

THE DRAFT SINDH POLICE BILL 2014



Drafted by:
Pakistan Forum on Democratic Policing (PFDP)

In collaboration with
Legal Aid Office

Pakistan Forum for Democratic Policing

Civil society organizations do realize that training is only one contributing factor to initiate change in the police organization. In order to make policing citizen-centric and service oriented in Pakistan, structural reforms within the organization are required.

Therefore, in order to make police reforms a priority public policy agenda, Rozan along with other likeminded non-government organizations, media personnel and social activists took an initiative to establish the Pakistan Forum for Democratic Policing (PFDP).

The core objectives of the PFDP include:

- I. To initiate process of dialogue amongst the key stakeholders and build pressure on policy makers in order to make the police organization in Pakistan politically neutral and citizen-centric.
- II. To consult with the key stakeholders to decide course of action for reform of police laws; if required revise/reconstruct them and then ensure the implementation process.
- III. To strengthen the established forum - PFDP, at the national level to advocate the agenda of people-friendly policing in Pakistan.

The founding members of the PFDP are: Rozan, Strengthening Participatory Organization, Aurat Foundation, Shehri-CBE and Center for Peace and Development Initiatives. Other members of the PFDP include: Human Rights Commission of Pakistan, Consumer Rights Commission of Pakistan, Hamdard School of Law, Shirkat Gah, Khwendo Kor etc.

The PFDP, under the supervision of Justice (r) Nasir Aslam Zahid and his team of experts, has drafted Sindh Police Act 2014 to meet the needs and challenges of policing in the present era. The draft is based on the aspirations of civil society which came up in a series of public consultations on the subject of police reforms, held in urban and rural Sindh, Balochistan and Islamabad.

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**In collaboration with
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The Sindh Police Bill 2014

Here onwards the word “ACT” shall be used in place of “BILL” for this document. An ACT to constitute and regulate the police in Sindh;

WHEREAS respect for and promotion and protection of the fundamental rights of the people is the primary concern of the Provincial;

AND WHEREAS the police has an obligation and duty to function according to the Constitution, law, and democratic aspirations 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 role of the police, its duties and responsibilities, by taking into account the emerging challenges of policing and security, the imperatives of good governance, and respect for human rights;

AND WHEREAS it is essential to appropriately empower the police to enable it to function as an efficient, effective, people-friendly and responsive service;

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

AND WHEREAS there is an urgent need to de-politicize police to enhance their functionality of maintaining law and order within the province

NOW, THEREFORE since it is necessary for this purpose to enact a new law relating to the establishment, management, oversight and accountability of the Police in the province of the Sindh, it is hereby enacted as follows:

CHAPTER I

PRELIMINARY

1. Short title, extent and commencement:

- (1) This Act may be called the Sindh Police Act, 2014.
- (2) It extends to the entire Sindh unless otherwise notified by the Government.
- (3) It shall come into force at once.

2. Definitions

(1) In this Bill, unless the context otherwise requires,

- i. ‘Act’ means the Sindh Police Act, 2014;
‘Administration’ includes management of administrative, operational and financial functions;
- ii. ‘Code’ means the Code of Criminal Procedure, 1898 (Act V of 1898);
- iii. ‘Committee’ means the District Police Oversight Committee or the Provincial Police Oversight Committee established under this Act
- iv. ‘District Police Officer’ means the head of district police who is posted under section 15;
- v. ‘Division’ means a police jurisdiction comprising one or more sub-divisions in a district established under section 18;
- vi. ‘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 of specific tasks or duties but not as a replacement for what should be rightly treated as an efficiency and discipline matter;
- vii. ‘Federal Law Enforcement Agencies’ include Federal Investigation Agency, Pakistan Railway Police, Anti-Narcotics Force, National Highways and Motorways Police, Islamabad Police, Frontier Constabulary, and any other Federal and Provincial organization notified as such by the Government from time to time;
- viii. ‘Government’ means the Government of the Sindh unless otherwise specified;
- ix. ‘Junior ranks’ means members of the police of and below the rank of Inspector as set out in the First Schedule;

- x. 'Place' includes: any building, tent, booth or other structure, whether permanent or temporary; and any area, whether enclosed or open.
- xi. '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;
- xii. '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;
- xiii. 'Provincial Police Officer' means an officer of the rank of Inspector General of Police posted under section 16 as the head of Sindh Police
- xiv. 'Police Officer' means a member of the police who is subject to this Act;
- xv. 'Police or Sindh Police' means the Police Department referred to in section 6 and includes
- xvi. all persons appointed as special police officers or additional police officers under this Act; and
- xvii. All other employees of the police.
- xviii. 'Prescribed' means prescribed by rules made under this Act;
- xix. 'Property' means any moveable property, money or valuable security;
- xx. rural policing means the policing of the area falling under the rural areas of the province as prescribed by the government
- xxi. . 'Public place' means any place to which the public may have access;
- xxii. . 'Public nuisance' is an act or omission that causes injury, loss or damage to or obstructs or inconveniences the rights of the community as a whole or its members.
- xxiii. 'Rules' means rules made under this Act;
- xxiv. . 'Schedule' means a schedule to this Act;
- xxv. . 'senior ranks' means members of the police above the rank of Inspector as set out in the First Schedule;
- xxvi. 'Specialist cadre' means a group of members of Sindh Police recruited and trained for a specific branch, unit or bureau performing technical or specialized functions requiring skills and competencies of an advanced degree relevant to the tasks assigned to the branch, unit or bureau;

xxvii. '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; xxxi 'Sub-division' means a jurisdiction comprising one or more police stations and headed by an Assistant or Deputy Superintendent of Police

a. 'Transfer of investigation' takes place when a head of district police, a Regional Police Officer or the Provincial Police Officer takes the investigation of a case away from one officer and hands it over to another officer or a team of officers within his jurisdiction by an express order in accordance with section 34(4) ;

xxviii Urban policing means the policing of the metropolitan areas of the province as prescribed by the government.

xxxiii '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 section 12 of this Act.

(3) Words and expressions used in this Act but not defined specifically shall have the same meaning as provided in the General Clauses Act 1897, the Code of Criminal Procedure 1898, and the Pakistan Penal Code 1860.

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 harmony in the community;
- (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.
- (d) Help the marginalized segment of the society like women, children and the minority on preferential basis

4. Duties of police:

(1) Subject to and in addition to those conferred by any other law in force, the police shall lawfully and impartially uphold the law and for this it shall be the duty of every police officer to;

- a. protect life, property, human rights, dignity and liberty of citizens;
- b. maintain law and order and security;
- c. ensure that the rights and privileges, under the law, of a person taken in custody, are protected and that the person so apprehended is not tortured during police custody;
- d. prevent the commission of offences and public nuisance;
- e. detect and bring offenders to justice;
- f. collect intelligence relating to matters affecting public peace, and all kind of crimes including social offences, sectarianism, extremism, terrorism and other matters relating to national security, and disseminate the same to all concerned agencies, besides acting, as appropriate on it themselves.
- g. 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 neighborhood of and at the places of public worship;
- h. regulate and control traffic on public roads and streets;
- i. take charge of all unclaimed property and to prepare its inventory;
- j. apprehend all persons whom he is legally authorized to apprehend and for whose apprehension, sufficient grounds exist;
- k. ensure that the information about the arrest of a person is promptly communicated to the legal heirs or the person the apprehended chooses to inform
- l. enter and inspect with a warrant on reliable information any public place, shop or gaming-house where weapons are illegally stored
- m. obey and promptly execute all lawful orders;

- n. perform other duties and exercise powers as are conferred by this Act, the Code or any other law for the time being in force;
- o. provide all possible help to people in situations arising out of natural or man-made disasters, and to provide active assistance to other agencies in relief and rehabilitation measures and aid and co-operate with other agencies for the prevention of destruction of public property by violence, fire, or natural calamities;
- p. take charge of the mentally disabled persons at large to prevent them from causing harm to themselves or other members of the public and their property; and
- q. prevent harassment , trafficking physical, mental and sexual abuse of women, disabled and children;
- r. aid individuals, who are in danger of physical harm to their person or property , and to provide necessary help and afford relief to people in distress situations and victims of road accidents and their dependants;
- s. create and maintain a feeling of security in the community, prevent conflicts, assist in dispute resolution and promote amity by obtaining cooperation of community and supporting alternative dispute resolution mechanisms;
- t. register all complaints made by the public through any means, and take prompt action upon the complaint; and
- u. maintain neutrality, accountability and transparency during the investigation process and observe code of ethical conduct and integrity as prescribed.

(2) 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 Provincial Government may, by notification in the official Gazette, declare any specified service to be an essential service to the community:

Provided that such notification shall remain in force for one month in the first instance, but may be extended, from time to time, by a similar notification.

(2) Upon a declaration being made under sub-section (1) and so long as it remains in force, it shall be the duty of every Police officer to obey any order given by any superior officer in relation to employment upon or in connection with the service specified in the declaration; and every such order shall be deemed to be a lawful order within the meaning and for the purposes of this Act.

CHAPTER III

6. Constitutions and organizations of Police

(1) There shall be one unified Police Force for the Province of Sindh named the “The Sindh Police” and it may be divided in to as many Subunits, Units, Branches or Wings on the basis of geographical convenience or functional efficiency or any special purpose as may be decided by the Government from time to time.

(2) The Government may, by general or special order, specify that any other phrases used to denote any Police rank either in the Sindh Police or any other Provincial or Federal Government shall be deemed to be equivalent to any one among the above ranks.

Nothing contained in sub-section (2), shall be deemed to prevent the power of the Government in creating a new rank or in giving a new designation to a rank specified there in.

7. Government to specify Police Structure

(1) Subject to the provisions of this Act, the Police Force shall consist of such numbers in each rank and have such structure, form, offices, jurisdictional patterns, chain of command and such administrative powers, duties and functions as may be fixed by the Government by general or special order.

In metropolitan area having more population and complex law and order problems, a Metropolitan Police system having more expertise, unitary nature, lawful power and responsibility should be established.

(2) Government shall by notification constitute a special police structure for metropolitan areas sufficient to deal with the problems in such areas.

(3) In a metropolitan area for the administration of the police a Police Officer not below the rank of a Deputy Inspector General of Police shall be appointed as Commissioner.

(4) The Commissioner and such other officers under the Commissioner shall have such powers and responsibilities as may be fixed by the Government: Provided that the Commissioner and other officers shall function under the control of the Inspector General.

(5) In areas having Metropolitan police system the Commissioner may exercise all or any of the powers vested under this Act or the Code of Criminal Procedure, 1898, or any other laws subject to the terms and conditions as may be fixed by the Government.

8. Police District

The Government may, by notification, declare from such date as may be specified in the notification, any area in the Province as a Police District for the purposes of this Act: Provided that in one Police District areas of more than one revenue District shall not be included.

9. District Police

- 1) The police and the police stations of a police District shall, subject to such orders as may be issued by the Government and subject to the supervision and lawful command of the Inspector General, function under the supervision and control of a District Police Chief of such rank as may be fixed by the Government and such police officers of such rank as may be fixed by the Government shall assist him in the matter.
- 2) The District Police Chief shall not be an officer lower in rank than a Superintendent of Police.

10. Inspector General of Police

- 1) The administration, supervision, direction and control of the Police throughout the Province of Sindh shall, subject to the control of the Government, be vested in an officer designated as the Inspector General of Police.
- 2) The Inspector General shall be appointed by the Government from among those officers of the Cadre of the Pakistan Police Service who has already been promoted to the rank of Deputy Inspector General's of Police, taking into account inter alia the following criteria
 - a) The ability to lead the Police Force of the Province of Sindh with neutrality and integrity;
 - b) The length of service, overall history of service, appraisal report of the past 15 years of service professional knowledge and experience;
 - c) Performance review report of the provincial Police Oversight Committee

Provided that indictment in any criminal or disciplinary proceedings on account of corruption, or moral turpitude or charged having being framed by a court of law in such cases shall make the officer ineligible for the appointment.

- 3) Any person who performs any functions of the police in Sindh in exercise of the powers under this Act shall be officers subordinate to the Inspector General of Police..
- 4) (4) Such number of officers of different ranks as may be decided by the Government from time to time shall assist the Inspector General.

- 5) No officer senior in rank to the Inspector General shall be appointed in the Sindh Police.

11. Police Service for Sindh

The Government shall maintain a police service for the province of the Sindh. The service shall constitute the Police Department with the Inspector General of Police / Provincial Police Officer being ex officio Secretary to the Government of the Sindh with full financial and administrative powers.

12. Constitution of Police

- 1) The Police Department shall consist of such numbers in the senior and junior ranks and have such organization as the Government may from time to time determine. While determining the numbers the Government shall maintain a minimum ratio of one constable to 250 citizens. The number of officers in other ranks shall be determined according to prescribed rules.
- 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 Sindh Police other than ministerial staff and specialist cadres shall be in the rank of Constable and Sub-Inspector. The recruitment in the rank of Constable shall be on the basis of the district of domicile and that of a sub-Inspector on the basis of the region in which his/her district of domicile is located.
- 4) Constables shall be recruited on recommendation of a selection board comprising a Deputy Inspector General of Police as its Chairperson and two officers not less than the rank of Superintendent of Police as members appointed by the IGP/Provincial Police Officer.
- 5) Up to 50% posts in the rank of Sub-Inspector shall be filled directly through the Sindh Public Service Commission. The remaining posts shall be filled through promotion as prescribed in the rules.
- 6) Members of Sindh Police working in the Telecommunications and Transport Wing, Computer Bureau, Finger Print Bureau and Legal Branch shall constitute a separate Specialist Cadre in each case. The Provincial Police Officer may constitute more Specialist Cadres with such number and ranks of members as required. Seniority of each rank in a cadre shall be maintained at the provincial level. A member of Sindh Police

recruited in a specialist cadre and trained for a specialist branch, bureau or section shall not be posted out of that branch, bureau or section.

13.Powers of a police officer

Every police officer shall have all the powers and privileges a police officer throughout Sindh and be liable to serve at any time in any branch, bureau and section etc.

14.Superintendence of police

The superintendence of police shall be exercised by the Provincial Government in accordance with the provisions of this Act.

15.Administration of police

- 1) Administration of police in the province of the Sindh shall vest in the Provincial Police Officer.
- 2) The Provincial Police Officer shall exercise such powers and perform such functions and duties and shall have such responsibilities as may be provided by or under this Act and any other law for the time being in force.

16.Provincial Police Officer

- 1) The Government shall post a police officer of the rank of Inspector General of Police as Provincial Police Officer of Sindh.
- 2) During temporary absence of the Provincial Police Officer, the Government may empower an Additional Inspector General of Police to 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.
- 3) The provincial Police Officer may, be a general or special order, empower any officer Subordinate ate to him to exercise and perform all or any of the powers, functions or duties to be exercised or performed under this Act or rules.

17. Posting of Additional Inspectors General of Police

The Provincial Police Officer may, with the approval of the Government, post such number of Additional Inspectors General of Police to assist him/her in the efficient performance of his/her duties as the Government may deem fit.

18. Posting of Deputy Inspector General, Senior Superintendent, Superintendent, Assistant Superintendent, and Deputy Superintendent

- 1) The Provincial Police Officer, with the approval of the Government, may post such number of Deputy Inspectors General of Police as the Government may deem fit.
- 2) Provincial Police Officer shall post Senior Superintendents, Superintendents, Assistant and Deputy Superintendents of Police.
- 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 Act, or any other law for the time being in force.

19. Posting of the head of district police

- 1) The Provincial Police Officer, with the approval of the Government, may post an officer not less than the rank of a Senior Superintendent of Police as the head of district police who shall be called the District Police Officer.

Provided that in a district where the size of police establishment is more than five thousand the head of district police shall be called the City Police Officer who shall be an officer not less than the rank of Deputy Inspector General of Police and posted as provided in section 14.

Provided further, that the head of police in the provincial metropolis of Karachi shall be called the Capital City Police Officer who shall be an officer not below the rank of an Additional Inspector- General of Police.

- 2) The term of office of the head of district police shall be at least three years from the date of his posting.
- 3) Under exceptional circumstances due to promotion or extreme exigency of service (for reasons to be recorded in writing) or on grounds of misconduct, practicing or abetting torture for extraction of evidence and inefficiency that warrant major penalty under the relevant rules, the head of district police may be transferred, or removed with the approval of the Government, before completion of the term of office.

20. Administration of police and its functions in a district

- 1) Subject to this Act, the administration of police throughout a district shall vest in the head of district police posted under section 20

- 2) The head of district police shall be responsible for maintenance of law and order, prevention and detection of crime and performance of other police functions in the district.
- 3) The head of district police, with approval of the Regional Police Officer, may delegate any of his/her powers and functions conferred on him/her to an officer subordinate to him/her.

21. Posting of heads of police training institutions

- 1) Provincial Police Officer shall post an officer not less than the rank of Additional Inspector General of Police as Commandant of the Police Training College. While making the appointment the Provincial police officer should consider inter alia the following criteria while making the appointment
 - a) range of experience in civil policing
 - b) medals and accolade for gallantry
 - c) distinguished and impeccable service record
- 2) The Provincial Police Officer shall post an officer not less than the rank of Senior Superintendent of Police as Principal of each Police Training School.
- 3) In training institutions where promotion courses are conducted regularly, the Principal shall be an officer not less than the rank of a Deputy Inspector General of Police.
- 4) Special measures be taken in terms of terms of pay, allowances and other facilities for the police officers and staff appointed in the Police Training Colleges, Schools, Centers for their encouragement and attraction
- 5) Special measures are also taken for the appointment of Women Police Officers and Instructors in the Police Training Institutions.
- 6) Special measures are taken to cater the needs of Women Police Instructors like residence, day care, pick and drop, and a conducive environment.

22. Constitution of regions and posting of Regional Police Officers

- 1) The Provincial Police Officer may with the approval of the Government constitute police regions comprising one or more districts.
- 2) A police region shall be headed by a Regional Police Officer not less than the rank of Deputy Inspector General of Police. In a region where the size of police establishment is more than ten thousand the Regional Police Officer shall not be less than the rank of Additional Inspector General of Police.

23. Police jurisdictions in a district

- 1) The Provincial Police Officer may, with the approval of the Government, determine the area of jurisdiction of police divisions, sub-divisions, police stations and police posts in a district.
- 2) A police division shall be headed by an officer not less than the rank of a Superintendent of Police, a police sub-division by an officer not less than the rank of an Assistant or Deputy Superintendent of Police, a police station by an officer not less than the rank of an Inspector and a police post by an officer not less than the rank of a Sub-Inspector.
- 3) The term of office of an officer in charge of a police division, sub-division or police station shall be a minimum of three years and he may be transferred or removed before completion of his/her term only due to exigency of service or misconduct warranting major penalty. While making a pre-mature transfer of an officer in charge of a police station the head of district police shall record reasons in his order and communicate it to the Regional and Provincial Police Officer.

24. Police to be organized on functional basis

- 1) The Provincial Police Officer may organize Police Department into any number of branches, bureaus and sections and define the responsibilities, functions and area of responsibility of each.
- 2) Every police officer may be posted to any branch, bureau and section, or anywhere in or outside the police.
- 3) Posting to any specialist branch, bureau or section shall be subject to necessary training and experience in accordance with the rules.

25. Promotions

- 1) The police officers appointed by the Sindh Government shall be promoted in the following manner.
 - a) The Provincial Police Officer shall promote an officer to the rank of Superintendent or Deputy Superintendent of Police, as the case may be, on the recommendation of provincial police oversight committee. The Provincial Police Officer shall nominate two officers to be promoted. The committee shall consider the nominee and make relevant suggestions for the promotion.
 - b) The concerned Regional Police Officer or Deputy Inspector General of Police shall promote an officer to the rank of Assistant Sub-Inspector or Sub-Inspector, as the case

may be, on recommendation of a District police oversight committee. The concerned Regional Police Officer or Deputy Inspector General of Police shall nominate two officers to be promoted. The committee shall consider the nominee and make relevant suggestions for the promotion.

c) The concerned head of district police or Senior Superintendent of Police shall promote an officer to the rank of Head Constable on the recommendation of a local Complaint and liaison Committee. The concerned head of district police or Senior Superintendent of Police nominate two officers to be promoted. The local committee shall consider the nominee and make relevant suggestions for the promotion.

d) In the case of promotion from junior ranks to senior ranks the concerned head of district police shall recommend for approval by the Provincial Police Chief the name of the promotes after clearance of the same by the District police oversight committee, the concerned head of district police.

2) Officers in specialist cadres shall be promoted to higher ranks in the manner prescribed by the Provincial Police Officer.

THE POLICE STATION

26. Establishment of police stations

(1) The Government may, by notification, and subject to the provisions of the Code of Criminal Procedure, 1898 establish police stations for every local area for the purposes of this Act.

(2) The area of jurisdiction of every Police Station and the premises in which it shall function shall be as specified in the notification issued under sub-section (1).

(3) A Police officer not below the rank of ASI shall be designated by the DSP as the Station House Officer who shall supervise the functions of each police station and that officer shall be the officer in charge of the Police Station.

Provided that the police officer so designated meets the following criteria.

- a) That the police officer shall have a previous record of maintaining law and order and reducing the crime rate of the area
- b) The officer is efficient in investigating crime and has a good reputation amongst the police cadre
- c) The shortlisted candidate shall have to pass a written exam to evaluate the professional competence of the officer in terms of their understanding of the provisions of the PPC and CrPC.

Provided further that the term of his appointment shall not be less than a year unless he is alleged to have failed to perform his duties, is unable to control the law and order, is guilty of misconduct, abets or tortures a person in his custody, committed an act of moral turpitude or is incapacitated due to physical or mental illness.

Provided further that the SHO shall have the financial resources as he may deem necessary to run the daily affairs of the police station under his command. The SHO shall have complete autonomy over the allocated resources.

(4) A woman Assistant Sub Inspector and at least one woman Head Constable shall be appointed and remain present at every Police Station for facilitating women, and children.

27 . Government to provide sufficient facilities at police stations

(1) The Government shall, subject to the resources available, ensure that every Police Station has adequate man power and infrastructure facilities to provide basic police services to all who need the same.

(2) The facilities under sub-section (1) shall include sufficient infrastructure for all police personnel attached to the police station to discharge their duties efficiently, reception area for public with adequate facilities, separate washroom facilities for men and women police and public, special desk for women and children complainants/ accused, day care facility, ramp and other facilities for different able people, sufficient storage space for the safe keeping of articles in custody, official records and official arms and ammunition, sufficient facilities for the safe custody of the accused and those in custody, proper communication facilities and sufficient mobility and sufficient equipment including security equipment, electronic devices, arms and forensic equipment to discharge adequately the lawful responsibilities entrusted to the officers of the Police Station. as per the individual requirement of every jurisdiction of a Police Station, allocation of the POL should be ensured as per the requirement. District Police Officer and concerned SHO can decide the limit in consultation.

(3) The Provincial Police Officer shall ensure the adequacy of facilities available in every police station in the province as recommended by the local complaint and over sight committee and take steps to establish facilities which conform to proper standards.

28 . Citizens have the right to efficient police service

- 1) All citizens shall have the right to efficient police services from any Police Station.
- 2) Subject to reasonable practicality, all persons shall have the right to receive lawful services from a police station and for peaceful entry and reception at any time at any Police Station.
- 3) Any member of the public shall, subject to reasonable restrictions, have the right to meet the officer in charge of any Police Station and to give information on matters related to law and order and criminal offence
- 4) Every police station shall have the facility for women to submit complaints with privacy in the presence of women police officer.
- 5) Any member of the public shall have the right to receive a receipt acknowledging the complaint given by him/her and to know the stage of the Police action or investigation in respect of the complaint.
- 6) The substance of any complaint made orally or in writing by any member of the public in a police station shall be entered in a chronologically and contemporaneously maintained permanent register kept at the police station.

- 7) Any citizen shall have the right to know whether any particular person is in custody at the police station.
- 8) Public right to register First Information Report (FIR) of his/ her case shall not be denied.

29. Expenses for persons in custody

The Provincial Government shall provide with each police station a sum proportionate to the number of persons in custody every month and the period of their custody at the existing Government rate of half the minimum daily wages for skilled labor for giving food, water and other primary needs of every person in custody. Provided that the rate shall be revised after every three financial year.

30. Police stations to be always functional

Every police station shall always be functional for the performance of Police duty and alert for those who need police services.

31. Special Police Station

- 1) Government may establish Special Police Stations in any area for any particular period or for any particular purpose or for enforcement of any particular law or laws in addition to the police stations notified for any area under sub section 5.
- 2) The buildings in which such special police stations are located, their area, jurisdiction, purpose, period etc shall be notified in the manner specified
- 3) Nothing contained in sub- sections (1) and (2) shall be deemed to prevent the Government from establishing a special police station in a mobile vehicle or in any temporary office.
- 4) Any action taken by a regular police station shall not be invalidated on the ground that it was a matter which could have been entrusted with a special police station.
- 5) Each special police station shall be so named as to denote its special purpose and special nature.
- 6) The Provincial Police Officer may, by special order, exempt the Station House Officer of a special police station from any responsibility associated with a regular police station and may also entrust him with additional or special responsibilities or that are not assigned to the Station House Officer of a regular police station

32. Police Station Diary

Every police station shall keep a General Diary in such form as may be fixed by the Government from time to time and record therein the substance of all complaints made, First

Information Reports, charges, the names and details of complainants, opposite parties and all arrested persons, the details in respect of the offences charged against them and the properties including weapons that may have been seized from their possession or otherwise.

33. Separation of Investigation from other Functions

- 1) All registered cases shall be investigated by the investigation staff in a police station under the supervision of the Officer in Charge of the police station. The investigation staff shall not be employed for duties other than investigation except with prior approval of the head of district police.
- 2) The head of district police and the officers in charge of a police station, sub-division and division shall supervise all cases under investigation in their jurisdiction. During investigation any of them may summon the investigation officer, review the case file, evaluate the evidence and issue instructions to the investigation officer in the form of a case diary. Upon completion of an investigation each of them may verify its correctness by taking into account all evidence collected by the investigation officer and recording a case diary on the case file containing his opinion.
- 3) Supervision and verification of an investigation by the supervisory officers mentioned in sub-section (2) above shall not be deemed a transfer of investigation.
- 4) For reasons to be recorded in writing, the head of district police may order a first transfer of an investigation from an officer to any other officer or a team of officers of a rank higher than the rank of the previous investigation officer within his jurisdiction.
- 5) For reasons to be recorded in writing, the Regional Police Officer may order a second transfer of an investigation, after it has been transferred once by the head of district police, to another officer or a team of officers of a rank higher than the rank of the previous investigation officer within his jurisdiction or to the Regional Investigation Branch.

34. Criminal Investigation Agency

- 1) In each district, a criminal Investigation Agency (CIA) shall investigate ab-initio all cases of terrorism, Kidnapping for ransom, Vehicle theft or snatching, Cyber-crime and crimes against minorities. The provincial police officer may revise this list from time to time.
- (2) The CIA in a district shall be headed by an officer not less than rank of a Superintendent of Police and comprise such ranks, numbers, and organization as the Provincial Police Officer may determine from time to time. So far as possible, the CIA shall comprise of several specialized Wings

each being responsible for investigation of cases of one or more types of offences mentioned in subsection (1) above.

(3) The supervisory officers in CIA may verify an investigation being carried out by a subordinate officer in the manner provided in this Act.

(4) In a district where the size of police establishment is more than five thousand the head of CIA shall be an officer not less than the rank of a Senior Superintendent of Police. In the provincial metropolis of Karachi the head of CIA shall be an officer not less than the rank of a Deputy Inspector General of Police.

(5) The head of CIA shall be directly responsible to the head of district police.

(6) During investigation if a case is found to be of a nature that is beyond the purview of CIA, the head of CIA shall, with the approval of the head of district police, remand the case to the concerned police station where it shall be investigated further. Such remanding of a case shall not be deemed a transfer of investigation. Similarly, if an officer in charge of a police station believes that a case under investigation at the police station falls in purview of CIA he shall hand over the investigation to CIA with the approval of the head of district police and this handing over shall not be deemed a transfer of investigation.

(7) Cases investigated by CIA shall only be transferred to another officer of a higher rank in CIA, the Regional Investigation Branch, or the Provincial Investigation Branch in accordance with section 34(4)

35. Appointment of junior ranks and followers

- 1) Subject to rules, head of district police shall be the appointing Authority for junior ranks and followers in a district.
- 2) Apart from district police, a Senior Superintendent of Police or an officer of equivalent rank or pay scale working in a position in Sindh Police shall be the appointing authority for junior ranks, followers and positions of BS 16 and below in specialist cadres.
- 3) In case of provincial metropolis of Karachi, an officer in the rank of Senior Superintendent of Police shall be deemed the appointing authority for junior ranks and followers.

36. Oath or affirmation by members of police

Every member of the Police shall on the appointment make and subscribe before Provincial Police Officer or head of a training institution, an oath or affirmation according to the form set out in the second schedule.

37. 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 may by general or special order direct.
- 2) A certificate of appointment shall become null and void whenever the police officer named therein ceases to belong to the police.

38. 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 are not sufficient to assist the police under his command.
- 2) Every special police officer so appointed shall, after going prescribed training 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.

Provided that the procedure and criteria of appointment of regular police officer shall apply mutatis matandis for the appointment of the special police force.

39. Appointment of additional police

- 1) The head of district police, subject to the approval of the Provincial Police Officer, may appoint additional police officers of such rank and for such time as he may deem fit for the purposes in their employment orders.
- 2) Every additional police officer so appointed, after going the prescribed training , shall on appointment
 - a) receive a certificate in a form approved by Provincial Police Officer;
 - b) be vested with all or any of the powers, privileges and duties of a police officer;
 - c) be subject to orders of the head of district police.

(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 Act or rules made there under.

40. Ministerial staff etc

- 1) Subject to rules, Provincial Police Officer or Regional Police Officer 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 or Regional 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.
- 4) Subject to rules, Provincial Police Officer may delegate his powers and authority under this section to an officer of appropriate rank.

41. Appointment of experts

- 1) The Provincial Police Officer may, with the approval of the Government, appoint one or more experts to assist the Sindh Police.
- 2) The qualifications, eligibility, terms and conditions of service of experts shall be as prescribed.

CHAPTER VI

REGULATION, CONTROL AND DISCIPLINE

42. Rule-making by Provincial Police Officer

- 1) The Provincial Police Officer may, with prior approval of the Government, by notification in the official gazette, make rules for carrying into effect the provisions of this Act.
- 2) While exercising powers to regulate and control contained in section 44 below, the Provincial Police Officer may issue standing orders not inconsistent with the Act or rules made hereunder for the efficient functioning of the police.

44. Powers of Provincial Police Officer to regulate and control

Subject to this Act and rules made there-under, Provincial Police Officer shall direct and regulate all matters related to:

- a) maintenance of law and order;
- b) prevention and investigation of crime;
 - a. organisation and deployment of members of Sindh Police and distribution of their work;
 - b. recruitment, training, postings, transfers, performance evaluation, career planning, promotions and other aspects of management of human resource of Sindh Police;
 - c. arms, clothing, drill and any other matter concerning discipline;
 - d. structures, buildings and other premises used by the Sindh Police;
 - e. Procurement logistics regulation and inspection of organizations.
 - f. Internal accountability and vigilance;
 - g. Manner and form of records and returns;
 - h. Working of police stations, offices and units
 - i. Administration of welfare projects and funds;
 - j. And any other matter concerning the efficient fulfillment of duties by the police under his control.

45. Conduct and Discipline

Notwithstanding anything contained in any law, rules or regulations in force concerning conduct and discipline of Government servants, the members of Sindh Police shall be subject

only to Sindh Police Efficiency and Discipline Rules, 2013 contained in the Fourth Schedule of this Act.

46. Code of Conduct

- (1) Provincial Police Officer shall issue Code of Conduct to regulate police practices, particularly
- (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 penalties provided under law and rules.

47. Police officer considered to always be on duty

Every police officer shall consider being always on duty, except when he is on official leave, and being liable to the same responsibilities, privileges and protections.

48. Withdrawal from duty

No Police Officer shall withdraw from the duties of his office unless expressly allowed to do so in writing by the controlling officer.

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 section to withdraw himself from the duties of his office

49. Police Officer not to engage in any other employment

No Police officer shall engage in any private employment while he is a member of Sindh Police

CHAPTER V

POWERS TO ISSUE ORDERS

50. Power to issue orders

(1) The head of district police shall issue orders under section 144 of the Code of Criminal Procedure as and when required. Each order shall be presented to the District Police oversight Committee for its consent. If no consent has been granted within forty-eight hours under signature of the Chairman of the Committee the concerned order shall cease to have effect.

(2) 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.

51. Penalty for contravening orders under section 53(3):

Whoever contravenes or abets the contravention of any order made under section 53(3) or any of the conditions of a license or NOC issued under such municipal law, rules or bye-laws shall, on conviction, be fined up to fifty thousand rupees.

52. Power to give direction to the public

(1) 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 behavior 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 neighborhood 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.

(1) Whoever Contravenes, disobeys, opposes or fails to conform to any order given by a police officer under this section shall, on conviction, be punished with imprisonment for a term which may extend to six months or with fine which may extend to fifty thousand rupees or with both.

53. Regulation of public assemblies and processions and licensing of same

1) The head of district police, a Superintendent of Police, or an Assistant or Deputy Superintendent of Police may as the occasion requires, 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 judgment, 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 license or NOC.

3) On such application being made, he may issue a license or NOC specifying the names of the licensees and defining the conditions on which alone such assembly or such procession is to permit to take place and otherwise giving effect to this section.

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

54. Licenses and written permissions to specify conditions, etc

Any license, NOC or written permission granted under the provisions of this Act 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.

55. Revocation of license, NOC or permission

Any license, NOC or written permission granted under this Act 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 license, NOC or permission relates.

56. When license, NOC or permission is revoked, the grantee would be deemed to be without license

When any such License 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 Act, deemed to be without a license 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.

57. Licensee to produce license, NOC and written permission when required

Every person to whom any such license, NOC 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.

58. Powers with regard to assemblies and processions violating the conditions of license

- 1) The head of district police, a Superintendent of Police, Assistant or Deputy Superintendent of Police, Inspector of police or an officer in-charge of a police station may stop any procession which violates the conditions of a license granted under the last forgoing section, 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.

59. Powers to regulate events at public places

The organizer of a circus, fair, exhibition or any event, excluding events for and open to families only, in a hall, park, play land, club or another public place shall seek permission from the head of district police for holding the event.

60. Power to prohibit certain acts for prevention of disorder

- 1) The head of district police may, whenever and for such time as he may consider necessary 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 clause (1), such article shall be liable to be seized from him by a police officer.

61. 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 maintaining the public safety, at such place of amusement or such assembly or meeting as he thinks necessary and all persons shall be bound to obey 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.

62. Penalties for contravention of order, etc. under sections 59 to 61

- 1) Whoever contravenes, disobeys, opposes or fails to conform to any order given by a police officer under sections 59 to 61 shall, on conviction, be punished with imprisonment for a term which may extend to six months or with fine which may extend to fifty thousand rupees or with both.
- 2) Whoever contravenes a notification or an order made under clause (3) of section 53 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 thousand rupees.

63. 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.

64. Penalty for contravention of orders made under section 58

Whoever contravenes, or abets the contravention of any order made under section 58 shall, on conviction, be punished with imprisonment which may extend to three months, or with fine which may extend to one hundred thousand rupees or with both.

65. 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 VI

SPECIAL MEASURES FOR MAINTENANCE OF PUBLIC ORDER AND SECURITY

66. Employment of additional police to keep peace

- 1) The head of district police, 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 Act, 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 month'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.

67. 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 behavior or a reasonable apprehension of the behavior 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 organizers 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.

68. 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 anything 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 in addition to the penalty awarded under any other law.

69. Recovery of amount payable under section 62 and 64

Any amount payable under sections 62 and 64 shall be recovered in the same manner as if it were arrears of land revenue.

70. Recovered amount to go to treasury

Amounts payable under section 62 and 64 shall be credited to the treasury.

71. Banning of use of dress resembling uniform of police or armed forces

- 1) If Provincial 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 Provincial 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.

72. Control of camps, parades, etc.

If the 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.

73. Penalty for contravention of orders under sections 71 and 72

Whoever contravenes any order made under section 71 and 72 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.

74. Authority of head of district police over the village police

The head of district police shall for the purpose of carrying this Act into effect, exercise authority and control over village watchmen or village police officers if appointed.

CHAPTER VII

OFFENCES AND PUNISHMENTS

75. 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.

76. 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.

77. Willful or negligent conduct in respect of dogs

No person shall in any street or public place -

- a) let loose any dog willfully 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.

78. Penalty for offences under sections 75 to 77

Any person who contravenes any of the provisions of sections 63 to 65 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.

79 . Suffering disorderly conduct

Whoever being the keeper of any place of public amusement or public entertainment, knowingly permits or suffers disorderly behavior 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.

80. 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.

81. Warning to first offender

It shall be lawful for head of district police or any other officer authorized by him not less than 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 sections 63 to 65. Provided that for any subsequent offence mentioned in this section the offender on conviction will be awarded at least half of the prescribed punishment.

82. 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.

83 . False alarm of crime, fire or another emergency

Whoever knowingly gives or causes to be given a false alarm of a crime, fire or another emergency to a police officer or an officer in an emergency service shall, on conviction, be punished with imprisonment for a term which may extend to six months or with fine which may extend to fifty thousand rupees, or with both.

84. Penalty for unauthorized use of police uniform

If any person not being a member of the police wears without authorization and with fraudulent or mala fide intent, 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. Any person who files a complaint against a police officer, which on enquiry made on instance of the Provincial or District Police Committee is held frivolous or vexatious,

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.

85. Certain Offences to be cognizable

Notwithstanding anything contained in the code , offences falling under sections 52,59,60,61,71,72,80,82,83,84 and 84 (a) shall be cognizable.

Policing In Rural Area

86. Establishment of police station

- a) The Government may, by notification, and subject to the provisions of the Code of Criminal Procedure, 1898 establish police stations for every local area for the purposes of this Act.

Liaison

- b) The government shall be responsible to provide adequate facilities at every police station to assist the staff in performing their policing duties. Every police station should be equipped with basic utilities, proper seating arrangement and a separate reporting desk for women and children complainants and a separate interviewing room for women and children complainants and accused.

87. Jurisdiction

1. The jurisdictional area of a Police Station shall be divided into a cluster of villages, with total population not greater than 5000, to be kept under the direct charge of Station house officer for maintaining regular and close contact with the villages under his charge.
2. each police station shall have at least one women constable to assist women and children

88. Duties and responsibilities

The duties and responsibilities of the Station house officer inter alia be

- a) to liaise with community elders, members of the Community Liaison Group, if any, the Village Defence Party, and the residents of each village under his charge, and to review, during every visit, the crime prevention measures in the village;
- a) to collect information relating to crimes and criminals and activities of criminal elements in the village
- b) to maintain watch over past criminals, if any, and others with criminal record or bad characters;
- c) to acquaint himself with local disputes and resolve issues having potential for violence like honor killing, sectarian violence and allegation of blasphemy. The annual appraisal of an S.H.O should be linked with his/her performance on these areas too.
- d) to carry out any other policing task in respect of the village assigned by the provincial Government, the Inspector General of Police or the District Superintendent of Police.
- e) The Station House Officer shall visit every village under his jurisdiction, as per the minimum frequency prescribed by the Superintendent of Police through a general or special order, and shall interact with as many local residents as possible so as to assess the level of public satisfaction with the police.

- f) maintaining the prescribed records and registers;
- g) Liaising with the village Jirga on matters relating to crime and law & order in the village.
- h) The station house officer shall organize a group of local respectable persons for each village for the purpose of carrying out preventive patrolling, promoting crime reduction measures and generally assisting the police in their functioning.

Provided that, the criteria of the selection of the members of the patrolling party be that they are able-bodied persons of good repute in the community and , who are permanent residents of that village, who have not been convicted by a court of law or have not had charges framed against them by a court of law in a criminal case, or dismissed, removed, discharged or compulsorily retired from any employment on grounds of moral turpitude, corruption or misconduct, or are connected with any political party or any allied organization thereof.

89. Community Complaint and Liaison Office

- 1) There shall be a compliant office located inside each police station to receive and address police complaint from the public.
- 2) The District Superintendent of Police shall constitute a Community complaint and Liaison office for the purposes of clause 1 for each Police Station, comprising respectable local residents of the area having good repute including retired public servant, teachers, professor, doctors, CSOs, NGOs etc. to generally advise the police in its proper functioning. The said office shall have at least one women member and adequate minority representation shall be ensured.

Provided that no person convicted by a court of law or against whom charges have been framed by a court of law in a criminal case, or dismissed, removed, discharged or compulsorily retired from any employment on grounds of corruption, moral turpitude or misconduct shall be eligible to be inducted into the Community complaint and Liaison office.

- 3) The Community complaint and Liaison Office will identify the existing and emerging policing needs of the area, which will be taken into consideration by the Station House Officer while preparing the annual policing strategy and action plan for his jurisdiction, for submission to the District superintendent of Police. The Community Liaison Group shall perform such other functions as prescribed. It will meet as frequently as necessary, and at least once in each quarter of a year. The meetings shall be open to public.

A Community Outreach Officer of the rank of Sub-Inspector or Assistant Sub Inspector shall be appointed at each police station to improve the image of police. He/she would be responsible for carrying out different initiatives to improve the police's perception in the community.

- 4) the said committee shall also review the performance of the officers posted at the police station and shall formulate recommendations for promotions based on the integrity, efficiency and good will amongst the community of the area. the review report shall be submitted to the SHO.

CHAPTER IX

POLICE ACCOUNTABILITY AND OVERSIGHT

PART I

LOCAL POLICE COMPLAINT AND LIAISON OFFICE

90. Establishment

There shall be a local Police complaint and liaison office located inside every police station of the district

91 Compositions

The committee shall have five members, who are also the resident of the locality falling under the jurisdiction of the police station, including

- a) three member of a locality having good repute and standing in the locality from academia, NGO, retired public servant or legal experts
- b) one women member
- c) One zila nazim or MPA

92. Power and functions

- 1) The district police officer shall appoint the chairperson of the committee who shall nominate four other member of the said committee.
- 2) The committee shall receive the complaint in writing of police excess, harassment, inefficiency, torture and misconduct by the police officer serving at the police station.

Provided that complainant can be any of the following

- a) a member of the public who claims to be the person in relation to whom the conduct took place;
- b) a member of the public who claims to have been adversely affected by the conduct complained of;
- c) a member of the public who claims to have witnessed the conduct complained of;
- d) a member of the public acting on the behalf of someone falling into one of

the above categories.

- 3) The committee shall perform inter alia the following main function:
 - (a) to aid and guide the local police station in discharge of its function and responsibilities under the act;
 - (b) to identify the short coming in terms of infrastructure, code of conduct and redressal of public grievance by the police;
 - (c) to prepare an annual report of the performance of the police staff posted at the concerned police station and make recommendations for promotion;
 - (d) Promote citizen police liaison;
 - (e) Any other function that the chair so deems necessary to create liaison between the police and the citizen.

- 4) Upon receipt of the complaint the committee shall initiate investigation and submit report thereof to the Station House officer to take further action under the Sindh police efficiency and discipline rules 2013.the committee shall inform the complainant of the outcome of the report within 10 days from the filing of the complaint.

93. Term of office

- 1) The term of office of the member of the said committee shall be three years unless he resigns at any time before the expiry of his term or is declared incapacitated due to the reason enumerated in sub clause (2) below.
- 2) any member of the Local police complaint and liaison office shall be cease to hold 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 or moral turpitude ;
 - 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) brings the District Police Committee into disrepute;
 - h) fails to attend its three consecutive meetings without any reasonable cause.

94. Meeting

- 1) The chair shall convene a meeting that shall be open to public once a month.

- 2) The committee in its meeting may

- a) Frame policy recommendation for improving in the daily functioning of the concerned police station and may direct and assist the staff in improving the policing service
- b) Prepare appraisal report of the police staff of the police station in terms of their efficiency, public dealing, investigation and performance of duty with due diligence.
- c) Refer complaint and submit report to the district police oversight committee if the complaint is not resolved by the SHO of the concerned police station.

Part II

DISTRICT POLICE OVERSIGHT COMMITTEE

95. Establishment

- (1) There shall be a District Police Oversight Committee (DPOC) in each district.

96. Composition

- 1) The District Police Committee shall have eleven (11) members including
 - a. Three MPAs from the concerned district to be nominated by the Chief Minister at least one of whom shall be from the opposition;
 - b. Chairperson of the District Committee;
 - c. Head of the municipal body of the districts largest urban centre;
 - d. President of the District Bar Association; and
 - e. four Members from Academia, legal experts, CSOs/NGOs two members whereof shall be women
 - f. Head of District Police as the Committee's secretary.
- 2) If an opposition MPA has not been elected in the district, then all three may be from the treasury benches.
- 3) Each member shall have right to cast a vote in the matters of the Committee except the head of district police.

97 . Chairperson

- 1) The Chief Minister shall appoint the Chairperson from among the voting members of the Committee. In case the office of the Chairperson becomes vacant, another Chairperson shall be appointed within thirty days.

- 2) The Chairperson shall continue to hold office for two years from the date of his appointment.
- 3) The Chairperson may be removed from office by a majority vote of the total voting members of the Committee 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) brings the District Police Committee into disrepute;
 - h) fails to attend its three consecutive meetings without any reasonable cause.

98. Meeting in the absence of the Chairperson

In the absence of the Chairperson the Committee shall elect one of its members to preside over a meeting.

99. Powers and Functions of the District Police Oversight Committee

- 1) The Committee shall perform the following oversight functions:
 - a) to aid and guide the district police in discharge of its functions and responsibilities under this Act
 - b) to redress grievances against police
 - c) to identify shortcomings regarding infrastructure and equipment in police; and
 - d) to promote citizen-police cooperation
 - e) any other item with the permission of the chair.
- 2) With respect to sub-section (1)(b) above the Committee shall perform the following functions:
 - a) receive from an aggrieved person a complaint, in writing of neglect, excess or misconduct by a Police Officer;
 - b) refer it to the concerned District or Regional Police Officer to take action under the Sindh Police Efficiency and Discipline Rules, 2013 and furnish a report of findings of the enquiry and any action taken;
 - c) inform the complainant of the outcome of the matter in writing as soon as possible;
 - d) in case of any frivolous, false or vexatious complaint, initiate legal action against the complainant under section 73 of this Act;

- e) report the matter to the Provincial Police Officer where the appropriate authority does not submit a report.
- f) receive the report from the local complaint and liaison office and take appropriate action upon the complaint

101. Removal of Members

On grounds contained in section 97 (3) above the Chief Minister may terminate the Committee's membership of any of his nominees.

102. Meetings and conduct of business of the District Police Committee

- 1) The business of the District Police Committee shall be conducted by the Committee in a meeting.
- 2) The meeting may be convened either by the Chairperson on his own or by the Secretary on the requisition of one-third of total members.
- 3) Quorum for a meeting of the District Police Committee shall be a half of its total membership.
- 4) Members shall attend meetings of the Committee as and when required for which at least a weeks' notice, with agenda, shall be given. The Committee shall meet at least once a month. An emergency meeting may be held at a short notice of not less than twenty-four hours.
- 5) Decisions of the Committee shall be by a simple majority vote of voting members present unless provided otherwise.
- 6) The Committee may frame rules of procedure for conduct of its business.

103. Secretarial services

- 1) The head of district police shall provide secretarial support to the Committee from the resources at his disposal.

Part III

PROVINCIAL POLICE OVERSIGHT COMMITTEE

104. Establishment

- 1) There shall be a Provincial Police Oversight Committee (PPOC) in the province.

105. Composition

1. The Provincial Police Oversight Committee shall have eleven members, including:
 - a. Chief Minister as Chairperson;
 - b. Law Minister
 - c. Two members of the Provincial Assembly nominated by the Chief Minister at least one of whom shall be from the opposition;
 - d. Three independent persons of proven reputation for integrity and competence from the fields of academia, law, public administration, media, human rights or other relevant fields to be appointed by the Chief Minister;
 - e. Chief Secretary of the Sindh;
 - f. Secretary to the Government of the Sindh, Prosecution Department;
 - g. Secretary to the Government of the Sindh, Home Department; and
 - h. Provincial Police Officer as the Committees secretary.
2. Any vacancy in the Committee shall be filled up as soon as practicable, but not later than one month of occurrence of the vacancy.
3. Each member shall have a right to cast a vote in the matters of the Committee except those mentioned at (e) to (h) in sub-section (1) above.

106. Women Representation

There shall be at least three women among the members nominated by the Chief Minister.

107. Meeting in the absence of the Chairperson

In the absence of the Chairperson the Law Minister shall preside over a meeting. 88. Powers and Functions of the Provincial Police Committee.

- 1) The committee may
 - a) frame policy guidelines for promoting efficient, effective, responsive and accountable policing, in accordance with the law;
 - b) identify performance indicators to evaluate the functioning of the Sindh Police. Such indicators shall, inter alia, include: operational efficiency, public satisfaction, victim satisfaction vis-a-vis police investigation and response, accountability, optimum utilization of resources, and observance of human rights standards;
 - c) direct Provincial Police Officer to evaluate performance of the Sindh Police using performance indicators identified by the Committee and submit to the Committee by the end of August this evaluation in an annual report for each completed financial year;
 - d) review performance of the police in the Sindh as a whole as well as district-wise in the light of the annual report from the Provincial Police Officer keeping in view the resources available with and constraints of the police;

- e) refer a complaint to a District Police Committee for action under section 35.
- 2) The report mentioned in sub-section (1)(c) above shall be deemed to be the annual administration report of the Police Department as required by rules or any other law.

108. Terms of members of the Provincial Police Oversight Committee

- 1) A Member of the Provincial Assembly shall continue to be a member of the Committee till the expiry of his elected term unless he ceases to be a Member of the Provincial Assembly.
- 2) The term of an independent member shall be three years unless he resigns or is removed under section 109 below.

109. Removal of Member

- 1) On grounds contained in section 97(3) above the Chief Minister may terminate the Committees membership of any of the MPAs.
- 2) An independent member may be removed by a majority vote of the total voting membership of the Committee on grounds contained in section 97(3) above.

110. Meetings and conduct of business of the Provincial Police Oversight Committee

- 1) The business of the Provincial Police Oversight Committee shall be conducted by the Committee in a meeting.
- 2) The meeting may be convened either by the Chairperson on his own or by the Secretary on the requisition of one-third of total members.
- 3) Quorum for a meeting of the Provincial Police Oversight Committee shall be a half of its total membership.
- 4) Members shall attend meetings of the committee as and when required at least a weeks' notice, with agenda, shall be given. The committee shall meet at least once a month. An emergency meeting may be held at a short notice of not less than twenty-four hours.
- 5) The committee may frame rules of procedure for conduct of its business.

111. Secretarial services

- (1) The Provincial Police Officer shall provide secretarial support to the Committee

CHAPTER X

CRIMINAL JUSTICE COMMITTEE

112. Establishment

There shall be a Criminal Justice Committee in a district.

113. Composition

The Criminal Justice Committee shall consist of –

- (a) District and Sessions Judge (Chairperson)
- (b) Head of District Police
- (c) Head of District CIA (Secretary)
- (d) District Public Prosecutor
- (e) District Superintendent Jail
- (f) District Probation Officer
- (g) District Parole Officer

114. Functions of the Criminal Justice Committee

- 1) The Criminal Justice 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-coordinated 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 District Criminal Justice Committee.
- 2) The meeting of the Criminal justice Committee shall be held at least once a month. The secretary of the committee shall record the minutes of the meeting.

Chapter XI

Metropolitan and other notified urban area policing

115. Establishment of metropolitan police

- 1 The Sindh Government shall establish a police system for each of the metropolitan and other major urban areas with a population of 10 lakhs or more, and such other areas as notified by the government through a notification to meet the growing need of the urban population.
- 2 The police system should be capable of handling the typically complex problems of urban areas like street crime, public order and internal security, which call for quick and comprehensive response, unitary chain of command, professional competence, functional specialization, and legal authority coupled with accountability, in accordance with the provisions of this Act.

116. Head of city Police

- 1) the Sindh government in consultation with the city Nazim may appoint, the Head of city Police in whom the administration of metropolitan police is vested should be an officer of the rank of Deputy Inspector General of Police or above, depending on the population, crime rate and the magnitude and complexity of policing tasks in such area.
- 2) he Government may in consultation with the city Nazim, appoint one or more Additional, Joint, Deputy and Assistant to head of city police to assist the head of city Police in the discharge of his duties.
- 3) The head of city police and other officers under him shall exercise such powers, perform such functions and duties and shall have such responsibilities and authority, as will ensure maintenance of law and order in the metropolis for this purpose the head of city police may
 - a. make rules and regulations,
 - I. for regulating the use of public roads, streets and public places not inconsistent with this Act;
 - II. licensing, or regulating, or if necessary in public interest, prohibiting for reasons to be recorded in writing, the keeping of a place of public amusement or public entertainment, or running cinemas and other forms of public amusement or public

entertainment, for ensuring the safety and well-being of persons likely to be affected;

- b. issue an order to the public or to a particular individual or organization, prohibiting
 - i. carrying in any public place, or road, street or thoroughfare, fire arms, swords, spears, bludgeons, knives, other offensive weapons, or any explosive material;
 - ii. making a provocative speech, gesture, or any kind of public display which is indecent, offensive or explosive, or which is likely to create religious tension or hatred between different communities, groups or individuals, or which instigates disobedience of lawful authority,
 - iii. gathering of a procession without prior NOC or license
- c. The head of city Police shall prepare, and regularly update, comprehensive schemes for riot control and disaster management, inter alia, in accordance with the directions, if any, of the Government and the Director General Police

Provided that any of these powers, functions, or duties, exercised or performed by the Commissioner, shall be subject to the overall control and direction of the Inspector General of Police.

117. Emergency Response System

The Government may establish for each area a well-equipped Control Room with adequate communication facilities, dedicated network of patrol vehicles and other necessary facilities. The Control Room should be in a state of preparedness to meet any emergency situation with utmost speed and highest efficiency.

118. Community participation in policing

1. The head of city Police shall ensure involvement of the community in policing by constituting a Citizens' Policing Committee, every two years, for each locality or a group of localities or colonies, including slums. These Citizens' Policing Committees, aimed at promoting people's participation in safeguarding their own life and property, should consist of an appropriate number of local residents of the area with unquestionable character, integrity and antecedents, and having commitment to public safety and security. The Citizens' Policing Committees shall have a fair representation from all strata and professions of the society in the area, as also due gender representation.
2. The police will provide to the public, through the Citizens' Policing Committees, at regular intervals, a feedback on the action taken on the identified policing needs, and will

also endeavor to create public awareness on policing issues by promoting two-way communication through these Committees.

3. The meetings of these Committees will be convened, as frequently as deemed necessary, but at least once in every three months. The concerned Assistant head of city Police, besides the officer in charge of the Police Station, shall attend the meetings of the Committee.

CHAPTER XII

MISCELLANEOUS

119. Citizen Police Liaison Committees

- 1) Citizens in a locality, village, town, or district may establish a Citizen Police Liaison Committee as a voluntary, self-financing and autonomous body to
 - (a) create and maintain effective contact with the police;
 - (b) help police improve delivery of its services;
 - (c) increase awareness in the community with respect to crime and anti-social activity
 - (d) facilitate flow of information between the community and the police;
 - (e) check domestic violence and help improve access of vulnerable members of community to police services;
 - (f) assist in traffic education
- 2) The members shall be concerned citizens and persons of proven reputation for integrity and competence from the fields of academia, law, media, human rights or other fields.
- 3) The head of district police and other police officers concerned shall extend assistance to the members of the citizen police liaison committees.

120. Women representation

Women representation in Sindh police shall not be less than 10% of the total police force employed in the province. Proper facilities and child care shall be ensured at every police station to facilitate and support women police in performing their functions with ease. Police shall be an equal opportunity employer and shall ensure gender neutrality while make promotions and appointments amongst its ranks and cadre.

121. Police Image Building

The police department shall ensure that such measures are taken that improves its image as a people friendly department in the eyes of the public. In this regard the DSP shall appoint a Community Outreach Officer of the Rank not lower than ASI who shall organize community outreach and liaison event or any other confidence building measures to reach out to general public.

122. Appointment of an Ombudsman

The provincial government, after consultation with the Inspector general of police, shall appoint an ombudsman at the provincial level to ensure the transparency and accountability of the police action during the performance of their duty.

123. Provision of advice and assistance to International Organizations etc

The Sindh Police, with the permission of the Government, may provide advice and assistance to an international organization or to any other person or body engaged in investigation of criminal cases.

124. Provision of assistance to Federal and Provincial Governments

The Sindh Police, with the permission of the Government, shall provide assistance to the Federal and other Provincial Governments.

125. Police support to Government functionaries, etc

Any functionary of the Federal Government, the Provincial Government, any statutory body or anybody or corporation owned, set up or controlled by any such Government or in which such governments has a controlling share or interest, municipal body 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 head of district police who shall provide the requisite support.

126. Assistance to other Law Enforcement Agencies

- 1) The Sindh Police may transmit statistics and reports to other law enforcement agencies in the country with respect to offenders, criminal proceedings and the Provincial of law and order in the province.

127. 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 within the ambit of law in pursuance or intended pursuance of any duty imposed or any authority conferred on him by any provision of this Act or any other law for the time being in force or any rule, order or direction made or given therein.

128. Suits or prosecutions in respect of acts done under color 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 color of duty or in exercise of any such duty or authority of this Act or when it shall appear to the Court that the offence or wrong if committed or done was of the character aforesaid, the prosecution or suit shall not be entertained, or shall be dismissed, if instituted after more than a year from the date of the action complained of.

129. 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 section 121 by a police officer, the person intending to sue shall give two months' notice as prescribed in section 80 of Civil Procedure Code 1908, of the intended suit with sufficient description of the wrong complained of.
- 2) The provisions of section 80 of the Civil Procedure Code, 1908, shall mutatis mutandis apply to the notice referred to in clause (1).

130. Public notices how to be given

Any public notice required to be given under any of the provisions of this Act 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.

131. Consent of competent authority how to be proved

Whenever under this Act, 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.

132 Signature on notices may be stamped

Every license, NOC, written permission, notice or other document, not being a summons or warrant or search warrant, required by this Act 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.

133. 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 Act 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.

134. Powers to prosecute under any other law not affected

Nothing contained in this Act shall be construed to prevent any person from being prosecuted under any other law for the time being in force for any offence made punishable under this Act.

135. Repeal and savings

(1) The Police Act 1861 hereinafter referred to as the said Act 1861, is hereby repealed.

Provided that

- (a) all rules prescribed, appointments made, powers conferred, orders made or passed, consent, permit, permission of licenses or NOC 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 1861 shall, so far as they are consistent with this Act, 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 1861 or in any law or instrument shall be construed as references to the corresponding provisions of this Act.

(2) Notwithstanding the repeal of the said Act 1861, the repeal shall not

- a) affect the validity, invalidity, effect or consequence of anything duly done or suffered under the said Act 1861;
- b) affect any right, privilege, obligation or liability acquired, accrued or incurred under the said Act 1861;
- c) affect any penalty, forfeiture or punishment incurred or inflicted in respect of any Order or offence committed against the said Order;
- 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 penalty may be imposed, as if the said Act 1861 has not been repealed; and

- e) affect any proceeding pending in any court or before any authority under the said Act 1861, 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 1861 had not been repealed.

136. Existing police deemed to be constituted under this Act

Without prejudice to the provisions contained in section 112, the police functioning in Sindh immediately before the enactment of this Act shall on such enactment be deemed to be police constituted under this Act.

137. Power to remove difficulties

- (1) If any difficulty arises in giving effect to the provisions of this Act, the Government may, by notification in the Official Gazette, make such provisions as appear to be necessary or expedient for removing the difficulty:
- (2) Every notification issued under this section shall be laid before the Sindh Assembly.

FIRST SCHEDULE

SENIOR AND JUNIOR RANKS

1. Senior Police Ranks

- 1) Inspector-General
- 2) Additional Inspector General
- 3) Deputy Inspector General
- 4) Assistant Inspector General/Senior Superintendent
- 5) Superintendent
- 6) Assistant Superintendent/Deputy Superintendent

2. Junior Police Ranks

- 1) Inspector
- 2) Sub-Inspector
- 3) Assistant Sub-Inspector
- 4) Head Constable
- 5) Constable

SECOND SCHEDULE

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, favor 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

CERTIFICATE OF APPOINTMENT

SEAL

No _____ Certificate of appointment issued under section 26 of the Police Act, 2013

Mr./Ms. _____ has been appointed _____ and is invested with the powers, functions and privileges of a police officer under section 8 of Police Act, 2013, in the District Police/ Area _____ under the charge of Provincial Police Officer on this day of _____.

Signature _____

Designation _____

FOURTH SCHEDULE

SINDH POLICE EFFICIENCY AND DISCIPLINE RULES, 2013

1. Short title and commencement

- 1) These rules shall be called the Sindh Police Efficiency and Discipline Rules, 2013.
- 2) They shall come into force at once.

2. Application

- 1) These rules shall apply to all members of Sindh Police. No member of Sindh Police shall be departmentally proceeded against otherwise than as provided in these rules.
- 2) For the purpose of disciplinary proceedings the members shall be deemed to include
 - a) all members of Sindh Police appointed by the Sindh Government;
 - b) members of Sindh Police lent to other governments and organizations; and
 - c) officers borrowed by Sindh Police from other government departments and organizations.

3. Definitions

In these Rules, unless the context otherwise requires;

- 1) accused means a member of Sindh Police who is to be proceeded against departmentally under the Act and the rules;
- 2) act means the Sindh Police Act, 2013;
- 3) tribunal or appeals tribunal means the Sindh Services Tribunal established under the Constitution of the Islamic Republic of Pakistan and any other law in force by the Sindh Government in relation to members of the Sindh Police;
- 4) Authority means the Government or an officer or authority empowered to exercise the powers of the Authority under rule 23 below;
- 5) inquiry officer means a police officer appointed by the Authority to carry out an inquiry under the act;
- 6) inquiry committee means a group of police officers (headed by a convener) appointed by the authority to carry out an inquiry under these rules; Explanation. The inquiry committee shall have similar authority, exercise the same powers and perform the same functions as an inquiry officer wherever the latter is mentioned in these Rules. While awarding a penalty, the committee shall be deemed to have the same powers as its convener
- 7) Misconduct includes
 - i. conduct prejudicial to good order or discipline of the police,

- ii. conduct unbecoming of a police officer and a gentleman,
- iii. any commission or omission which violates any provisions of law, rules or standing orders regulating the functions and duties of a member of Sindh Police,
- iv. bringing or attempting to bring political or other extraneous influence directly or indirectly in respect of any matter relating to the appointment, promotion, transfer, award, punishment, leave, retirement, or other conditions of service;
- v. deliberate and uncalled for acts or attempts to delay or frustrate any departmental proceedings;
- vi. negligence in performance of duties and acts covered under sections 3, 4 and 8 of the act;
- vii. Penalty means any punishment which may be imposed under the act or these rules;
- viii. Supervisory officer means an officer in a senior rank responsible for supervision of a particular officer

4. Grounds for penalties

A member of Sindh Police, who

- a) is inefficient or has ceased to be efficient;
 - b) is guilty of misconduct;
 - c) is corrupt, or may reasonably be considered to be corrupt because;
 - i. He is, or any of his dependants is, in possession of pecuniary resources for which he cannot reasonably account for or of property disproportionate to his known sources of income;
 - ii. he has assumed a style of living beyond his ostensible means;
 - iii. he has a reputation of being corrupt;
 - (d) is engaged, or is reasonably suspected of being engaged in subversive activities, or is reasonably suspected of being associated with others engaged in subversive activities or is guilty of disclosure of official secrets to any unauthorized person, and his retention in service is therefore prejudicial to national security;
 - e) has tortured or abetted the torture of a person while the same was in his custody;
- shall liable to be proceeded against under this act and these rules and one or more of the penalties herein after mentioned may be imposed on him.

5. Penalties

- 1) Subject to these rules the Authority or the inquiry officer may award one or more of the following penalties in any proceedings under these rules.

2) Minor penalties:

- a) Censure;
- b) Forfeiture of approved service up to two years;
- c) Withholding of promotion up to two years;
- d) Stoppage of increment for a period not exceeding two years without cumulative effect;
- e) Fine not exceeding one month's pay;
- f) In case of constables and head constables
 - i. confinement to quarter guard for a period not exceeding 15 days, and
 - ii. extra drill for a period not exceeding 30 days; and
- g) recovery of any loss caused to the Government.

(3) Major penalties:

- a) reduction in pay;
- b) reduction in rank;
- c) compulsory retirement;
- d) removal from service; and
- e) dismissal from service.

(4) Reversion from an officiating rank as a consequence to an administrative order shall not be deemed a penalty under these rules.

(5) Removal from service does not, but dismissal from service does, disqualify for future employment;

(6) Removal or dismissal from service does not include discharge of a person:

- (a) appointment on probation , during the period of probation, or in accordance with the probation or training rules applicable to him;
- (b) appointed otherwise than under a contract to hold a temporary appointment, on the expiration of the period of appointment;
- (c) engaged under a contract, in accordance with the terms of the contract.

6. Suspension

(1) An officer or Authority mentioned in rule 7 below may place a member of Sindh Police under suspension if it deems fit.

(2) An officer while under suspension shall; unless he is especially allowed in writing in this regard, deposit his official weapons, ammunition and belt with the officer tasked to issue such items;

- a) in case he is of junior rank, attend all roll-calls;
- b) perform such duties as may be lawfully assigned to him by his senior officers;
- c) continue to be responsible to his next higher officer in respect of discipline as if he had not been suspended;
- d) be entitled to such emoluments and allowances as may be admissible, from time to time, to other government servants in similar situation;
- e) be put under surveillance, subject to orders of the Authority, with or without escort, or his movements confined to the place of his duty.

(3) An officer while under suspension shall not be

- (a) issued any arms or ammunition during the period of his suspension;
- (b) assigned duties that involve the exercise of any power or Authority by him; or
- (c) subjected to any undue hardship.

(4) An officer while under suspension shall, if the allegations against him are not proved or when he is acquitted, be paid all emoluments as per his entitlement, if not already paid, less the amount already drawn by him for the period of his suspension.

7. Power to suspend an officer

- 1) An officer or Authority empowered to punish a police officer working under his supervision may suspend him when he is guilty or is reasonably suspected of misconduct. The officer under suspension shall be reinstated only by the Authority competent to award major penalty to that officer as prescribed in these rules. Each suspension shall be reported immediately to the head of district police, the concerned Senior Superintendent of Police or a supervisory officer in BS-19.
- 2) Only the Provincial Police Officer may suspend an officer in the rank of a Deputy Superintendent or Superintendent of Police.
- 3) No officer shall remain suspended for more than three months unless his suspension is extended by an officer not less than the rank of Deputy Inspector General for junior ranks and by the Authority for senior ranks. The officer extending the suspension shall record the reasons for such extension.

8. Suspension in judicial cases

A police officer accused of a criminal offence may be placed under suspension from the date of his nomination as an accused in the case. Suspension is compulsory during any period in which a police officer is committed to prison. A police officer arrested by order of a civil court in execution

of a decree or otherwise shall be considered as under suspension from the date of arrest till his release from custody.

9. Suspension in departmental inquiries

During a departmental inquiry, the inquiry officer may require an accused officer to proceed on leave or place him under suspension with the consent of the Authority for a period not exceeding three months, if his suspension is considered necessary or expedient on the following grounds:

- a. Where the accused officer is facing disciplinary proceedings on charges of misconduct ordinarily warranting award of a major penalty.
- b. Where the accused officer is involved in activities prejudicial to the interest and safety of the Provincial.
- c. Where the accused officer obstructs the course of justice.

Provided that the Authority may suspend, reinstate or extend the period of forced leave or suspension for a period not exceeding another three months.

10. Preliminary inquiry

1. On receipt of information of misconduct the concerned supervisory officer of senior rank may forthwith conduct a preliminary inquiry either himself or cause it to be conducted through any other officer.
2. The Inquiry Officer so appointed shall not be junior in rank to the officer complained against.
3. The accused officer shall be apprised by the Inquiry Officer of the nature of the alleged misconduct and the substance of his explanation shall be recorded.
4. The inquiry Officer appointed under sub-rule (1) shall submit his report to the supervisory officer within 7 days of his receipt of the order of his appointment or initiation of the inquiry, or finalize it within seven days if the inquiry is being conducted by the supervisory officer himself.

11. Action on preliminary inquiry report

- (1) If as a result of the preliminary inquiry, the supervisory officer is satisfied that prima facie no case is made out against the accused officer, he shall close the matter under intimation to the Authority

- (2) If as a result of the preliminary inquiry, the supervisory officer is satisfied that prima facie a case warranting a penalty is made out and he himself is not competent to award any penalty, he shall refer the matter to the Authority.
- (3) If in the opinion of the supervisory officer the misconduct has been such as to warrant minor penalty and he is competent to do so, award one or more minor penalties adopting the summary proceedings under rule 12 and inform the Authority accordingly.
- (4) If the Authority for reasons to be recorded in writing finds itself in disagreement with the course taken or recommended, it may appoint a different Inquiry Officer for holding further inquiry into the matter. The procedure for further inquiry shall be the same as for preliminary inquiry.
- (5) If as a result of the preliminary inquiry or further inquiry the misconduct has been such as to warrant major penalty, the Authority shall either award one or more major penalties after summary proceedings under rule 12 or proceed under rule 13 for a regular departmental inquiry.

12. Summary Proceedings

If, on the basis of his own knowledge or information placed before it as a consequence of preliminary or further inquiry, the Inquiry Officer or the Authority decides that it is not necessary to have a regular departmental inquiry conducted against the accused, he shall

- i. inform the accused forthwith by an order, in writing, of the action proposed to be taken in regard to him and the grounds of the action; and
- ii. give him a reasonable opportunity of showing cause against that action within a period of 14 days from the date of receipt of order under clause (i).
- iii. The accused may make a representation to the Authority against the summary procedure adopted against him within seven days of the receipt of the orders. In case the representation is preferred, the Authority shall decide the same within seven days and communicate decision to the accused. In case of rejection of the representation, the accused shall be given seven days to show cause against the proposed action. Provided that no such opportunity as is referred to in clauses (ii) & (iii) shall be given where, in the interest of the security of Pakistan or any part thereof, it is not expedient to do so, the Authority may proceed with the case but before denying the opportunity, the Authority shall

obtain prior approval of the Provincial Police Officer, where the Authority is not itself the Provincial Police Officer

- iv. Within seven days of the receipt of the explanation, if any, of the accused, the Authority shall determine whether the charges have been proved. If it is proposed to impose any of the penalties under rule 5, Authority shall, after affording the accused an opportunity of personal hearing against the proposed action, pass orders accordingly.

13. Regular departmental inquiry

1) The Authority shall either proceed itself or direct the Inquiry Officer to initiate a regular departmental inquiry if it is of the opinion that sufficient grounds exist for awarding major penalty to the accused on the basis of its own knowledge or information placed before it as a consequence of preliminary or further inquiry, or where the Anti-Corruption Establishment has, under rule 15 (1) (b) of the Sindh Anti-Corruption Establishment Rules, 1985, recommended departmental action.

(2) In case the regular departmental inquiry is to be initiated at the instance of a borrowing department or office or the Anti-Corruption Establishment, the initiating agency or office shall send the draft charge sheet, list of witnesses and other relevant material to the Authority before initiation of proceedings.

(3) In a case where a police officer or civilian employee is accused of subversion, corruption or misconduct, he may be placed under suspension or required to proceed on leave by the Authority, provided that the continuation of the suspension or grant of any extension in leave shall require the prior approval of the Authority after every 3 months.

(4) If the Authority considers that a regular departmental inquiry is necessary it shall appoint an Inquiry Officer who, or an Inquiry Committee whose, convener shall be of a rank senior to that of the accused or if there are more than one accused senior to all the accused.

(5) Where an Inquiry Officer is appointed, the Authority shall communicate necessary record to the Inquiry Officer enabling him to frame a charge and communicate it to the accused along with the list of witnesses and documents, if any, to be taken into consideration and require the accused, within a reasonable time which shall not be less than 7 days or more than 14 days, from the day the charge has been communicated to him, to put in a written defense before the Inquiry officer.

(6) The Authority shall, while sending the record, appoint a suitable officer to act as a departmental representative to assist the Inquiry Officer. The departmental representative shall be responsible for the following:

- i. He shall assist the Inquiry Officer on each day of hearing, as may be fixed by the Inquiry Officer. He shall be personally present fully prepared with all the relevant material on which the Charge Sheet is based.
- ii. He shall render all other assistance to the Inquiry Officer during the Inquiry proceedings against the accused.
- iii. He shall cross-examine the witnesses produced by the accused and also the prosecution witnesses in the event of their turning hostile, if so permitted by the Inquiry Officer.

(7) On receipt of the explanation of the accused or on the expiry of the stipulated period if there is no explanation or reply from the accused in his defence, the Inquiry Officer shall inquire into the charges and may examine such oral or documentary evidence in support of the charge or in defence of the accused as may be considered necessary and where any witness is produced by one party, the other party shall be entitled to cross-examine that witness.

(8) The Inquiry Officer shall proceed in a manner suited to expeditious completion of the inquiry. He may adjourn proceedings as and when required for reasons recorded in writing.

(9) Where the Inquiry Officer is satisfied that the accused is hampering or attempting to hamper the progress of the Inquiry, he shall administer a warning and if, thereafter, he is satisfied that the accused is acting in disregard of the warning, he shall record a finding to that effect and proceed to complete the Inquiry in such manner as he thinks best suited to do substantial justice.

(10) If the accused absents himself from the inquiry on medical grounds he shall be deemed to have hampered or attempted to hamper the progress of the inquiry, unless medical leave, applied for him, is sanctioned on the recommendation of a Medical Board. Where, in view of the serious condition of the accused, it may not be possible for him to appear before the Medical Board, the Board shall examine him at his residence -or another place where his is being treated -of which complete address must always be given in the leave application and at which he must be available.

Provided that the Authority may, in its discretion, sanction medical leave up to seven days without the recommendation of the Medical Board.

(11) The Inquiry Officer shall complete the inquiry proceedings within a period of sixty days, commencing from the last date of submission of the written defense by the accused or within such further period as may be allowed by the Authority.

(12) The Inquiry Officer shall, within ten days of the completion of the proceedings, in terms of sub-rule 6 above, determine whether the charge has been proved. Before the expiration of this period he shall inform the Authority of his finding and send the complete record of the case to the Authority.

(13) If the Inquiry Officer finds the accused officer guilty of misconduct, the Authority may award one or more penalties. A major penalty shall only be awarded after affording the accused an opportunity of showing cause during personal hearing.

(14) In case the Inquiry Officer finds the accused officer not guilty, the Authority may, within a period of thirty days either accept the recommendation of the Inquiry Officer or order initiation of a regular departmental inquiry de novo by passing a speaking order. In case the Authority does not pass an order within thirty days the recommendation of the Inquiry Officer shall be deemed to have been accepted by the Authority.

(15) In cases where in the opinion of the Inquiry Officer an accused officer less than the rank of a Sub-Inspector cannot put up his defence properly, or on the request of an officer less than the rank of a Sub-Inspector, the Inquiry Officer shall appoint a friend to appear along with him to assist and advise him but not to represent him. The friend so appointed shall be a serving officer of not less than the rank of Sub-Inspector.

Provided that no officer appointed as friend shall appear as such in more than two departmental proceedings in a calendar year.

14. Powers of inquiry Officer

- (1) For the purpose of a regular departmental inquiry under these Rules the Inquiry Officer shall have the powers of a court trying a suit under the Code of Civil Procedure 1908 in the following matters:
 - (i) summoning and enforcing attendance of any person
 - (ii) requiring the discovery and production of documents
 - (iii) Issuing commission for the examination of witnesses or documents.
- (2) The proceedings under these rules shall deem to be judicial proceedings within the meaning of section 193 and 228 of the Pakistan Penal Code.
- (3) Witnesses summoned in departmental proceedings shall be entitled to traveling and other expenses as admissible to the court witnesses.

15. When show cause notice to be given to the accused officer

In case the Authority decides to act on the recommendation of an officer made under rule 13, sub-rules (13, 14 and 15) the accused officer shall be issued a show cause notice with a copy of the Inquiry report, and asked to appear before the Authority on a date specified in the order. At least seven days shall be allowed to the accused officer before he is required to appear before the Authority.

16. Representation by advocates not allowed

No advocate shall represent the accused officer in any proceedings under these rules.

17. Effect of acquittal or conviction by Court

- 1) Acquittal by the court in a criminal case on the same issue as is the cause of departmental proceedings shall not affect any minor or major penalties that may have been awarded or may be awarded to the accused officer under these rules.
- (2) Conviction by the court for a period exceeding one month shall entail dismissal from service, unless it is set-aside in appeal.

18. Appeal

1. An appeal shall lie to the Appellate Authority within 15 days of the receipt of order to be appealed against except when reasonable cause is shown for the delay, a grace period of another 15 days may be allowed to the appellant.
2. There shall be only one appeal to the Appellate Authority against the award of a minor or major penalty. No senior officer or forum has the authority to entertain any mercy petition, review petition, or appeal in this regard.
3. The appeal shall be submitted through proper channel.
4. The Authority may uphold, set aside or vary or modify the order appealed against. In case of enhancement of penalty, the Authority shall serve a show cause notice to the appellant.
5. The Appellate Authority, while hearing an appeal, may obtain comments of the punishing Authority. The decision on an appeal shall contain detailed reasons in the order deciding the appeal in case the penalty is set aside, modified or reduced, against each of the points raised by the punishing Authority.

19. Bar of appeal

No appeal to any court or tribunal exercising any jurisdiction, whatsoever, shall lie against any decision of an authorized officer or Authority, save as provided in these Rules.

20. Previous record of the accused to be considered

While awarding a minor or major penalty, the Inquiry Officer shall peruse the entire record of the accused officer and make it a part of the proceedings. No penalty shall be awarded otherwise.

21. Disciplinary proceeding pending under other rules

All disciplinary proceedings pending against members of the Sindh Police before the commencement of these rules shall be completed under the relevant rules.

22. Proceedings under these rules no bar to any civil or criminal procedure

Proceedings under these rules shall not be a bar to any civil or criminal proceedings that may be instituted against the accused officer in an ordinary court of law, and vice versa.

23. Dismissal

(1) Dismissal shall be awarded only for the gravest acts of misconduct or as the cumulative effect of continued misconduct proving incorrigibility and complete unfitness for police service. In making such an award regard shall be given to the length of service of the accused officer and his claim to pension.

(2) A police officer sentenced to rigorous imprisonment exceeding one month shall, if such sentence is not quashed on appeal or revision, be dismissed from service.

(3) When a police officer is convicted judicially and dismissed, or dismissed as a result of a departmental Inquiry, the facts of the conviction and dismissal and its cause shall be published in the Police Gazette. In other cases of dismissal when it is desired to ensure that the officer dismissed shall not be re-employed elsewhere, a full descriptive roll, with particulars of the penalties, shall be sent for publication in the Police Gazette.

24. Confinement to quarters

A Constable and Head Constable confined to quarters shall be confined in the lock-up attached to the police guard in the district police lines. While so confined he shall perform extra drill or may be employed instead on an authorized fatigue duty. He shall not leave the lock-up during the period of his confinement, except under escort of one or more Constables in uniform, and in accordance with order, general or specific, of the Lines Officer or his supervisory officers at the headquarters.

25. Extra drill

- (1) Extra drill shall consist of drill with a rifle for not more than six or less than four hours in any one day, with an interval of at least 30 minutes between each hour. Only such days shall be counted towards the completion of an award of extra drill on which such drill is actually carried out.
- (2) An officer awarding extra drill may direct that the constable or head constable so punished, if attached to the reserve, shall not leave the lines, except on duty during the days on which such penalty is to be carried out.

26. Proceedings against an officer officiating in higher rank

The misconduct of a police officer shall be judged in relation to the position he occupied at a time when such misconduct allegedly took place. For award of penalty, therefore, an accused officer officiating in a higher rank shall be considered to be of that rank.

27. Record of penalties

- (1) A penalty register shall be maintained in each district or unit in a manner prescribed by the Provincial Police Officer.
- (2) Every award of departmental penalty shall be entered therein.

28. Penalties Returns

Penalties returns shall be made in a manner prescribed by the Provincial Police Officer.

29. Records in departmental cases

1. In all departmental cases in which the alleged offence is such as to merit a major penalty, if proved, a record shall be kept, which shall contain:
 - i. the charge;
 - ii. the evidence supporting the charge;
 - iii. the defence of the accused officer;
 - iv. the commission of the defence witnesses, if any;
 - v. the finding of the Inquiry Officer/Inquiry Committee;
 - vi. the final order.
2. In all cases against the junior ranks the record shall be in English or Urdu, but the finding, and the final order shall be in English.
3. The record shall be paged like an ordinary file, and an index shall be attached to the first page.

4. The record, together with any orders passed in revision or appeal, after the necessary entry has been made in the character roll, be filed with the Urdu personal file of the officer concerned. If the record concerns more than one officer, an attested copy of the final order in the case shall be attached to the Urdu personal file of each officer concerned.
5. Each record shall bear the annual serial number of the entry in the penalty register relating to the case and a reference to this number shall be made in the remarks column of the Long Roll.

30. Removal from Promotion Lists

Removal of a name from a promotion list may follow the award of a penalty. No formal charge be framed nor evidence recorded, but an order shall be recorded in writing and given effect through an entry in the Order Book. The Authority shall consider previous record of the accused while passing such an order. The original order of the Authority ordering removal shall be read out to the officer concerned. No appeal shall lie against it.

32. Stricture passed by a court against an officer

- (1) Whenever a court passes a stricture on the professional conduct of an officer, it shall send a copy of the judgment to the head of district police or the concerned supervisory officer not less than the rank of Senior Superintendent of Police. In case of the Sindh High Court the copies will be forwarded to the Provincial Police Officer.
- (2) In case a stricture is passed on the conduct of police by a Sessions Court or by a Judicial Magistrates court and no specific recommendation is made by the court passing such a stricture about an inquiry should be made, the head of district police will decide whether an inquiry into the matter is necessary.

IMPLEMENTATION PLAN

ROCCPI

Categories

RULE

Scope for Implementation

Anti-Terrorism Act 1997 should be revised to clarify the definitions of the crimes that it covers and to create categories for crimes that are currently outside the Act's scope.

Modification of the Evidence Act and High Court Rules is essential for convening in cognito trials, maintaining the protection of the identity of witnesses, and facilitating a simpler procedure for the admissibility of modern types of evidence (e.g. cell phone call data) in terrorism cases.

New categories of offenses should be prescribed covering crimes that are currently out of scope of the Act but are inexorably linked to the terrorist problem and thus should be prosecuted under the Act. These include the following:—Federal offenses for both the inter-provincial transportation of explosives and arms and conspiracy to attack across provincial boundaries.—Attack on buildings and infrastructure of special national significance.—Possession of arms or explosives for use in terrorism, as a strict liability offense with heavier penalties for larger quantities.—Use of nuclear, chemical, or biological weapons in terrorist attacks.

The government of Sindh shall ensure adequate allocation of fund for the implementation of the Police Act throughout the province and shall ensure that police officers are aware of their duties and obligations as revised under the act. the government shall also ensure awareness amongst the masses of the said law.

OPPORTUNITY

As part of its de-radicalization approach, the police should pursue a behavioral reform program when dealing within mates. This includes the better treatment of in mates and improved conditions in police stations and prisons.

Efforts should be made to improve the living and service conditions of police.