police area shall vest in the appropriate Government.

(2) The power of superintendence under clause (1) shall be so exercised as to ensure that police performs its duties efficiently and strictly in accordance with law.

10. Administration of the police. - (1) Administration of police in a general police area shall vest in the Provincial Police Officer, Capital City Police Officer or City Police Officer posted under Article 11, or Article 15, as the case may be.

(2) The Provincial Police Officer, Capital City Police Officer and City Police Officer, as the case may be, shall exercise such powers and perform such functions and duties and shall have such responsibilities as may be provided by or under this Order and any other law for the time being in force.

(3) The police officers mentioned in clause (1) may for direction and control issue standing orders not inconsistent with the Order or rules made hereunder for the efficient functioning of the police.

(4) Provincial Police Officer shall prepare a provincial annual policing plan for review by the Provincial Public Safety [1]**[**and Police Complaints**]** Commission. The plan shall include -

(a) objectives of policing;

(b) financial resources likely to be available during the year;

(c) targets; and

(d) mechanism for achieving these targets.

11. Posting of Provincial Police Officer, Capital City Police Officer and Head of Federal Law Enforcement Agency. - (1) The Provincial Government shall, out of a panel of three police officers recommended [2]**[** ***] by the Federal Government, post a police officer of the rank of Inspector General of Police as Provincial Police Officer of the Province:

Provided that before a police officer is posted as Provincial Police Officer under clause (1) the Federal Government shall place his services at the disposal of the Provincial Government.

(2) The Federal Government in the case of Islamabad Capital Territory and the Provincial Government in the case of Capital City District shall post a police officer not below the rank of Additional Inspector General of Police as Capital City Police officer out of three officers recommended by the National Public Safety Commission, or on the recommendation of the Provincial Police Officer, as the case may be.

(3) The Federal Government shall, out of a panel of three suitable police officers recommended by the National Public Safety Commission post head of a Federal Investigation Agency, Pakistan Railway Police, Pakistan Motorway and Highway Police and Frontier Constabulary.

(4) During temporary absence of the police officers mentioned under clause (1) and clause (2) the next senior officer may exercise all or any of the powers, perform all or any of the functions and duties, and discharge all or any of the responsibilities of the Provincial Police Officer, or Capital City Police Officer, as the case may be.

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1 Inserted vide the Police Order (Second Amendment) Ordinance, 2006.
2 The words “by the National Public Safety Commission from a list provided” omitted vide ibid.

(5) The Provincial Police Officer, posted under clause (1) shall have administrative and financial powers as ex-officio Secretary to the Provincial Government and other powers under this Order, or any other law for the time being in force and Islamabad Capital City Police Officer posted under clause (2) shall have the same administrative and financial powers.

(6) Subject to job description of each post under the rules, the police officers mentioned in clauses (1) and (2) may, by a general or special order, empower any officer subordinate to him to exercise and perform all or any of the powers, functions or duties to be exercised or performed under this Order.

12. Term of office of Provincial Police Officer, Capital City Police Officer and Head of a Federal Law Enforcement Agency. - (1) The term of office of Provincial Police Officer, Capital City Police Officer and Head of a Federal Law Enforcement Agency posted under Article 11 shall be three years from the date of his posting.

[1]**[**(2) The Provincial Government may, with the approval of the Federal Government, repatriate, or the Federal Government may, on its own accord, recall, a Provincial Police Officer.

(3) The Provincial Public Safety and Police Complaints Commission may, for reasons to be recorded in writing, recommend to the Provincial Government for repatriation of the Provincial Police Officer before the expiry of his term of office and the Provincial Government may thereupon move the Federal Government for his repatriation in accordance with clause (2).**]**

(4) The Federal Government may with the agreement of National Public Safety Commission transfer Islamabad Capital City Police officer and Head of a Federal Law Enforcement Agency before the expiry of his tenure.

(5) The Federal Government or the National Public Safety Commission may initiate premature transfer of the officer mentioned in clause (4) for unsatisfactory performance of duties:

[2]**[**Provided that before initiating such transfer, the Commission shall give the concerned officer an opportunity of being heard in person.**]**

(6) [3]**[** **** **]**

13. Posting of Additional Inspectors General of Police. - The Government may post such number of Additional Inspectors General of Police to assist the,

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1 Clause (2) and (3) "(2) The Provincial Government, with agreement of Provincial Public Safety Commission and the Capital City Public Safety Commission may transfer the Provincial Police Officer or Capital City Police Officer before the expiry of his tenure as the case may be.
(3) The Provincial Government or the respective Public Safety Commission may initiate the case of premature transfer of the officers mentioned in clause (2) for unsatisfactory performance of duties" substituted vide the Police Order (Second Amendment) Ordinance, 2006.

2 The proviso "Provided that before premature transfer of the officers mentioned in clause (3) and clause (5) the appropriate Commission shall give the concerned officer an opportunity of being heard in person" substituted vide ibid.

3 Clause "(6) The Federal Government may with the agreement of the National Public Safety Commission recall a Provincial Police Officer or the Capital City Police Officer" omitted vide ibid.

Provincial Police Officer, or Capital City Police Officer, as the case may be, in the efficient performance of his duties as it may deem fit, in consultation with the Provincial Police Officer, or Capital City Police Officer, as the case may be.

14. Appointment of experts. – (1) The Government may, on recommendation of the appropriate Public Service Commission, appoint one or more experts to assist the Provincial Police Officer and Capital City Police Officer or City Police Officer*.*

(2) The qualifications, eligibility, terms and conditions of service of experts shall be as prescribed.

15. Posting of City Police Officer and District Police Officer. - (1) The Provincial Police Officer may post a City Police Officer for a city district notified as a general police area and the District Police Officer in a district within a general police area [1]**[**with the approval of**]** the Government.

(2) The term of office of City Police Officer or District Police Officer, as the case may be, shall be three years from the date of his posting.

[2]**[**(3) Under exceptional circumstances due to exigency of service or on grounds of misconduct and inefficiency which warrant major penalty under the relevant rules, the City Police Officer or District Police Officer may be transferred, with the approval of the Government, before completion of the term of office.**]**

16. Administration of police in a district.- (1) Subject to this Order, the administration of police throughout a district, other than a capital city district and a city district, shall vest in a District Police Officer posted under Article 15.

(2) The District Police Officer may delegate any of his powers and functions conferred on him to a Superintendent of Police, Assistant or Deputy Superintendent of Police posted under Article 17.

(3) The Capital City Police Officer and the City Police Officer shall have administrative and financial powers of the head of an attached department.

(4) A Capital City Police Officer posted under article 11 and a City Police Officer posted under Article 15 shall exercise the powers vested in them under clause (3) above and Article 10 subject to the operational control by the Provincial Police Officer.

17. Posting of Deputy Inspector General, Senior Superintendent, Superintendent, Assistant Superintendent, Deputy Superintendent. - (1) Subject to this Order, the Government shall post in consultation with Provincial Police Officer, or Capital City Police Officer, as the case may be, for any part of a general police area or for police headquarters, such number of Deputy Inspector General of Police as it may deem fit.

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1 The words “in consultation with the” substituted vide the Police Order (Second Amendment) Ordinance, 2006.

2 Clause “(3) The City Police Officer or District Police Officer may be transferred before completion of normal tenure of three years on specific grounds such as inefficiency and ineffectiveness with the concurrence both of the Zila Nazim and the District Public Safety Commission, after he has been heard in person by the District Public Safety Commission”substituted vide ibid.

(2) Provincial Police Officer or the Capital City Police Officer shall post Senior Superintendents, Superintendents, Assistant and Deputy Superintendents of Police in the general police area.

(3) Every officer posted under clause (1) and clause (2) shall exercise and perform such powers, functions and duties, as assigned to him under this Order, or any other law for the time being in force.

18. Posting of head of investigation. - (1) The head of investigation in a general Police area other than the Capital City District or the City District shall be of the rank of Additional Inspector General of Police.

(2) The head of investigation in a Capital City District or City District shall not be below the rank of Senior Superintendent of Police.

(3) The head of investigation in a District shall not be below the rank of Superintendent of Police and shall be responsible to his own hierarchy subject to general control of the District Police Officer [1]**[**:**]**

[2]**[**Provided that the Investigation Wing shall be located within the Police Station and shall be responsible to its own hierarchy in the District under the general control of Officer-in-charge of the Police Station.**]**

(4) All registered cases shall be investigated by the investigation staff in the district under the supervision of the head of investigation:

Provided that the Government may, by a special or general order, may entrust investigation of offences under Local and Special Laws as defined in the Pakistan Penal Code and punishable with imprisonment for a term not exceeding three years with or without any other punishment, to the police station staff.

(5) The District Police Officer shall not interfere with the process of investigation. The head of investigation shall however keep the District Police Officer informed of the progress of all cases which have a bearing on public order. The District Police Officer shall provide full support to the Head of investigation in the performance of his duties.

(6) Investigation shall not be changed except after due deliberations and recommendations by a board headed by an officer not below the rank of Senior Superintendent of Police and two Superintendents of Police, one being in-charge of the investigation of the concerned district:

Provided that the final order for the change of investigation shall be passed by head of investigation in the general police area who shall record reasons for change of such investigation:

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1 The “full stop” substituted vide the Police Order (Second Amendment) Ordinance, 2006.
2 Added vide ibid.

Provided further that the second change of investigation may only be allowed with the approval of the Provincial Police Officer, or the Capital City Police Officer, as the case may be.

[1]**[Explanation.-** For the purpose of this Article, "general control" means the relationship between the authority of the officer-in-charge of Investigation in a District or a Police Station and the District Police Officer and officer-in-charge of the Police Station, as the case may be. This relationship requires full support to the officer-in-charge of Investigation in the performance of his duties and officer-in-charge of Investigation shall coordinate with the District Police Officer or officer-in-charge of the police station, as the case may be, and provide information to him on all matters which have a bearing on watch and ward and public order functions. Any directions in this regard by the officer vested with general control shall not explicitly or impliedly interfere in the conduct of investigation or transfer of investigation and diversion of manpower or resources of Investigation to other police functions.**]**

19. Appointment of Director of Police Communications etc. - Subject to rules, Provincial Police Officer, or Capital City Police Officer, or City Police Officer, as the case may be, may appoint Director of Wireless, Motor Transport and Computer for the whole of the general police area or for any part thereof and such number of officers and staff as may be determined from time to time.

20. Posting of heads of police training institutions. - (1) The Federal Government shall post a police officer of the rank of Inspector General of Police as Commandant of the National Police Academy.

(2) Provincial Police Officer or Capital City Police Officer may post an officer not below the rank of Deputy Inspector General of Police as Commandant of the police training college and an officer not below the rank of Senior Superintendent of Police as Principal of each police training school within the general police area under his charge.

21. Constitution of regions and divisions etc. - (1) The Provincial Police Officer may with the approval of the Government constitute police regions.

[2]**[**(2) The Provincial Police Officer, Capital City Police Officer or the City Police Officer may, with the approval of the Government,-

(i) divide districts into police divisions, sub-divisions and police stations;

(ii) sub-divide police stations into police posts; and

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1 Added vide the Police Order (Second Amendment) Ordinance, 2006.

2 Clause "(2) Within the budgetary allocations, Provincial Police Officer, Capital City Police Officer, or the City Police Officer, as the case may be, may: -

(a) divide districts into police divisions, sub divisions and police stations;

(b) sub-divide the police stations into police posts; and

(c) define the limits and extent of such-divisions, sub divisions, police stations and police posts" substituted vide ibid.

(iii) define the limits and extent of such divisions, sub-divisions, police stations and police posts:**]**

Provided that the limits and extent of such divisions, police stations and police posts shall, as far as practicable, be coterminus with the limits of Tehsils, or Town in a city district and Unions.

(3) A police region under clause (1) shall be headed by a police officer not below the rank of Deputy Inspector General of Police:

Provided that where the size of police establishment is more than ten thousand the region shall be headed by a police officer not below the rank of Additional Inspector General of Police.

(4) A police division shall be under an officer not below the rank of a Superintendent of Police; a police sub-division under an officer not below the rank of an Assistant or Deputy Superintendent of Police; and a police station shall be under an officer of the rank of Inspector of Police:

Provided that an officer of the rank of Assistant Superintendent of Police may be posted as head of a police station, assisted by Inspectors as officer incharge in selected police stations[1]**[**:**]**

[2]**[**Provided further that the term of office of an officer under whom a police division, sub-division or police station respectively is placed shall be the same as that of Head of District Police from the date of posting and any transfer before completion of his term of office will only take place due to exigency of service or misconduct warranting major penalty.**]**

22. Transfer to other police establishment. - Subject to rules, the appropriate Government may transfer any police officer appointed under this Order from police constituted for one general police area to another.

23. Appointment of junior ranks. - Subject to rules, Head of District Police shall be the appointing authority for junior ranks.

24. Oath or affirmation by members of police. – (1) Every member of the police shall on appointment make and subscribe before Provincial Police Officer or Capital City Police Officer or City Police Officer**,** or head of a training institution, an oath or affirmation according to the form set out in the second Schedule.

(2) Assistant Superintendents of Police shall make and subscribe to the said oath or affirmation before Commandant, National Police Academy.

25. Certificate of appointment. - (1) Officers of junior ranks shall on appointment receive a certificate in the form provided in the Third Schedule. The certificate shall be issued under the seal of such officer as Provincial Police Officer or Capital City Police Officer or City Police Officer may by general or special order direct.

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1 The “full stop” substituted vide the Police Order (Second Amendment) Ordinance, 2006.
2 Added vide ibid.

(2) A certificate of appointment shall become null and void whenever the police officer named therein ceases to belong to the police.

26. Suspension of police officer. - (1) Subject to rules, the authority or an officer authorised in this behalf by the authority shall have power to suspend a member of police.

(2) The powers and functions vested in a member of police shall remain suspended while such officer is under suspension:

Provided that notwithstanding his suspension such member shall not cease to be a member of police and shall continue to be subject to the control of the same authorities to which he would have been, but for his suspension.

27. General powers of Provincial Police Officer etc. - Subject to this Order and rules made there-under, Provincial Police Officer and Head of District Police, as the case may be, shall within their respective spheres of authority, direct and regulate all matters of recruitment, training, postings, transfers, promotions, arms, drill, discipline, clothing, distribution of duties, and any other matter concerning the efficient fulfilment of duties by the police under his control.

28. Powers of Provincial Police Officer, Capital City Police Officer and City Police Officer concerning police accounts. - (1) Provincial Police Officer, Capital City Police Officer or City Police Officer shall have authority to investigate and regulate all matters of accounts connected with the police and all persons concerned shall be bound to give reasonable aid and facilities in conducting such investigation and to conform to his orders consequent thereto.

(2) The power of Provincial Police Officer, Capital City Police Officer and City Police Officer to regulate accounts under clause (1) shall be without prejudice to the Auditor General's authority to audit police accounts.

29. Appointment of special police officers. - (1) Subject to rules, Head of District Police may appoint special police officers for special purposes or occasions when the police available to him is not sufficient to assist the police under his command.

(2) Every special police officer so appointed shall, on appointment -

(a) receive a certificate in the prescribed form;

(b) have the same powers, and immunities and be liable to the same duties and responsibilities and be subject to the same authorities as a regular police officer.

30. Appointment of additional police. - (1) City Police Officer and District Police Officer subject to the approval of the Provincial Police Officer, and Capital City Police Officer may appoint additional police officers of such rank and for such time as he may deem fit for the purposes stated in their employment orders.

(2) Every additional police officer so appointed shall on appointment -

(a) receive a certificate in a form approved by Provincial Police Officer or Capital City Police Officer or City Police Officer as the case may be;

(b) be vested with all or any of the powers, privileges and duties of a police officer;

(c) be subject to orders of the Capital City Police Officer, City Police Officer and District Police Officer.

(3) The employment of additional police may be made at the request of any person reasonably requiring such police and the cost of such employment shall be recovered in such manner as provided under this Order or rules made there under.

31. Ministerial staff etc. - (1) Subject to rules, Provincial Police Officer, Capital City Police Officer and City Police Officer, as the case may be, may appoint ministerial staff and other employees to assist the police.

(2) Any person employed under clause (1) shall be under the direction and control of Provincial Police Officer, Capital City Police Officer, or City Police Officer, as the case may be.

(3) The powers of direction and control referred to in clause (2) shall include the powers of discipline and dismissal.

(4) Subject to rules, Provincial Police Officer, Capital City Police Officer or City Police Officer, as the case may be, may delegate his powers and authority under this Article to an officer of appropriate rank.

CHAPTER IV

RESPONSIBILITIES OF THE HEAD OF DISTRICT POLICE

32. Policing Plan. - (1) Head of District Police shall prepare an annual Policing Plan consistent with Provincial Policing Plan wherever applicable in [1]**[**coordination**]** with the Zila Nazim in the prescribed manner.

(2) The Policing Plan shall include: -

(a) objectives of policing;

(b) financial resources likely to be available during the year;

(c) targets; and

(d) mechanism for achieving these targets.

(3) Head of District Police shall obtain the approval of the plan from the [2]**[**concerned Commission at the District level**]** and send copies of the approved plan to Zila Nazim, Tehsil or Town Nazim, Provincial Government, Provincial Public Safety [3]**[**and Police Complaints**]** Commission and Provincial Police Officer and in case of Islamabad Capital Territory to Zila Nazim, Islamabad District Public Safety Commission, National Public Safety Commission and Federal Government.

(4) Head of District Police shall prepare a report on the policing of the district during the year and send it to the [4]**[**concerned Commission at the District level**]** by end of August.

33. Relationship of District Police with Zila Nazim etc.- (1) Subject to the provisions of this Order, Head of District Police shall be responsible to the Zila Nazim for police functions under this Order but shall not include administration of the district police, investigation of criminal cases and police functions relating to prosecution, which shall rest with the police:

Provided that Zila Nazim may visit a police station to find out if any person is under unlawful detention and in appropriate cases may also direct action in accordance with law having regard to the facts and circumstances of the case.

(2) In case of a difference of opinion between the Zila Nazim and the [5]**[*****]** Government on any matter concerning the district police, the decision of the [6]**[*****]** Government shall prevail.

[7]**[**(3) In the normal channel of writing the Performance Evaluation Report of the Head of District Police, the Zila Nazim shall write the manuscript report of the Head of District Police in the specified Part of the Form of Performance Evaluation

1 The word “consultation” substituted vide the Police Order (Second Amendment) Ordinance, 2006.
2 The words “appropriate Public Safety Commission” substituted vide ibid.
3 Inserted vide ibid.
4 The words “District Public Safety Commission” substituted vide ibid.
5 The word “Provincial” omitted vide ibid.
6 The word “Provincial” omitted vide ibid.
7 Added vide ibid.

Report provided in the Fourth Schedule, which shall be taken into consideration at the time of promotion of the Officer.**]**

34. Police support to Government functionaries, etc. - (1) Any functionary of the Federal Government, Provincial Government, any statutory body or any body or corporation owned, set up or controlled by any such Government or in which such Government has a controlling share or interest, District Government, Tehsil or Town Municipal Administration or Union Administration, or Cantonment Board may for the discharge of his official duties which in his opinion require police assistance, ask for police support from the concerned police authority of the area and such authority shall provide the requisite support:

Provided that, if for any reason, the police authority is unable to provide the police support requested under this clause it shall forthwith bring the matter through its channel of command to the notice of Head of District Police who shall make arrangement for provision of police support and, where he is unable to provide such support, he shall inform the Zila Nazim accordingly:

Provided further that before making a report to the higher officer, each officer in the chain of command shall make an effort to provide the requisite police support [1]**[.]**

[2]**[** *** **** **]**

(2) Where the Zila Nazim so directs, the District Coordination Officer shall be responsible for coordination of police support by Head of District Police to the District Government, Tehsil Municipal Administration, Union Administration and Cantonment Board in exigencies threatening law and order, natural calamities and emergencies.

[3]**[**(3) *** *** **]**

35. Responsibility on complaints of neglect and excesses by police. - (1) Where the Zila Nazim on the basis of any complaint or information has reason to believe that any police official has committed an act of neglect, failure or excess, or the Union Public Safety Committee on its own motion or on receipt of a complaint from an aggrieved person reports to the Zila Nazim about police neglect, failure or excess, the Zila Nazim may direct Head of District Police to take remedial measures, including registration of First Information Report in a cognizable offence in appropriate cases within the period specified by him and the Zila Nazim shall inform the [4]**[**concerned Commission at the District level**]** accordingly.

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1 The colon substituted vide the Police Order (Second Amendment) Ordinance, 2006.

2 The proviso "Provided also that where any police officer is of the opinion that the request for police support is unnecessary, unlawful or malafide, he shall, through his channel of command, report to Head of District Police who may seek recourse to the appropriate Public Safety Commission and in that case the decision of the Public Safety Commission shall prevail" omitted vide ibid.

3 Clause "(3) In case of an unlawful or malafide order issued by any authority, the Head of District Police shall seek recourse to the appropriate Public Safety Commission whose decision shall prevail" omitted vide ibid.

4 The words "appropriate Public Safety Commission" substituted vide ibid.

(2) Head of District Police or the concerned competent authority shall immediately take remedial measures, and may suspend the concerned official where necessary, initiate an enquiry and take appropriate action in accordance with law.

(3) Head of District Police shall without delay inform the Zila Nazim and [1]**[**concerned Commission at the District level**]** of the action taken by him pursuant to the directions given under clause (1) and forward a copy of the final report of enquiry within forty five days of such directions.

36. Reference to Police Complaints Authority. – Head of District Police and Head of Federal Law Enforcement Agency shall inform the [2]**[**Provincial Public Safety and Police Complaints Commission or,**]** the Federal Police Complaint Authority, as the case may be, of any incident or a complaint of rape, death or serious injury to any person in police custody.

1 The words “appropriate Public Safety Commission” substituted vide the Police Order (Second Amendment) Ordinance, 2006.
2 The words “Provincial Police Complaints Authority or” substituted vide ibid.

CHAPTER V

DISTRICT PUBLIC SAFETY [1][AND POLICE COMPLAINTS] COMMISSION

[2]**[37. Establishment of District Public Safety and Police Complaints Commission.-** (1) The Provincial Government shall establish a District Public Safety and Police Complaints Commission in every District, including Capital City District, consisting of nine members one of whom shall be the Chairperson.

(2) The Commission shall have its independent budget under a separate budgetary head of account, Drawing and Disbursing Officer and the Chairperson of the Commission shall be its Principal Accounting Officer.**]**

[3]**[38. Composition.-** (1) The composition of the District Public Safety and Police Complaints Commission shall be as follows:-

(a) one-third members shall be appointed by the Government from amongst the Members of the Provincial Assembly and National Assembly of the District concerned as ex-officio members, including a woman member:

Provided that where in a District, members of the Provincial Assembly or National Assembly fall short of the required number of such members, the vacant seat shall be allocated to independent members:

Provided further that in case of non-availability of a woman member of the Provincial Assembly or National Assembly in a District, the seat shall be allocated to a woman independent member;

(b) one-third members, of whom one shall be a woman, shall be appointed as independent members by the Government from a list of names recommended by the Selection Panel; and

(c) the remaining one-third members, out of whom one shall be a woman, shall be elected by the Zila Council from amongst its members on the basis of each member casting only one vote in favour of any contesting candidate through secret ballot.

Explanation.- For the purpose of this Article, the "District concerned" for women members of the Provincial Assembly and National Assembly shall, as far as possible, be on the basis of the District where they are registered as voters.

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1 Inserted vide the Police Order (Second Amendment) Ordinance, 2006.

2 Article "**37. Establishment. -** The Provincial Government shall establish a District Public Safety Commission in each district consisting of 8,10 or 12 members depending upon the area and population of the district" substituted vide ibid.

3 Article "**38. Composition.** - (1) Half of the members of the District Public Safety Commission shall be elected by the Zila Council, from amongst its councillors on the basis of each member casting only one vote in favour of any contesting candidate through secret ballot.
(2) The other half comprising independent members shall be appointed by the Governor from a list of names recommended by the District Selection Panel.
(3) One third of both the elected and the independent members of the District Public Safety Commission shall be women.
(4) The Naib Zila Nazim shall request the Chairperson of the District Selection Panel to conduct the election of the members of the District Public Safety Commission referred to in clause (1).
(5) The appointment of members shall be notified in the Official Gazette" substituted vide ibid.

(2) In place of the members referred to in paragraphs (b) and (c) of clause (1), the elected or appointed members of the erstwhile District Public Safety Commission in the respective numbers holding office on the commencement of the Police Order (Amendment) Ordinance, 2004, shall continue to hold their offices till completion of their term of office as member of the District Public Safety and Police Complaints Commission.

(3) The Chairperson of the District Selection Panel shall conduct the election of the Chairman and members of the District Public Safety and Police Complaints Commission referred to in clause (1) of Article 39 and paragraph (c) of clause (1) of this Article.

(4) The names of the members of the Commission shall be notified in the Official Gazette.**]**

[1][39. Appointment of Chairperson.- (1) The Chairperson of the District Public Safety and Police Complaints Commission shall be elected by the members from amongst themselves every three years:

Provided that the Chairperson of the District Public Safety Commission at the commencement of the Police Order (Amendment) Ordinance, 2004, shall continue to hold such office till completion of his term of office as Chairperson of the District Public Safety and Police Complaints Commission.

(2) The Chairperson of the District Public Safety and Police Complaints Commission shall be eligible for re-election for the second term.

(3) The Chairperson of the District Public Safety and Police Complaints Commission shall not be removed from his office save as provided for removal of a member of the Commission.

(4) The Chairperson shall be entitled to honoraria and privileges as may be determined by the Government.**]**

40. Meeting in the absence of the Chairperson. - In the absence of the Chairperson the District Public Safety [2]**[**and Police Complaints**]** Commission shall elect one of its member to preside over a meeting**.**

41. Selection of independent members. - (1) There shall be a Selection Panel for independent members consisting of District and Sessions Judge who shall be its Chairperson and one nominee each of the Provincial Government and the [3]**[**Provincial Public Safety and Police Complaints Commission**]**:

Provided that such nominee shall not be elected representative or public servant.

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1 Article "**39. Appointment of Chairperson. -** (1) The Chairperson shall be elected by the members from amongst themselves annually alternating between independent and elected members.
(2) The Chairperson shall preside over the meetings of the Commission" substituted vide the Police Order (Second Amendment) Ordinance, 2006.

2 Inserted vide ibid.

3 The words "District Government" substituted vide ibid.

(2) The selection of independent members shall be by [1]**[**majority vote, one of whom shall be the Chairperson of the Selection Panel.**]**

(3) The selection process shall be completed within thirty days from the [2]**[**occurrence of the vacancy**]**.

(4) Independent members shall be of impeccable integrity and proven professional competence in such fields as social work, law, administration, education, corporate sector, etc

[3]**[42. Functions of the Selection Panel.-** The Selection Panel shall identify suitable candidates as well as invite applications and after scrutiny forward to the Government the names of persons twice the number of appointments to be made.**]**

43. Selection criteria of independent members. - A person shall be disqualified from becoming a member of District Public Safety [4]**[**and Police Complaints**]** Commission if he –

(a) is an activist of any political party or has held any representative office or has remained a public servant in the six months immediately preceding such appointment;

(b) is found suffering from physical or mental incapacity or illness;

(c) is declared a bankrupt, loan defaulter or tax evader;

(d) is not a citizen of Pakistan;

(e) holds an office of profit in the service of Pakistan;

(f) is in the service of any statutory body or any other body which is owned or controlled by the Government or in which the Government has a controlling share or interest;

(g) has been dismissed, removed or compulsorily retired from the service of Pakistan on grounds of corruption or any other form of misconduct;

(h) is convicted of a criminal offence;

(i) has any conflict of interest; or

(j) is involved in activities prejudicial to the ideology, interest, security, unity, solidarity, peace and integrity of Pakistan and its people, and the good order and harmony of society.

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1 The word “consensus” substituted vide the Police Order (Second Amendment) Ordinance, 2006.
2 The words “commencement of the selection process” substituted vide ibid.
3 Article “**42. Functions of the Selection Panel. -** The selection panel shall invite applications or nominations from the public for selection of independent members, and after interviewing eligible and willing candidates, forward names of persons twice the number of appointments to be made to the Governor of the Province” substituted vide ibid.
4 Inserted vide ibid.

[1]**[44. Powers and Functions of the District Public Safety and Police Complaints Commission.-** (1) The District Public Safety and Police Complaints Commission shall exercise the powers and perform the following functions including those relating to complaints against the police officers serving in the District, except the Head of District Police, namely:-

(a) approve an annual Local Policing Plan prepared by the Head of District Police in coordination with the Zila Nazim setting out the arrangements for policing during the year:

Provided that such Policing Plan shall include-

(i) a statement of financial resources expected to be made available; and

(ii) performance targets for the year and their delivery mechanism;

(b) the District Public Safety and Police Complaints Commission shall submit an annual report to the Government through the Provincial Public Safety and Police Complaints Commission, *inter alia,* containing-

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1 Article "**44. Functions of the District Public Safety Commission. -** The District Public Safety Commission shall perform the following functions including those related to complaints against the police:-

(a) approve an annual Local Policing Plan prepared by the District Police Officer in consultation with the Zila Nazim setting out the arrangements for the policing during the year:
Provided that such Policing Plan shall include –
(i) a statement of the financial resources expected to be made available by the Provincial Government; and
(ii) performance targets for the year and their delivery mechanism;

(b) evaluate the delivery of performance targets contained in the Local Policing Plan on quarterly basis and send half-yearly reports to Zila Nazim, Tehsil Nazim, Provincial Government, Provincial Public Safety Commission and Provincial Police Officer;

(c) encourage police-public cooperation;

(d) provide recourse to District Police Officer or City Police Officer for reporting against any unlawful or malafide order or request for police support from any authority received by him or any officer subordinate to him and give a decision thereon which shall prevail;

(e) refer the matter in writing to the Provincial Government for appropriate action where the District Public Safety Commission is satisfied that a collusive relationship detrimental to the interest of the people exists between the Zila Nazim and District Police Officer or City Police Officer:
Provided that before making such report the District Police Officer or City Police Officer and the Zila Nazim shall be given an opportunity to be heard in person to explain their respective positions;

(f) direct the District Police Officer or City Police Officer as to disposal of unclaimed property under clause (4) of Article 135.

(g) direct the District Police Officer or City Police Officer in writing, where the District Public Safety Commission has reasons to believe that the head of the police station has unjustifiably refused or avoided to register any First Information Report, to conduct an inquiry into the matter and cause the registration of the First Information Report under section 154 of the Code, if any cognizable case is made out from the allegations of the complainant and report to the District Public Safety Commission within forty-eight hours the action taken by him;

(h) on receipt of a complaint of excess by a police officer;
(i) direct the District Police Officer or City Police Officer in writing to take appropriate action and submit a report within a specified period; or
(ii) conduct a fact finding enquiry through two or more of its members, and in case the complaint is found correct, send its report and direct District Police Officer to suspend the defaulting police officer and take departmental action against him in accordance with the rules;
(iii) report the matter to the Provincial Police Officer, Provincial Government or the Police Complaints Authority for appropriate action if the District Police Officer does not submit a report or take action on the direction given by the District Public Safety Commission;

(i) direct the District Police Officer in writing to enquire into a complaint of neglect in general or by a functionary of a district police and take appropriate action and report within the specified period.

(j) on a complaint of excess committed by any member of Federal Law Enforcement Agency and civil armed forces acting in support of the district police, require the appropriate authority of the concerned department in writing to take remedial action and report within a specified period. If no action is taken by the concerned authority, a reference may be made by the District Public Safety Commissions to the head of concerned organization or the Federal Complaints Authority for appropriate action" substituted vide the Police Order (Second Amendment) Ordinance, 2006.

(i) an abstract relating to performance of the District Public Safety and Police Complaints Commission during the year;

(ii) a report on the functioning of the District Police;

(iii) a report on matters connected with the law and order in the District; and

(iv) a report on the implementation of the District Policing Plan;

(c) encourage police-public cooperation;

(d) evaluate the delivery of performance targets contained in the Local Policing Plan on quarterly basis and send half-yearly reports to the Provincial Government, Provincial Public Safety and Police Complaints Commission, Provincial Police Officer, Zila Nazim, Tehsil (Taulka) Nazim and Town Nazim;

(e) take steps to prevent the Police from engaging in any unlawful activity arising out of compliance with unlawful or *mala fide* orders;

(f) refer the matter in writing to the Provincial Government for appropriate action where the District Public Safety and Police Complaints Commission is satisfied that a collusive relationship detrimental to the interest of the people exists between the Zila Nazim and Head of District Police;

(g) direct the Head of District Police under clause (4) of Article 135 for disposal of unclaimed property in accordance with law;

(h) direct the Head of District Police in writing, where the District Public Safety and Police Complaints Commission has reasons to believe that the in-charge of the police station has unjustifiably refused or avoided to register the First Information Report, to conduct an inquiry into the matter and cause the registration of the First Information Report under section 154 of the Code, if any cognizable case is made out from the allegations of the complainant and report to the District Public Safety and Police Complaints Commission within forty-eight hours the action taken by him;

(i) direct the Head of District Police in writing to enquire into a complaint of neglect in general or by a functionary of a District Police in particular, and take appropriate action and report within the specified period;

(j) require, on a complaint of excess committed by any member of Federal Law Enforcement Agency or civil armed forces acting in aid of the district police, the appropriate authority of the concerned department in writing to take remedial action and report within a specified period and if no action is taken by the concerned authority, a reference may be made by the District Public Safety and Police Complaints Commission to the head of concerned organization or the Federal Police Complaints Authority for appropriate action;

(k) receive from an aggrieved person a complaint, in writing supported by an affidavit, of neglect, excess or misconduct against a Police Officer;

(l) take cognizance of such complaints as may fall within its competence and forward other complaints to the Provincial Public Safety and Police Complaints Commission; and

(m) in cases falling within the competence of the District Public Safety and Police Complaints Commission, it may-

(i) direct the Head of District Police in writing to take appropriate action and submit a report within a specified period; or

(ii) conduct a fact finding inquiry on its own by two or more of its members or through an officer serving in the District, not below the rank of Basic Pay Scale 18 and, in case the complaint is found correct, send the inquiry report to the Head of District Police and direct him to take legal action against the delinquent Police Officer;

(iii) report the matter to the Provincial Government through the Provincial Public Safety and Police Complaints Commission for action under the appropriate law, where the Head of District Police does not submit a report or take action on the directions given by the District Public Safety and Police Complaints Commission;

(iv) inform the complainant of the outcome of the inquiry in writing as soon as possible; and

(v) direct the appropriate authority, in case of any frivolous, or vexatious complaint, to initiate action under the law against the complainant.

(2) The District Public Safety and Police Complaints Commission shall, for the purpose of this Order, have the same powers as are vested in a civil court under the Code of Civil Procedure (Act V of 1908), in respect of the following matters, namely:-

(a) summoning and enforcing the attendance of any person and examining him on oath;

(b) compelling the production of documents;

(c) receiving evidence on affidavits; and

(d) issuing commission for the examination of witnesses.**]**

45. Terms of members of the District Public Safety [1][and Police Complaints] Commission. - (1) The term of office of a member shall be three years unless he resigns at any time before the expiry of his term or ceases to be a member of [2]**[**the Provincial Assembly or National Assembly or, as the case may be,**]** the Zila Council.

1 Inserted vide the Police Order (Second Amendment) Ordinance, 2006.
2 Inserted vide ibid.

[1]**[**(2) An independent member shall not be eligible for appointment as such member for a third term.**]**

(3) Members shall be paid TA and DA for attending meetings, as per rules.

(4) Independent members may be paid honoraria as per rules.

(5) [2]**[** *** *** **]**

46. Removal of members. - The [3]**[**Government on its**]** own volition or on the recommendation of the District Public Safety [4]**[**and Police Complaints**]** Commission may remove a member from office if he -

(a) ceases to be a citizen of Pakistan;

(b) is found suffering from physical or mental incapacity or illness;

(c) is guilty of misconduct;

(d) is found to have dealt with any matter in which he had a conflict of interest;

(e) is convicted of a criminal offence;

(f) is declared a bankrupt, loan defaulter or tax evader;

(g) is involved in activities prejudicial to the ideology, interest, security, unity, solidarity, peace and integrity of Pakistan and its people, and the good order and harmony of society;

(h) brings the District Public Safety [5]**[**and Police Complaints**]** Commission into disrepute;

(i) fails to attend its three consecutive meetings without any reasonable cause.

47. Meetings and conduct of business of the District Public Safety [6][and Police Complaints] Commission.- (1) The business of the District Public Safety [7]**[**and Police Complaints**]** Commission shall be conducted by the Commission in a meeting.

(2) The meeting may be convened by the Chairperson or on the requisition of three members.

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1 Clause "(2) No member shall be eligible for a second term" substituted vide the Police Order (Second Amendment) Ordinance, 2006.
2 Clause "(5) Members shall be Justices of Peace within the district in accordance with the Code" omitted vide ibid.
3 The words "Governor on his" substituted vide ibid.
4 Inserted vide ibid.
5 Inserted vide ibid.
6 Inserted vide ibid.
7 Inserted vide ibid.

(3) Quorum for a meeting of the District Public Safety [1]**[**and Police Complaints**]** Commission shall be two third of its total membership.

(4) Members shall attend meetings of the Commission as and when required for which at least a week's notice, with agenda, shall be given. There shall be minimum of one meeting in a month provided an emergency meeting may be held at a short notice not exceeding twenty four hours.

(5) Decisions of the Commission shall be by simple majority.

(6) [2]**[**Head of District Police or, in his absence his**]** deputy may be invited to attend a meeting, which he shall attend.

(7) The Commission may invite any expert for consultations on specific issues.

[3]**[**(8) The rules of procedure for conduct of business of the Commission shall be made by the Government.**]**

48. Secretariat. - (1) The Government shall establish a permanent secretariat of the District Public Safety [4]**[**and Police Complaints**]** Commission.

[5]**[**(2) The Secretariat shall be headed by an officer not below Basic Pay Scale 18 who shall be appointed by the Provincial Government in consultation with the Chairperson of the Commission.

(3) The Secretariat shall consist of such number of officers and members of the staff as the Government may, in consultation with the Commission, determine from time to time.

(4) The terms and conditions of service of the officers and members of the staff of the District Public Safety and Police Complaints Commission shall be notified by the Government.

(5) The Chairperson of the Commission shall, with the approval of the Government, engage the services of a legal advisor on full-time basis.**]**

[6]**[CHAPTER VI]**

Article 49 – 60

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1 Inserted vide the Police Order (Second Amendment) Ordinance, 2006.
2 The words "District Police Officer or City Police Officer or in their absence their" substituted vide ibid.
3 Clause "(8) The Commission may frame rules of procedure for the conduct of business" substituted vide ibid.
4 Inserted vide ibid.
5 Clauses 2 and 3 "(2) The Secretariat shall be headed by an officer of BPS 17 who shall be appointed in consultation with the Commission by the Provincial Government.
(3) The Secretariat shall consist of such number of officers and staff as the Government may in consultation with the Commission, determine from time to time" substituted and clauses (4) and (5) added vide ibid.
6 Chapter VI relating to "Capital City District Public Safety Commission" omitted vide ibid.
Note: Omitted Chapter is placed at Annex-A for reference purpose only. (Please see page 83)

CHAPTER VII

ISLAMABAD DISTRICT PUBLIC SAFETY COMMISSION

61. Establishment.- The Federal Government shall establish Islamabad District Public Safety Commission for Islamabad Capital Territory consisting of 12 members.

62. Composition.- (1) Three members of the Islamabad District Public Safety Commission shall be elected by the District Council, from amongst its councillors on the basis of each member casting only one vote in favour of any contesting candidate through secret ballot.

(2) Three members shall be nominated by the Speaker of National Assembly from amongst its members two from the treasury and one from the opposition in consultation with the Leader of the House and the Leader of the Opposition.

(3) The remaining six members shall be independent members and shall be appointed by the President from a list of names recommended by the Islamabad District Selection Panel.

(4) One third of both the elected and independent members of the Islamabad District Public Safety Commission shall be women.

(5) The Naib Zila Nazim shall request the Chairperson of the Islamabad District Selection Panel to conduct the election of the members of the Islamabad District Public Safety Commission referred to in clause (1).

(6) The appointment of members shall be notified in the Official Gazette.

63. Appointment of Chairperson. - (1) The Chairperson shall be elected by the members from amongst themselves annually alternating between independent and elected members.

(2) The Chairperson shall preside over the meetings of the Commission.

64. Meeting in the absence of the Chairperson. - In the absence of the Chairperson Islamabad District Public Safety Commission shall elect one of its member to preside over a meeting.

65. Selection of independent members. - (1) There shall be a Selection Panel for independent members consisting of [1]**[**District and Sessions Judge**]** who shall be its Chairperson and one nominee each of the Federal Government and the District Government:

Provided that such nominee shall not be elected representative or public servant.

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1 The words “Chief Justice of High Court” substituted vide the Police Order (Second Amendment) Ordinance, 2006.

(2) The selection of independent members shall be by consensus.

(3) The selection process shall be completed within thirty days from the commencement of the selection process.

(4) Independent members shall be of impeccable integrity and proven professional competence in such fields as social work, law, administration, education, corporate sector, etc

66. Functions of the Selection Panel.- The selection panel shall invite applications or nominations from the public for selection of independent members, and after interviewing eligible and willing candidates, forward names of persons twice the number of appointments to be made to the President.

67. Selection criteria of independent members.- A person shall be disqualified from becoming a member of Islamabad District Public Safety Commission if he –

(a) is an activist of any political party or has held any representative office or has remained a public servant in the six months immediately preceding such appointment; or

(b) is found suffering from physical or mental incapacity or illness; or

(c) is declared a bankrupt, loan defaulter or tax evader; or

(d) is not a citizen of Pakistan; or

(e) holds an office of profit in the service of Pakistan; or

(f) is in the service of any statutory body or any other body which is owned or controlled by the Government or in which the Government has a controlling share or interest; or

(g) has been dismissed, removed or compulsorily retired from the service of Pakistan on grounds of corruption or any other form of misconduct; or

(h) is convicted of a criminal offence; or

(i) has any conflict of interest; or

(j) is involved in activities prejudicial to the ideology, interest, security, unity, solidarity, peace and integrity of Pakistan and its people, and the good order and harmony of society.

68. Functions of Islamabad District Public Safety Commission. - The Islamabad District Public Safety Commission shall perform the following functions of Public Safety and Complaints Authority:-

(a) approve an annual Local Policing Plan prepared by the Capital City Police Officer in consultation with the Zila Nazim setting out the arrangements for the policing during the year:

Provided that such Policing Plan shall include –

(i) a statement of the financial resources expected to be made available by the Federal Government; and

(ii) performance targets for the year and their delivery mechanism;

(b) evaluate the delivery of performance targets contained in the Local Policing Plan on quarterly basis and send half- yearly reports to Zila Nazim, Tehsil Nazim, Federal Government and National Public Safety Commission;

(c) encourage police-public cooperation;

(d) provide recourse to Capital City Police Officer for reporting against any unlawful or malafide order or request for police support from any authority received by him or any officer subordinate to him and give a decision thereon which shall prevail;

(e) refer the matter in writing to the Federal Government for appropriate action where the Islamabad District Public Safety Commission is satisfied that a collusive relationship detrimental to the interest of the people exists between the Zila Nazim and Capital City Police Officer:
Provided that before making such report the Capital City Police Officer and the Zila Nazim shall be given an opportunity to be heard in person to explain their respective positions;

(f) direct the Capital City Police Officer as to disposal of unclaimed property under clause (4) of Article 135.

(g) direct the Capital City Police Officer in writing, where the Islamabad District Public Safety Commission has reasons to believe that the head of the police station has unjustifiably refused or avoided to register any First Information Report, to conduct an inquiry into the matter and cause the registration of the First Information Report under section 154 of the Code, if any cognizable case is made out from the allegations of the complainant and report to the Islamabad District Public Safety Commission within forty-eight hours the action taken by him;

(h) on receipt of a complaint of excess by a police officer;

(i) direct the Capital City Police Officer in writing to take appropriate action and submit a report with in a specified period; or

(i) conduct a fact finding enquiry through two or more of its members, and in case the complaint is found correct, send its report and direct Capital City Police Officer to suspend the defaulting police officer and take departmental action against him in accordance with the rules;

(ii) report the matter to the Federal government or the Federal Police Complaints authority for appropriate action if the Capital city Police Officer does not submit a report or take action on the direction given by the Islamabad District Public Safety Commission;

(i) Direct the Capital City Police Officer in writing to enquire into a complaint of neglect in general or by a functionary of a district police and take appropriate action and report within the specified period;

(j) on a complaint of excess committed by any member of Federal Law Enforcement Agency and civil armed forces acting in support of the Islamabad district police, require the appropriate authority of the concerned department in writing to take remedial action and report within a specified period. If no action is taken by the concerned authority, a reference may be made by the Islamabad District Public Safety Commission to the head of concerned organization or the Federal Complaints Authority for appropriate action.

69. Terms of members of the Islamabad District Public Safety Commission. - (1) The term of office of a member shall be three years unless he resigns at any time before the expiry of his term or ceases to be a member of the National Assembly or the Zila Council.

(2) No member shall be eligible for a second term.

(3) Members shall be paid TA and DA for attending meetings, as per rules.

(4) Independent members may be paid honoraria as per rules.

(5) Members shall be Justice of Peace within the district in accordance with the Code.

70. Removal of members. - The President on his own volition or on the recommendation of Islamabad District Public Safety Commission may remove a member from office if he -

(a) ceases to be a citizen of Pakistan;

(b) is found suffering from physical or mental incapacity or illness;

(c) is guilty of misconduct;

(d) is found to have dealt with any matter in which he had a conflict of interest;

(e) is convicted of a criminal offence;

(f) is declared a bankrupt, loan defaulter or tax evader;

(g) is involved in activities prejudicial to the ideology, interest, security, unity, solidarity, peace and integrity of Pakistan and its people, and the good order and harmony of society;

(h) brings the Islamabad Public Safety Commission into disrepute;

(i) fails to attend its three consecutive meetings without any reasonable cause.

71. Meetings and conduct of business of the Islamabad District Public Safety Commission. - (1) The business of Islamabad District Public Safety Commission shall be conducted by the Commission in a meeting.

(2) The meeting may be convened by the Chairperson or on the requisition of three members.

(3) Quorum for the meeting of the Commission shall be two-third of its membership.

(4) Members shall attend meetings of the Commission as and when required for which at least a week's notice, with agenda, shall be given. There shall be minimum of one meeting in a month provided an emergency meeting may be held at a short notice not exceeding twenty four hours.

(5) Decisions of the Commission shall be by a simple majority.

(6) Capital City Police Officer or in his absence his deputy may be invited to attend a meeting which he shall attend.

(7) The Commission may invite any expert for consultations on specific issues.

(8) The Commission may frame rules of procedure for the conduct of business.

72. Secretariat. - (1) The Government shall establish a permanent secretariat of Islamabad District Public Safety Commission.

(2) The Secretariat shall be headed by an officer of BPS 17 who shall be appointed in consultation with the Commission by the Government.

(3) The Secretariat shall consist of such number of officers and staff as the Government may in consultation with the Commission, determine from time to time.

CHAPTER VIII

THE PROVINCIAL PUBLIC SAFETY [1][AND POLICE COMPLAINTS] COMMISSION

73. Establishment. - There shall be a Provincial Public Safety [2]**[**and Police Complaints**]** Commission, consisting of twelve members and the *ex officio* Chairperson.

74. Composition. - (1) Half of the members of the Provincial Public Safety [3]**[**and Police Complaints**]** Commission shall be nominated by the Speaker of the Provincial Assembly from amongst its members [4]**[**four from the Treasury and two from the**]** opposition in consultation with the Leader of the House and the Leader of the Opposition:

Provided that at least two members shall be women[5]**[**:**]**

[6]**[**Provided further that such members shall not be members of the Standing Committee of the Provincial Assembly on Home Affairs.**]**

[7]**[**(2) The other half comprising independent members shall be appointed by the Government on the recommendation of the Selection Panel:

Provided that at least two members shall be women.**]**

(3) Notwithstanding any thing contained in clause (1), independent members appointed under clause (2) shall constitute the Provincial Public Safety [8]**[**and Police Complaints**]** Commission when the Provincial Assembly is not in existence.

(4) The appointment of members shall be notified in the Official Gazette.

75. Appointment of Chairperson. - (1) The Provincial Home Minister will be the *ex-officio* Chairperson of the Provincial Public Safety [9]**[**and Police Complaints**]** Commission.

(2) The Chairperson shall preside over the meetings of the Provincial Public Safety [10]**[**and Police Complaints**]** Commission.

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1 Inserted vide the Police Order (Second Amendment) Ordinance, 2006.
2 Inserted vide ibid.
3 Inserted vide ibid.
4 The words "three each from the Treasury and" substituted vide ibid.
5 The "full stop" substituted vide ibid.
6 The second proviso added vide ibid.
7 Clause "(2) The other half comprising independent members shall be appointed by the Governor from a list of names recommended by the Provincial Selection Panel:
Provided that at least two members shall be women" substituted vide ibid.
8 Inserted vide ibid.
9 Inserted vide ibid.
10 Inserted vide ibid.

76. Meeting in the absence of the Chairperson. - In the absence of the Chairperson the Provincial Public Safety [1]**[**and Police Complaints**]** Commission shall elect one of its member to preside over a meeting.

77. Selection of independent members. – [2]**[**(1)There shall be a Selection Panel for independent members consisting of the Provincial Ombudsman who shall be its Chairperson and the Chairman of the Provincial Public Service Commission and a nominee of the Chief Minister as its members:

Provided that, where in a Province, the Provincial Ombudsman has not been appointed, a retired Judge of the High Court nominated by the Chief Justice of the High Court shall act as Chairperson of the Selection Panel:

Provided further that the nominee of the Chief Minister shall not be an elected representative or a person in the service of Pakistan.**]**

(2) The selection of independent members shall be by consensus.

(3) The selection process shall be completed within thirty days from the [3]**[**occurrence of a vacancy.**]**

(4) Independent members shall be of impeccable integrity and proven professional competence in such fields as social work, law, administration, education, corporate sector, etc.

[4]**[78. Functions of the Selection Panel.-** The Selection Panel shall identify suitable candidates as well as invite applications and after scrutiny forward to the Government the names of persons twice the number of appointments to be made.**]**

79. Selection criteria of independent members. - A person shall be disqualified from becoming [5]**[**an independent member of the Provincial Public Safety and Police Complaints**]** if he –

(a) is an activist of any political party or has held any representative office or has remained a public servant in the six months immediately preceding such appointment;

(b) is found suffering from physical or mental incapacity or illness;

(c) is declared a bankrupt, loan defaulter or tax evader;

(d) is not a citizen of Pakistan;

(e) holds an office of profit in the service of Pakistan;

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1 Inserted vide the Police Order (Second Amendment) Ordinance, 2006.

2 Clause "(1) There shall be a Selection Panel for independent members consisting of Chief Justice of the High Court who shall be its Chairperson and one nominee each of the Governor and the Chief Minister:
Provided that such nominee shall not be elected representative or public servant" substituted vide ibid.

3 The words "commencement of the selection process" substituted vide ibid.

4 Article "**78. Functions of the Selection Panel. -** The selection panel shall invite applications or nominations from the public for selection of independent members, and after interviewing eligible and willing candidates, forward names of persons twice the number of appointments to be made to the Governor" substituted vide ibid.

5 The words "a member of Provincial Public Safety" substituted vide ibid.

(f) is in the service of any statutory body or any other body which is owned or controlled by the Government or in which the Government has a controlling share or interest;

(g) has been dismissed, removed or compulsorily retired from the service of Pakistan on grounds of corruption or any other form of misconduct; or

(h) is convicted of a criminal offence;

(i) has any conflict of interest; or

(j) is involved in activities prejudicial to the ideology, interest, security, unity, solidarity, peace and integrity of Pakistan and its people, and the good order and harmony of society.

80. Functions of the Provincial Public Safety [1][and Police Complaints] Commission.- (1) Subject to this Order, the Provincial Public Safety [2]**[**and Police Complaints**]** Commission shall -

[3]**[**(a) make recommendations to the Government for promoting integrity, efficiency and effectiveness of Police;**]**

[4]**[**(b) take steps to prevent the Police from engaging in any unlawful activity arising out of compliance with unlawful or *mala fide* orders**]**; and

(c) facilitate the establishment and functioning of Citizen Police Liaison Committees in accordance with Article 168.

(2) Without prejudice to its role [5]**[**clause (1), the Commission shall perform the following specific functions**]** -

(a) co-ordinate the functioning of [6]**[**District Public Safety and Police Complaints**]** Commissions within the Province;

(b) recommend to the Government [7]**[**repatriation**]** of Provincial Police Officer before completion of normal tenure of three years for unsatisfactory performance of duties.

[8]**[** *** *** **]**

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1 Inserted vide the Police Order (Second Amendment) Ordinance, 2006.
2 Inserted vide ibid.
3 Clause (1) paragraph "(a) provide guidelines on the policy of the government to Provincial Police Officer and Capital City Police Officers for promoting integrity, efficiency and effectiveness of police; substituted vide ibid.
4 Clause (1) paragraph "(b) take steps to prevent the police from carrying out any unlawful or malafide orders or directions from any authority to any functionary of the police through-out the Province and in case such orders are brought to the notice of the commission it shall have the powers to intervene and its decision shall prevail" substituted vide ibid.
5 The words, brackets and figure "sub section (1) the Commission shall perform the following specific responsibilities" substituted vide ibid.
6 The words "Public Safety" substituted vide the ibid.
7 The words "pre-mature transfer" substituted vide ibid.
8 The colon and proviso "Provided that before making such recommendation the Provincial Public Safety Commission shall give the concerned police officer an opportunity to be heard in person" omitted vide ibid.

(c) recommend to the government for grants to various police establishments within the province, for enhancing their capability to handle public order;

(d) assist the police establishment in securing assistance from other police establishments and law enforcement agencies by approaching the other Provincial and [1]**[**Public Safety and Police Complaints Commissions and National Public Safety Commission**]**;

(e) **[**[2] *** ***]**

(f) oversee the implementation of the Provincial Policing Plan prepared by Provincial Police Officer and approved and published by the Provincial Government. The plan shall include:

(i) a statement of the financial resources expected to be made available by the Government; and

(ii) performance targets for the year and their delivery mechanism.

(g) evaluate the delivery of performance targets on quarterly basis;

(h) require the Provincial Police Officer to submit by end of August each year a general report in a manner prescribed by the Provincial Public Safety Commission which shall be published;

(i) submit an annual report to the Government and the Provincial Assembly that shall include the following;

(i) an abstract concerning performance of the Provincial Public Safety Commission during the year;

(ii) a report on the functioning of the Police Establishments;

(iii) a report on matters connected with general law and order in the Province.

(j) recommend reforms for modernization of laws and procedure in respect of police, prosecution, prisons and probation service;

(k) evaluate the performance of the District and Capital City Public Safety [3]**[**and Police Complaints**]** Commissions on annual basis. If on the basis of the evaluation conducted by the Provincial Public Safety [4]**[**and Police Complaints**]** Commission, the

1 The words “National Public Safety Commission” substituted vide the Police Order (Second Amendment) Ordinance, 2006.
2 Clause (2) paragraph (e) “determine in consultation with the Provincial Police Officer objectives for the policing of the Province for each financial year” omitted vide ibid.
3 Inserted vide ibid.
4 Inserted vide ibid.

performance of the Commission is found unsatisfactory, it may recommend the dissolution of such Commission and on dissolution of the Commission the government shall reconstitute the same in accordance with the provisions of this Order within forty five days of such decision;

(l) conduct enquiry on the recommendation of a Zila Council through a resolution passed by two third majority of its total membership for the dissolution of the relevant Public Safety [1]**[**and Police Complaints**]** Commission on grounds of unsatisfactory performance of the said commission, establish veracity or otherwise of the grounds of recommendation for rejection or onward transmission to the Provincial Government for the dissolution of the said Public Safety [2]**[**and Police Complaints**]** Commission. Where the government dissolves the relevant Public Safety [3]**[**and Police Complaints**]** Commission it will reconstitute the same in accordance with the provisions of this Order within forty five days of such decision;

(m) perform functions of the relevant Public Safety [4]**[**and Police Complaints**]** Commission during the period it stands dissolved;

(n) consider the proposals made by Provincial Police Officer or National Police Management Board and give its recommendations to the government;

(o) recommend essential criminal justice reforms; [5]**[ ]**

(p) perform such other functions with regard to public order and safeguarding public interest, as may be assigned by the government to it for the purpose under any law for the time being in force including Prosecution, Prisons and Probation services;

[6]**[**(q) take cognizance of cases of Police neglect, excess, abuse of authority and conduct prejudicial to public interest against Head of District Police and police officers not serving in a District-

(i) on a complaint from an aggrieved person in writing supported by an affidavit; or

(ii) on a report from a District Public Safety and Police Complaints Commission; or

(iii) on a reference from the Government; or

(iv) on its own accord;

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1 Inserted vide the Police Order (Second Amendment) Ordinance, 2006.
2 Inserted vide ibid.
3 Inserted vide ibid.
4 Inserted vide ibid.
5 The word “and” omitted vide ibid.
6 Inserted vide ibid.

(r) inquire into the complaint either by itself or through any Government officer not below the Basic Pay Scale 19 and on the basis of findings of the inquiry-

(i) file the complaint, if the charges are not proved; or refer the matter to the concerned Head of General Police Area for departmental action and report back; or order the registration of a criminal case under the relevant provisions of Pakistan Penal Code (Act V of 1860), this Order or any other law for the time being in force;

(ii) report, to the Chief Minister, where the Commission is not satisfied with the action taken by the Head of General Police Area in cases referred to in sub-paragraph (i) and make appropriate recommendations in this behalf;

(iii) recommend disciplinary action against an inquiry officer for wilful neglect or mishandling of an inquiry;

(iv) inform the complainant of the outcome of the inquiry in writing as soon as possible; and

(v) direct the appropriate authority, in case of any frivolous, or vexatious complaint, to initiate action under the law against the complainant; and

(s) delegate any of its powers to its Chairperson.**]**

81. Terms of members of the Provincial Public Safety [1][and Police Complaints] Commission. - (1)The term of office of a member shall be [2]**[**for a period of three years**]** unless he resigns at any time before the expiry of his term, or ceases to be a member of the Provincial Assembly.

[3]**[**(2) A member shall not be eligible for a third term.**]**

(3) Members shall be paid TA and DA for attending meetings, as per rules.

(4) Independent members may be paid honoraria as per rules.

(5) [4]**[** *** *** *** **]**

82. Removal of members. - The [5]**[**Government may either on its own accord or on the recommendations of the Provincial Public Safety and Police Complaints**]** Commission may remove a member from office if he -

(a) ceases to be a citizen of Pakistan;

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1 Inserted vide the Police Order (Second Amendment) Ordinance, 2006.
2 The words “the same as that of the Provincial Assembly” substituted vide ibid.
3 Clause “(2) No member shall be eligible for a second term” substituted vide ibid.
4 Clause “(5) Members shall be Justices of Peace in accordance with the Code” omitted vide ibid.
5 The words “Governor on its own volition or on the recommendation of the Provincial Public Safety” substituted vide ibid.

(b) is found suffering from physical or mental incapacity or illness;

(c) is guilty of misconduct;

(d) is found to have dealt with any matter in which he had a conflict of interest;

(e) is convicted of a criminal offence;

(f) is declared a bankrupt, loan defaulter or tax evader;

(g) is involved in activities prejudicial to the ideology, interest, security, unity, solidarity, peace and integrity of Pakistan and its people, and the good order and harmony of society;

(h) brings the Provincial Public Safety [1]**[**and Police Complaints**]** Commission into disrepute;

(i) fails to attend its three consecutive meetings without any reasonable cause;

83. Meetings and conduct of business of the Provincial Public Safety [2][and Police Complaints] Commission.- (1) The business of the Provincial Public Safety [3]**[**and Police Complaints**]** Commission shall be conducted by the Commission in a meeting.

(2) The meeting may be convened by the chairperson or on the requisition of three members

(3) Quorum for the meeting of the Commission shall be [4]**[**one-half**]** of its membership.

(4) Members shall attend meetings of the Commission as and when required for which at least a week's notice, with agenda, shall be given. There shall be minimum of one meeting in a month, provided an emergency meeting may be held at a short notice not exceeding twenty four hours.

(5) The *ex officio* Chairperson shall not have the right of vote, except in case of a tie.

(6) Decisions of the Commission shall be by simple majority.

(7) The Commission may hold public consultations as and when required.

(8) The Provincial Police Officer and heads of prosecution service, prison and probation departments shall attend meetings of the Commission as non-voting members, when invited.

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1 Inserted vide the Police Order (Second Amendment) Ordinance, 2006.
2 Inserted vide ibid.
3 Inserted vide ibid.
4 The words "two-third" substituted vide ibid.

(9) The Commission may invite any expert for consultations on specific issues.

(10) The Commission may frame rules of procedure for the conduct of business.

84. Secretariat. - (1) The Government shall establish a permanent secretariat of the Provincial Public Safety [1]**[**and Police Complaints**]** Commission.

[2]**[**(2) The Secretariat shall be headed by an officer not below the Basic Pay Scale 20 who shall be appointed by the Chief Minister in consultation with the Chairperson of the Commission.**]**

(3) The Secretariat shall consist of such number of officers and staff as the Government may in consultation with the Commission, determine from time to time.

[3]**[**(4) The Chairperson of the Commission shall, with the approval of the Government, engage the services of a legal advisor on full-time basis.

(5) The terms and conditions of service of the members of staff of the Commission shall be determined by the Government in consultation with the Commission.

(6) The functions of the officers and members of staff shall be determined by the Commission.

(7) The Secretariat shall be attached to the Services and General Administration Department for the purpose of budget and matters pertaining to the Provincial Assembly.**]**

1 Inserted vide the Police Order (Second Amendment) Ordinance, 2006.
2 Clause "(2) The Secretariat shall be headed by a Director of the rank of Senior Superintendent of Police who shall be appointed by the Provincial Government in consultation with the Commission" substituted vide ibid.
3 Clause "(4) The secretariat shall be attached to the Provincial Law Department for purposes of budget and for matters pertaining to the Provincial Assembly" substituted and clauses (5), (6) and (7) added vide ibid.

CHAPTER IX

THE NATIONAL PUBLIC SAFETY COMMISSION

85. Establishment.- There shall be a National Public Safety Commission consisting of twelve members and the *ex officio* Chairperson.

86. Composition.- (1) Half of the members of the National Public Safety Commission shall be nominated by the Speaker of the National Assembly from amongst its members three each from the treasury and the opposition in consultation with the Leader of the House and the Leader of the Opposition:

Provided that at least one member shall belong to each Province, and to Islamabad Capital Territory:

Provided further that at least two members shall be women.

(2) The other half comprising independent members shall be appointed by the President from a list of names recommended by the National Selection Panel:

Provided that at least one member shall belong to each Province, and to Islamabad Capital Territory:

Provided further that at least two members shall be women.

(3) Notwithstanding any-thing contained in clause (1), independent members appointed under clause (2) shall constitute the National Public Safety Commission when the National Assembly is not in existence.

(4) The appointment of members shall be notified in the Official Gazette.

87. Appointment of Chairperson. - (1) The Federal Interior Minister will be *ex-officio* Chairperson of the National Public Safety Commission.

(2) The Chairperson shall preside over the meetings.

88. Meeting in the absence of the Chairperson. - In the absence of the Chairperson the National Public Safety Commission shall elect one of its member to preside over a meeting.

89. Selection of independent members. - (1) There shall be a Selection Panel for independent members consisting of Chief Justice of Supreme Court of Pakistan [1]**[**or a Judge of the Supreme Court nominated by the Chief Justice**]** who shall be its Chairperson and one nominee each of President and Prime Minister:

1 Inserted vide the Police Order (Second Amendment) Ordinance, 2006.

Provided that such nominee shall not be elected representative or public servant.

(2) The selection of independent members shall be by consensus.

(3) The selection process shall be completed within thirty days from the commencement of the selection process.

(4) Independent members shall be of impeccable integrity and proven professional competence in such fields as social work, law, administration, education, corporate sector, etc.

90. Functions of the Selection Panel. - The selection panel shall invite applications or nominations from the public for selection of independent members, and after interviewing eligible and willing candidates, forward names of persons twice the number of appointments to be made to the President of Pakistan.

91. Selection criteria of independent members. - A person shall be disqualified from becoming a member of National Public Safety Commission if he –

(a) is an activist of any political party or has held any representative office or has remained a public servant in the six months immediately preceding such appointment; or

(b) is found suffering from physical or mental incapacity or illness; or

(c) is declared a bankrupt, loan defaulter or tax evader;

(d) is not a citizen of Pakistan;

(e) holds an office of profit in the service of Pakistan;

(f) is in the service of any statutory body or any other body which is owned or controlled by the Government or in which the Government has a controlling share or interest;

(g) has been dismissed, removed or compulsorily retired from the service of Pakistan on grounds of corruption or any other form of misconduct;

(h) is convicted of a criminal offence;

(i) has any conflict of interest; or

(j) is involved in activities prejudicial to the ideology, interest, security, unity, solidarity, peace and integrity of Pakistan and its people, and the good order and harmony of society.

92. Functions of the National Public Safety Commission. - (1) In the performance of its duties the National Public Safety Commission shall oversee the functioning of the Federal Investigation Agency, Pakistan Railways Police, Anti-

narcotics Force, Frontier Constabulary Pakistan Motorway and Highway Police, any other Federal Law Enforcement Agency and Anti-smuggling Wing of Customs exercising police powers.

(2) Facilitate the establishment and functioning of Citizen Police Liaison Committees in accordance with Article 168.

(3) Without prejudice to its role under clause (1), the National Public Safety Commission shall perform the following functions: -

(a) recommend to the Federal Government panels of three police officers for the appointment of Capital City Police Officer for Islamabad and for the appointment of head of Federal Investigation Agency, Pakistan Railways Police, Pakistan Motorway and Highway Police and Frontier Constabulary;

(b) [1]**[** *** *** **];**

(c) recommend to the Federal Government premature transfer of Capital City Police Officer for Islamabad and head of a Federal Law Enforcement Agency before completion of normal tenure of three years for unsatisfactory performance of duties; provided that before making such recommendation the National Public Safety Commission shall give the concerned officer an opportunity to be heard in person;

(d) oversee implementation of plans prepared by heads of the respective law enforcement agencies and approved and published by the government, setting out arrangements for achieving objectives during the year. The plans shall include. -

(i) a statement of financial resources expected to be made available by the Government; and

(ii) performance targets for the year and their delivery mechanism.

(e) evaluate the delivery of performance targets on quarterly basis;

(f) require heads of the relevant Federal Law Enforcement agency to submit to the National Public Safety Commission, by end of August each year, a general report in a manner prescribed by the National Public Safety Commission, which shall be published;

(g) submit an annual report to the Government and the Parliament that shall include the following;

(i) an abstract concerning performance of the National Public Safety Commission during the year;

1 Clause (3) paragraph (b) “recommend to the Provincial Government panels of three police officers for the appointment of a Provincial Police Officer” omitted vide the Police Order (Second Amendment) Ordinance, 2006.

(ii) a report on the functioning of the Federal Law Enforcement Agencies; and

(iii) a report on matters connected with general law and order in the country.

(h) recommend reforms for modernization of laws and procedure in respect of police, prosecution, prisons and probation services;

(i) facilitate coordination among the Provincial Public Safety [1]**[**and Police Complaints**]** Commissions;

(j) evaluate the performance of the Islamabad District Public Safety Commission on annual basis. If on the basis of the evaluation conducted by the National Public Safety Commission, the performance of the Commission is found unsatisfactory, the government may dissolve the Islamabad District Public Safety Commission and reconstitute the commission in accordance with the provisions of this Order within forty five days of such decision;

(k) conduct enquiry on the recommendation of Islamabad Zila Council through a resolution passed by two third majority of its total membership for the dissolution of the Islamabad District Public Safety Commission on grounds of unsatisfactory performance of the said Commission, establish veracity or otherwise of the grounds of recommendation for rejection or onward transmission to the Federal Government for the dissolution of the said Public Safety Commission;

(l) perform functions of the Islamabad District Public Safety Commission during the period it stands dissolved;

(m) consider the proposals of the National Police Management Board and give its recommendations to the government; and

(n) perform such other functions with regard to public safety and safeguarding interest of the people, as may be assigned by the government to it for the purpose under any law for the time being in force in particular pertaining to the Prosecution, Prisons and Probation services.

93. Terms of members of the National Public Safety Commission. - (1) The term of office of a member shall be the same as that of the National Assembly unless he resigns or is removed from office at any time before the expiry of his term or ceases to be a member of the National Assembly.

(2) No member shall be eligible for a second term.

(3) Members shall be paid TA and DA for attending meetings, as per rules.

1 Inserted vide the Police Order (Second Amendment) Ordinance, 2006.

(4) Independent members may be paid honoraria as per rules.

(5) Members shall be Justices of Peace in accordance with the Code.

94. Removal of members. - The President on his own volition or on the recommendation of the National Public Safety Commission may remove a member from office if he -

(a) ceases to be a citizen of Pakistan;

(b) is found suffering from physical or mental incapacity or illness;

(c) is guilty of misconduct;

(d) is found to have dealt with any matter in which he had a conflict of interest;

(e) is convicted of a criminal offence;

(f) is declared a bankrupt, loan defaulter or tax evader;

(g) is involved in activities prejudicial to the ideology, interest, security, unity, solidarity, peace and integrity of Pakistan and its people, and the good order and harmony of society;

(h) brings the National Public Safety Commission into disrepute;

(i) fails to attend its three consecutive meetings without any reasonable cause;

95. Meetings and conduct of business of the National Public Safety Commission. - (1) The business of the National Public Safety Commission shall be conducted by the Commission in a meeting.

(2) The meeting may be convened by the Chairperson or on the requisition of three members.

(3) Quorum for the meeting of the Commission shall be two-third of its membership.

(4) Members shall attend meetings of the National Public Safety Commission as and when required for which at least a week’s notice, with agenda, shall be given. There shall be minimum of one meeting in a month, provided an emergency meeting may be held at a short notice not exceeding twenty four hours.

(5) The *ex officio* Chairperson will not have the right of vote, except in case of a tie.

(6) Decisions of the Commission shall be by simple majority.

(7) The Commission may hold public consultations as and when required.

(8) Heads of law enforcement agencies, prosecution service, prison and probation services will attend meetings of the Commission as non-voting members, when invited.

(9) The Commission may invite any expert for consultations on specific issues.

(10) The Commission may frame rules of procedure for the conduct of the business.

96. Secretariat. - National Police Bureau referred to in Article 162 shall function as the secretariat of the National Public Safety Commission.

CHAPTER X

POLICE COMPLAINTS [1][AUTHORITY]

97. Establishment of Federal Police Complaints Authority. - The Government shall establish a Federal Police Complaints Authority for enquiring into serious complaints against the members of Federal Law Enforcement Agencies.

98. Composition. - (1) The Federal Police Complaints Authority shall consist of a Chairperson and six members.

(2) The President shall appoint the Chairperson of the Federal Police Complaints Authority.

(3) The Government shall appoint the members of the Federal Police Complaints Authority on the recommendation of the Federal Public Service Commission.

99. Criteria and terms of the members. - (1) The members of the Federal Police Complaints Authority shall be eminent persons of impeccable integrity with skills, knowledge and experience in such fields as may be specified by the Government.

(2) Persons may be appointed as whole-time or part-time members of the Authority.

(3) A person shall not be appointed for a period of more than three years.

(4) No member or the Chairperson shall be eligible for a second term.

100. Functions of the Federal Police Complaints Authority. - The Federal Police Complaints Authority shall perform the following functions -

(a) receive from [2]**[**concerned Commission at the District level**]** or an aggrieved person in writing on an affidavit complaint of neglect, excess or misconduct against Islamabad Capital Territory Police Officer or any member of any Federal Law Enforcement Agency;

(b) process the complaint and refer the ordinary cases to an appropriate authority for action and report and in serious cases initiate action on its own;

(c) receive from the Islamabad District Public Safety Commission or the Capital City District Police Officer or Head of a Federal Law Enforcement Agency any report of death, rape or serious injury to any person in police custody and take steps to preserve evidence relating to such incident;

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1 The word “Authorities” substituted vide the Police Order (Second Amendment) Ordinance, 2006.
2 The words “District Public Safety Commission” substituted vide ibid.

(d) request the Chief Justice of the High Court, in serious cases, to appoint a District and Sessions Judge for a judicial enquiry;

(e) appoint in appropriate cases a police officer belonging to the Federal Law Enforcement Agencies who is senior in rank to the officer complained against as an inquiry officer, and supervise the inquiry proceedings;

(f) send a copy of the report to the competent authority and direct him for departmental action based on the findings of the enquiry or registration of a criminal case as appropriate and direct the competent authority to submit a report about the action taken on the findings of the report;

(g) inform the complainant of the outcome of the enquiry in writing as soon as possible;

(h) where the Federal Police Complaints Authority is not satisfied with the order in cases referred under clause (f), it may send a report to the next higher authority for revision of the order by the awarding officer and the process be repeated till it is considered by the final authority;

(i) in case of any frivolous, false or vexatious complaint, initiate legal action against the complainant;

(j) recommend disciplinary action against an enquiry officer for willful neglect or mishandling of an enquiry;

(k) prepare and send to the Government an annual report on matters relating generally to its functions, including any matter to which it considers attention of the Government may be drawn by reason of gravity or other exceptional circumstances, for laying the report before Parliament;

(l) establish when necessary in consultation with the Federal Government, regional offices anywhere in the country or with the agreement of the Provincial Government designate [1]**[**Provincial Public Safety and Police Complaints Commission or District Public Safety and Police Complaints**]** Commission to deal with the complaints of excess or neglect.

101. Secretariat. - (1) The Government shall establish a permanent secretariat of the Authority.

(2) The Secretariat shall be headed by an officer not below BS 19 who shall be appointed in consultation with the Authority.

(3) The organization of the secretariat and functions of officers and staff shall be determined by the Authority.

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1 The words Provincial Police Complaints Authority or District Public Safety" substituted vide the Police Order (Second Amendment) Ordinance, 2006.

(4) The secretariat shall consist of such number of officers and staff as the Government may in consultation with the Authority determine from time to time.

(5) The terms and conditions of service of the staff of the Authority shall be determined by the Government in consultation with the Authority.

102. Removal of the members. - The procedure of the removal of the Chairperson and members of the Federal Police Complaints Authority shall be the same as for the members of the Federal Public Service Commission.

[1] [103 – 108 * ***]**

1 Articles 103 to 108 "**103. Establishment of Provincial Police Complaints Authority. -** The Government shall establish a Provincial Police Complaints Authority for enquiring into serious complaints against the police.
104. Composition. - (1) The Provincial Police Complaints Authority shall consist of a Chairperson and six members.
(2) The Governor shall appoint the Chairperson of the Provincial Police Complaints Authority. (3) The Government shall appoint the members of the Provincial Police Complaints Authority on the recommendation of the Provincial Public Service Commission.
105. Criteria and terms of the members. - (1) The members of the Provincial Police Complaints Authority shall be eminent persons of impeccable integrity with skills; knowledge and experience in such fields as may be specified by the Government.
(2) Persons may be appointed as whole-time or part-time members of the Authority. (3) A person shall not be appointed for a period of more than three years. (4)No member or the Chairperson shall be eligible for a second term.
106. Functions of the Provincial Police Complaints Authority. - The Provincial Police Complaints Authority shall perform the following functions -

(a) receive from District Public Safety Commission or an aggrieved person in writing on an affidavit, complaint of neglect, excess or misconduct against a Police Officer;
(b) process the complaint and refer the ordinary cases to an appropriate authority for action and report and in serious cases initiate action on its own;
(c) receive from the District Public Safety Commission or Head of District Police any report of death, rape or serious injury to any person in police custody and take steps to preserve evidence relating to such incident and request the Chief Justice of the High Court under intimation to the Government to appoint a Judge not below the District and Sessions Judge for a judicial enquiry;
(d) may appoint in appropriate cases a police officer of the same district or of a different district who is senior in rank to the officer complained against as an inquiry officer, and supervise the inquiry proceedings;
(e) send a copy of the report to the competent authority and direct him for departmental action based on the findings of the enquiry or registration of a criminal case as appropriate and direct the competent authority to submit a report about the action taken on the findings of the report;
(f) inform the complainant of the outcome of the enquiry in writing as soon as possible;
(g) where the Provincial Police Complaints Authority is not satisfied with the order in cases referred under clause (e), it may send a report to the next higher authority for revision of the order by the awarding officer and the process be repeated till it is considered by the final authority;
(h) in case of any frivolous, or vexatious complaint, initiate legal action against the complainant;
(i) may recommend disciplinary action against an enquiry officer for willful neglect or mishandling of an enquiry;
(j) prepare and send to the Government an annual report on matters relating generally to its functions, including any matter to which it considers attention of the Government may be drawn by reason of gravity or other exceptional circumstances, for laying the report before Provincial Assembly;
(k) may in consultation with the Provincial Government establish regional offices anywhere in the Province.

107. Secretariat. - (1) The Government shall establish a permanent secretariat of the Authority. (2) The Secretariat shall be headed by an officer not below BS 19 who shall be appointed in consultation with the Authority.
(3) The organization of the Secretariat and functions of officers and staff shall be determined by the Authority. (4) The Secretariat shall consist of such number of officers and staff as the Government may in consultation with the Authority determine from time to time. (5) The terms and conditions of service of the staff of the Authority shall be determined by the Government in consultation with the Authority.
108. Removal of the members. - The procedure of the removal of the Chairperson and members of the Provincial Police Complaints Authority shall be the same as for the members of the Provincial Public Service Commission" omitted vide the Police Order (Second Amendment) Ordinance, 2006.

CHAPTER XI

CRIMINAL JUSTICE COORDINATION COMMITTEE

109. Establishment. – There shall be a Criminal Justice Coordination Committee in a district.

110. Composition. - The Criminal Justice Coordination Committee shall consist of-

(a) District and Sessions Judge (Chairperson)

(b) Head of District Police

(c) District Public Prosecutor

(d) District Superintendent Jail

(e) District Probation Officer

(f) District Parole Officer

(g) Head of Investigation (Secretary)

111. Functions of the Criminal Justice Coordination Committee.– (1) The Criminal Justice Coordination Committee shall -

(a) keep under review the operation of the criminal justice system and work towards the improvement of the system as a whole;

(b) promote understanding, co-operation and coordination in the administration of the criminal justice system;

(c) exchange information and give advance notice of local developments, which may affect other parts of the system;

(d) formulate co-ordinated priorities and plans to give effect to locally agreed policies;

(e) raise relevant issues with the appropriate authorities;

(f) promote the spread of good practices; and

(g) review the implementation of any decisions taken by the Criminal Justice Coordination Committee.

(2) The meeting of the Criminal Justice Coordination Committee shall be held at least once a month. The secretary of the committee shall record the minutes of the meetings.

CHAPTER XII

REGULATION, CONTROL AND DISCIPLINE OF THE POLICE

112. Rule making by Provincial Police Officer or Islamabad Capital City Police Officer. –Provincial Police Officer, or Islamabad Capital City Police Officer, as the case may be, with the [1]**[***]** approval of the Government, may by notification in the official gazette, make rules for carrying into effect the provisions of this Order.

113. Punishments. - Subject to the rules, a member of the police may at any time be suspended, dismissed, compulsorily retired, reduced in rank or pay, within a time scale, fined, censured or awarded any other punishment in the prescribed manner.

114. Code of Conduct. - (1) Provincial Police Officer and Capital City Police Officer shall issue Code of Conduct to regulate police practices in respect of -

(a) the exercise by police officers of statutory powers of stop and search;

(b) the searching of premises by police officers and the seizure of property found by police officers on persons or premises;

(c) the detention, treatment and questioning of persons by police officers; and

(d) the identification of persons by police officers.

(2) Subject to rules, a police officer contravening the Code of Conduct may be awarded one or more punishments provided under Article 113.

115. Police officer at any time liable to be called for duty. - A police officer when off-duty, on leave or under suspension shall be liable to be called for duty.

116. Withdrawal from duty and resignation, etc. – (1) No Police officer shall withdraw from the duties of his office unless expressly allowed to do so in writing by Head of district Police or by some other officer authorised to grant such permission

Explanation: A police officer 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 Article to withdraw himself from the duties of his office.

(2) No police officer 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.

117. Police officer not to engage in any other employment. – No police officer shall engage in any private employment while he is a member of the police establishment.

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1 The word “prior” omitted vide the Police Order (Second Amendment) Ordinance, 2006.

CHAPTER XIII

POWERS TO ISSUE ORDERS

118. Power to issue orders. - The Head of District Police may, in an emergency, for the maintenance of public order or preventing public nuisance, issue orders to give effect to the provisions of any Municipal law, rules or bye-laws for the time being in force.

119. Power to give direction to the public. - Subject to rules, a police officer not below the rank of a Sub-Inspector may, give such directions as may be necessary to:

(a) direct the conduct and behaviour or actions of persons constituting processions or assemblies on roads or streets;

(b) prevent obstructions –

(i) on the occasion of processions and assemblies;

(ii) in the neighbourhood of places of worship during the time of worship; and

(iii) when a street or public place or place of public resort may be thronged or liable to be obstructed.

(c) keep order on streets, mosques, churches or other places of worship and places of public resort when these may be thronged or liable to be obstructed.

120. Regulation of public assemblies and processions and licensing of same. - (1) Head of District Police or Assistant or Deputy Superintendent of Police may as occasion require, direct the conduct of assemblies and processions on public roads, or in public streets or thoroughfares and prescribe the routes by which and the times at which, such processions may pass.

(2) He may also, on being satisfied that it is intended by any persons or class of persons to convene or collect any assembly in any such road, street or thoroughfare, or to form a procession which would, in his judgement, if uncontrolled, be likely to cause a breach of the peace, require by general or special notice that the persons convening or collecting such assembly or directing or promoting such processions shall apply for a licence.

(3) On such application being made, he may issue a licence specifying the names of the licensees and defining the conditions on which alone such assembly or such procession is to permitted to take place and otherwise giving effect to this Article:

Provided that no fee shall be charged on the application for, or grant of any such licence.

121. Powers with regard to assemblies and processions violating the conditions of licence.- (1) Head of District Police or Assistant or Deputy Superintendent of Police or Inspector of police or an officer in-charge of a police station may stop any procession which violates the conditions of a licence granted under the last foregoing Article, and may order it or any assembly which violates any such conditions as aforesaid to disperse.

(2) Any procession or assembly, which neglects or refuses to obey any order given under clause (1) shall be deemed to be an unlawful assembly.

122. Power to prohibit certain acts for prevention of disorder. - (1) Head of District Police may, whenever and for such time as he may consider necessary but not exceeding two days by notification publicly promulgated or addressed to individuals prohibit in any urban or rural area, the carrying of arms, cudgels, swords, spears, bludgeons, guns, knives, sticks, lathis or any other article, which is capable of being used for causing physical violence and the carrying of any corrosive substance or explosives, the carrying, collection or preparation of stones or other missiles or instruments of means of casting or impelling missiles.

(2) If any person goes armed with any article as is referred to in of clause (1), such article shall be liable to be seized from him by a police officer.

123. Power to give directions against serious disorder at places of amusement, etc. - (1) For the purpose of preventing serious disorder or breach of the law or imminent danger to those assembled at any place of public amusement or at any assembly or meeting to which the public are invited or which is open to the public, any police officer of the rank of Assistant Sub Inspector or above, present at such place of public amusement, or such assembly or meeting, may subject to such rules, regulations or orders as may have been lawfully made, give such reasonable directions as to the mode of admission of the public to, and lawful conduct of the proceedings and the maintaining of the public safety, at such place of amusement or such assembly or meeting as he thinks necessary and all persons shall be bound to conform to every such reasonable direction.

(2) Every police officer while on duty shall have free access to any place of public amusement, assembly or meeting for the purpose of giving effect to the provisions of clause (1) and to any direction made there under.

124. Erecting of barriers in streets, etc. – Any police officer may in an emergency temporarily close any street or public place through erection of barriers or other means, to prohibit persons or vehicles from entering such area.

125. Power to search suspected persons or vehicles in street, etc. - When in a street or a place of public resort a police officer on reasonable grounds suspects a person or a vehicle to be carrying any article unlawfully obtained or possessed or likely to be used in the commission of an offence, he may search such person or vehicle; and if the account given by such person or possessor of the vehicle appears to be false or suspicious, he may detain such article after recording in writing the grounds of such action and issue a receipt in the prescribed form and report the facts to the officer in-charge of the police station for informing the court for proceeding according to law against the person.

CHAPTER XIV

SPECIAL MEASURES FOR MAINTENANCE OF PUBLIC ORDER AND SECURITY

126. Employment of additional police to keep peace. - (1) Capital City Police Officer or City Police Officer and District Police Officer subject to approval of Provincial Police Officer may on application of any person depute any additional number of police to keep the peace, to preserve order, to enforce any provisions of this Order, or any other law, in respect of any particular class or classes of offences or to perform any other duties imposed on the police.

(2) Subject to rules, such additional police shall be employed at the cost of the person making the application.

(3) If the person upon whose application such additional police are employed gives one week's notice for the withdrawal of the said police, he shall be relieved from the cost thereof at the expiration of such notice.

(4) If there is any dispute on payment, Head of District Police on an application by the aggrieved party may refer the matter to the Government for final decision.

127. Employment of additional police at the cost of organizers, etc. – (1) Whenever it appears to Head of District Police that-

(a) any large work which is being carried on, or any public amusement, or event at any place is likely to impede the traffic or to attract a large number of people; or

(b) the behaviour or a reasonable apprehension of the behaviour of the persons employed on any railway, canal or other public work, or in or upon any manufactory or other commercial concern under construction or in operation at any place, necessitates the employment of additional police at such place;

he may depute such number of additional police to the said place for so long as the necessity to employ the additional police shall appear to be expedient.

(2) Subject to rules, the cost of such additional police shall be borne by the organisers of such events or employers of such works or concerns, as the case may be, at rates approved by the appropriate government from time to time.

128. Compensation for injury caused by unlawful assembly. - When any loss or damage is caused to any property or when death or grievous hurt is caused to any person or persons, by any thing done in furtherance of the common object of an unlawful assembly, the trial court may determine the amount of compensation which, in its opinion should be paid by members of the unlawful assembly to any person or persons in respect of the loss or damage or death or grievous hurt caused.

129. Recovery of amount payable under Articles 126 and 127. - Any amount payable under Article 126 and Article 127 shall be recovered in the same manner as if it were arrears of land revenue.

130. Recovered amount to go to treasury. - Amounts payable under Article 126 and Article 127 shall be credited to the treasury.

131. Banning of use of dress resembling uniform of police or armed forces. - (1) If Provincial Police Officer or the Capital City Police Officer or City Police Officer is satisfied that the wearing in public, by any member of any body, association or organization, of any dress or article of apparel resembling the uniform worn by police or members of the Armed Forces or any uniformed force constituted by or under any law for the time being in force, is likely to prejudice the security of the state or the maintenance of public order, he may by a special order prohibit or restrict the wearing or display, in public of any such dress or article of apparel by any member of such body or association or organization.

(2) Every order under clause (1) shall be published in the Official Gazette.

Explanation: For the purpose of clause (1) a dress or article of apparel shall be deemed to have been worn or displayed in public if it is worn or displayed in any place to which the public have access.

132. Control of camps, parades, etc. - If Head of District Police is satisfied that it is necessary in the interest of maintenance of public order, he may by a special order prohibit or restrict throughout the district or any part thereof all meetings and assemblies of persons for the purpose of training in the use of arms or taking part in any such camp, parade or procession.

133. Authority of Head of District Police over the village police. – Head of District Police shall for the purpose of carrying this Order into effect, exercise authority and control over village watchmen or village police officers.

CHAPTER XV

RESPONSIBILITIES OF POLICE IN RELATION TO UNCLAIMED PROPERTY

134. Police to make inventory of unclaimed property, etc.- It shall be the duty of every police officer to take charge and make inventory of any unclaimed property found by, or made over to him, and furnish a copy of the inventory to Head of District Police without delay, who shall send a copy of the same to [1]**[**concerned Commission at the District level.**]**

135. Procedure for disposal of unclaimed property. - (1) Where any property has been taken charge of under Article 134, Head of District Police shall issue a proclamation within fifteen days in the prescribed manner specifying the articles of which such property consists and requiring that any person who may have a claim thereto shall appear before him or some other officer not below the rank of Assistant Superintendent of Police or Deputy Superintendent of Police especially authorised in this behalf and establish his claim within three months from the date of such proclamation.

(2) If the property, or any part thereof, is subject to speedy and natural decay or if the property appears to be of the value of less than one thousand rupees, it may forthwith be disposed off in the prescribed manner under the orders of Head of District Police and the net proceeds of such sale shall be dealt with in the manner provided in Articles 136 and 137.

(3) Where any person who has a claim to the property is required by the proclamation under clause (1) to appear before an officer authorised by the Head of District Police and establish his claim, such officer shall forward the record of the proceedings to the Head of District Police.

(4) Head of District Police shall follow the directions of the [2]**[**concerned Commission at the District level**]** in disposal of property under clause (3).

136. Delivery of property to person entitled. – (1) Head of District Police on being satisfied of the title of any claimant to the possession or administration of the property specified in the proclamation issued under clause (1) of Article 135 order the same to be delivered to him.

(2) In case where there is more than one claimant to the same property the matter shall be referred by the Head of District Police to the competent court.

137. Disposal of property, if no claimant appears. - If no person establishes his claim to such property within the period specified in the proclamation, the property, or such part thereof as has not already been sold under clause (2) of Article 135 shall, with the approval of appropriate Public Safety Commission, be disposed off in the prescribed manner and the proceeds shall be deposited in the treasury.

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1 The words “District Public Safety Commission” substituted vide the Police Order (Second Amendment) Ordinance, 2006.
2 The words “District Public Safety Commission” substituted vide ibid.

CHAPTER XVI

OFFENCES AND PUNISHMENTS

138. Causing mischief in street by animal or vehicle. - No person shall cause damage, injury, danger, alarm or mischief in any street or public place by negligent or reckless driving or by driving any vehicle or animal laden with timber, poles or other unwieldy articles through a street or public place contrary to any regulation.

139. Causing obstruction in a street. - No person shall cause obstruction in any street or public place-

(a) by allowing any animal or vehicle, which has to be loaded or unloaded, or take up or set down passengers, to remain or stand in the street or the public place longer than may be necessary for such purpose; or

(b) by leaving any vehicle standing or fastening any cattle in the street or the public place; or

(c) by using any part of a street or public place as a halting place for vehicles or cattle; or

(d) by causing obstruction in any other manner.

140. Wilful or negligent conduct in respect of dogs. - No person shall in any street or public place -

(a) let loose any dog wilfully or negligently so as to cause danger, injury, alarm or annoyance; or

(b) suffer a ferocious dog to be at large without a muzzle; or

(c) set on a dog to attack any person or horse or other animal.

141. Penalty for offences under Articles 138 to 140.- Any person who contravenes any of the provisions of Articles 138 to 140 shall, on conviction, be punished with fine, which may extend to ten thousand rupees, or, in default of payment, with imprisonment for a term not exceeding thirty days.

142. Suffering disorderly conduct. - Whoever being the keeper of any place of public amusement or public entertainment, knowingly permits or suffers disorderly behaviour or any gambling or any other criminal act, whatsoever, in such place, shall, on conviction be punished with fine which may extend to ten thousand rupees.

143. Penalty for contravening orders, etc. under Article 118. - Whoever contravenes or abets the contravention of any order made under Article 118 or any of the condition of the licence issued under such regulations shall on conviction be fined up to ten thousand rupees.

144. Penalties for contravention of order, etc. under Article 119 and Articles 122 and 123. - (1) Whoever contravenes, disobeys, opposes or fails to conform to any order given by a police officer under Article 119, and Article 123 shall, on conviction, be punished with fine, which may extend to ten thousand rupees.

(2) Whoever contravenes a notification or an order made under clause (1) of Article 122 shall be punished with imprisonment for a term which shall not be less than three months but may extend to two years and with fine up to one hundred thousands rupees.

145. Penalty for contravention of orders under Articles 131 and 132. - Whoever contravenes any order made under Article 131 and Article 132 shall, on conviction, be punished with imprisonment for a term, which may extend to three years, or with fine up to one hundred thousand rupees, or with both.

146. Penalty for obtaining employment as a police officer through fraudulent means.- Any person who makes a false statement or a statement which is misleading in material particulars or uses a false document for the purpose of obtaining employment as a police officer shall on conviction be punished with imprisonment for a term which may extend to one year, or with fine up to fifty thousand rupees, or with both.

147. Warning to first offender. - It shall be lawful for Head of District Police or any other officer authorized by him not below the rank of Inspector, to request the relevant court to issue in lieu of prosecution, a warning in writing to the accused in relation to first commission of any offence mentioned in Articles 138 to 140:

Provided that for any subsequent offence mentioned in this Article the offender on conviction will be awarded at least half of the prescribed punishment.

148 Defiling water in public wells, etc. - Whoever shall defile or cause to be defiled water in any public well, tank, reservoir, pond, pool, aqueduct or part of a river, stream, nullah or other source or means of water supply, so as to render the same unfit for the purpose for which it is set apart, shall on conviction be punished with imprisonment for a term which may extend to six months or with fine which may extend to thirty thousand rupees, or with both.

149. False alarm of fire, etc. - Whoever knowingly gives or causes to be given a false alarm of fire to the fire brigade or to any officer or fireman thereof shall on conviction be punished with imprisonment for a term which may extend to three months or with fine which may extend to fifteen thousand rupees, or with both.

150. Penalty for contravention of orders made under Article 124. - Whoever contravenes, or abets the contravention of any order made under Article 124 shall, on conviction, be punished with imprisonment which may extend to three months, or with fine which may extend to ten thousand rupees or with both.

151. Penalty for unauthorized use of police uniform. - If any person not being a member of the police wears without authorisation, the uniform of police or any dress having the appearance or bearing any of the distinctive marks of police uniform, he shall, on conviction, be punished with imprisonment for a term which may extend to three years, or with fine up to one hundred thousand rupees, or with both.

152. Penalty for frivolous or vexatious complaint. – Any person who files a complaint against the police, which on enquiry by the 1**[**Federal**]** Police Complaints Authority is held frivolous or vexatious, shall be punished on conviction with imprisonment for six months, or with fine, which may extend to fifty thousand rupees, or with both.

153. Certain offences to be cognizable. - Notwithstanding anything contained in the Code, offences falling under Articles 148 to 152 shall be cognizable.

154. Power to try offences summarily. - The court trying offences under this chapter shall have power to try such offences summarily in accordance with the procedure laid down for summary trial in the Code.

1 Inserted vide the Police Order (Second Amendment) Ordinance, 2006.

CHAPTER XVII

OFFENCES BY AND PUNISHMENTS FOR POLICE OFFICERS

155. Penalty for certain types of misconduct by police officers. – (1) Any police officer who-

(a) makes for obtaining release from service as police officer, a false statement or a statement which is misleading in material particulars or uses a false document for the purpose;

(b) is guilty of cowardice, or being a police officer of junior rank, resigns his office or withdraws himself from duties without permission;

(c) is guilty of any wilful breach or neglect of any provision of law or of any rule or regulation or any order which he is bound to observe or obey;

(d) is guilty of any violation of duty;

(e) is found in a state of intoxication, while on duty;

(f) malingers or feigns or voluntarily causes hurt to himself with the intention to render himself unfit for duty;

(g) is grossly insubordinate to his superior officer or uses criminal force against a superior officer; or

(h) 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 three years and with fine.

(2) Prosecution under this Article shall require a report on writing by an officer authorized in this behalf under the rules [1]**[**to be made by the Government**]**.

156. Penalty for vexatious entry, search, arrest, seizure of property, torture, etc. Whoever, being a police 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; or

(d) inflicts torture or violence to any person in his custody;

1 Added vide the Police Order (Second Amendment) Ordinance, 2006.

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

157. Penalty for unnecessary delay in producing arrested persons in courts. - Any police 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.

CHAPTER XVIII

NATIONAL POLICE MANAGEMENT BOARD

158. Establishment.- The Federal Government shall establish National Police Management Board.

159. Composition. - The National Police Management Board shall consist of the following heads of the police establishments and the Federal Law Enforcement Agencies:-

(a) Provincial Police Officers of Punjab, Sindh, NWFP and Balochistan;

(b) Inspectors General of Railways Police, Pakistan Motorway and Highway Police, Northern Areas and AJK;

(c) Capital City Police Officers of Islamabad, Lahore, Karachi, Peshawar and Quetta;

(d) Directors General of Federal Investigation Agency and Anti Narcotics Force;

(e) Commandants of National Police Academy and Frontier Constabulary;

(f) Director General of National Police Bureau (Member Secretary); and

(g) any other member that the Federal Government may nominate.

160. Functions of the National Police Management Board. - The National Police Management Board shall perform the following functions, namely:-

(a) advise the Federal and Provincial Governments on matters concerning general planning, development and standardisation of administration, education and training, gender sensitisation, communications, criminal identification facilities, criminal statistics and equipment of police and other law enforcement agencies;

(b) identify and arrange research in the areas of criminology, terrorism, sectarian and ethnic violence, drug trafficking, organised crime, inter-provincial crime, crime having international dimensions, etc.;

(c) recommend Federal Government grants to various police organizations and Federal Law Enforcement Agencies for enhancing their operational capabilities;

(d) recommend steps for securing inter-governmental and inter-agency assistance to ensure a comprehensive and cohesive arrangement for crime control and internal security;

(e) recommend to the Federal and Provincial Governments standards of recruitment, appointment, promotions, transfers, tenure and discipline;

(f) develop standing operating procedures based on internationally accepted good practices for adoption by the Police and Law Enforcement Agencies in the country to improve their performance; and

(g) any other duties that the Federal Government may assign to it.

161. Meeting and conduct of business of the Board. - (1) Normally two meetings shall be held in a year. Meetings may, however, be convened by the Secretary of the board on the requisition by half of the members of the board.

(2) Quorum for the meeting will be three quarters of the total membership and no participation by proxy shall be allowed.

(3) Members shall attend the meetings as and when required for which at least one month's notice, with agenda shall be given.

(4) The meetings shall be presided over by the senior most member present.

(5) The Board may invite any expert for consultations.

162. National Police Bureau. - (1) A National Police Bureau headed by a Director General not below the rank of Additional Inspector General of Police shall be established.

(2) The National Police Bureau shall function as permanent secretariat of the National Public Safety Commission and the National Police Management Board.

(3) The Government shall determine the organization of the National Police Bureau and provide such number of staff as it may determine from time to time.

(4) The National Police Bureau shall perform research and development functions as assigned to it by the National Police Management Board and the National Public Safety Commission.

(5) Perform such other functions as may be assigned to it by the Government.

(6) The National Police Bureau as secretariat to the National Public Safety Commission shall function independently but for all other functions the Bureau shall be under the Interior Division.

CHAPTER XIX

MISCELLANEOUS

163. Provision of advice and assistance to International Organizations etc. - The Police may provide advice and assistance to an International Organization or to any other person or body engaged in investigation of criminal cases outside Pakistan with the permission of the Government.

164. Coordination by Federal Government. - The Federal Government shall coordinate for the purpose of efficiency in the police administration among general police areas falling under the Federal or the Provincial governments.

165. Constitution of Promotion Boards etc. - Subject to rules, promotion of police officers of the provincial police shall be made on the recommendations of the departmental promotion committees/promotion boards:

Provided that the departmental promotion committees/promotion boards shall be headed by an officers not below the rank of-

(a) Assistant Superintendent of Police or Deputy Superintendent of Police for promotion to the rank of Head Constable;

(b) Superintendent of Police for promotion to the rank of Assistant Sub-Inspector and Sub-Inspector;

(c) Deputy Inspector General of Police for promotion to the rank of Inspector.

(d) Additional Inspector General of Police for promotion to the rank of Deputy Superintendent of Police; and

(e) Inspector General for promotion to the rank of Superintendent of Police.

166. Criminal Statistics and reports. - (1) The Provincial Government shall at such times and in such form as the Federal Government may direct, transmit statistic and reports to the Federal Government with respect to officers, offenders, criminal proceedings and the state of law and order in the Province as the Federal Government may require.

(2) The Federal Government shall cause a consolidated abstract of the information transmitted to it under clause (1) to be prepared and laid before the National Assembly.

(3) The Federal Government may require a Provincial Government to submit reports on such matters as may be specified in the requirements on matters connected with police performance.

(4) A requirement under clause (3) may specify the form in which a report is to be submitted.

(5) The Provincial Government may direct the submission of such reports and returns by the Provincial Police Officers and other police officers as it may deem proper and may prescribe the form in which such returns shall be made.

167. Maintenance of Daily Diary at a police station. – (1) A register of Daily Diary shall be maintained at every police station in such form as shall, from time to time, be prescribed and to record therein the names of all complainants, persons arrested, the offences charged against them, the weapons or property that shall have been taken from their possession or otherwise, and the names of the witnesses who shall have been examined.

(2) The District and Sessions Judge of the district may call for and inspect such Diary.

168. Citizen Police Liaison Committees. – The Government may establish Citizen Police Liaison Committees as voluntary, self financing and autonomous bodies, in consultation with National Public Safety Commission or Provincial Public Safety [1]**[**and Police Complaints**]** Commission, as the case may be, for -

(a) training and capacity building of [2]**[**members and staff of the**]** Commission;

(b) developing mechanism for liaison between aggrieved citizens and police for providing relief; and

(c) assistance to [3][Commissions, Federal] Police Complaints Authority and the police for the expeditious and judicious discharge of their duties.

169. Public Safety Fund. - (1) The Government may, by notification in the Official Gazette, constitute Public Safety Fund at the Provincial and District levels consisting of-

(a) Grants made by the Federal Government, the Provincial Government and the District Governments to the police.

(b) Contributions made in cash or kind by the public for the improvement of police service delivery to be credited to District Public Safety Fund.

(2) The Provincial Government may credit one-half of the sums of the traffic fines to the Provincial Public Safety Fund.

(3) All receipts mentioned in sub-clauses (a) and (b) of clause (1) and clause (2) may be credited to the Provincial or District Public Safety Fund as the case may be under a Head of Account in the Public Account duly authorised by the Controller General of Accounts.

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1 Inserted vide the Police Order (Second Amendment) Ordinance, 2006.
2 The words “Public Safety” substituted vide ibid.
3 The words and comma “Public Safety Commission,” substituted vide ibid.

(4) The Fund shall be non-lapsable.

(5) Accounts shall be kept of payments made into or out of this fund, which shall be audited by the Auditor General at the end of each financial year.

(6) The Public Safety Fund at Provincial level shall be operated by the Provincial Public Safety [1]**[**and Police Complaints**]** Commission and at the district level by the District Public Safety [2]**[**and Police Complaints**]** Commission subject to any rules and regulations made under this Order.

(7) The Public Safety Fund shall be applied for the purpose of:-

(a) improving facilities for public and service delivery at police stations.

(b) improving traffic police; and

(c) rewarding police officers for good performance.

170. Officers holding charge of or succeeding to vacancies competent to exercise powers. - Wherever in consequence of the office of Head of District Police becoming vacant, any officer who holds charge of such post or succeeds either temporarily or permanently to his office under the orders of the competent appointing authority, such officer shall be competent to exercise all the powers and perform all the duties respectively conferred and imposed by this Order on Capital City Police Officer, City Police Officer or District Police Officer.

171. No police officer to be liable to any penalty or payment of damages on account of acts done in good faith in pursuance of duty. - No police 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 provision of this Order or any other law for the time being in force or any rule, order or direction made or given therein.

172. Suits or prosecutions in respect of acts done under colour of duty not to be entertained if not instituted within the prescribed period.- In case of an alleged offence by a police officer, or a wrong alleged to have been done by him or by any act done under colour of duty or in exercise of any such duty or authority of this Order 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 more than six months from the date of the action complained of.

173. Notice of suit to be given with sufficient description of wrong complained of. – (1) In the case of an intended suit on account of an alleged wrong referred to in Article 172 by a police officer, the person intending to sue shall give two month's notice as prescribed in section 80 of Civil Procedure Code 1908, of the intended suit with sufficient description of the wrong complained of.

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1 Inserted vide the Police Order (Second Amendment) Ordinance, 2006.
2 Inserted vide ibid.

(2) The provisions of section 80 of the Civil Procedure Code, 1908, shall mutatis mutandis apply to the notice referred to in clause (1).

174. Licences and written permissions to specify conditions, etc. - Any licence or written permission granted under the provisions of this Order shall specify the period, locality, conditions and restrictions subject to which the same is granted and shall be given under the signature of the competent authority.

175. Revocation of licence or permission. - Any licence or written permission granted under this Order may at any time be suspended or revoked by the competent authority after due notice if any of its conditions or restrictions is infringed or evaded by the person to whom it has been granted, or if such person is convicted of any offence in any matter to which such licence or permission relates.

176. When licence or permission is revoked, the grantee would be deemed to be without licence. - When any such licence or written permission is suspended or revoked, or when the period for which the same was granted has expired, the person to whom the same was granted shall, for all purposes of this Order, deemed to be without a licence or written permission, until the order for suspending or revoking the same is cancelled, or until the same is renewed, as the case may be.

177. Grantee to produce licence and written permission when required. - Every person to whom any such licence or written permission has been granted, shall, while the same remains in force, at all reasonable time, produce the same if so required by a police officer.

178. Public notices how to be given. - Any public notice required to be given under any of the provisions of this Order shall be in writing under the signature of a competent authority and shall be published in the locality to be affected thereby, by affixing copies thereof in conspicuous public places, or by proclaiming the same with beat of drums, or by advertising the same in local newspapers in regional languages and English or Urdu, as the said authority may deem fit, or by electronic media, or by any two or more of these means and by any other means it may think suitable.

179. Consent of competent authority how to be proved. - Whenever under this Order, the doing or the omitting to do anything or the validity of anything depends upon the consent, approval, declaration, opinion or satisfaction of a competent authority, a written document signed by the competent authority purporting to convey or set forth such consent, approval, declaration, opinion or satisfaction shall be evidence thereof.

180. Signature on notices may be stamped. - Every licence, written permission, notice or other document, not being a summons or warrant or search warrant, required by this Order, or by any rule hereunder, to bear the stamp and the signature of Head of District Police and it shall be deemed to be properly signed if it is a facsimile of the document bearing his signature.

181. Persons interested may apply to annul, reverse or alter any rule or order. - In the case of any rule or order made under an authority conferred by this Order and requiring the public or a particular class of persons to perform some duty or act, or to conduct or order themselves or those under their control in a manner

therein described, it shall be competent for any interested person to apply to the authority issuing such rule or order to annul, reverse or alter the rule or order aforesaid on the ground of its being unlawful, oppressive or unreasonable:

Provided that the appropriate government shall exercise jurisdiction for revision against such orders.

182. Notification of rules and regulations in the Official Gazette.- Every rule and regulation made under this Order shall be made by notification in the Official Gazette.

183. Powers to prosecute under any other law not affected.- Nothing contained in this Order 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 Order.

184. Power to amend. – Without prejudice to the power of the Federal Government to amend this Order, any Provincial government may, with the approval of the Chief Executive of the Islamic Republic of Pakistan, amend, vary or modify any provision of this Order relating to the Province on the basis of its specific requirements and circumstances.

185. Repeal and savings. - (1) The Police Act, 1861, (V of 1861), hereinafter referred to as the said Act, is hereby repealed:

Provided that –

(a) all rules prescribed, appointments made, powers conferred, orders made or passed, consent, permit, permission of licences given, summons or warrants issued or served, persons, arrested or detained or discharged on bail or bond, search warrants issued, bond forfeited, penalty incurred under the said Act shall, so far as they are consistent with this Order, be deemed to have been respectively prescribed, made, conferred, given, passed, served, arrested, detained, discharged, forfeited and incurred hereunder;

(b) all references made to the said Act or in any law or instrument shall be construed as references to the corresponding provisions of this Order.

(2) Notwithstanding the repeal of the said Act, the repeal shall not -

(a) affect the validity, invalidity, effect or consequence of anything duly done or suffered under the said Act;

(b) affect any right, privilege, obligation or liability acquired, accrued or incurred under the said Act;

(c) affect any penalty, forfeiture or punishment incurred or inflicted in respect of any act or offence committed against the said Act;

(d) affect any investigation, legal proceeding or remedy in respect of any such right, privilege, obligation, liability, penalty, forfeiture or punishment as aforesaid;

and any such investigation, legal proceeding or remedy may be instituted, continued or enforced, and any such penalty, forfeiture or punishment may be imposed, as if the said Act has not been repealed; and

(e) affect any proceeding pending in any court or before any authority under the said Act, and any such proceeding and any appeal or revision arising out of such proceeding shall be continued, instituted or disposed of, as if the said Act had not been repealed.

186. Existing police deemed to be constituted under this Order. - Without prejudice to the provisions contained in Article 185, the police functioning in the Provinces and in Islamabad Capital Territory immediately before the commencement of this Order shall on such commencement be deemed to be police constituted under this Order.

[1]**[186-A. Power to amend the Schedules.** The Federal Government may, by notification in the official Gazette, amend any Schedule.**]**

187. Power to remove difficulties. - (1) If any difficulty arises in giving effect to the provisions of this Order, the Government may, by notification in the Official Gazette, make such provisions as appear to be necessary or expedient for removing the difficulty:

Provided that no such notification shall be issued after the expiry of two years from the commencement of this Order.

(2) Every notification issued under this Article shall be laid before the Parliament or the Provincial Assembly, as the case may be.

1 Inserted vide the Police Order (Second Amendment) Ordinance, 2006.

FIRST SCHEDULE

SENIOR AND JUNIOR RANKS
[Article 2 (xii) and Article 2 (xxv)]

1. Senior Police Ranks

(i) Inspector-General

(ii) Additional Inspector General

(iii) Deputy Inspector General

(iv) Assistant Inspector General/Senior Superintendent

(v) Superintendent

(vi) Assistant Superintendent/Deputy Superintendent

2. Junior Police Ranks

(i) Inspector

(ii) Sub-Inspector

(iii) Assistant Sub-Inspector

(iv) Head Constable

(v) Constable

SECOND SCHEDULE
(Article 24)

FORM OF OATH OR AFFIRMATION BY MEMBERS OF POLICE

I _____ do hereby swear/solemnly affirm that I shall be faithful and bear true allegiance to Pakistan and to the Constitution of the Islamic Republic of Pakistan; that as member of the Police I shall honestly, impartially and truly serve the people without fear, favour or affection, malice or ill-will; that I will to the best of my ability, skill and knowledge discharge, according to law, such functions and duties as may be entrusted to me as a member of the police and in such a manner as to uphold and protect the dignity and rights of the citizens; that I shall abide by the principles contained in the Code of Conduct for police officers.

THIRD SCHEDULE
(Article 25)

CERTIFICATE OF APPOINTMENT

SEAL

No _____

Certificate of appointment issued under Article 25 of the Police Order, 2002, Mr. _____ has been appointed _____and is invested with the powers, functions and privileges of a police officer under Article _____ of Police Order, 2002, in the Capital City District _____/City District_____/District Police/ Area _____ under the charge of Provincial Police Officer/Capital City Police Officer_____/City Police Officer_____ on this day of _____

Signature_____

Designation_____

[1]FOURTH SCHEDULE

[See Article 33 (3)]

CERTIFICATE

Certified that I _____ _____
(Name of Head of District Police) **Personal Number (if allotted)**

_____ _____ **have on** _____
submitted by
(Service) **(BPS)** **(Date)**

Performance Evaluation Report for the period _____

to _____
(Name of the Zila Nazim, District)

My countersigning officer is _____
(Name of the Provincial Police Officer)

Signature _____

District _____

1 Inserted vide the Police Order (Second Amendment) Ordinance, 2006.

PER for District Police Officer
ڈسٹرکٹ پولیس آفیسر کے لیے

CONFIDENTIAL
بصیغہ راز

GOVERNMENT OF PAKISTAN
حکومت پاکستان

Ministry/Divisional Department/Office
وزارت/ڈویژن/محکمہ/دفتر _____

Service/Group _____

PERFORMANCE EVALUATION REPORT
کارکردگی رپورٹ

FOR THE PERIOD 20 ء۲۰ TO تا 20 ء۲۰ برائے عرصہ

PART I
حصہ اول

(TO BE FILLED IN BY THE OFFICER REPORTED UPON)
(متعلقہ افسر خود پر کریں)

1. Name (in block letters) نام (واضح حروف میں) _____
2. Personnel number انفرادی نمبر _____
3. Date of birth تاریخ پیدائش _____
4. Date of entry in service ملازمت اختیار کرنے کی تاریخ _____
5. Post held during the period (with BPS) پیش نظر عرصہ میں عہدہ (مع اسکیل) _____
6. Academic qualifications تعلیم _____
7. Knowledge of languages زبانوں کا علم (Please indicate proficiency in speaking (S), reading (R) and writing (W) بولنے (ب)، پڑھنے (پ) اور لکھنے (ل) کی صلاحیت

_____

_____

_____

8. Training received during the evaluation period (Training courses attended earlier, if any, may please be listed separately on the back page of report)

متعلقہ عرصہ کے دوران تربیت کی تفصیل (اس سے پہلے تربیتی کورسوں میں شرکت، رپورٹ کے صفحہ کی پشت پر درج کریں)

Name of courses attended کورس کا نام	Duration with dates تاریخوں کے ساتھ دورانیہ	Name of institutions and country ادارے اور ملک کا نام

9. Period served
عرصہ ملازمت

(i) In present post _____ (ii) Under the reporting officer _____
موجودہ عہدے پر رپورٹنگ افسر کے ماتحت

PART II
حصہ دوم

(TO BE FILLED IN BY THE OFFICER REPORTED UPON)
(متعلقہ افسر خود پر کریں)

1. Job description
ذمہ داریوں کی تفصیل

2. Brief account of achievements during the period supported by statistical data where possible. Targets given and actual performance against such targets should be highlighted. Reasons for shortfall, if any, may also be stated

پیش نظر عرصہ میں نمایاں کام کو اعداد و شمار کے ساتھ مختصر بیان کریں۔ اہداف اور کارکردگی کو نمایاں لکھیں۔ اہداف نامکمل رہ جانے کی وجہ بھی بیان کریں

PART III

حصہ سوم

(REPORTING OFFICER'S EVALUATION)

رپورٹنگ افسر کا جائزہ

1. Please comment on the officer's performance on the job as given in Part II (2) with special reference to his knowledge of work, ability to plan, organize and supervise, analytical skills, competence to take decisions and quality and quantity of output. How far was the officer able to achieve the targets? Comment on the officer's contribution, with the help of statistics data, if any, in the overall performance of the organization. Do you agree with what was has been stated in Part II (2)?

حصہ دوئم (۲) میں بیان کی گئی کارکردگی کا جائزہ لیں۔افسر کے علم، تنظیمی اور نگرانی کرنے کی صلاحیت، تجزیاتی مہارت اور فیصلہ کرنے کی صلاحیت کے متعلق رائے دیں۔کارکردگی کے معیار و مقدار کے حوالے سے بھی رائے دیں۔اہداف کو پورا کرنے میں افسر کس حد تک کامیاب رہا/رہی۔ادارے کی مجموعی کارکردگی میں افسر کے کردار کی اعداد و شمار کے حوالے سے نشاندہی کریں۔کیا آپ حصہ دوئم (۲) میں دی گئی معلومات سے متفق ہیں؟

2. Integrity (Morality, uprightness and honesty)

(راست بازی، ایمانداری) دیانت

3. Pen picture including the officer's strengths and weakness with focus on emotional stability, ability to work under pressure, communication skills and interpersonal effectiveness
(weakness will not be considered as adverse entry unless intended to be treated as adverse)

قلمی خاکہ: افسر کی خوبیوں اور کمزوریوں کا جائزہ لیں، خصوصاً جذباتی ٹھہراؤ، دباؤ کی حالت میں کام کرنے کی صلاحیت، رابطہ اور باہمی افہام و تفہیم پیدا کرنے کی صلاحیت بیان کریں (کوتاہی کو اس وقت تک منفی تصور نہ کیا جائے جب تک رپورٹنگ افسر ضروری نہ سمجھے)۔

4. Area and level of professional experties with suggestions for future posting

پیشہ ورانہ مہارت اور آئندہ تعیناتی کی نشاندہی

5. Training and development needs
مزید تربیت کے لیے تجاویز

6. Overall grading
مجموعی درجہ

Very Good اعلیٰ	Good اچھا	Average اوسط	Below Average اوسط سے کم

7. Fitness for promotion

Comment on the officer's potential for holding a Higher position and additional responsibilities

(افسر کی اعلیٰ عہدے پر کام کرنے اور اضافی ذمہ داریاں سنبھالنے کی صلاحیت کے بارے میں رائے دیں)

Name of the reporting officer (Capital letters) _____
رپورٹنگ افسر کا نام (واضح حروف میں)

Signature _____
دستخط

Designation _____
عہدہ

Date _____
تاریخ

PART IV
حصہ چہارم

MANUSCRIPT REPORT OF THE HEAD OF DISTRICT POLICE BY ZILA NAZIM
(ڈسٹرکٹ پولیس کے سربراہ کے بارے میں ضلع ناظم کی مسودہ رپورٹ)

(Article 33(3) of Police Order 2002)

آرٹیکل ۳۳ (۳) پولیس آرڈر ۲۰۰۲

Period From _____ to _____

برائے عرصہ ۲۰ء تا ۲۰ء

The Zila Nazim shall, in the following space, record his assessment about the performance of the head of the District Police relating to law & order matters.

ضلع ناظم نیچے دی ہوئی جگہ میں امن و امان کے حوالے سے ڈسٹرکٹ پولیس کے سربراہ کی کارکردگی کے بارے میں اپنی رائے درج کرے گا۔

Date _____ Signature _____

تاریخ دستخط

PART V

حصہ پنجم

(REMARKS OF THE COUNTERSIGNING OFFICER)

(کاؤنٹر سائننگ افسر کی رائے)

1. **How often have you seen the work of the officer reported upon?**

افسر کا کام کس حد تک آپ کی نظر سے گزرتا رہا؟

Very Frequent اکثر وبیشتر	Frequently اکثر	Rarely شاذ ونادر	Never کبھی نہیں

2. **How well do you know the officer? If you disagree with the assessment of the reporting officer, please give reasons**

آپ افسر کو کس حد تک جانتے ہیں؟ اگر آپ رپورٹنگ افسر کی رائے سے متفق نہیں تو اس کی وجہ بیان کریں۔

3. **Overall grading**

مجموعی درجہ

Very Good اعلیٰ	Good اچھا	Average اوسط	Below Average اوسط سے کم

4. **Recommendation for promotion**

ترقی کے لیے سفارش

(Comment on the officer's potential for holding a higher position and additional responsibilities)

(افسر کے اعلیٰ عہدے پر کام کرنے اور اضافی ذمہ داریاں سنبھالنے کی صلاحیت کے بارے میں رائے دیں)

5. **Evaluation of the quality of assessment made by the reporting officer**

رپورٹنگ افسر کے جائزہ کے معیار کے بارے میں کاؤنٹر سائننگ افسر کی رائے

Exaggerated مبالغہ آمیز	Fair مناسب	Biased جانب دار

Name of the countersigning officer (Capital letters) _____ Signature _____

کاؤنٹر سائننگ افسر کا نام (واضح حروف میں) دستخط

Designation _____ Date _____

عہدہ تاریخ

PART VI

حصہ ششم

(REMARKS OF THE SECOND COUNTERSIGNING OFFICER (IF ANY)

دوسرے کاؤنٹر سائننگ افسر (بشرط موجودگی) کی رائے

Name _____ Signature _____

نام دستخط

Designation _____ Date _____

عہدہ تاریخ

GUIDELINES FOR FILLING UP THE PER

- After initiation of their PER, the officers under report should immediately fill up the detachable '***certificate***' giving names of the **RO/ZN/CO** and forward the same to the Officer Incharge of their respective confidential records. This exercise will ensure proper follow-up of the pending performance evaluation reports by the concerned Ministry/Division/Provincial Government etc.

- Forms should be filled in duplicate. Parts I and II are to be filled by the officer under report and should be typed. Part III will be filled by the Reporting Officer while the Zila Nazim/Countersigning/ Second Countersigning Officers will fill Parts IV, V & VI respectively.

- Each Division, Department, autonomous body and office etc. is required to prepare specific job descriptions giving main duties of each job to be mentioned in part-II (1). The job descriptions may be finalized with the approval of the Head of the Organization or any person authorized by him.

- The officer under report should fill Part II (2) of the form as objectively as possible and short term and long term targets should be determined / assigned with utmost care. The targets for each job may be formulated at the beginning of the year wherever possible. In other cases, the work performed during the year needs to be specifically mentioned.

- Assessment by the Reporting Officers should be job-specific and confined to the work done by the officer during the period under report. They should avoid giving a biased or evasive assessment of the officer under report, as the Countersigning Officers would be required to comment on the quality of the assessment made by them.

- The Reporting Officers should carryout their assessment in Part III through comments against each characteristic. Their opinions should represent the result of careful consideration and objective assessment so that, if called upon, they could justify the remarks/comments. They may maintain a record of the work done by the sub ordinates in this regard.

- The Reporting Officers should be careful in giving the overall and comparative gradings. Special care should be taken so that no officer is placed at an undue disadvantage.

- The Countersigning Officers should weigh the remarks of the RO against their personal knowledge of the officer under report, compare him with other officers of the same grade working under different Reporting Officers, but under the same Countersigning Officer, and then give their overall assessment of the officer. In case of disagreement with the assessment done by the Reporting Officer, specific reasons should be recorded by the Countersigning Officers in Part V (2).

- The Countersigning Officers should make an unbiased evaluation of the quality of performance evaluation made by the RO by categorizing the reports as exaggerated, fair or biased. This would evoke a greater sense of responsibility from the reporting officers.

- The Countersigning Officers should underline, in red ink, remarks which in their opinion are adverse and should be communicated to the officer reported upon. All adverse remarks whether remediable or irremediable should be communicated to the officer under report, with a copy of communication placed in the CR dossier. Reporting Officers should ensure that they properly counsel the officer under report before adverse remarks are recorded.

- The Reporting and Countersigning Officers should be clear, direct, objective and unambiguous in their remarks. Vague impressions based on inadequate knowledge or isolated incidents should be avoided.
- Reports should be consistent with the pen picture, overall grading and comparative grading.

IMPORTANT

- Parts I and II of the PER should be duly filled and dispatched to the Reporting Officer not later than the 15th of January. The ROs should forward the report to the Zila Nazim. The Zila Nazim should forward the report to the Countersigning Officer within two weeks of receipt after filling Part IV. The COs should then finalize their comments in Part V within two weeks of receipt of PER. The Second Countersigning Officers, if any, should also complete their assessment within a period of two weeks.

- Name and designation of Reporting Officer/Zila Nazim/Countersigning Officers should be clearly written. Comments should be legible and in the prescribed format and which can be easily scanned.

- Personnel Number is to be filled in by the officer under report, if allotted.

- Proforma has been devised in English/Urdu to provide flexibility to RO/ZN/CO in the choice of language.

- Comparative grading only applies to officers falling in very good, good and average categories. This grading would not apply to anyone falling in below average category in Part III (6).