

PROVINCIAL ASSEMBLY OF THE PUNJAB

NOTIFICATION

11 September 2013

No.PAP-Legis-2(07)/2013/940. The Punjab Police Order (Amendment) Bill 2013, having been passed by the Provincial Assembly of the Punjab on 29 August 2013, and assented to by the Governor of the Punjab on 10 September 2013, is hereby published as an Act of the Provincial Assembly of the Punjab.

THE PUNJAB POLICE ORDER (AMENDMENT) ACT 2013

ACT XXI OF 2013

[First published, after having received the assent of the Governor of the Punjab, in the Gazette of the Punjab (Extraordinary) dated 11 September 2013.]

An

Act

to amend the Police Order, 2002.

Whereas it is expedient to amend the Police Order, 2002 (C.E. Order No. 22 of 2002) for purposes hereinafter appearing;

It is hereby enacted as follows:-

1. Short title and commencement.— (1) This Act may be cited as the Punjab Police Order (Amendment) Act 2013.

(2) It shall come into force at once.

2. Amendments in Article 7 of Order No. 22 of 2002.— In the Police Order 2002 (C.E. Order No. 22 of 2002), hereinafter referred to as the said Order, in Article 7—

(a) for clause (3), the following shall be substituted:-

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

(b) after clause (3), the following clauses (3a), (3b) and (3c) shall be inserted:-

“(3a) The selection for direct recruitment in the rank of Constable shall be made on the basis of district of domicile.

(3b) The selection for direct recruitment in the rank of Sub-Inspector shall be made through Punjab Public Service Commission on the basis of police region in which district of domicile of the candidate is located and shall not exceed fifty percent of total posts in the rank of Sub-Inspector.

(3c) Subject to the rules—

(a) twenty-five percent of the quota reserved for departmental promotion to the rank of Sub-Inspector shall be filled through selection-on-merit by Punjab Public Service Commission from amongst police officers holding bachelor's degree in the rank of Head Constable and Assistant Sub-Inspector; and

(b) twenty-five percent departmental promotions to the rank of Assistant Sub-Inspector shall be made through selection-on-merit by Punjab Public Service Commission from amongst police officers holding bachelor's degree in the rank of Constable and Head Constable.”; and

(c) clause (5) shall be omitted.

3. Substitution of Article 18 of Order No. 22 of 2002.— In the said Order, for Article 18, the following shall be substituted:-

"18. Separation of investigation function.— (1) There shall be separation of investigation from other functions of the Police.

(2) Subject to clause (3), the District Investigation Branch shall investigate, under the supervision of the Head of District Investigation Branch, all cases registered in the District.

(3) The Provincial Police Officer may notify the offences which shall be investigated by the investigation officer in the police station under the supervision of the officer-in-charge of the police station and if an offence in a case is required to be investigated by the District Investigation Branch then the entire case shall be investigated by the District Investigation Branch.

(4) The District Investigation Branch, other than in the Capital City District or a City District, shall be headed by a police officer not below the rank of a Superintendent of Police and shall consist of such other police officers as the Provincial Police Officer may determine.

(5) In the Capital City District and a City District, the District Investigation Branch shall be headed by a police officer not below the rank of Deputy Inspector General of Police and Senior Superintendent of Police respectively and shall consist of such other police officers as the Provincial Police Officer may determine.

(6) In order to institute functional specialization in each District, the Provincial Police Officer shall determine the investigation organization and jurisdictions, as and when required, at the level of the District, City District, Capital City District or a division within a City District or the Capital City District.

(7) The members of District Investigation Branch shall not form part of any police station and, as far as possible, the District Investigation Branch shall comprise several specialized wings, each wing being responsible for investigation of one or more types of cases.

(8) The Head of District Investigation Branch shall be directly responsible to the Head of District Police.

(9) The supervisory officers—

(a) shall ensure timely completion and verification of investigation; and

(b) may summon the investigation officer or team of officers, review the case file, evaluate the evidence and, in that case, shall issue instructions to the investigation officer or team of officers in the form of case diary.

(10) A supervisory officer not below the rank of a Deputy Superintendent of Police may verify the correctness of the investigation and accuracy of conclusions of investigation by writing a case diary before submission of report in the court.

(11) An officer-in-charge of the police station shall, immediately after receiving information of an offence, inform the District Investigation Branch of the offence which is required to be investigated by the District Investigation Branch.

(12) If the Head of District Investigation Branch is of the opinion that a case under investigation with the District Investigation Branch is not in its jurisdiction, he shall, under intimation to the Head of District Police, send the case for further investigation to the officer-in-charge of the police station.

(13) If the officer-in-charge of the police station is, for reasons to be recorded, of the opinion that a case under investigation by the police station staff is required to be investigated by the District Investigation Branch, he shall, under intimation to the Head of District Police, send the case for further investigation to the District Investigation Branch.

(14) Except in case of an emergency notified by the Provincial Police Officer for a specified period, the members of District Investigation Branch shall not be employed for duties other than investigation."

4. Insertion of Article 18A in Order No. 22 of 2002.— In the said Order, after Article 18, the following Article 18A shall be inserted:—

"18A. Transfer of investigation.— (1) Within seven working days of the filing of an application, the Head of District Police may, after obtaining opinion of the District Standing

Board and for reasons to be recorded in writing, transfer investigation of a case from the investigation officer to any other investigation officer or a team of investigation officers of a rank equal to or higher than the rank of the previous investigation officer.

(2) If the Head of District Police has decided an application for transfer of investigation, the Regional Police Officer may, within seven working days of the filing of an application, after obtaining opinion of the Regional Standing Board and for reasons to be recorded in writing, transfer investigation of a case from the investigation officer or a team of investigation officers to any other investigation officer or a team of investigation officers of a rank equal to or higher than the rank of the previous investigation officer or officers.

(3) If a Regional Police Officer has decided an application for transfer of an investigation, the Provincial Police Officer may within thirty days of filing of an application, after obtaining opinion of a Standing Review Board, transfer investigation of a case to an investigation officer or a team of investigation officers of a rank equal to or higher than the rank of the previous investigation officer or officers.

(4) A case under investigation with a District Investigation Branch may only be transferred to another officer or a team of officers of the District Investigation Branch, Regional Investigation Branch or Provincial Investigation Branch.

(5) For the purpose of this Article—

- (a) 'District Standing Board' means the District Standing Board constituted by the Head of District Police consisting of a Superintendent of Police as chairperson and two officers not below the rank of Deputy Superintendent of Police as members;
- (b) 'Regional Standing Board' means the Regional Standing Board constituted by the Regional Police Officer consisting of a Superintendent of Police as chairperson and two Superintendents of Police as members;
- (c) 'Standing Review Board' means the Standing Review Board constituted by the Provincial Police Officer consisting of a Deputy Inspector General of Police as chairperson and two officers not below the rank of Superintendent of Police as members; and
- (d) reference to Head of District Police and Regional Police Officer in the case of Capital City District shall be construed to mean the Head of District Investigation Branch of the Capital City and the Capital City Police Officer, respectively."

5. Amendment in Article 21 of Order No. 22 of 2002.— In the said Order, in Article 21, in clause (4)—

- (a) after the word "Inspector", the words "or Sub-Inspector" shall be inserted; and
- (b) in the proviso, after the word "Inspectors", the words "or Sub-Inspectors" shall be inserted.

6. Omission of Article 184 of Order No. 22 of 2002.— In the said Order, Article 184 shall be omitted.

7. Repeal.— The Punjab Police Order (Amendment) Ordinance 2013 (II of 2013) is hereby repealed.

RAI MUMTAZ HUSSAIN BABAR
ACTING SECRETARY