

HRCP/CHRI 2010

POLICE ORGANISATIONS IN PAKISTAN



CHRI
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Human Rights Commission
of Pakistan



Human Rights Commission of Pakistan

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Commonwealth Human Rights Initiative

The Commonwealth Human Rights Initiative (CHRI) is an independent, non-partisan, international non-governmental organisation, mandated to ensure the practical realisation of human rights in the countries of the Commonwealth. CHRI was founded by Commonwealth Associations in 1987 because they felt that while the member countries of the Commonwealth had a common set of values and legal principles from which to work, and also provided a forum within which to promote human rights, there was little focus on the issues of human rights within the Commonwealth.

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Foreword

The police in this country represent what is both good and bad about Pakistan. In terms of ideals, the police are charged with the noble and important undertaking of ensuring public safety and maintaining law and order. However, in terms of performance, Transparency International has ranked the police as the most corrupt institution in Pakistan in three consecutive surveys.

Regardless of what one personally feels about the police, the fact is that the average citizen knows very little about this incredibly important and influential state actor. It is for this reason that the Human Rights Commission of Pakistan and the Commonwealth Human Rights Initiative have come together to offer a report on police organisations in Pakistan. The purpose of this publication is twofold: first, to serve as a resource for people to better understand the roles and responsibilities of the police and secondly, to offer practical benefit for people in their interactions with the police. As an example, we have included photographs of police badges so that people are able to identify the rank of officers they may come into contact with.

This report is not meant to proffer policy recommendations on how the police in Pakistan can improve their performance. That subject is covered in an earlier CHRI report, *Feudal Forces: Reform Delayed Moving from Force to Service in South Asian Policing (2008)*. By attempting to beam a light on an area of governance that is usually opaque this report seeks to demystify an institution that more often than not inspires fear instead of confidence.

Sincerely,

I. A. Rehman

Secretary General, Human Rights Commission of Pakistan

Maja Daruwala

Director, Commonwealth Human Rights Initiative

1

Introduction

1.1 Federation of Pakistan

Pakistan has an estimated population of 170 million and is spread over an area of 796,096 km². The Constitution of Pakistan, adopted in 1973, envisions an Islamic Republic based on a federal system of governance consisting of four provinces, the Federal Capital, Federally Administered Tribal Areas (FATA) and such other "states and territories as are or may be included in Pakistan, whether by accession or otherwise".¹ The status of Gilgit-Baltistan (formerly the so-called Northern Areas) is not mentioned in the Constitution, though it is effectively and practically a federally administered area.² The Pakistan administered part of the former princely State of Jammu and Kashmir (named Azad Jammu and Kashmir or AJK) is not part of Pakistan but its interim Constitution (while assigning its defence and external affairs to Pakistan) allows special legislative powers to the Azad Jammu and Kashmir Council, a constitutional body dominated by the representatives of Pakistani state.³

Pakistan is a federation with a strong federal government. Chapter 1 under Part V of the Constitution deals with the distribution of legislative powers between the federal government and provinces. Article 142, as amended under the Constitution (Eighteenth Amendment) Act, 2010 (hereinafter "Eighteenth Amendment"),⁴ prescribes that Parliament shall not have powers to make laws with respect to any matter not enumerated in the Federal Legislative List. This List does not have the subject of policing. Before the Eighteenth Amendment was passed, the Fourth Schedule to the Constitution had the Concurrent Legislative List that also did not have the subject of policing.⁵ However, criminal law and criminal procedure have remained subjects that are within the legislative competence of both Parliament and the provincial legislatures.⁶

The Police Act, 1861 (the "Act") remained applicable in Pakistan as a central law⁷ after the issuance of the Pakistan (Adaptation of Existing Pakistan Laws) Order dated 14 August 1947 which allowed the then existing laws of British India to remain applicable in Pakistan with necessary modifications.⁸ The Act was replaced with the centrally promulgated Police Order, 2002 (the "Order") which came into effect on 14 August 2002. However, it should be noted that notwithstanding the introduction of the Order, no new rules for the police were ever implemented.



The Order, like its predecessor, places the superintendence of provincial police establishments in the hands of provincial governments.⁹ Since law and order issues are better dealt with at the local level, policing is therefore a provincial responsibility. There is a general understanding and consensus that police legislation is a provincial subject and it is at the provincial level that legislation on police needs to be passed. This explains why the entire budget of provincial police establishments is borne by the provinces.

1.2 Federal Police Organisations

Modern police may be described as an organised body of personnel assigned to preserve good order and prevent and detect crime. The quasi-federal character of the Pakistani state envisages a coordinating and counselling role¹⁰ for the federal government in policing matters and even authorises it to set up certain police organisations.¹¹ At present, there are several institutions performing these tasks at the federal level:

- ◆ Federal Investigation Agency (FIA)
- ◆ Anti-Narcotics Force (ANF)
- ◆ Frontier Constabulary
- ◆ Frontier Corps
- ◆ Pakistan Coast Guards
- ◆ Pakistan Rangers
- ◆ National Highways and Motorways Police (NHMP)
- ◆ Pakistan Railways Police
- ◆ Islamabad Police, Islamabad Capital Territory

The agencies established at the federal level have cross-provincial jurisdiction throughout Pakistan over matters and offences concerning the federal government as listed in the Federal Legislative List, read with Article 142 of the Constitution. These agencies are of relatively recent origins compared to the provincial police establishments. For instance, the ANF was established under the Anti-Narcotics Force Act, 1997 and controls trafficking of narcotic substances. The NHMP was established in 1997 and regulates traffic on the roads designated as national highways and motorways. Similarly, offences against the interests of



the federal government, such as the ones punishable under the High Treason (Punishment) Act of 1973, will be investigated by the FIA which was established in 1975.

The Civil Armed Forces, including the Pakistan Rangers, the Frontier Corps, the Frontier Constabulary, the Northern Areas Scouts (also known as the Gilgit-Baltistan Scouts) and the Pakistan Coast Guards, are field organisations of the federal Ministry of Interior. These agencies are broadly tasked with: a) securing and checking illegal border crossings; b) preventing smuggling; c) enforcing drug control; and d) assisting provincial governments in maintaining law and order when requested. The leadership cadres of these agencies come from the Armed Forces.

1.3 Provincial Police Organisations

For reasons elucidated at the beginning of this chapter, traditional policing is the responsibility of the provinces. The following are the police entities that can be found at the sub-national level:

- ◆ Punjab Police, Punjab province
- ◆ Sindh Police, Sindh province
- ◆ Khyber Pakhtunkhwa Police, Khyber Pakhtunkhwa province
- ◆ Balochistan Police, Balochistan province

The provincial police organisations across the country have characteristics and structures similar to each other for a few reasons. First, they are all tasked with maintaining order and preventing/detecting crime. Second, major substantive and procedural criminal laws (i.e. the Pakistan Penal Code, the Code of Criminal Procedure, and the *Qanun-e-Shahadat* Order) are uniformly applicable to most parts of the country.¹² Third, the Police Service of Pakistan (PSP), which provides the bulk of senior officers to the provincial police departments, is recruited, trained and managed by the federal government. This ensures that police leadership throughout Pakistan emerge from the same training and recruitment background.



1.4 Criminal Law

Although central legislation takes precedence over provincial legislation as per Article 143 of the Constitution, the criminal law (including substantive criminal law, criminal procedure, and law of evidence) are within the common jurisdiction of Parliament and the provincial legislatures.¹³ Substantive criminal law is contained in the Pakistan Penal Code of 1860 (PPC) as well as special laws such as the *Hudood* Ordinances,¹⁴ the Anti-Terrorism Act, 1997, and the Control of Narcotic Substances Act, 1997.¹⁵ The criminal procedure can be found in the Code of Criminal Procedure of 1898 (CrPC), while the principles and procedures of evidence are contained in the *Qanun-e-Shahadat*, 1984 (formerly the Evidence Act, 1872).¹⁶

1.5 Criminal Procedure

The procedure given in the CrPC is followed in every ordinary criminal case, beginning with its registration, investigation and the trial in a criminal court. However, special procedures may be adopted where special courts have been established to deal with certain offences (such as with offences punishable under the Anti-Terrorism Act of 1997). In a typical criminal case, the process of criminal justice has the following main steps:

- 1) The registration of the First Information Report (FIR) as per Section 154 of the CrPC. The FIR is a written document prepared by the police when they receive information, either in writing or otherwise, about the commission of a cognisable offence.¹⁷
- 2) The police officer shall proceed to the scene of the crime, where required, and investigate the facts of the case. Police investigation may include any or all of the following acts:
 - ◆ examination of the scene of crime or of any other relevant material including documentary evidence;
 - ◆ examination of witnesses and suspects;
 - ◆ recording of statements;
 - ◆ conducting searches;
 - ◆ seizing property;



- ◆ collecting fingerprints, footprints and other evidence;
 - ◆ making entries in the prescribed records, like case diary, daily diary and station diary;
 - ◆ making arrests and detentions; and
 - ◆ interrogation of the accused.¹⁸
- 3) After the completion of an investigation, the Station House Officer (also known as the Officer in Charge) of the police station sends a report to the concerned Magistrate.¹⁹
- 4) On receiving the police report, the Magistrate takes cognisance and initiates the trial of the case.²⁰ However, there are some caveats to this. For instance, all offences punishable by death including murder cases, and offences punishable under the Hudood laws are tried by a Sessions Court and not by a Magistrate. Also, offences booked under the Anti-Terrorism Act of 1997 are tried in Special Courts established under the Act.²¹ In addition, narcotic cases involving less than 100 grams will be dealt with by a judicial magistrate and cases involving more than 100 grams will be tried at a Sessions Court.²²
- 5) Once the charges are framed, the procedure requires the prosecution to prove the charges against the accused beyond a reasonable doubt. The accused is to be given a full opportunity to defend himself.
- 6) If the trial ends in conviction of the accused, the court may award any of the following punishments as prescribed in the Pakistan Penal Code (or any other applicable special law):
- ◆ fine;
 - ◆ forfeiture of property;
 - ◆ simple imprisonment;
 - ◆ rigorous imprisonment;
 - ◆ imprisonment for life;

- 
- ◆ death sentence;
 - ◆ whipping,²³ and/or
 - ◆ amputation of hand and foot.²⁴

1.6 Independent Prosecution Services

Prosecutors are officers who prosecute criminal cases on behalf of the state. Section 492 of the CrPC provides that the provincial government may appoint "generally or in any case, or for any specified class of cases, in any local area, one or more officers to be called Public Prosecutors". Until recently, the prosecution services in all the provinces were under the Home Department and were administered/regulated by the police. There was a separate prosecution branch of the police consisting of law graduates in the ranks of Deputy Superintendents of Police, Inspectors and Sub-Inspectors. This was considered, however, to be a major reason for poor prosecution and delay in the resolution of court cases.

During the 1980s, a first attempt was made to transfer administrative control of prosecution powers from the police to law departments.²⁵ The ongoing vacillation between the Home Departments and the Law Departments on this question continued until prosecution services were permanently placed under the administrative control of the Law Departments with the promulgation of the Police Order, 2002. At present, all the provinces have laws for separate prosecution services and the respective provincial prosecution services are at nascent stages of development.²⁶

1.7 Judiciary

The Supreme Court of Pakistan is the apex court that has original, constitutional, appellate, and advisory jurisdictions. The Supreme Court's original jurisdiction is confined to disputes between any two or more provincial governments or when one or more provincial government(s) and the federal government have a dispute. Advisory jurisdiction can be invoked by the President on any question of law involving public importance under Article 186 of the Constitution.



Each province and the Islamabad Capital Territory have a High Court.²⁷ Gilgit-Baltistan has the Supreme Appellate Court as the highest court of appeal, and Chief Court as its high court.²⁸ Article 199 of the Constitution empowers the High Courts to issue directions, orders or writs for the enforcement of fundamental rights and for various other purposes. Similarly, the Supreme Court has the jurisdiction to issue an order when a question of public importance pertains to any of the Fundamental Rights conferred by Chapter I of Part II of the Constitution. Under the original Constitution of 1973, the President of Pakistan appointed the judges of superior courts in consultation with the Chief Justice of Pakistan. The Constitution (Eighteenth Amendment) Act, 2010 has prescribed a new mechanism in which the President will appoint judges of the superior courts after the names are proposed by the Judicial Commission of Pakistan and approved by a Parliamentary Committee.²⁹

Below the High Courts are Sessions Courts, and below them are lower/subordinate (or trial courts) for both civil and criminal cases, with judicial magistrates presiding over the latter. The lower courts, including the trial and the Sessions Courts, are subordinate to and work under the direct supervision of the concerned High Court. The judges of the lower courts are inducted under the supervision of the High Court and are members of the judicial service of the province. The Sessions Courts exercise both original and appellate jurisdiction. Major offences like murder, robbery and rape cannot be tried in a court below the Sessions Court.

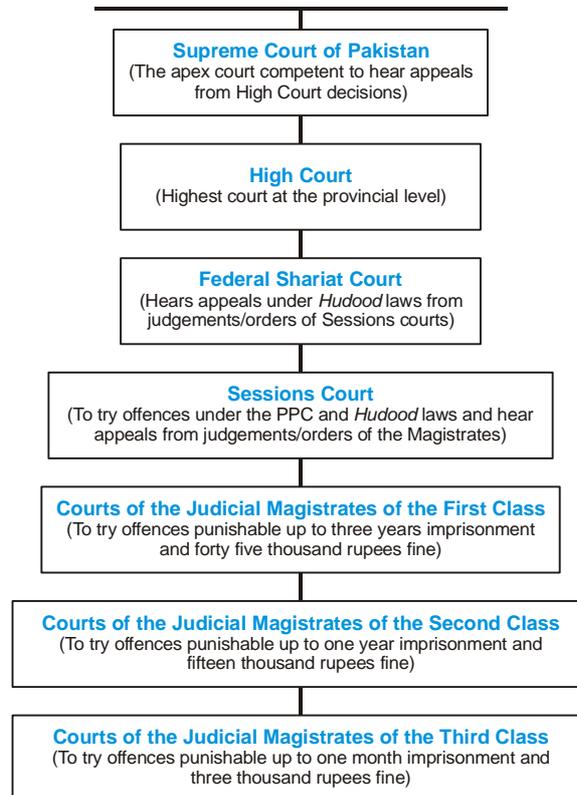
The separation of judiciary and the executive was provided for under Article 175(3) of the Constitution.³⁰ The Supreme Court and the provincial high courts recently recalled the judicial officers assigned administrative/executive duties. The executive has already been shorn of the judicial powers it had.

There is also the Federal Shariat Court (FSC) comprising eight Muslim judges. It was established by former military dictator General Zia-ul-Haq through the introduction of Article 203C which later became part of the Constitution (Eighth Amendment) Act, 1985. The FSC can declare a law repugnant to the Injunctions of Islam (as described in Article 227 of the Constitution) and thus the law ceases to have effect. The Shariat Appellate Bench of the Supreme Court, again consisting of Muslim members only, has the appellate jurisdiction against decisions of the Federal Shariat Court.



Hierarchy of Courts Competent to Hear Criminal Matters:

Courts in Order of Authority³¹



1.8 Appeals

Appeals against convictions in a trial presided over by a judicial Magistrate (involving an offence for which no Islamic punishment (*hadd*) is prescribed in the substantive criminal law) are heard by the Sessions Court, whereas an appeal in *hudood* cases from an order of the Sessions Court lies to the Federal Shariat Court. Decisions of the Federal Shariat Court can be appealed before the Shariat Appellate Bench of the Supreme Court whereas a decision in an ordinary appeal before the Sessions Court can then be appealed before the concerned high court. Similarly, decisions by Sessions Courts and some special courts can be appealed before the High Court. Decisions of high courts can be appealed before the Supreme Court of Pakistan.

Administration of Justice in Pakistan

The Principles of Policy (Chapter 2, Part II, Article 37 of the 1973 Constitution) make the state responsible to “ensure inexpensive and expeditious justice”. However, expeditious justice remains a distant dream for the people of Pakistan. The system of administration of justice has failed to deliver. The recently adopted National Judicial Policy (May 2009) by the National Judicial Policy Making Committee, comprising Chief Justices of all the High Courts and the Supreme Court, records that there were 1,565,926 cases pending as on 31 March 2009 in the Sessions and other subordinate courts and another 138,945 were pending in the six superior courts of the country.³²

Cases Pending in Courts³³

Superior Courts	No. of Cases Pending	Lower/ Subordinate Courts	No. of Cases Pending
i. Supreme Court of Pakistan	19,055	-----	-----
ii. Federal Shariat Court	2,092	-----	-----
iii. Lahore High Court	84,704	Punjab	1,225,879
iv. High Court of Sindh	18,571	Sindh	144,942
v. Peshawar High Court	10,363	Khyber	187,441
		Pakhtunkhwa	
vi. High Court of Balochistan	4,160	Balochistan	7,664
Total	138,945 (A)	-----	1,565,926 (B)
Grand Total	(A + B)	1,704,871	-----



Corruption in the administration of justice is rampant. Transparency International's National Corruption Perception Survey shows that the police are consistently perceived as the most corrupt institution in Pakistan with the judiciary never far behind.³⁴ In the opinion of 5,200 respondents for the 2009 survey, the ranking of ten government departments are:

2009 Ranking	2006 Ranking	2002 Ranking
1. POLICE 2. POWER 3. HEALTH 4. LAND 5. EDUCATION 6. TAXATION 7. JUDICIARY 8. LOCAL GOVT 9. CUSTOM 10. TENDERING	1. POLICE 2. POWER 3. JUDICIARY 4. LAND 5. TAXATION 6. CUSTOM 7. HEALTH 8. EDUCATION 9. RAILWAY 10. BANK	1. POLICE 2. POWER 3. TAXATION 4. JUDICIARY 5. CUSTOM 6. HEALTH 7. LAND 8. EDUCATION 9. RAILWAY 10. BANK

(Rank 1 being the most corrupt and 10 being the least corrupt)

2

Provincial Policing in Pakistan

2.1 History of Policing

In the aftermath of the War of Independence of 1857, which seriously challenged British rule over the subcontinent, the Police Commission of 1860 recommended the abolition of the Military Arm of the Police; the appointment of an Inspector General of Police in the Province; and the placement of police in a district under the District Superintendent with general control wielded by the District Magistrate. Based on the recommendations of the Commission the Government of India submitted a bill that was passed into the Police Act of 1861. It has been noted that the aim of the law was to keep “the natives on a tight leash” and that the police was not organised as a “politically neutral outfit for fair and just enforcement of law”.³⁵

The overall organisation of the police forces remained much the same after the independence of Pakistan in 1947. Except for the centrally administered and tribal territories, basic law and order responsibilities have been carried out by the four provincial governments, who were also entitled to make rules under the Police Act, 1861.³⁶ The police in the various provinces and regions are established as separate establishments without any nationwide integration of these policing bodies. However, the federal government has established a series of specialised investigating agencies at the national level, and as part of its mandate, the federal government asserts primacy in any matter relating to national security.³⁷

Since policing in independent Pakistan has reflected the same deficiencies and flaws of policing as during colonial rule, a number of reform efforts have been undertaken to improve the performance of law enforcement agencies:

- 1948 Passage of Bill to introduce a Metropolitan System of Policing in Karachi
- 1951 Recommendations of Sir Oliver Gilbert Grace, IG Police, NWFP
- 1961 Police Commission headed by Mr Justice J.B. Constantine
- 1962 Pay & Services Reorganisation Committee (Justice Cornelius)
- 1970 Police Commission headed by Major General A.O. Mitha
- 1976 Police Station Enquiry Committee headed by M.A.K. Chaudhry, IG Police
- 1976 Law and Order Sub-Committee headed by Ch. Fazal Haque
- 1976 Police Reforms Committee headed by Rafi Raza

- 
- 1981 Orakzai Committee on Police Welfare, Promotion and Seniority Rules
 - 1982 Cabinet Committee on the Emoluments of SHOs
 - 1983 Cabinet Committee on Determining the Status of SHOs
 - 1983 Sahibzada Rauf Ali Committee
 - 1985 The Police Committee headed by Mr Aslam Hayat
 - 1987 Report of the two-member delegation's visit to Bangladesh and India
 - 1989 Report of the seven-member delegation's visit to Bangladesh and India
 - 1990 Police Reforms Implementation Committee – M.A.K. Chaudhary
 - 1995 Report of the UN Mission on Organised Crime in Pakistan
 - 1996 Report of the Japanese Police Delegation on the Police System in Pakistan
 - 1997 Committee on Police Reforms under the Chairmanship of Interior Minister
 - 1998 Report of the Good Governance Group on Police Reforms: Committee Vision
 - 2000 Report of the Focal Group on Police Reforms: NRB Draft 2000

Notwithstanding these many attempts at reform, the legislative approach to better policing did not change much until the Police Order, 2002 was promulgated by General Pervez Musharraf and given protection under the Constitution (Seventeenth Amendment) Act, 2003.³⁸ The Police Order, 2002 is based on the recommendations made by the Focal Group on Police Reforms in 2000. The District Magistrates lost their powers of general control over the district police under the Police Order, 2002. The Order sought to provide the police with operational autonomy and freedom from illegitimate political interference. More importantly, the Order also envisaged greater accountability of the police to external institutions. However, subsequent amendments made to the Order diluted the operational autonomy of the police and rendered the external bodies ineffective and dependent on the government of the day.³⁹ In addition, implementation of the Order has been challenging because provincial governments were not properly consulted during its formulation and civil bureaucracies never accepted the new dispensation. Although police organisations throughout the country continue to adhere to the Police Order, 2002,⁴⁰ some provincial governments are seriously considering amending it.⁴¹

2.1.1 Organisation under the Police Act, 1861

Under the 1861 Act the highest rank that a police officer could aspire to was that of Inspector General of Police (IGP), who headed the police department in the province, with Additional Inspectors General, Deputy Inspectors General, Senior Superintendents and Assistant/Deputy Superintendents serving directly



under him. These subordinate officers supervise police functioning within a clearly demarcated part of the province previously known as a range, district or sub-division.⁴² The IGP was appointed by the federal government and was responsible to the provincial government for the superintendence of the police force in the province.

Each province was divided into administrative units called “police districts”. A District Superintendent, or any other officer appointed by the provincial government (usually an officer of the rank of Superintendent of Police), was responsible for matters relating to the management of the force and the performance of all functions, including the detection, investigation and prevention of crime in a designated police district.⁴³ A Senior Superintendent of Police (SSP) headed larger districts. At the sub-district level, Assistant Superintendents of Police (ASPs) and Deputy Superintendents of Police (DSPs) commanded the police.

While the police ultimately functioned under the Inspector General of Police’s administrative and professional command, the general control and direction of the police was under the District Magistrate, a civil servant of the rank of Deputy Commissioner (belonging to the District Management Group of federal civil services) and responsible to the provincial Chief Executive (i.e. the Chief Minister) through the Home Secretary of the provincial government.⁴⁴ Section 4 of the Police Act, 1861 placed the police under the administrative, technical, financial, professional and organisational control of the District Superintendent of Police, but subject to the lateral general control and direction of the District Magistrate.

The District Magistrate was not a police professional but a general administrator whose powers included not only the executive functions (e.g. revenue collection) but some judicial functions as well. This was done deliberately because the functioning of the District Magistrate as the chief officer of the district was considered essential for the maintenance of British rule in India. The British had realised that to perpetuate their rule in the country they must have a police force that was totally subservient to the executive. Thus, a system of dual control at the district level was introduced – one under the head of the police force in the district and the other under the chief executive of the district (the District Magistrate) who was also responsible for the criminal administration of the district.⁴⁵



There was considerable opposition to the system of dual control at the district level even when it was introduced. In fact, the British government realised that the district system would not work efficiently in metropolitan areas, which faced different police problems. Therefore, the commissionerate system of policing (based on the London Metropolitan Police model) was introduced in certain metropolitan areas like Calcutta, Bombay, Madras and Hyderabad. Under this system the responsibility for policing the city/metropolis was vested in the Commissioner of Police.⁴⁶

2.1.2 Organisation under the Police Order, 2002

The Police Order has renamed the chief/head of the police force in the provinces as Provincial Police Officer (PPO) who is assigned the highest rank of Inspector General of Police (IGP). The IGP/PPO remains responsible to the provincial government under the Order. The provincial police still work as a department partly attached to the Home Department of the provincial government with the IGP as an ex-officio secretary. The budget of the police has to get approval from the provincial Home and Finance departments.⁴⁷

Under the Order each provincial capital is referred to as a Capital City, which has a Capital City Police Officer (CCPO), recruited from among the officers normally of the rank of Additional IG. Then each city district has a City Police Officer (CPO), recruited from officers at least of the DIG rank. While the terminology has changed slightly under the Order, the structure of policing has largely remained the same.

2.2 Functional Organisation of the Police

The basic territorial division in Pakistan is a district. The head of policing in every district is a District Police Officer (DPO) of the rank of Senior Superintendent of Police (SSP). Every district is divided into sub-divisions. A sub-division is the responsibility of an officer of the rank of ASP or DSP. Every sub-division is further divided into two or more police stations, depending on the area, population and incidences of crime. A police station may further be divided into police outposts. Police outposts are usually provided in areas where the territorial jurisdiction of the police station is so large that it is difficult to manage policing from the location of the police station. Inspectors are usually assigned to head police stations. In that capacity, they will be known as the Station House Officer (SHO).



Districts are grouped together to form a Region. The DPO of a district reports to the Regional Police Officer (RPO), who in turn reports to the PPO/IGP. By way of an example, there are eight regions in Punjab, with Sheikhupura Region including Kasur, Okara and Sheikhupura. The province of Sindh has three regions comprising Karachi, Hyderabad and Sukkur.

As prescribed in Article 8 of the Police Order, 2002, the police are to be organised in the following manner:

1. Investigation
2. Intelligence
3. Watch and Ward
4. Reserve Police
5. Police Accountability
6. Personnel Management
7. Education and Training
8. Finance and Internal Audit
9. Crime Prevention
10. Crime against Women
11. Traffic Planning and Management
12. Criminal Identification
13. Information Technology
14. Transport
15. Research and Development
16. Legal Affairs
17. Welfare
18. Estate Management



Importantly, Article 18 of the Police Order separates investigations from the watch and ward duties of the police. As a result, each provincial police establishment is supposed to have separate investigating wings at the police stations whereby direct supervision of investigators is undertaken by the Head of Investigations and general control is wielded by the Station House Officer.⁴⁸ The Code of Criminal Procedure prescribes the precise manner in which the police are to register crimes and perform their investigative and law and order duties out of a police station. A police station is divided into a number of beats, which are assigned to Constables, Head Constables and Assistant Sub-Inspectors for patrolling, surveillance and collection of intelligence. The SHO of a police station is usually an Inspector of Police, particularly in districts with larger populations and incidences of crime. In rural areas or smaller police stations, the SHO is usually a Sub-Inspector of Police.

In 2008, the number of police stations in the country was as follows:

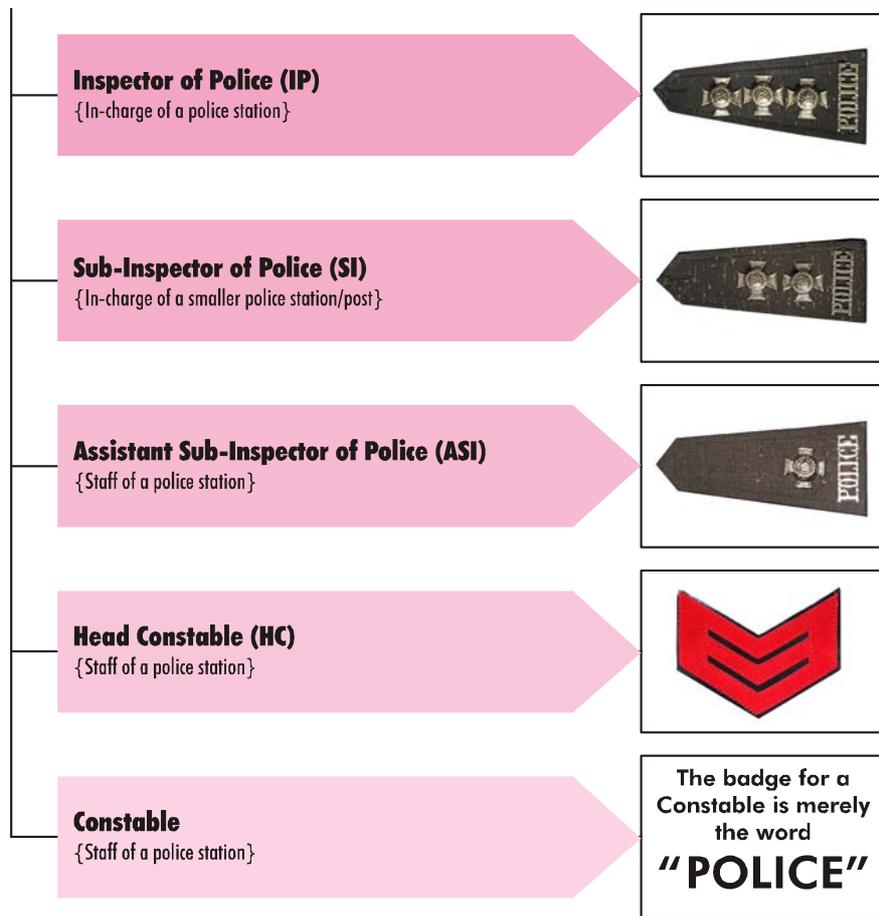
Province	Number of Police Stations
Punjab	637 ⁴⁹
Sindh	440 ⁵⁰
Khyber Pakhtunkhwa	218 ⁵¹
Balochistan	84 ⁵²
Islamabad	13 ⁵³
Total	1392

The provision of police posts has been made to enable the police to have greater and speedier reach and to ensure that the public can access police assistance more readily. Police posts are set up under police stations where the population and jurisdictional limits of the policing area are quite large. Generally, provincial police establishments are under-resourced. For instance, the 55,000-member police force for Khyber Pakhtunkhwa in reality means one policeman for every 350 km².



2.3 Field Establishment

Position	Badge
Inspector General of Police (IGP)/ Provincial Police Officer (PPO) { In-charge of the provincial police establishment }	
Additional Inspector General of Police (Addl. IGP) { In-charge of a Region, Capital City or a non-field branch/division/wing }	
Deputy Inspector General of Police (DIG) { In-charge of a City or a non-field branch/division/wing }	
Senior Superintendent of Police (SSP) { In-charge of a District or a non-field post at police headquarters }	
Superintendent of Police (SP) { In-charge of a non-field post at police headquarters }	
Assistant Superintendent of Police (ASP) { In-charge of a Sub-Division in a District }	
Deputy Superintendent of Police (DSP) { In-charge of a Sub-Division in a District }	

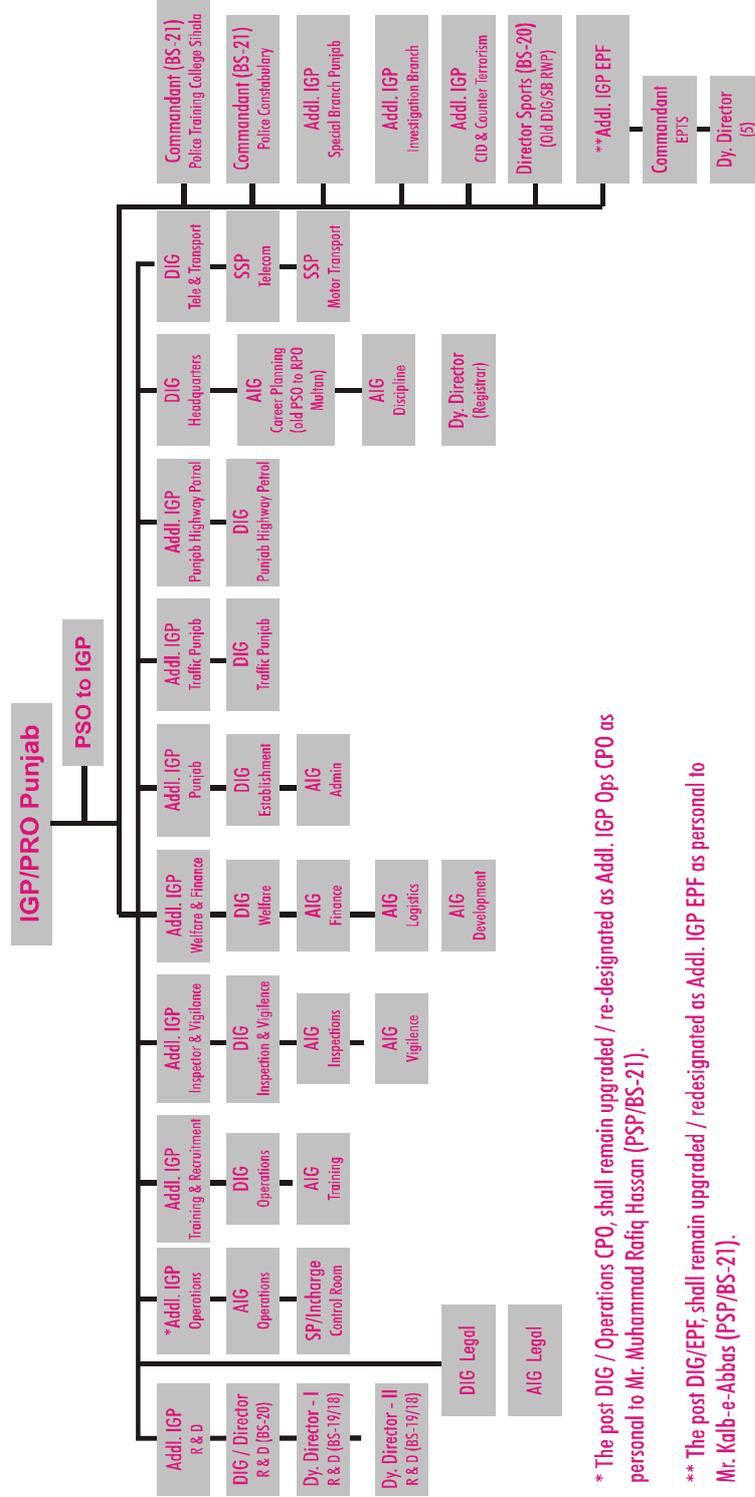


2.4 Police Headquarters Establishment

In addition to the field establishment, a number of senior officers at Police Headquarters assist the IGP in looking after different aspects of police work. For instance, the Punjab Police have its headquarters located at the Central Police Office in Lahore (CPO) where a number of functional units reside such as Headquarters (to look after postings, transfers, and promotions of senior ranks), Finance and Welfare (to look after budgets, procurements, and staff welfare), and Establishment (to look after promotions of junior ranks) etc. Further, there is the Criminal Investigation Department, Investigation Branch, and Special Branch (see page 27). Some of these units report directly to the IGP while others report to him through the Additional Inspectors General of Police.

The chart below represents the organisation of the Punjab Police.⁵⁴

**ORGANISATIONAL CHART OF CENTRAL POLICE OFFICE, PUNJAB
AS ON 14 APRIL 2010**



* The post DIG / Operations CPO, shall remain upgraded / re-designated as Addl. IGP Ops CPO as personal to Mr. Muhammad Rafiq Hassan (PSP/BS-21).

** The post DIG/EPF, shall remain upgraded / redesignated as Addl. IGP EPF as personal to Mr. Kalb-e-Abbas (PSP/BS-21).



Criminal Investigation Department and Counter Terrorism Branch: This branch has two major wings: one specialising in the investigation of crimes like counterfeiting of currency, professional cheating, and crimes with inter-district and inter-provincial ramifications; and the other wing deals with the investigation of terrorism cases. According to a senior police official in Sindh, the focus of CIDs in all the four provinces is on anti-terrorism operations, investigation of terrorism cases, and intelligence functions relating to terrorism. CIDs serve as the coordination point between federal and international agencies on the subject of terrorism. As a result, the CID branches have assumed significant importance.

Investigation Branch: This branch serves as the investigation agency of the provincial police. It has two wings – Crime and Investigation – each headed by a DIG. The Crime Wing includes the Provincial Criminal Record Office, the Fingerprint Bureau, the Monitoring Section, the Press Section, the Anti-Terrorism (Monitoring) Cell, and the Statistical Office. The Investigation Wing consists of six Superintendents of Police and their investigation panels of Assistant/Deputy Superintendents of Police. It is also the primary agency for the collection of crime statistics for the entire province. It analyses the data collected and disseminates its reports on incidence, detection, and prosecution of criminals (especially in terrorism cases). It also carries out investigations entrusted to the Investigation Branch after a second change of investigation is ordered by the IGP. Such changes are ordered on the recommendation of a standing board comprising the DIG (Crime) and two of the Superintendents of Police posted to the Investigation Branch.⁵⁵

Special Branch: This branch collects, collates and disseminates intelligence. Its main role is to monitor the activities of persons, parties and organisations viewed as subversive. Its duties often include:

- ◆ collection, collation and dissemination of information on the political situation of a province, as well as on matters pertaining to law and order;
- ◆ maintaining records of political, student, labour and other activists;
- ◆ monitoring Exit Control Lists of government servants;
- ◆ VIP security;
- ◆ inspecting key points; and
- ◆ verification of the antecedents of government employees, private security agencies, sponsors of visas for Indian nationals and applications for Pakistani citizenship.



2.5 Duties and Responsibilities of the Police

The duties of the police as enumerated in the Police Act of 1861 were fairly straightforward and basic:

- a) obey and execute all orders and warrants lawfully issued by any competent authority;
- b) collect and communicate intelligence affecting the public peace;
- c) prevent commission of offences and public nuisances;
- d) detect and bring offenders to justice; and
- e) apprehend all persons whom the police are legally authorised to apprehend and for whose apprehension sufficient ground exists.

The Police Order, 2002 is far more detailed about the duties and responsibilities police officers are expected to fulfil:⁵⁶

- a) protect life, property and liberty of citizens;
- b) preserve and promote public peace;
- c) ensure that the rights and privileges, under the law, of a person taken in custody, are protected;
- d) prevent the commission of offences and public nuisance;
- e) collect and communicate intelligence affecting public peace and crime in general;
- f) keep order and prevent obstruction on public roads and in the public streets and thoroughfares at fairs and all other places of public resort and in the neighbourhood of and at places of public worship;
- g) regulate and control traffic on public roads and streets;
- h) take charge of all unclaimed property and prepare its inventory;
- i) detect and bring offenders to justice;
- j) apprehend all persons whom the police are legally authorised to apprehend and for whose apprehension, sufficient grounds exist;

- 
- k) ensure that the information about the arrest of a person is promptly communicated to a person of his choice;
 - l) enter and inspect without a warrant on reliable information any public place, shop or gaming-house where alcoholic drinks or narcotics are sold or weapons are illegally stored, and other public places of resort of loose and disorderly characters;
 - m) obey and promptly execute all lawful orders;
 - n) perform other duties and exercise powers as are conferred by this Order, the Code or any other law for the time being in force;
 - o) aid and cooperate with other agencies for the prevention of destruction of public property by violence, fire, or natural calamities;
 - p) assist in preventing members of the public from exploitation by any person or organised groups;
 - q) take charge of lunatics at large to prevent them from causing harm to themselves or other members of the public and their property;
 - r) prevent harassment of women and children in public places; and
 - s) lay information before a competent court and 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

The police are also expected to make every effort to:

- a) afford relief to people in distress situations, particularly in respect of women and children;
- b) provide assistance to victims of road accidents;
- c) assist accident victims or their heirs or dependants, where applicable, with such information and documents as would facilitate their compensation claims; and
- d) cause awareness among the victims of road accidents of their rights and privileges.



2.6 Accountability

In the event that a police officer does not fulfil his/her duties, or engages in active wrongdoing, the average citizen has some avenues of recourse. First, a citizen can lodge a complaint with the concerned police department as every provincial police establishment has some form of internal disciplinary proceeding. However, in the interest of ensuring that every complaint is treated fairly and without prejudice, it is always a good idea to have an independent complaints authority for the police. Doing so will increase the likelihood that a complainant will have his/her grievance(s) addressed in an impartial and expeditious manner.

To this end, the Police Order, 2002 (and its subsequent amendments) created accountability mechanisms at the district, provincial and national levels. In regards to the district level, the Police Order established the District Public Safety and Police Complaints Commission (DPSPCC). The main responsibilities of the DPSPCC include: approve the Local Policing Plan;⁵⁷ “take steps to prevent the police from engaging in any unlawful activity arising out of compliance with unlawful or *mala fide* orders”;⁵⁸ cause registration of FIR within 48 hours when warranted;⁵⁹ hear complaints;⁶⁰ conduct fact-finding;⁶¹ and refer a matter to the Provincial Public Safety and Police Complaints Commission if the Head of District Police does not act on the matter.⁶² A significant problem with DPSPCCs is that very few have been set up throughout Pakistan and when they have been set up, they have little impact since their powers are often merely recommendatory and not binding. The failure of these bodies to have “teeth” means that they are often ignored.

Similar to the DPSPCCs, one of the objectives of the Provincial Public Safety and Police Complaints Commission (PPSPCC) is to “take steps to prevent the police from engaging in any unlawful activity arising out of compliance with unlawful or *mala fide* orders.”⁶³ However, it also has the important roles of facilitating the establishment and functioning of the Citizen Police Liaison Committees (CPLCs);⁶⁴ coordinating the functioning of the DPSPCCs;⁶⁵ overseeing the implementation of the Provincial Policing Plan;⁶⁶ and recommending reforms for the modernisation of laws and procedures.⁶⁷ Essentially, the PPSPCC is expected to ensure that the commission system functions properly in the respective province.⁶⁸



Unfortunately, the notification and establishment of PPSPCCs throughout Pakistan has also been very poor. In Balochistan the PPSPCC is functioning, but they have very few resources.⁶⁹ In Khyber Pakhtunkhwa the PPSPCC has been notified and one meeting was held in the presence of the National Public Safety Commission.⁷⁰ In Sindh, the Chief Minister and the Governor were asked to make the PPSPCC more effective but that has yet to happen.⁷¹ And in Punjab the PPSPCC is not functioning at all since it has not met for the past five years.⁷²

At the national level, the National Public Safety Commission (NPSC) is responsible for overseeing the functioning of federal law enforcement agencies;⁷³ facilitating the establishment and functioning of the CPLCs;⁷⁴ overseeing the implementation of plans prepared by heads of the federal law enforcement agencies;⁷⁵ and coordinating the functioning of the PPSPCCs.⁷⁶ The NPSC holds regular monthly meetings and released its first Annual Report in 2008. A functioning NPSC is an important step to having a relatively independent body examine the current state and pace of police reforms across Pakistan. If it wishes to, the NPSC can use its stature and position to highlight and draw attention to the deficiencies in Pakistan policing.

2.7 Women in the Police

Historically, women in Pakistan police have had limited influence. Dating back to the British Raj, recruitment of women into policing was exceedingly rare. For instance, seven temporary female Constables and a Head Constable were inducted for a short period in 1939 to help contend with female agitators that were part of a farmers' movement in Punjab. The number of women police did not rise significantly until 1952 when 25 Constables, two Head Constables and an ASI were recruited.⁷⁷

Little changed until 1994 when former Prime Minister Benazir Bhutto established the first ever women-only police station in Rawalpindi. The Rawalpindi Range's then DIG Dr Muhammad Shoaib Suddle has stated that the establishment of the exclusive police station was a response to the increasing incidents and complaints of police excesses against women arrested or investigated by male members of the department.⁷⁸ Therefore, all cases involving women were to be dealt with by the Women's Police Station. The female staff of the first ever Women's Police Station in Rawalpindi included an Inspector, two Sub-Inspectors, one ASI, two Head Constables and 13 Constables. The Bhutto administration proceeded to create women-only police stations in Abbotabad, Peshawar, Lahore, Multan, Karachi and Larkana. However, the intention to do



so in every city of Pakistan was never realised because the government was dismissed in November 1996.

In terms of performance, the Women's Police Station in Peshawar had not registered a single case until 2004, whereas the one in Abbotabad had registered 400 cases by that time.⁷⁹ However, the Abbotabad police station, along with the other all-women police stations, were stopped from registering cases in 2002. A study revealed that women police officers were not allowed to register FIRs by senior ranking male officials of the department.⁸⁰

Although women-only police stations have comprised the main element of gender parity in Pakistan policing, the situation appears to be slowly changing. Women will shortly be inducted into specialised training programmes for anti-terror squads.⁸¹

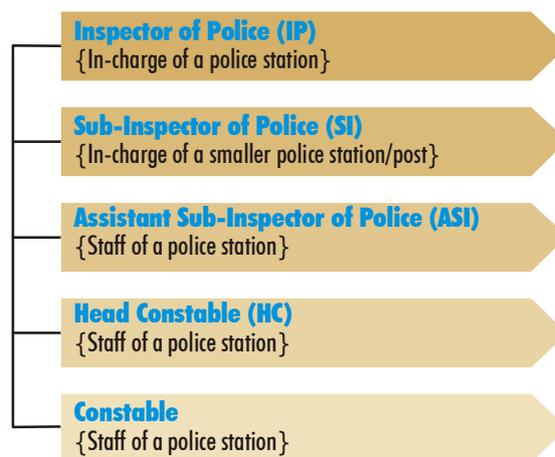
Recruitment and Training

The provincial police forces are nearly 325,000 strong and have a combined budget of over Rs. 80,000 million.⁸²

Provinces (2009-10)	Sanctioned Strength	Budget in Rs. Million
Punjab Police	170,031	43,000.00
Sindh Police	70,133	24,900.00
Khyber Pakhtunkhwa Police	52,650	9,677.15
Balochistan Police ⁸³	32,119	3,500.00
Total	324,933	81,077.15

Recruitment to the police in Pakistan is done at three levels – Constable, Assistant Sub-Inspector and Assistant Superintendent of Police. Recruitment to the position of Constable and Assistant Sub-Inspector is done at district and provincial levels, respectively, whereas the Federal Public Service Commission (FPSC) on behalf of the Police Service of Pakistan (PSP) carries out recruitment to the Assistant Superintendent of Police level.⁸⁴

3.1 Junior Ranks





3.1.1 Recruitment

Junior cadres (i.e. below the rank of Assistant Superintendent of Police and Deputy Superintendent of Police) form the overwhelming majority of the total numeric strength of the police. For instance, out of the sanctioned numeric strength of 170,031 police officers for the province of Punjab, 381 belong to the rank of ASP or higher. The remaining 169,650 staff members belong to the ranks of Deputy Superintendent of Police (DSP) and below, with only 795 belonging to the DSP cadre.⁸⁵

Recruitment to junior ranks is done according to criteria set by the provincial governments. The Constable, Head Constable, ASI, SI, and Inspector of Police (IP) are grouped together as junior ranks. Since Constable is the lowest rank in the police force, a district board of police officers presided over by the DPO normally conducts recruitment. The selection process involves physical measurement,⁸⁶ an efficiency test, a written examination, an interview, a medical examination and police verification.

The Police Order prescribes that selection for direct recruitment in the rank of ASI shall be through the appropriate Public Service Commission and shall not exceed 25 per cent of the total posts in that rank. The procedure involves passing a physical efficiency test and a written examination followed by a mental ability test and an interview. The Commission prepares a list of candidates, in order of scores garnered, and sends it to the government. In addition, 25 per cent of the quota for departmental promotions to ASI is to be filled by graduate Constables or Head Constables of clean record as selected by the concerned provincial Public Service Commission.⁸⁷ The remaining posts are to be recruited by the provincial police establishment.

3.1.2 Educational Requirements

Although educational qualifications may vary from province to province, generally the requirement for Constables is matriculation (ten years of school education). No specific subject knowledge is required for this qualification. For recruitment to the rank of ASI, a bachelor's degree (fourteen years of education) with a minimum Second Division in any combination of subjects is required.⁸⁸

3.1.3 Age Requirements

A candidate for Constable and ASI usually must be between 18 and 26 years.⁸⁹

3.1.4 Training

All provinces have police training colleges or schools that impart training to directly recruited Constables and Assistant Sub-Inspectors. In addition, most federal police organisations have established their own training institutions, which organise not only basic training for their officers but also specialised courses for them and for others.

Across Pakistan, there are five police training schools in Punjab, five in Sindh, three in Khyber Pakhtunkhwa, and one in Balochistan. These training centres often lack adequate facilities. For instance, except for the Police Training College in Sihala, Punjab, none of the other training schools have a forensic lab.

Four types of training courses are organised by the police training institutions. These include:

1. basic induction level courses for fresh recruits;
2. pre-promotion in-service courses for those about to be promoted;
3. refresher courses; and
4. specialised courses.

The Basic Training Course for Constables is six months long and includes the following subjects:⁹⁰

1. Character Development
 - a. Islamic Ethics & Awareness
 - b. Crime Preventive Preparation and Community
 - c. Policing
2. Law
 - a. Pakistan Penal Code
 - b. *Shariah* Law
 - c. Criminal Procedure Code



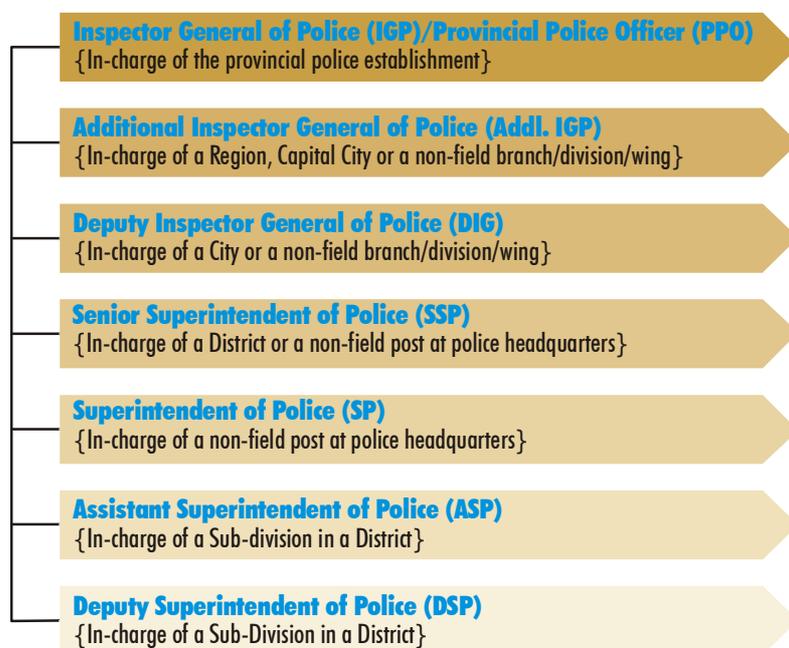
3. Police Procedure
 - a. *Qanun-e-Shahadat*
 - b. Police Rules
 - c. Local & Special Laws
4. General Police Duties
5. Criminal Law and Investigation
6. Practical Police Work
 - a. Police Procedure
 - b. Physical Training

The training of Assistant Sub-Inspectors is also conducted at the provincial police training school and takes place over 48 weeks. The subjects taught include:⁹¹

- ◆ PPC & *Hudood* Laws
- ◆ CRPC
- ◆ *Qanun-e-Shahadat*
- ◆ Local and Special Laws
- ◆ Police Rules
- ◆ Police Public Relations
- ◆ Investigation
- ◆ Fingerprinting
- ◆ Medical Jurisprudence
- ◆ Plan Drawing
- ◆ Islamic Studies
- ◆ Criminology
- ◆ First Aid
- ◆ Security
- ◆ Scientific Aids



3.2 Senior Ranks



3.2.1 Recruitment

Assuming one meets the basic age and educational requirements, recruitment to the Police Service of Pakistan (PSP) is done through an annual nationwide examination held by the Federal Public Services Commission (FPSC) that seeks to recruit qualified candidates into the Central Superior Services of Pakistan (which, in addition to the PSP, includes other branches of the civil service such as the District Management Group, the Federal Board of Revenue and the Foreign Service of Pakistan).⁹² A final list of successful candidates is prepared from those that pass the examination, psychological tests and the interview. Candidates may be declared unsuitable to join the PSP for reasons of physical disability⁹³ or for failure to meet the standards laid out in the psychological profiling.⁹⁴

From this process a pool of police officers, selected from all the provinces and territories of Pakistan, will be created for the PSP.⁹⁵ Members of the PSP are recruited as ASPs, following which they receive two years of training and serve for one year in the Frontier Constabulary before entering one of the four provincial police forces or the Islamabad Capital Police.⁹⁶



3.2.2 Educational Requirements

The minimum educational requirement for those writing the ASP competitive exam is BA/BSc (14 years of education). The candidate should have at least a Second Division or 'C' Grade Bachelor's Degree.⁹⁷ A candidate who has obtained Third Division, or 'D' Grade, in his/her Bachelor's Degree will be eligible for the examination in cases where he/she has obtained a higher Division/Grade in his/her Master's Degree.

3.2.3 Age Requirements

A candidate for ASP post must have attained the age of 21 years and must be below 28 years.⁹⁸

3.2.4 Training

Those selected as ASPs (generally referred to as ASPs "under training") undertake two years of training. The first year is spent at the Civil Services Academy in Lahore where the ASP under training receives mandatory training in general subjects. This is called the Common Training Programme (CTP) and is applicable to all new Central Superior Services inductees.⁹⁹ Some subjects covered under the CTP include: Economics, Contemporary Issues in Islam, Office Management, Government Functioning, Public Finance, Computers/IT, Communication Skills and Public Speaking.

After the CTP is completed, the ASPs under training are assigned to undergo a nine-month long training at the National Police Academy (NPA) in Islamabad. It is at the NPA where the ASPs under training will participate in the Initial Command Course (ICC) or Specialised Training Programme (STP). The following are some of the subjects taught under the STP:

- ◆ Techniques of Scientific Investigation
- ◆ VIP Security
- ◆ Dealing with Problems of Terrorism
- ◆ Detection and Disposal of Bombs/Explosives
- ◆ Computer Applications
- ◆ Management/Public Administration
- ◆ Forensic Science

- 
- ◆ Dealing with Special Crimes, like those against women and children
 - ◆ Drugs/Narcotics
 - ◆ Training of Trainers
 - ◆ Human Rights
 - ◆ Radio Wireless
 - ◆ Traffic
 - ◆ Commando Training
 - ◆ Intelligence
 - ◆ Cyber Crimes
 - ◆ Vigilance and Anti-corruption

Immediately thereafter, all ASPs under training are assigned a one-year temporary posting with the Frontier Constabulary to garner practical field experience. At the end of this the ASPs under training are supposed to pass an internal examination conducted by the National Police Academy and a written examination conducted by the FPSC, called the Final Passing Out Examination (FPOE).

3.3 Training the Trainers

The Central Planning and Training Unit (CPTU) was established within the Academy to develop training modules for officers of different ranks. The following are the three main features of CPTU:

- ◆ Training Needs Analysis (TNA)
- ◆ Curriculum Design (CD)
- ◆ Trainer Development Programme (TDP)

So far the CPTU has conducted TNA for the following ranks;

- ◆ TNA of Superintendents of Police
- ◆ TNA of Sub-Divisional Police Officer
- ◆ TNA of Inspector
- ◆ TNA of Assistant Sub-Inspector (in progress)



Based on TNA, CPTU has designed the following curricula for various ranks:

- ◆ Initial Command Course (ICC)
- ◆ Trainers Development Program (TDP)
- ◆ Training Managers Program (TMP)

CPTU has delivered several courses of Trainers Development Program in which a number of trainers from all major police training establishment of Pakistan have been trained in modern concepts of police training.¹⁰⁰

3.4 Challenges and Shortcomings of Training

While the training conditions at the NPA have improved over the years, the conditions at most police training centres are harsh. Often these training centres do not have basic facilities or adequate accommodation. For instance, at Lahore's Manawan Campus of Chung Police Training School there are only twelve toilets for 800 recruits and no provision for showers. In fact, no medical facilities are available at the training school and 30 per cent of the recruits routinely miss their training schedules due to illness.¹⁰¹

Another problem is that the training of new recruits is largely focused on rudimentary physical training and not on the cultivation of skills. In addition, new equipment is rarely evident at training schools and international developments in the field of policing are not normally taught. Moreover, due to the lack of resources, the overwhelming majority of training schools in Pakistan are without proper classrooms, libraries, forensic units, computer equipment and arms. Out of 14 provincial police training institutions, 10 function without proper classrooms, 13 do not possess overhead projectors, 12 lack conference rooms, 12 are without a library, 12 do not have simulation facilities, 13 are have no forensic units, and 10 are without any computers.¹⁰²

Federal Policing in Pakistan

It is the duty of the federal government to protect the provinces against external aggression and internal disturbance. For instance, the federal government has the command and control of the armed forces to defend against external threats.¹⁰³ According to Entry 1 of the Federal Legislative List (Part I), Parliament has exclusive powers to make laws with respect to the armed forces of the Federation, the paramilitary forces (referred to as Civil Armed Forces), and the Intelligence Bureau. Parliament therefore has the exclusive power to legislate for:

- ◆ the Civil Armed Forces operated by the federal government (Entry 1, Federal Legislative List – Part I);
- ◆ the federal Intelligence Bureau (Entry 1 of the Federal Legislative List – Part I);
- ◆ the federal public services (Entry 11, Federal Legislative List – Part I), which includes the Police Service of Pakistan;
- ◆ the federal agencies and institutes for research, training, or for the promotion of special studies (Entry 16, Federal Legislative List – Part I); and
- ◆ permitting the police of one province to assume and exercise jurisdiction in another province (with the latter’s permission), as well as to grant permission to any police force to assume and exercise jurisdiction in areas under the control of Pakistan Railways (Entry 40, Federal Legislative List – Part I).

4.1 The Role of the Federal Ministry of Interior

The Federal Government’s Rules of Business, 1973, formulated under Article 99 of the Constitution, prescribe that the “Coordination of policy matters relating to Police” is the responsibility of the Interior Division (Ministry of Interior).¹⁰⁴ The Rules of Business also stipulate that “Police Commission and Police Awards” are under the purview of the Interior Division.¹⁰⁵ The Ministry of Interior is responsible for the internal security of the country as a whole and performs the following duties, among others:



- ◆ operating federal police organisations such as the FIA and Frontier Constabulary;
- ◆ raising, maintaining and deploying the Civil Armed Forces (i.e. Pakistan Rangers, Frontier Corps, Pakistan Coast Guard) to assist the civil administration and provincial police establishments;
- ◆ maintaining the National Police Bureau so as to ensure coordinated planning by police organisations across the country;
- ◆ rendering advice and assistance to the provincial governments in dealing with crime and law and order situations; and
- ◆ providing technical assistance for the modernisation of provincial police forces.

4.2 The Police Service of Pakistan

The Police Service of Pakistan (PSP) is an All Pakistan Service from which officers are assigned to provincial police organisations or, on rotation, to federal law enforcement agencies. Members of the PSP are selected and recruited through a competitive examination conducted annually by the Federal Public Service Commission (FPSC) for selection of candidates to the Central Superior Services of Pakistan (see Recruitment and Training on page 33 for more details). Ten per cent of the PSP are inducted from the Armed Forces.

Depending on the vacancies available, the number of officers selected for the PSP varies every year. The figures for 2007, 2008, and 2009 were 15, 37 and 35 respectively (see table on the next page). At present, the number of officers in the PSP is 660. Each province and region is assigned a quota for the federal services. Therefore, once officers of junior ranks belonging to the provincial cadre are promoted to the SP rank, they can join the PSP depending on the provincial quota. However, this occurs infrequently and thus has been a source of discord between the provincial cadres and the Police Service of Pakistan.

Reservation and Allocation of Seats to PSP from 2007-2009¹⁰⁶

Region/ Province	YEARS								
	2007 (on the basis of 2006 exams)			2008 (on the basis of 2007 exams)			2009 (on the basis of 2008 exams)		
	Men	Women	Total	Men	Women	Total	Men	Women	Total
Open Merit (for all regions)	1	—	1	3	—	3	2	—	2
Punjab	7	1(R)	8	18	2(R)	20	15	1 (R)	16
Sindh (Rural)	1	nil	1	5	1(R)(NF)	6	3	1 (R)	4
Sindh (Urban)	2	nil	2	2	nil	2	3	nil	3
Khyber Pakhtunkhwa	1	nil	1	4	1(R) (NF)	5	4	1 (R)	5
Balochistan	1	nil	1	2	nil	2	2	nil	2
FATA & Gilgit- Baltistan	1	nil	1	1	nil	1	1	nil	1
AJK	nil	nil	nil	1	nil	1	2	nil	2
Total	14	1	15	35	3 (R)	38	32	3 (R)	35

NF: Not filled
R: Reserved seat

Note: Allocation to women include reserved seats; Khyber Pakhtunkhwa (formerly NWFP); Gilgit-Baltistan (formerly Northern Areas)

The Establishment Division of the Cabinet Secretariat manages the PSP cadre¹⁰⁷ and the officers selected to the PSP are retained as civil servants in the federal government. After they join as Assistant Superintendents of Police, PSP officers remain on probation for a period of two years. They are confirmed as Assistant Superintendents of Police after successful completion of training. The PSP officers occupy the senior posts in the police forces of all provinces and in federal police organisations.

Being an employee of the federal government, a PSP officer can be removed or dismissed from service only by the federal government. With the creation of new posts under the Police Order, 2002, promotion in the PSP cadre has been



expedited. "An ASP is eligible for promotion to the rank of SP in five years of service including the period under training, an SP for the rank of SSP in another 5-7 years, an SSP for the rank of DIG after seventeen years of service, and a DIG for the rank of Additional IGP after another five years and an Additional IG is promoted in as IG within 3 years.¹⁰⁸

4.3 Federal Police Organisations

There are several police organisations working under the control of the Ministry of Interior. One type is armed police organisations such as the Pakistan Rangers, Frontier Corps, Pakistan Coast Guards, and the Federal Investigation Agency (FIA). Another type includes entities whose mandate is to improve police functioning such as the National Police Bureau (NPB), the National Police Academy (NPA), and the National Police Management Board (NPMB). Then there are other agencies, not under the direct control of the Ministry of Interior, that are federal law enforcing agencies such as the National Highways and Motorways Police (working under the Ministry of Communications) and the Anti-Narcotics Force (working under the Ministry of Narcotics Control).

The following table briefly captures the functioning of each of the federal police organisations.¹⁰⁹

S. No.	Institution/ Organisation	Assigned Task
1.	(i) Frontier Corps, Khyber Pakhtunkhwa (ii) Frontier Corps, Balochistan	To maintain law and order in the areas adjacent to international borders and in the Federally Administered Tribal Areas, and drug control along borders with Afghanistan and Iran.
2.	(i) Pakistan Rangers, Punjab (ii) Pakistan Rangers, Sindh	To secure/check the Indo-Pakistan border and to assist, when requested, respective provincial governments in maintaining law and order.
3.	Gilgit-Baltistan Police	The ambiguity regarding the constitutional status of this region means that the federal government is at least partly involved in local policing.



4.	Northern Areas Scouts (now Gilgit-Baltistan)	This federal paramilitary force is meant to secure areas that border along Gilgit-Baltistan and to provide assistance to the local police force for law and order in times of need.
5.	Frontier Constabulary	Frontier Constabulary was initially meant to provide security to internal borders of the so-called settled areas of Khyber Pakhtunkhwa (formerly NWFP). Its mandate is now focussed on internal security as a federal paramilitary force.
6.	Pakistan Coast Guards	To secure the seacoast, prevent smuggling, and prevent entry of illegal immigrants and enemy agents/saboteurs.
7.	Islamabad Police	To perform policing functions in the federal capital of Islamabad.
8.	Federal Investigation Agency	To investigate cases of corruption and fraud in federally controlled departments and institutions. Its jurisdiction encompasses economic crimes, cyber crimes, banking offences, and enforcement of immigration laws/exit control list.
9.	Anti-Narcotics Force	The ANF is mainly tasked with limiting trafficking and distribution of narcotics in the country, to enhance international cooperation against drugs, and liaise with international bodies including the United Nations Office on Drugs and Crime.
10.	Intelligence Bureau	Gathers intelligence and disseminates it to the federal government and through the Ministry of Interior to various police organisations.
11.	National Highways and Motorways Police (NHMP)	NHMP is assigned the task of traffic control functions on national highways under the control of the Ministry of Communications.
12.	Pakistan Railways Police	The Pakistan Railway Police (PRP) carries out policing along the railways.
13.	National Police Bureau	To act as a national focal point on all police-related matters and function as the permanent secretariat for the National Public Safety Commission and the National Police Management Board.



14.	National Public Safety Commission	Oversees the functioning of federal law enforcement agencies.
15.	National Police Management Board	Advises the federal and provincial governments on matters concerning general planning and development in the various police organisations.

4.3.1 Civil Armed Forces

The Civil Armed Forces are the armed field organisations of the Ministry of Interior. The roles assigned to these forces during peacetime are to:

- ◆ secure and check illegal border crossing;
- ◆ prevent smuggling-related illegal activities;
- ◆ adopt anti-drug trafficking measures;
- ◆ assist provincial governments in maintaining law and order;
- ◆ prevent trans-border crimes and unauthorised entry into Pakistan; and
- ◆ promote a sense of security amongst the people living in the border areas.

In times of war, the Civil Armed Forces are expected to:

- ◆ hold the ground in less threatened sectors as long as the main attack does not develop in that particular sector; and
- ◆ protect vital installations.¹¹⁰



The collective strength of the various Civil Armed Forces is as follows:¹¹¹

Force	Strength
FC (Balochistan)	45,227
FC (Khyber Pakhtunkhwa)	48,648
Pakistan Rangers (Punjab)	19,487
Pakistan Rangers (Sindh)	24,630
Pakistan Coast Guards	4,067
Northern Areas Scouts	3,679
Frontier Constabulary	22,817
Grand Total	168,555

4.3.2 Frontier Corps

Maintained under the Frontier Corps Ordinance, 1959, the Frontier Corps (FC) is led by regular Pakistan Army officers, though it is part of the Ministry of Interior and not the Army. The junior ranks of FC Khyber Pakhtunkhwa are mostly composed of people from local tribal areas whereas the junior ranks of FC Balochistan are mostly non-Baloch.¹¹² The top officer of the Corps is Inspector General. With a total manpower of approximately 94,000 the task of this paramilitary force is to assist local law enforcement agencies in the maintenance of law and order when called upon to do so. For instance, in the mid-1970s the Pakistan government used FC Balochistan to counter the insurgency there. These days the role of FC is once again focused on insurgents in that province and to fight the Taliban in Khyber Pakhtunkhwa.

4.3.3 Pakistan Rangers

Also under the Ministry of Interior, the Pakistan Rangers have a similar structure to the Frontier Corps. Senior officers are from the military but are deputed to the Rangers. The Pakistan Rangers are found in both Punjab and Sindh. The President appoints the DG of the Pakistan Rangers, whereas the power to appoint the Deputy DG and Commandants resides with the concerned provincial government.¹¹³



The Rangers are tasked with performing the following functions:

- ◆ reinforce the police for the maintenance of law and order;
- ◆ assist the police in the prevention and detection of crime in the border areas;
- ◆ protection of persons and property in the border areas;
- ◆ apprehension of persons unlawfully entering or exiting Pakistan;
- ◆ organisation of village defence in the border areas;
- ◆ prevention of smuggling; and
- ◆ collection of intelligence in the border areas.¹¹⁴

4.3.4 Pakistan Coast Guards

Established under the Pakistan Coast Guards Act, 1973, the Pakistan Coast Guards (PCG), another paramilitary force under operational control of the Ministry of Interior, is headquartered in Karachi and responsible for:

- ◆ prevention of trafficking in humans, drugs, and commodities;
- ◆ prevention of illegal immigration to, and migration from, the country;
- ◆ stopping enemy agents or saboteurs from infiltrating into the country along the coastal areas; and
- ◆ supplementing defence in war.¹¹⁵

The top hierarchy of the PCG is drawn from the Defence Services of Pakistan on deputation. Thus, the federal government appoints the Director General, Deputy Director General, Commandant and other Commissioned Officers.

4.3.5 Gilgit-Baltistan Police

The Gilgit-Baltistan Police was constituted in 1972 under an executive order by the federal government. Due to the special circumstances of Gilgit-Baltistan's legal status, its police has to date been supervised and managed by the Ministry of Kashmir Affairs and Northern Areas. However, after the promulgation of



the Gilgit-Baltistan (Empowerment and Self-Governance) Order, 2009, the police in that region now fall under the direct supervision of the government of Gilgit-Baltistan. Although the Police Act, 1861, is still in force in Gilgit-Baltistan, investigation duties have been separated from watch and ward. The police continue to work under the Punjab Police Rules of 1934. The top hierarchy of the Gilgit-Baltistan Police are appointed from the Police Service of Pakistan and the junior ranks are recruited from the local population. The total sanctioned strength of the Gilgit-Baltistan Police is 4,662 personnel.¹¹⁶

4.3.6 Northern Areas Scouts (now Gilgit-Baltistan Scouts)

The Northern Areas Scouts, with a total strength of 3,679, perform the function of providing internal security along the border areas of the former Northern Areas (now Gilgit-Baltistan). They may also be called in aid of the civil administration in times of emergency.¹¹⁷

4.3.7 Frontier Constabulary

The Frontier Constabulary was created as an independent force under the North West Frontier Constabulary Act, 1915. It operates under the Act of 1915 and the Frontier Constabulary Rules of 1958. Since the Khyber Pakhtunkhwa police do not have jurisdiction over FATA's agencies, the Frontier Constabulary serves as a federal armed police force that is permitted to operate in FATA as well as the so-called frontier regions within Khyber Pakhtunkhwa. Although these frontier regions are a part of Khyber Pakhtunkhwa, the Constabulary are permitted to operate as long as the province gives its consent. Originally, the Frontier Constabulary was meant to stop incursions and raids into the settled areas from the tribal areas. But after independence its original functions have expanded and include involvement in internal security duties and protection of vital installations as well as posting in and out of Khyber Pakhtunkhwa.¹¹⁸

At present, the Frontier Constabulary has about 500 platoons and in each platoon the strength varies from around 40 to 50. Largely drawn from the province of Khyber Pakhtunkhwa and the adjacent tribal areas, the Frontier Constabulary is a federal civil armed force with a total strength of 22,817 staff.



The Frontier Constabulary is at present asked to:

- ◆ guard FATA and the Frontier Regions (areas between the tribal areas and the so-called settled areas/districts of Khyber Pakhtunkhwa);
- ◆ stop unlawful activities including kidnapping and checking tribal disputes on the administrative borders between settled areas and the tribal areas;
- ◆ act as second line of defence in times of emergency or war;
- ◆ assist the local administration in times of need for internal security;
- ◆ control and eliminate poppy cultivation and growth and to check trafficking of narcotics, illegal weapons and smuggling; and
- ◆ perform any other duties assigned by the federal government.¹¹⁹

4.3.8 Capital Territory Police

Initially established in 1981 under Presidential Orders No. 17 and 18 with 3,484 personnel, the Islamabad Capital Territory Police has grown to 10,333 and is tasked with policing the capital of Pakistan.¹²⁰ Although the Police Order, 2002 has not come into force in Islamabad,¹²¹ it is still considered to be one of the leading police forces in the country. With the best salary packages among all police forces and a policy to reduce police torture cases, the Islamabad Police claim that no petition for habeas corpus was filed in 2009.¹²² Since the local government laws are not applicable to Islamabad, the Police Act, 1861 remains the policing law for Islamabad. Consequently, Islamabad Police at least theoretically works under the general control of the District Magistrate; however, for practical reasons, it works under the direct supervision of the Ministry of Interior. The Islamabad Police was the first police force to introduce human rights officers' positions to reduce the number of public complaints owing to police excesses.



4.3.9 Federal Investigation Agency

Successor to the pre-independence Special Police Establishment, which was set up in 1941¹²³ to investigate cases of bribery and corruption, the Federal Investigation Agency (FIA)¹²⁴ continues to investigate offences committed in connection with matters that concern the federal government or have inter-provincial scope or involve transnational organised crime.¹²⁵ The FIA is a federal police entity with a total strength approaching 3,500 and is empowered to investigate and prosecute offences that relate to:

- ◆ corruption in departments and bodies controlled by the federal government;
- ◆ specialised organised crime including terrorism;
- ◆ immigration, human trafficking, and smuggling;
- ◆ money laundering;
- ◆ cyber crimes, economic and white collar crimes and plastic money frauds; and
- ◆ violation of intellectual property rights.

Except under exceptional circumstances that do not exceed twelve months, the Director General (DG) of the FIA has to be a PSP officer¹²⁶ who has achieved the rank of IGP.¹²⁷ The superintendence of the FIA vests in the federal government and the administration of the Agency vests in the DG.¹²⁸ Three Additional Directors assist the DG in overseeing the functional wings. The FIA is headquartered in Islamabad with regional directorates in provincial capitals and several sub-offices in each province.¹²⁹

There are three wings to the FIA:

Crime Wing: The Crime Wing works to enforce anti-corruption, anti-smuggling, drug and counterfeit laws.

Economic Crime Wing: The Economic Crime Wing is responsible for the investigation of cases that involve fraudulent banking transactions and/or financial illegalities and irregularities involving public corporations/autonomous bodies administered by the federal government.



Immigration Wing: This Wing is tasked with enforcing laws related to immigration, human trafficking and regulating the flow of incoming and outgoing international passengers at the various ports of entry. Recently the FIA introduced the Personal Identification and Secure Comparison and Evaluation System (PISCES) at airports in order to better track and identify travellers that are in conflict with the law.

Some of the branches under the three functional wings of the Agency include:

Technical Branch: The Technical Branch works directly under the DG, provides scientific assistance to other units of the FIA, and on request will provide technical assistance to the National Accountability Bureau, provincial police organisations, the Railway Police, federal government departments and financial institutions.

International Cooperation Branch: This unit maintains contacts and cooperation with international and foreign policing organisations such as Interpol.

Legal Branch: Under Section 5A of the FIA Act, Assistant Directors (Legal) and the Deputy Directors (Law) are assigned the role of Public Prosecutors competent to institute and conduct proceedings in cases sent to the concerned Special Court for trial.

Intellectual Property Rights: The branch works for enforcing intellectual property rights under national and international law.

Cyber Crime Branch: As the name suggests, the Cyber Crime Branch has been established to address rising crime in cyber space.

FIA Academy: The FIA also has a designated academy that trains newly recruited officers on how to investigate white-collar crimes, money laundering and other offences that it has jurisdiction over.¹³⁰

Special Investigation Group: The Special Investigation Group (SIG) was established as a Counter Terrorism Unit in July 2003. The SIG comprises 87 investigation officers and 13 specialists in the areas of Information Technology, Explosives, Banking and Law. The federal government notifies the SIG to jointly investigate with provincial police departments those offences punishable under the Anti-Terrorism Act, 1997.¹³¹ The SIG maintains a Redbook of high profile criminals/terrorists¹³² and performs the following tasks:



- ◆ identify and arrest most-wanted terrorists;
- ◆ detect and investigate terrorist financing/money laundering cases;
- ◆ detect, seize and prosecute hate material;
- ◆ prepare Terrorist Incident Analysis and Threat Assessment Reports for the federal government; and
- ◆ conduct crime scene and explosive analyses of major terrorist incidents.¹³³

4.3.10 Anti-Narcotics Force

The Anti-Narcotics Force (ANF)¹³⁴ was established under the Anti-Narcotics Force Act, 1997. This was done by merging the Narcotics Control Board and the Anti-Narcotics Task Force to form a specialised force to counter trade and traffic in narcotics as envisaged under the Control of Narcotics Substances Act, 1997.¹³⁵ The main functions performed by ANF are to:

- ◆ inquire into, investigate and prosecute all offences relating to the manufacture and transportation of narcotics;
- ◆ trace and freeze drug-related assets;
- ◆ provide assistance and advice to other enforcement agencies;
- ◆ collect information from all national and international enforcement agencies about illicit narcotic traffic and traffickers;
- ◆ arrange and coordinate training of its own staff and members of other enforcement agencies in various aspects of narcotics enforcement; and
- ◆ coordinate projects and schemes for the elimination and destruction of poppy cultivation.

The ANF works under the Ministry of Narcotics Control but, as in the Civil Armed Forces, has deputed army officers filling key positions such as Director General. The ANF operates with around 3,100 personnel.¹³⁶ Other organisations working in coordination with the ANF include the Airports Security Force,



Pakistan Coast Guards, Customs, Provincial Excise and Taxation, Frontier Corps, Frontier Constabulary, Pakistan Rangers and the provincial police establishments.¹³⁷ Recently, the Inter-Agency Task Force on Narcotics Control, headed by the DG of ANF, was formed to ensure better operational coordination among the provincial and federal law enforcement agencies in the effort to control trade and trafficking in narcotics.¹³⁸

4.3.11 Intelligence Bureau

The Intelligence Bureau (IB) is the civilian intelligence agency assigned the task of counter-intelligence for internal security. The IB functions under a federal notification, not an act, and operates under the Cabinet Division. As a result, it is directly responsible to the Prime Minister of Pakistan. A Director General, who should be a senior officer of the PSP cadre, heads it. However, sometimes army officers have also been appointed its DG.¹³⁹

Intelligence gathered by the IB is to be disseminated through the Ministry of Interior to law enforcement agencies across the country. The IB conducts political surveillance of politicians, government agents, businesses, and citizen groups. Political surveillance is used to identify and infiltrate groups that the government considers hostile or anti-government.¹⁴⁰ The IB also manages government censorship programmes that monitor foreign and domestic mail. Although the IB has no formal arrest powers, suspects are arrested and detained by law enforcement agencies in the event that the IB makes a request or provides the necessary information.

4.3.12 National Highways and Motorways Police

The National Highways and Motorways Police (NHMP)¹⁴¹ performs police and traffic control functions on national highways and is under the Ministry of Communications which has the charge of national highways and motorways. Under Section 90(2) of the National Highways Safety Ordinance, 2000, the NHMP is mandated to:

- ◆ keep order, regulate and control traffic on national highways;
- ◆ maintain law and order and take cognisance of offences on national highways;
- ◆ render all possible assistance to national highways users; and

- ◆ undertake initial investigations in respect of offences committed on national highways and then transfer the cases to the concerned police station for investigation.

It is notable that the NHMP is the most highly regarded police organisation in Pakistan. In a recent survey, 82 per cent of the respondents perceived the NHMP to be less corrupt than other policing organisation and 84 per cent recommended the NHMP model to be implemented in all cities of Pakistan.¹⁴² In a comparison between the NHMP and district police, NHMP officers are better paid, better trained and their morale is higher.¹⁴³ In addition, since the force is also insulated from politics they stop and fine anyone disobeying motorway rules (including Ministers).¹⁴⁴

4.3.13 Pakistan Railways Police

Controlling crime on the railways is the responsibility of the Pakistan Railways Police (PRP). The PRP was reorganised under the Pakistan Railways Police Act, 1977 with the object of providing security to “passengers and goods transported by Pakistan Railways, the protection of Railway property, the prevention, inquiry and investigation of offences committed in relation to Pakistan Railways.” An officer of the rank of IGP supervises the work of the PRP. The jurisdiction of the Superintendent of a railway police district may cut across the boundaries of several districts. Recently, jurisdiction of the PRP was extended to residential colonies as well.¹⁴⁵

4.3.14 National Police Bureau

The National Police Bureau (NPB)¹⁴⁶ is a statutory body established under Article 162 of the Police Order, 2002 and it is mandated to coordinate and monitor police organisations across Pakistan. It is headed by a Director General, not below the rank of Additional Inspector General of Police, and functions as the permanent Secretariat for the National Public Safety Commission (NPSC) and the National Police Management Board (NPMB). The NPB performs research and development functions as assigned to it by the NPSC and the NPMB.



4.3.15 National Public Safety Commission

The National Public Safety Commission (NPSC) was established under Article 85 of the Police Order and has its permanent Secretariat at the National Police Bureau. Of its twelve members, six are selected by the Speaker of the National Assembly in consultation with the Leader of the House and the Leader of the Opposition (three each from the treasury and the opposition). The remaining six members are selected by a panel comprising a judge of the Supreme Court (who serves as Chair) and one nominee each of the President and the Prime Minister (who serve as Members). It is the role of the NPSC to:

- ◆ recommend panels of three police officers to the federal government so that it may choose the heads of the FIA, the NHMP and the Pakistan Railways Police;
- ◆ oversee the implementation of plans prepared by the head of every Federal Law Enforcement Agency; and
- ◆ require the head of every Federal Law Enforcement Agency to submit reports in the prescribed manner.

4.3.16 National Police Management Board

The National Police Management Board (NPMB) is a body established under Article 158 of the Police Order and consists of the senior-most policing officials across Pakistan, including the IGP of every provincial police establishment and the DGs of the FIA, ANF and NPB. The NPMB's functions are to:

- ◆ advise the federal and provincial governments on matters concerning general planning and development of policing which encompass issues such as education, training, recruitment, appointment, promotions, transfers, tenure and discipline;
- ◆ identify and arrange research in the areas of criminology, inter-provincial crime, and crime having international dimensions;
- ◆ recommend steps to secure inter-governmental and inter-agency assistance to ensure comprehensive and cohesive arrangements for crime control and internal security; and

- ◆ advise the government on the performance of the National Public Safety Commission and the Federal Law Enforcement Agencies.



5

Modernisation of the Police

Rising crime and militancy across the country has forced the government to pay more attention to modernising the police forces and their support infrastructure. It has been repeatedly pointed out by experts and observers that Pakistan's police forces are "poorly managed, ill-equipped, poorly trained, deeply politicised and chronically corrupt."¹⁴⁷ In fact, there seems to be a growing consensus among government circles and international donors that the failure to reform and modernise police organisations in Pakistan is one of the primary explanations for why they are incapable of maintaining law and order or investigating crime. Effective policing is hindered if law enforcement agencies suffer from inadequate training and investigation facilities and are poorly equipped to properly gather evidence.¹⁴⁸ It is interesting to note that Karachi, Pakistan's largest city of approximately 18 million, has an antiquated forensics laboratory that was only recently upgraded. Moreover, not one provincial police establishment has a forensic pathologist.¹⁴⁹

5.1 Federal Government

In 2009, on the occasion of his second address to Parliament, President Asif Ali Zardari said that with the help of the Friends of Democratic Pakistan, the federal government would assist in raising 20,000 additional police personnel in each province with special equipment and pay packages.¹⁵⁰ Later, the federal Minister for the Interior admitted that better technology and training is required for the police to properly prevent terror plots before they come to fruition.¹⁵¹ However, notwithstanding that some of these pronouncements have not materialised because of financial constraints, slow progress has been achieved in a few instances.

Gender: A Gender Crime Cell has been established in the NPB. The Cell gathers and collates data on cases of violence against women; monitors selected cases of crime against women referred to it by the Ministry of Interior or civil society organisations, and assists policy makers in developing policies on gender-related crime. Human rights and gender sensitisation programmes developed by the Cell have been approved for inclusion in the training of police at the National Police Academy.¹⁵² Currently, the NPB is working on introducing a curriculum to police training institutions regarding violence against women. In addition, a National Strategy on Gender Responsive Policy, a Standard Operating Procedure

(SOP) about women's protection issues, and a National Police Image Performance Survey focusing on gender crime will be launched soon.¹⁵³

Police Record and Office Managements Information System (PROMIS): This project, approved at a cost of Rs.1405.04 million, is aimed at enhancing the operational capability of the police to address crime. The project intends to computerise police station records throughout the country. PROMIS, to be completed by December 2008, has been delayed and is still under development.¹⁵⁴

Automated Fingerprint Identification System (AFIS): Approved at a cost of Rs.1107.014 million, AFIS aims to record the fingerprints of criminals in electronic form and provide an online comparison of the same by connecting all district police headquarters in Pakistan. A database of over 500,000 fingerprints has been developed and police from all over Pakistan are being provided access to this database. With the availability of this facility, the Karachi Police has made it mandatory to include "fingerprint cards" in investigation case files. The SP of Investigations will not approve a case for a charge sheet if a fingerprint card has not been prepared.¹⁵⁵ However, while 52 remote terminals for AFIS have been established, lack of funds has delayed bringing 82 additional remote terminals online that were supposed to be integrated into the system in December 2008.¹⁵⁶

Nationwide Integrated Radio Communication System for the Police (NIRCSP) or Nationwide Integrated Trunk Radio System (NITRS): The project has been approved by the Executive Committee of the National Economic Council at a cost of Rs.1951.695 million. It aims to provide secure, efficient, reliable and technologically advanced communication facilities, to enhance the capability and efficiency of the police. A state-of-the-art radio communication system was planned in the first phase for Islamabad, Rawalpindi, Karachi, Lahore, Peshawar and Quetta where it was put in place in 2009 and will be extended to other cities.¹⁵⁷

National Forensic Science Agency (NFSA): The government project for the National Forensic Science Agency was initially approved at a cost of Rs. 1292.45 million. Headquarters and the DNA laboratory of the Agency have been established at Islamabad since 31 March 2006 and work for setting up a Forensic Training Institute is in progress. Chinese experts have trained two Pakistani scientists as part of the assistance programme.¹⁵⁸ The NFSA project is aimed at improving the quality of police investigation techniques and the capacity of law



enforcement agencies to have an evidence-based prosecution. However, the project was put in the “discontinued category” in 2009 due to diversion of funds.¹⁵⁹

Training: In collaboration with other countries, the NPB is arranging training for police officers in the fields of Anti-Terrorism, Human Rights, and UN Peace Missions. To date, training courses have been arranged for Pakistani police officers in Turkey, Norway, Italy, and Canada. Further, work is in progress on conducting the Training Needs Assessment for various levels of police officers alongside the development of a new curriculum for training.

Islamabad Constabulary: In view of the pressing needs of Islamabad Police for security duties it was decided to raise an additional force of 10,000 men for the Islamabad Constabulary. The project is under preparation.¹⁶⁰

Cyber Crime: The FIA has recently established a National Response Centre for Cyber Crime.¹⁶¹ Its objectives are to: prevent and address growing cyber crime, setup Computer Emergency Response Teams (CERT) to provide timely information in the event of an attack, and build local capability in incident handling and security intelligence.

Anti-Terrorism: In July 2003, the Special Investigations Group (SIG) was created in the FIA to identify, interrogate and arrest the most wanted terrorists, detect terrorist financing, and coordinate with the provincial governments in investigating major terrorist incidents.¹⁶² SIG investigators have received training assistance from the U.S. Federal Bureau of Investigation (FBI). However, this cooperation has been limited. Since 2003, on average, only four to five FIA and police officials have visited the United States for short FBI training courses.¹⁶³

Levies and Khasadars: An approved Rs. 2 billion package will create 5,713 new vacancies in the Federal Levies Force that has jurisdiction in FATA and PATA. The Federal Levies date back to the British era; members were (and continue to be) recruited on a tribal basis by political agents of the federal government. The Levies work under the Ministry of States and Frontier Regions (SAFRON).¹⁶⁴ The Khasadar force also dates back to the British era and is focused on maintaining law and order and establishing the writ of the government in tribal areas. However, with growing militancy in tribal areas and Khyber Pakhtunkhwa, their roles have recently been extended to regions of the Provincially Administered Tribal Areas (PATA).¹⁶⁵ There are more than 15,000 Khasadars in total. Although remuneration for the members of the Levies and Khasadars

are in the process of being raised, they do not receive any pension benefits, are not properly trained to maintain law and order, and are ill-equipped.

Gilgit-Baltistan: The Prime Minister of Pakistan has approved a plan for the reorganisation of the Gilgit-Baltistan Police. This plan would seek to create 5,000 new positions in the police force, establish a forensics laboratory, upgrade the training school, create new branches in the police structure, upgrade the pay package to make it on par with the Islamabad Police, and upgrade the *Shohada* (Martyrs) package to make it on par with the Punjab Police. The total cost of this modernisation plan is more than Rs. 2 billion. The matter is under consideration with the federal government for notification and provision of funds.¹⁶⁶

5.2 Provincial Governments

The provincial governments, who have primary responsibility in maintaining law and order, have also undertaken modernisation efforts. For instance, since the police in Pakistan are poorly paid, which is a major reason for rampant corruption and inadequate performance, some provinces have chosen to increase the Rs.10,000 per month that Constables receive. When the Prime Minister of Pakistan announced in early 2009 that the salaries of police would be raised, Punjab acted on the advice but other provinces dithered. The Sindh government, after earlier pronouncements indicating its intention to raise salaries, deferred the decision to do so claiming that raising salaries to bring them on par with Punjab would require Rs. 2.5 billion to Rs. 3 billion.¹⁶⁷ Similarly, Balochistan has neglected to raise salaries and this resulted in major demonstrations by the constabulary that turned violent.¹⁶⁸

In their efforts to modernise, provinces have also benefited from foreign assistance. For example, the United States has supported Khyber Pakhtunkhwa in procuring eight armoured personnel carriers, surveillance equipment, global positioning systems and night-vision binoculars so that it may better combat extremists. In 2009 alone, US civilian law enforcement assistance to Pakistan is said to have reached Rs. 4.21 billion.¹⁶⁹ Further, the US government has allocated 150 million USD in 2010 for the professionalisation, equipping, and training of Pakistan's police.¹⁷⁰ Similarly, the French mission in Islamabad stated in 2005 that it would help Pakistan: (i) build five future forensic labs; (ii) train police officers on terrorist crime scene; (iii) assist in establishing an analysis unit for the benefit of ANF, FIA and the FC; and (iv) establish a training programme in France for Pakistani police officers.¹⁷¹



5.2.1 Khyber Pakhtunkhwa

In May 2008, the government of Khyber Pakhtunkhwa unveiled a 4 billion USD plan to improve, among other things, police performance in the province. A significant portion of the plan amount may be spent on the provincial police infrastructure. The plan includes increasing the numbers of provincial police personnel by 8,000 and the Frontier Constabulary by 6,000. It envisages the establishment of a new police wing named the Special Police Force (SPF) of 7,500 well trained and properly equipped personnel that will focus exclusively on fighting terrorism and militancy. The plan also calls for closer coordination between various law enforcement agencies and a mechanism for institutional support among the police, the Frontier Constabulary, the Frontier Corps and the army.¹⁷² Furthermore, in order to cope with the emerging law and order challenges, Khyber Pakhtunkhwa has decided to sanction 10,000 additional police postings for which both the federal and provincial government will jointly provide funding.¹⁷³

5.2.2 Sindh

The Sindh government announced in 2008 that it would immediately recruit 8,500 personnel and it pledged to recruit an additional 10,000 every year until the number of personnel in the force is sufficient to meet the province's needs.¹⁷⁴ However, development in this respect is reflected neither in the 2009-2010 budget statement for the Sindh Police,¹⁷⁵ nor is it reflected through the sanctioned strength for the provincial force.

On the positive side, Sindh has established a much-needed forensic training school that will impart training in crime scene management, physical evidence analysis, basic detection, and fingerprint proficiency. In addition, the Crime Investigation Department of Sindh Police has recently established a "Digital Computer Forensic Lab" that can assist in anti-terror investigations by recovering lost and deleted electronic files, deleted browsing history, deleted email, or data from damaged devices.¹⁷⁶

To reinforce the Sindh Police, and to improve its performance in crime control and security matters, the Sindh government in accordance with a request from the federal government has decided to raise an additional force of 15,000 in the form of the Sindh Constabulary, for which planning is under way.¹⁷⁷



5.2.3 Punjab

In September 2008, the Punjab Chief Minister ordered the establishment of a state-of-the-art DNA lab in Lahore for which staff would get training from abroad. Such labs, it was decided, would be established in other divisions of the province as well.¹⁷⁸ The Punjab government has further decided to establish the Forensic Science Agency which will oversee the Chemical Examiner, Forensic Science Lab, Finger Print Bureau and the DNA Testing Lab.¹⁷⁹ The Forensic Science Agency and the DNA lab are expected to start functioning in 2010.

5.2.4 Balochistan

The province of Balochistan, with the passage of the Balochistan Levies Force Act, 2010, has revived the use of the Balochistan Levies – a policing arrangement that has traditionally consisted of locals controlled by the Tribal *Sardars*. In the past, the security establishment often viewed the Levies as a private army for the *Sardars*. It was therefore decided to gradually disband the force during the Musharraf regime. However, the local elites and political leadership resented this and thus the Levies have been resurrected.¹⁸⁰ Balochistan will remain divided into the A Areas (where the police have jurisdiction) and B Areas (where the Levies force will have jurisdiction).¹⁸¹ As a consequence of the passage of the Balochistan Levies Force Act, a greater part of Balochistan will come under the jurisdiction of the Levies Force. Thus, the operations of the Balochistan police will largely be confined to urban areas.



Endnotes

¹ Article 1(2) of the Constitution of Pakistan.

² The four provinces are Punjab, Sindh, Balochistan, and Khyber Pakhtunkhwa (formerly North West Frontier Province which had its name changed per the Constitution (Eighteenth Amendment) Act, 2010). Islamabad is the Federal Capital (or Islamabad Capital Territory). The so-called Northern Areas consisting of Gilgit and Baltistan north of Kashmir have been renamed in the recently issued Gilgit-Baltistan (Empowerment and Self-Governance) Order, 2009 which gives nominal autonomy to the region spread over an area of 72,971 km² with a population of 970,347 inhabitants. Gilgit-Baltistan is governed through the Ministry of Kashmir and Northern Areas of the Government of Pakistan. For details see the International Crisis Group's *Discord in Pakistan's Northern Areas* at <http://www.crisisgroup.org/en/regions/asia/south-asia/pakistan/131-discord-in-pakistans-northern-areas.aspx>. Also see the Gilgit-Baltistan (Empowerment and Self-Governance) Order, 2009 at <http://www.dunya.news.tv/newsite/other/GilgitBaltistan.pdf>.

³ See Article 31(3) read with Article 21 (Azad Jammu and Kashmir Council) and the Third Schedule (Council Legislative List) of the Azad Jammu and Kashmir Interim Constitution Act, 1974: (http://www.ajkassembly.gok.pk/AJK_Interim_Constitution_Act_1974.pdf). Also see Article 257 of the Constitution of Pakistan that indirectly recognises the independent status of Jammu and Kashmir including Pakistan-administered AJK. It reads: "When the people of the State of Jammu and Kashmir decide to accede to Pakistan, the relationship between Pakistan and the State shall be determined in accordance with the wishes of the people of that State". However, apart from foreign affairs and defence, most of the administrative decisions are also made in Islamabad which has a ministry called the Ministry for Kashmir Affairs and Northern Areas. The higher ranked police officials of AJK are inducted from the Police Service of Pakistan.

⁴ The Constitution (Eighteenth Amendment) Act, 2010 is available at: <http://www.senate.gov.pk/Reports/EighteenthAmendmentAct2010.pdf> as on 23 April 2010.

⁵ Article 142 provides that the federal Parliament (also referred to as *Majlis-i-Shoora* in the Constitution) has exclusive power to make laws with respect to any matter in the Federal Legislative List. The residuary powers (i.e. subjects not mentioned in the Federal Legislative List) fall within the competence of the provincial legislatures subject to Article 142(b) as it stands amended under the Eighteenth Amendment.

⁶ See Article 142(b) and Items 1 and 2 on the deleted Concurrent Legislative List under the Fourth Schedule of the 1973 Constitution.

⁷ Though the Police Act, 1861 existed as a Central law since pre-independence time, there was no legal bar on the provinces to amend it under the Constitution of 1973. For instance, an amendment to the Act was introduced in the province of Sindh under the Police (Sindh Amendment) Act, 1996.

⁸ Section 3 of the Pakistan (Adaptation of Existing Pakistan Laws) Order of 1947 states: "As from the appointed day, all existing Pakistan Laws shall, until repealed or altered or amended by a competent Legislature or other competent authority, in their application to Pakistan and any part or parts thereof, be subject to the adaptation directed in this Order".

⁹ Article 9(1) of the Police Order, 2002.

¹⁰ See, for instance, generally, Articles 146-9 of the Constitution; see also Distribution of Business among the Divisions in Schedule 3 to Rules of Business (Federal Government), 1973 (formulated under Article 99 of the Constitution). Item 18 prescribes "coordination of policy matters relating to Police" as a business for the Interior Division of the Federal Ministry of Interior. Further, Item 12 enumerates "Police Commission and Police Award" among the business for the Interior Division.

¹¹ Entry 1 of the Federal Legislative List (Part I) states that Parliament has exclusive powers to make laws with respect to the armed forces of the Federation, the paramilitary forces (referred to as Civil Armed Forces), and the Intelligence Bureau.

¹² Except in the Federally Administered Tribal Areas (FATA) and the so-called Provincially Administered Tribal Areas (PATA); Article 247 of the Pakistani Constitution provides that no Act of Parliament shall apply to FATA and PATA, unless the President so desires. Gilgit-Baltistan, having no constitutional status, is also dependent on the wishes of the federal government.

¹³ Article 142(b) of the Constitution, as amended under the Constitution (Eighteenth Amendment) Act, 2010.

¹⁴ The *Hudood* Ordinances or laws were promulgated ostensibly to implement Islamic *Shariah* laws, by enforcing punishments mentioned in the Quran and Sunna for *zina* (extramarital sex), *qazf* (false accusation of *zina*), offences against property (theft), and prohibition (of alcohol).

¹⁵ The phrase “special law(s)” is a reference to law(s) that concern specific subject(s).

¹⁶ All the three laws have largely retained their original character and provisions despite the vigorous campaign to Islamise laws launched by former military dictator General Muhammad Zia-ul-Haq.

¹⁷ Under Section 2, the CrPC defines “cognizable offence” and “cognizable case” in which a police officer may arrest without warrant. Also see Section 155 of the CrPC for how to proceed on information in non-cognisable offences.

¹⁸ While these procedures are supposed to be undertaken, a lack of training and non-availability of resources often mean that such evidence-collection is frequently flawed.

¹⁹ See Sections 160 to 173 of the CrPC for general procedures to be followed by the police to investigate a criminal case. Under Section 173 of the CrPC, the police report is submitted to the concerned magistrate by the officer in-charge of the police station through the Public Prosecutor.

²⁰ See Section 190 of the CrPC on when a Magistrate will take cognisance. Also note that Section 32 of CrPC provides for the Courts of Magistrates of the First Class, the Courts of Magistrates of the Second Class, and the Courts of Magistrates of Third Class (See Courts in Order of Authority at page 15). Section 32 is to be read with section 30 of CrPC which empowers the provincial government to “invest any Magistrate of the First Class with power to try as a Magistrate all offences not punishable with death”. A Magistrate of the First Class so empowered may pass any sentence under law save capital punishment or imprisonment exceeding 7 years.

²¹ Sections 28 and 29 of the CrPC clarify that every statute creating or dealing with an offence or creating a particular court specifies the forum of that offence. See Schedule 2 (Tabular Statement of Offences) of the CrPC, which specifies the forum of trial for each offence. For murder it prescribes the Sessions Court.

²² However, if the Anti-Narcotics Force registers a narcotics case it goes to the Special Court established under Section 46 of the Control of Narcotic Substances Act, 1997.

²³ Though punishment of whipping was abolished through the Abolition of the Punishment of Whipping Act, 1996, however, exception was made in the same Act for whipping to remain as a punishment on special Islamic statutes of *hudood* (plural of *hadd*, a punishment said to be prescribed by the Holy Quran or *Sunna* as against punishments prescribed in the PPC or any other ordinary man-made law).

²⁴ Amputation of right hand and left foot is prescribed as *hadd* punishment in certain cases of theft.

²⁵ In Sindh, for instance, it was done in 1986; see Zahid, Nasir and Wasim, Akmal, *The province of Sindh as a case study on the prosecution service*: <http://www.article2.org/mainfile.php/0704/333/> as on 12 April 2010.

²⁶ The laws providing for independent prosecution services are The Sindh Criminal Prosecution Service (Constitution, Functions and Powers) Act, 2009, The Punjab Criminal Prosecution



Service (Constitution, Functions and Powers) Act, 2006, The North-West Frontier Province Prosecution Service (Constitution, Functions and Powers) Act, 2005, The Balochistan Prosecution Service (Constitution, Functions And Powers) Act, 2003.

²⁷ Article 175 of the Constitution, as amended under the Constitution (Eighteenth Amendment) Act, 2010.

²⁸ Articles 60 and 69 of the Gilgit-Baltistan (Empowerment and Self-Governance) Order, 2009.

²⁹ Article 175A of the Constitution, as inserted under the Constitution (Eighteenth Amendment) Act, 2010, read along with the amended Articles 177 and 193.

³⁰ Article 175(3) reads: “The Judiciary shall be separated progressively from the Executive within fourteen years from the commencing day”. In spite of the constitutional obligation to separate the judiciary from the executive, necessary actions were not taken until 1994 when the Supreme Court, in *Government of Sindh v Sharaf Faridi* [PLD 1994 SC 105], directed the government to do the needful by March 1996. In the aftermath of this judgement, the federal and provincial governments largely separated the judiciary from the executive. Executive magistracy was shorn of judicial powers by the year 2001. The office of the District Magistrate was also abolished under the Devolution Plan introduced by former military ruler General Pervez Musharraf. Instead, the office of the District Coordination Officer (DCO) was introduced at the district level. Recently, the DCO’s office has again been granted some of the powers of former executive magistracy, such as being able to impose fines for the overpricing of goods that takes place within their jurisdiction. The recently promulgated Nizam-e-Adal Regulation, 2009 has led to the vesting of some judicial powers in the executive magistrates in Malakand Division of Khyber Pakhtunkhwa. But these “restored” powers have been circumscribed by the fact that all judicial officers posted on the executive side were recalled by the concerned High Courts and the Supreme Court in 2009.

³¹ See section 32 of CrPC. Executive magistrates with powers to impose summary fines also exist but they are not part of the judicial hierarchy. Also see Section 6 of the CrPC which describes Classes of Criminal Courts.

³² Supreme Court of Pakistan website, *National Judicial Policy (2009)*: <http://www.supremecourt.gov.pk/njp2009/njp2009.pdf> at p. 5 as on 1 April 2010.

³³ The Islamabad High Court provided under the Constitution (Eighteenth Amendment) Act, 2010 is yet to be established.

³⁴ Transparency International Pakistan website, *National Corruption Perception Survey - TI Pakistan 2009*, at p. 26: <http://www.transparency.org.pk/documents/NCPS%202009/NCPS%202009%20%20Report.pdf> as on 25 April 2010.

³⁵ Suddle, Mohammad S., *Reforming Pakistan Police: An Overview*, 120th International Senior Seminar on Effective Administration of Police and the Prosecution of Criminal Justice, 2001: http://www.unafei.or.jp/english/pdf/PDF_rms/no60/ch05.pdf as on 11 March 2010.

³⁶ See various provisions of the Police Act, 1861, specifically Section 46 which clearly provided that the provincial government could make rules for giving effect to the provisions of the Act. Article 112 of the Police Order, 2002 prescribes that the Provincial Police Officer (the highest official in the hierarchy of provincial police under the Police Order) may make rules for carrying into effect the provisions of the Order with the approval of the provincial government.

³⁷ An example of this is when the Special Investigations Group of the FIA was tasked with investigating Benazir Bhutto’s assassination. See Mir, Amir. “As world awaits report”, *The News*, 15 April 2010: http://www.thenews.com.pk/top_story_detail.asp?Id=28317 as on 23 April 2010.

³⁸ The Constitution (Seventeenth Amendment) Act, 2003 validated all laws and amendments to the Constitution made by General Pervez Musharraf. The validation of laws clause of the amendment was inserted in Article 270AA of the Constitution. Under the Seventeenth Amendment the Police Order, 2002 also stands inserted in the Sixth Schedule to the Constitution.

The schedule lists the laws that may not be altered or amended without the prior sanction of the President. Proviso to Article 268(2) provides that the condition of prior sanction by the President will lapse on 31 December 2009, whereafter the provinces may amend the law.

³⁹ For a more detailed analysis of the failings of the Police Order, 2002 and its subsequent amendments, see Chapter 4 of *Feudal Forces: Reform Delayed – Moving From Force to Service in South Asian Policing*, (2008), Commonwealth Human Rights Initiative: http://www.humanrightsinitiative.org/publications/police/feudal_forces_reform_delayed_moving_from_force_to_service_in_south_asian_policing.pdf as on 14 April 2010.

⁴⁰ The Police Order, 2002, while it extends to the whole of Pakistan, is yet to come into force in Islamabad Capital City; see Article 1(3) of the Police Order, 2002.

⁴¹ Ali, Imtiaz. “Amendments in Police Order-2002: Slashing of IG, CCPO powers proposed”, *The News*, 22 February 2010: http://www.thenews.com.pk/daily_detail.asp?id=225450 as on 1 April 2010; Ali, Muhammad Faisal, “Police see new law as DMG move to grab powers”, *Dawn*, 11 January 2010 at <http://www.dawn.com/wps/wcm/connect/dawn-content-library/dawn/the-newspaper/national/police-see-new-law-as-dmg-move-to-grab-powers-110> as on 11 March 2010.

⁴² Section 4 of the Police Act, 1861.

⁴³ Section 4 of the Police Act, 1861, read along with the definition of District Superintendent under Section 1.

⁴⁴ Section 4 of the Police Act, 1861.

⁴⁵ See *The Police Commission Report 1860* at paragraph 21 where it was proposed that, “they [the Civil Police] should be under the control of the Magistrates of Districts, subject to the supervision of the Commissioner of the Division, where such officer exists.” Available at: <http://police.pondicherry.gov.in/Police%20Commission%20reports/Police%20commission%20report%201860.pdf> as on 11 March 2010.

⁴⁶ Suddle, Mohammad S., *Reforming Pakistan’s Police: An Overview*, 120th International Senior Seminar Visiting Experts’ Paper at pp. 96-97: http://www.unafei.or.jp/english/pdf/PDF_rms/no60/ch05.pdf as on 11 March 2010.

⁴⁷ Under Section 2 (vii-a) of the amended Police Order, 2002 the IGP has the status of Ex-Officio Secretary with the administrative and financial powers of the Secretary to the Provincial Government with total autonomy in operational, administrative and financial matters “subject to the policy, oversight and guidance given by the Chief Minister through the Chief Secretary and the Provincial Home Department”. It may be noted that there was no local government before independence.

⁴⁸ Article 18(3) of the Police Order, 2002.

⁴⁹ Punjab Police website, *Police Formations*: <http://www.punjabpolice.gov.pk/> as on 17 January 2010.

⁵⁰ Sindh Police website: <http://www.sindhpolice.gov.pk/> as on 17 January 2010.

⁵¹ Government of Khyber Pakhtunkhwa website, Bureau of Statistics, *District Wise Number of Police Stations*: <http://nwfp.gov.pk/nwfpgov/Departments/BOS/nwfpdev-statis-crime-tab-59.php> as on 17 January 2010.

⁵² Balochistan Police website, *Regions/Districts/Subdivisions and Police Stations in Balochistan*: <http://www.balochistanpolice.gov.pk/page.php?id=7> as on 17 January 2010.

⁵³ Islamabad Police website, *Islamabad Police Stations*: <http://www.islamabadpolice.gov.pk/Pages/CustomPages/PoliceStations.aspx> as on 17 January 2010.

⁵⁴ Punjab Police website, *Field Organisational Chart of Punjab Police*: <http://www.punjabpolice.gov.pk/page.asp?id=918> as on 17 April 2010.

⁵⁵ Punjab Police website, *Investigation*: <http://www.punjabpolice.gov.pk/page.asp?id=390> as on 28 April 2010.



- ⁵⁶ Articles 3, 4 and 5 of the Police Order, 2002.
- ⁵⁷ Article 44(1)(a) of the Police Order, 2002.
- ⁵⁸ Article 44(1)(e) of the Police Order, 2002.
- ⁵⁹ Article 44(1)(h) of the Police Order, 2002.
- ⁶⁰ Article 44(1)(l) of the Police Order, 2002.
- ⁶¹ Article 44(1)(m)(ii) of the Police Order, 2002.
- ⁶² Article 44(1)(m)(iii) of the Police Order, 2002.
- ⁶³ Article 80(1)(b) of the Police Order, 2002.
- ⁶⁴ Article 80(1)(c) of the Police Order, 2002.
- ⁶⁵ Article 80(2)(a) of the Police Order, 2002.
- ⁶⁶ Article 80(2)(f) of the Police Order, 2002.
- ⁶⁷ Article 80(2)(j) of the Police Order, 2002.
- ⁶⁸ A full list of PPSPCC functions can be found at Article 80 of the Police Order, 2002.
- ⁶⁹ Abbas, Sarkar, Presentation at “Police Reform in Pakistan: Beyond Analysis”, Joint CHRI-HRCP Consultation, Lahore, 28 November 2008.
- ⁷⁰ Abbas, Sarkar, Presentation at “Police Reform in Pakistan: Beyond Analysis”, Joint CHRI-HRCP Consultation, Lahore, 28 November 2008.
- ⁷¹ Abbas, Sarkar, Presentation at “Police Reform in Pakistan: Beyond Analysis”, Joint CHRI-HRCP Consultation, Lahore, 28 November 2008.
- ⁷² Khosa, Tariq, Presentation at “Police Reform in Pakistan: Beyond Analysis”, Joint CHRI-HRCP Consultation, Lahore, 28 November 2008. Mr Khosa was Director General of the National Police Bureau during the time of the presentation.
- ⁷³ Article 92(1) of the Police Order, 2002.
- ⁷⁴ Article 92(2) of the Police Order, 2002.
- ⁷⁵ Article 92(3)(d) of the Police Order, 2002.
- ⁷⁶ Article 92(3)(i) of the Police Order, 2002.
- ⁷⁷ Mirza, Shafqat Tanvir (1999), *Police-Shehri Muashrey ka Aham Bazoo*, at p. 150.
- ⁷⁸ *Ibid.*, at p. 152.
- ⁷⁹ Taj, Farhat (2004), *Policing in Purdah: Women and Women Police Station*, at p. 13.
- ⁸⁰ *Ibid.*
- ⁸¹ “Police get new anti-terror training at Sihala”, *Dawn*, 27 August 2009: <http://www.dawn.com/wps/wcm/connect/dawn-content-library/dawn/news/pakistan/03-police-get-new-anti-terror-training-ss-05> as on 1 April 2010.
- ⁸² Punjab Police website, *Sanctioned Strength*: <http://www.punjabpolice.gov.pk/page.asp?id=195> as on 15 January 2010; Geo TV website, *Budget 2009-10*: http://www.geo.tv/important_events/2009/budget2009/pages/english_news-17-06-2009.asp as on 20 January 2010; Sindh Police website, *Sanctioned Strength*: http://www.sindhpolice.gov.pk/sanctioned_strength.htm as on 15 January 2010; Ayub, Imran. “Over Rs24bn allocated for Sindh police,” *Dawn*, 16 June 2009: <http://www.dawn.com/wps/wcm/connect/dawn-content-library/dawn/the-newspaper/local/karachi-over-rs24bn-allocated-for-sindh-police-669> as on 20 January 2010; Government of Khyber Pakhtunkhwa, Revenue Department; *Police*: <http://www.nwfpfinance.gov.pk/White Paper2009-10.pdf> as on 15 January 2010; Balochistan Police website, *Annual Administration Report*, at pp. 22-23: www.balochistanpolice.gov.pk/images-2/AnnualAR06.doc as on 15 January 2010; Balochistan Police website, *Annual Policing Plan 2007-08*, at p. 8: <http://www.balochistanpolice.gov.pk/> as on 20 January 2010.
- ⁸³ The figures indicated are from 2007-2008. More recent statistics, garnered through interviews, suggest that the Balochistan sanctioned strength currently exceeds 46,000 and has at least a budget of Rs. 3500 million.
- ⁸⁴ Article 7 of the Police Order, 2002.

⁸⁵ Punjab Police website, *Sanctioned Strength*: <http://www.punjabpolice.gov.pk/page.asp?id=195> as on 15 January 2010.

⁸⁶ For recruitment to junior cadres, the minimum height for Constables is 5'7" (170 cm), with relaxation of 2 cm for persons belonging to certain tribal/rural areas. The minimum chest measurement is generally 34.5 inches when expanded, and 33 inches unexpanded. There is no strict physical standard prescribed for recruitment to PSP.

⁸⁷ Article 7(3) of the Police Order, 2002.

⁸⁸ See Punjab Police website, *Frequently Asked Questions: How can I join the police?*: <http://www.punjabpolice.gov.pk/page.asp?id=339> as on 20 January 2010; Sindh Police website, *Jobs/careers*: http://www.sindhpolice.gov.pk/jobs_careers.htm as on 20 January 2010; and Sindh Police website, *Notification*, No. Pol-HD-/6-3/95: <http://www.sindhpolice.gov.pk/PDFs/Notification-I.pdf> as on 20 January 2010.

⁸⁹ See Punjab Police website, *Frequently Asked Questions: How can I join the police?*: <http://www.punjabpolice.gov.pk/page.asp?id=339> as on 20 January 2010.

⁹⁰ The duration of training courses may vary from province to province and may differ from official timelines periodically due to unavailability of funds and/or trainers. Interview with senior police official, Lahore, April 2010. Also see Punjab Police website, *Training Courses*: <http://www.punjabpolice.gov.pk/page.asp?id=434> as on 20 January 2010: http://www.punjabpolice.gov.pk/user_files/File/Training_Courses_PTSLahore.pdf as on 20 January 2010.

⁹¹ Punjab Police Website, *Training Courses Police College Sihala, Rawalpindi*: http://www.punjabpolice.gov.pk/user_files/File/Training_Courses_PoliceCollegeSihala.pdf as on 17 March 2010.

⁹² An aspirant to the PSP is permitted to appear in the competitive examination up to three times. S/he must score at least 40% marks in any compulsory subject, 33% marks in any of the optional subjects, 50% marks in the aggregate, and 100 marks at the viva voce.

⁹³ Disabled candidates in the categories of physical, hearing/speech and visual impairment are not allowed to compete for posts in PSP. See FPSC's *Rules for Competitive Examination (CSS), 2009* — Rule 19(ii) allows candidates with such disability to compete for (a) Commerce and Trade Group (b) Pakistan Audit and Account Services (c) Information Group and Postal Group only.

⁹⁴ Federal Public Service Commission website, *Frequently Asked Questions (FAQs)*: http://202.83.164.14/icms/user/page.php?page_id=373 as on 25 January 2010; also see Mannan, A., "FPSC's 'suitability' clause: Several CSS qualifiers see no promotion beyond BPS19", *Daily Times*, 8 April 2008: http://www.dailytimes.com.pk/default.asp?page=2008\04\08\story_8-4-2008_pg7_52 as on 25 January 2010; also see *Psychological Assessment: An Introduction*: http://www.fpsc.gov.pk/icms/user/page.php?page_id=475 as on 25 January 2010.

⁹⁵ Getting into the service, after having passed the competitive examination, depends on the availability of seats.

⁹⁶ International Crisis Group Asia Report No. 157, *Reforming Pakistan's Police*, 14 July 2008 at p.2.

⁹⁷ The degree can be from any one of the Pakistani universities or an equivalent degree from a foreign university recognised by the Higher Education Commission.

⁹⁸ The upper age limit can be relaxed up to two years (to the age of 30) if the candidate belongs to a Scheduled Caste, is Buddhist, a permanent resident of AJK and Gilgit-Baltistan, or belonging to the recognised tribes of Balochistan, D.I. Khan, Peshawar Divisions (including the former Frontier States of Dir, Swat, Chitral and Amb), Mardan, Hazara and the former excluded Baluch area of D.G. Khan and Rajanpur Districts. See Rule 4 of the FPSC's *Rules for Competitive Examination (CSS), 2009*.

⁹⁹ Fasihuddin, "Police Education and Training in Pakistan", *Pakistan Journal of Criminology* Volume 1, No. 2, July 2009 at pp. 37-62. Also see *Police Education and Training in Pakistan*: <http://www.scribd.com/doc/28696345/Police-Education-and-Training-in-Pakistan> as on 26 January 2010.

¹⁰⁰ Ministry of Interior website, *National Police Academy*: http://202.83.164.26/wps/portal/Moi/!ut/p/c0/04_SB8K8xLLM9MSSzPy8xBz9CP0os_hQN68AZ3dnIwMDRxdlAyMfCyMLEz9jY38fc_2CbEdFACbZ0IA!/?WCM_GLOBAL_CONTEXT=/wps/wcm/connect/MoiCL/ministry/general/national+police+academy as on 6 February 2010.

¹⁰¹ “Manawan Police Training School: Recruits train in harsh weather, poor sanitation”, *Daily Times*, 31 December 2008: http://www.dailytimes.com.pk/default.asp?page=2008\12\31\story_31-12-2008_pg7_30 as on 30 January 2010.

¹⁰² Interviews with various senior police officials, March 2010.

¹⁰³ Article 243 of the Constitution.

¹⁰⁴ Item 18, Schedule 3 of the Rules of Business, 1973.

¹⁰⁵ Item 12, Schedule 3 of the Rules of Business, 1973.

¹⁰⁶ See notifications for allocation of seats at Establishment Division, Government of Pakistan website: <http://www.establishment.gov.pk/> as on 5 April 2010.

¹⁰⁷ The Establishment Division is the administrative arm of the federal government, empowered under Schedule I of the Rules of Business, 1973 to, *inter alia*, regulate all matters of general applicability to various Occupational Groups in public service.

¹⁰⁸ Interviews with police officials in Lahore, September 2009. Also see Establishment Division, Government of Pakistan website, *Policies*: http://202.83.164.26/wps/portal/Estab/!ut/p/c1/04_SB8K8xLLM9MSSzPy8xBz9CP0os_hQN68AZ3dnIwMDA083AyNTr6AQN-CAA3cnc_1wkA6zeAMcwNEAIg83wcl82NTAyNXTz9jE0NfQwNBE388jPzdVvyA7O83RUVERACBU8K0!/dl2/d1/L2dJQSEvUUt3QS9ZQnB3LzZfVUZKUENHQzIwT04wMDAyVTaxQ1JJRzAwVjE!/ as on 25 January 2010.

¹⁰⁹ See GlobalSecurity.org website, *Intelligence: Ministry of Interior*: <http://www.globalsecurity.org/intell/world/pakistan/interior.htm> as on 10 April 2010. Also see Ministry of Interior, Government of Pakistan website, *Field Organisation List*: http://202.83.164.26/wps/portal/Moi/!ut/p/c1/04_SB8K8xLLM9MSSzPy8xBz9CP0os_hQN68AZ3dnIwML82BTayNXTz9jE0NfQwNDE_1wkA6zeAMcwNFA388jPzdVvyA7rxwAicV1Mg!/dl2/d1/L2dJQSEvUUt3QS9ZQnB3LzZfVUZKUENHQzIwMEFEOTAyTDgyODROMzNPTDc!/?WCM_GLOBAL_CONTEXT=/wps/wcm/connect/MoiCL/ministry/general/field+organization+list as on 5 March 2010.

¹¹⁰ Sections 6 to 10 of the Pakistan Rangers Ordinance, 1959.

¹¹¹ Interview with senior official in the Civil Armed Forces Wing, April 2010.

¹¹² Abbas, Hassan, *Transforming Pakistan's Frontier Corps*, Terrorism Monitor, v.5 Issue 6, 30 March 2007: [http://www.jamestown.org/programs/gta/single/?tx_ttnews\[tt_news\]=1056&tx_ttnews\[backPid\]=182&no_cache=1](http://www.jamestown.org/programs/gta/single/?tx_ttnews[tt_news]=1056&tx_ttnews[backPid]=182&no_cache=1) as on 5 March 2010.

¹¹³ Section 4 of the Pakistan Rangers Ordinance, 1959.

¹¹⁴ Sections 6 to 10 of the Pakistan Rangers Ordinance, 1959.

¹¹⁵ Section 3 of the Pakistan Coast Guards Act, 1973.

¹¹⁶ Interview with the Inspector General of Police, Gilgit-Baltistan, May 2010.

¹¹⁷ Interview with senior official in the Civil Armed Forces Wing, Ministry of Interior, April 2010.

¹¹⁸ Interview with senior official in the Civil Armed Forces Wing, Ministry of Interior, April 2010. Also see National Public Safety Commission, *Annual Report 2006*, April 2008, at p. 16.

¹¹⁹ Niaz, Tahir, (2010), “Frontier Constabulary scare factor: Rangers take over security of Diplomatic Enclave”, *Daily Times*, 31 March, 2010: http://www.dailytimes.com.pk/default.asp?page=2010\03\31\story_31-3-2010_pg11_1

¹²⁰ Islamabad Capital Territory Police website, *Total Strength*: <http://www.islamabadpolice.gov.pk/Pages/CustomPages/TotalStrength.aspx> as on 23 April 2010.

¹²¹ Section 1(3) of the Police Order, 2002 says that the Police Order shall at once come into force except in the Islamabad Capital Territory where it shall come into force on the date the local governments assumes office.

¹²² Islamabad Capital Territory Police website, *About Us*: <http://www.islamabadpolice.gov.pk/Pages/CustomPages/AboutUs.aspx> as on 23 April 2010.

¹²³ The pre-independence Special Police Establishment continued as the Pakistan Special Police Establishment under the Pakistan Special Police Establishment Ordinance 1948, (VII of 1948). This was repealed under the Federal Investigation Agency Act, 1975.

¹²⁴ Federal Investigation Agency website: <http://www.fia.gov.pk/> as on 2 October 2009.

¹²⁵ Federal Investigation Agency website, *History of the FIA*: http://www.fia.gov.pk/History_of_the_FIA.htm as on 2 October 2009. In 2004, FIA's jurisdiction to investigate and prosecute corruption cases and economic offences was taken away and transferred to the National Accountability Bureau (NAB). However, FIA's original jurisdiction has been restored since October 2008.

¹²⁶ Rule 9 read with Rule 2(a) of the Schedule to Police Service of Pakistan (Composition, Cadre and Seniority) Rules, 1985.

¹²⁷ Almost all the DGs for FIA have been PSP officers; for a list of all 25 DGs since 1974 see Federal Investigation Agency website, *Message from the DG FIA*: http://www.fia.gov.pk/msg_dg.htm as on 2 October 2009.

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¹⁴⁰ Ibid.

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With the police playing an instrumental role in the governance of Pakistan, the Human Rights Commission of Pakistan and the Commonwealth Human Rights Initiative have come together to present a report that attempts to beam a light on a state actor that is often shrouded in shadows. This publication seeks to help the people of Pakistan better understand the duties and responsibilities of police organisations throughout the country.



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