

Sindh Police

**REWARD AND SANCTION POLICY**

**1.0 Background**

An elaborate framework of law -- constitutional provisions, International human rights instruments to which Pakistan is a signatory, and provisions in the code of criminal procedure, police order, and federal and provincial laws - protect human rights and promote sensitivity to the cause of women.

Police Order, in particular, places special emphasis on protection of citizen orientation, human rights and gender sensitization. Under article 24 of Police Order 2002, every police officer is required to take oath: i.e. Police Officer will do best of his/her ability, skill and knowledge discharge, such functions and duties as may be entrusted to his/her as a member of the police and "in such a manner as to uphold and protect the dignity and rights of the citizens "Article 4 further obligates every police officer to ensure that "rights and privileges, of a person taken in custody, are protected" and that "the information about the arrest of a person is promptly communicated to a person of his choice".

In addition to above legislative provisions, the Police department has issued guidelines and Standing Operating Procedures (SOPs) on

1. Human Rights.
2. Gender Sensitization issues.

Importantly, duties of police officers are not restricted to ordinary policing work related to prevention and detection of crimes. Assisting the weak and the vulnerable in day-to-day situations is also a major responsibility. It is the duty of every police officer, according to article 3, "to guide and assist members of the public particularly the poor, disabled or physically weak and children who are either lost or find themselves helpless on the streets or other public places", and "aid individuals who are in danger of physical harm particularly women and children".

In addition to the specific provisions given above, Rule 14.4 of Police Rules 1934 bears repetition because it enjoins fundamental principles of good policing behavior.

- i. Every police officer shall keep his temper thoroughly under control, shall act with courtesy on all occasions and shall not allow his composure to be disturbed by the behavior of others towards him.

- ii. A police officer defending himself, or lawfully enforcing his authority, shall act with calmness and shall use as little violence as possible.
- iii. Police officers usually act individually in the execution of their duty. They should remember, therefore, that on the behavior of each individual depends the reputation of the force and the degree to which the law-abiding section of the public will be willing to cooperate against law-breakers.

## **2.0 Sindh Police Human Rights Policy**

Sindh Police has an established framework for the comprehensive and sustained efforts to promote and protect human rights and increase sensitivity to situation of women and the weak segments of society. Many elements of this policy are envisaged. Formulation of SOPs and Codes of Conduct to deal with various policing situations, training of officers and men in human rights and a rewards and sanctions system are in place for better citizen orientation, complete compliance of human rights, and increased sensitivity towards women.

## **3.0 Existing Rewards System**

Rewards to police officers and citizens are provided and governed mainly by Police Rules 1934 and administrative instructions. This arrangement has been further strengthened by Police Order 2002 wherein rewards can \_\_\_\_\_ be given from "Public Safety Fund" created under article 169 of Police Order 2002. The Government of Sindh has also introduced system of rewards for traffic police in the wake of ticketing system for better management and performance of traffic police and the encourage simple system of corrections for citizens.

### **3.1 Police Rules**

Chapter XV of Police Rules 1934 deals with rewards. According to rule 15-1 (2), "rewards to subordinate police officers are to given for special merit in any branch of police activities." According to rule 15-7, rewards in cash or of articles may be granted to police officers for "exceptionally good work done in connection with the administration of the law, the maintenance of peach, safety and good order and for conduct displaying exceptional address, acuteness, industry, fidelity, or courage. The definition cover the performance aspect viz a viz human right and protection for women and children. Rule 15:3 also make ordinary citizens entitle for rewards. It reads "an enrolled officer (and any other ordinary citizen) may be awarded as per rule 15-3, if he renders ready and efficient assistance in the investigation of a criminal case, the arrest of a criminal or the preservation of law and order, or gives valuable information".

### **3.2 Rewards for Madadgar Force**

Sindh Police has established Madadgar centers - comprising mobile rapid response units which responds to citizens calls for help. Several Madadgar centers are already functioning. Provincial Police Officer Sindh has issued Standing Order in September 2003 in which rewards for police officers, in addition to citizens who report major crimes or help other citizens have been specified. These include:

- i. Telephone operators who received the call and immediately conveyed to the wireless operator for further action;
- ii. The wireless operator who received the message and promptly ask the area police to respond;
- iii. The police officer/police party in the field who respond to the message and arrested the culprits or foil a criminal act.
- iv. Citizens who provide information or co-operate with Police in combating crime.

### **3.3 Administrative Instructions**

The IGP Sindh grant rewards to police officers who help citizens, especially women and children, in their day-to-day lives. The major source of information for these rewards is recommendation from citizens to IGP complimenting officers for their acts or extra ordinary performance. Commendation certificates are also awarded on regular basis.

### **3.4 Police Order**

According to Article 168 of the Police Order 2002, the Government may constitute Public Safety Funds at the Provincial and District levels. Funds could be obtained in the form of grants made by the federal, provincial, and district Governments to the police, or contributions made in cash or kind by the public for the improvement of police service delivery, and from traffic fines collected in the province. These funds are to be operated by the respective provincial and district public safety commissions. These commissions may spend these funds on rewarding police officers for good performance in addition to improving facilities for public and service delivery at police stations and improving traffic police.

#### **4.0 Existing sanctions system**

Sanctions within police force are governed by Police Order, Civil Servants Act, 173 and E&D Rules framed there under, and Sindh Police (Efficiency and Discipline) Rules, 1985.

#### **4.1 Police Order**

Article 114 of Police Order 2002 requires every Provincial and Capital City Police Officer to issue Code of Conduct to regulate police practices in respect of various routine policing situations. A police officer contravening the Code of Conduct may be awarded penal punishments or he may be suspended, dismissed, compulsorily retired, reduced in rank or pay, within a time scale, fined, censured or awarded any other punishment in the prescribed manner.

Article 155 of Police Order 2002 prescribes punishment for Police Officers.

The article is reproduced below:-

#### **Article 155, Penalty for certain types of misconduct by police officers:-**

- (1) Any police officer who-
  - (a) makes for obtaining release from service as police officer, a false statement or a statement which is misleading in material particulars or uses a false document for the purpose;
  - (b) is guilty of cowardice, or being a police officer of junior rank, resigns his office or withdraws himself from duties without permission;
  - (c) is guilty of any willful breach or neglect of any provision of law or of any rule or regulation or any order which he is bound to observe or obey;
  - (d) is guilty of any violation of duty;
  - (e) is found in a state of intoxication, while on duty;

- (f) malingers or feigns or voluntarily causes hurt to himself with the intention to render himself unfit for duty;
  - (g) is grossly insubordinates to his superior officer or uses criminal force against a superior officer; or
  - (h) engages himself or participates in any demonstration, procession or strike or resorts to or in any way abets any form of strike or coercion or physical duress to force any authority to concede anything,
- shall, on conviction, for every such offence be punished with imprisonment for a term which may extend to three years and with fine.
- (2) Prosecution under this Article shall require a report on writing by an officer authorized in this behalf under the rules.

Similarly, according to article 156 of Police Order 2002, penalties are prescribed for various acts. It reads as under:-

**Article 156, Penalty for vexatious entry, search, arrest, seizure of property, torture, etc.:-**

Whenever, being a police officer-

- (a) without lawful authority, or reasonable cause, enters or searches or causes to be entered or searched any building, vessel, tent or place;
  - (b) vexatiously and unnecessarily seizes the property of any person;
  - (c) vexatiously and unnecessarily detains, searches or arrests any person;
- or
- (d) inflicts torture or violence to any person in his custody;
- shall, for every such offence, on conviction, be punished with imprisonment for a term, which may extend to five years and with fine.

Further, for police officers penalties are provided in Article 157 of Police Order 2002. It reads as:

**Article 157, Penalty for unnecessary delay in producing arrested persons in courts:-**

Any police officer who vexatiously and unnecessarily delays the forwarding to a court or to any other authority to whom he is legally bound to forward any arrested person, shall, on conviction, be punished with imprisonment for a term which may extend to one year and with fine.

## **4.2 Efficiency and Discipline Rules**

Sindh Police (Efficiency and Discipline Rules) 1988, applicable to all Police Officers of the subordinate ranks, below the rank of Deputy Superintendent of Police, provide penalties ranging from minor punishments like confinement of constables to Quarter Guards to major punishments like dismissal from service on grounds of misconduct or inefficiency, among other grounds. The definition of misconduct is wide and cover violation of any lawful guideline or order issued by superior officers to regulate policing in any situation. Misconduct includes “conduct prejudicial to good order of discipline in the Police Force, or contrary to Government Servants (Conduct) Rules or conduct unbecoming of a police officer and a gentleman, and commission or omission which violates any of the provision of law and rule regulating the function and duty of a Police Officer ...”

Efficiency and Discipline Rules made under the federal and provincial Civil Servants Act govern the conduct of officers above the rank DSP. The grounds for penalties on misconduct, read with various internal instructions of Sindh Police, provide for an effective sanctions system for protection of Human Rights.

### **Existing rewards and sanctions system**

The sanctions system – both penal and departmental disciplinary proceedings – provide ample space for enforcement of respect for human rights and sensitivity towards ordinary citizens in general and women in particular. The formal rewards system, on the other hand elaborated in Police Rules, provide sufficient scope for the goals of the traditional virtues of good policing –arrest of criminal and detection of crime, bravery, and valor.

The rewards and sanctions policy for citizen orientation, human rights, and gender sensitization, as given below, aims to enhance the focus on these key areas in formal practices.

## **5.0 Rewards and sanctions Policy**

Sindh police shall make every effort to protect and promote human rights, citizen orientation and gender sensitization through, among other means, a coherent rewards and sanctions system.

- i. Codes of Conduct provided for in Article 114 shall be reviewed, further developed and re-issued by June 2007.
- ii. Violation of human rights, as provided in Article 115 and 116 of Police Order 2002, shall be severely and uniformly punished.

- iii. Violations of standing orders and codes of conduct issued for protection of human rights are construed to be misconduct for the purposes of enquiries initiated under relevant E&D rules against police officers.
- iv. Rewards in cash or articles in value or commendation certificates will be given to officers for exceptional service to communities; protection and promotion of human rights, including awareness of such rights among police force, women and the poor; assistance to citizens in emergencies; exceptional and exemplary assistance to members of the public particularly the poor, disabled or physically weak and children who are either lost or find themselves helpless on the streets or other public places; and exceptional assistance to individuals who are in danger of physical harm particularly women and children.
- v. The reward system for Madadgar will be further expanded and strengthened with more funds, timely disbursement of rewards, and more awareness.
- vi. The administrative practice of issuing rewards on the basis of complimentary letters by citizens will be further developed and streamlined.
- vii. The process placing of reward details in character roll, commendation certificates will be implemented, to ensure benefits for Police Officers in progress in carrier.
- viii. Province-wide publicity will be ensured for grant of these rewards. The final awards will also be duly publicized.
- ix. Government shall be requested to expedite activation of Public Safety Funds as provided in the Police Order.