REGISTERED No. M - 302
L.-7646

The Gazette of Pakistan

EXTRAORDINARY
PUBLISHED BY AUTHORITY

ISLAMABAD, SATURDAY, DECEMBER 10, 2016

PART II

Statutory Notifications (S.R.O.)

GOVERNMENT OF PAKISTAN

MINISTRY OF COMMUNICATIONS

(National Highways and Pakistan Motorway Police)

NOTIFICATION

Islamabad, the 30th November, 2016

S. R. O. 1147(I)/2016.—In exercise of the powers conferred by section 93 of the National Highways Safety Ordinance, 2000 (XL 2000), the Inspector General of National Highways and Pakistan Motorway Police, in consultation with the Federal Government, is pleased to make the following rules, namely:—

1. **Short title, commencement and application.**—(1) These rules shall be called the National Highways and Pakistan Motorway Police (Efficiency and Discipline) Rules, 2016.

(2) They shall come into force at once.

(3) They shall apply to all police officers in service of the National Highways and Pakistan Motorway Police not above the rank of Deputy Superintendent of Police and equivalent.

Price Rs : 10.50

[4222(2016)Ex. Gaz.]

Tauseef Yousaf Admin Officer(Admin-IT) Thursday, 04 September, 2025, 2:35:11 PM

2. **Definitions.**—In these rules, unless the context otherwise requires,—

(a) "accused" means an accused police officer against whom an action is taken under these rules;

(b) "Assistant Superintendent of Police" or "ASP" includes all police officers of equivalent rank or basic pay scale whether known by designation of Deputy Superintendent of Police (DSP) or Beat Commander or otherwise;

(c) "authority" means the person designated as authority, and competent to impose penalty on an accused, under these rules;

(d) "appellate authority" means the Person next above the authotity" designated as appellate authority, and Competent to decide an appeal preferred, under these rules;

(e) "Deputy Inspector General" or "DIG" means Deputy Inspector General of Police includes all police officers of equivalent rank or basic pay scale whether known by the designation of Zonal Commander, Commandant, Principal or otherwise and for the purpose of exercising powers as authority, appellate authority and revising authority includes Additional Inspector General of Police;

(f) "Foreign Service" means service as defined in F.R 9 (7) of the Fundamental Rules.

(g) "misconduct" means conduct prejudicial to good order or service discipline of the National Highways and Pakistan Motorway Police or contrary to Government Servants (Conduct) Rules, 1964 or unbecoming of an accused and a gentleman and include commission or omission of any act which violates any of the provisions of law for the time being in force and rules regulating functions and duty of the accused or to bring or attempt to bring political or other outside influence directly or indirectly to bear on the Government or any Government officer in respect of any matter relating to the appointment, promotion, transfer, penalty, retirement or other conditions of service of the accused;

(h) "penalty" means a penalty specified under rule 5; and

(i) "Superintendent of Police" or "SP" includes all police officers of equivalent rank or basic pay scale whether known by the designation of Senior Superintendent of Police (SSP), Assistant Inspector General of Police (AIG), Sector Commander or otherwise.

3. **Grounds for imposition of penalty.**—The authority may, subject to these rules, impose one or more penalties on an accused where in his opinion such accused is—

(a) inefficient or has ceased to be efficient; or

(b) guilty of misconduct, or

(c) corrupt or may reasonably be considered corrupt because he —

(i) or any of his dependents or any other person through him or on his behalf is in possession of pecuniary resources or of property disproportionate to his known sources of income and for which he cannot reasonably account; or

(ii) has assumed a style of living beyond his ostensible means; or

(iii) has a reputation of being corrupt; or

(d) engaged or is reasonably suspected of being engaged in subversive activities or is reasonably suspected of being associated with others engaged in subversive activities or is guilty of disclosure of official secrets to any unauthorized person and his retention in service is, therefore, prejudicial to national security; or

(e) guilty of habitual absence from duty, coming late on duty or leaving duty early without reasonable excuse and without prior permission of the leave sanctioning authority.

4. **Authority and appellate authority.**—The person specified in column (4) of the Table below shall be authority for the purpose of imposition of penalty specified in column (3) thereof on an accused specified in column (2) of that Table and the person specified in column (5) of the said Table shall be appellate authority in respect of the accused specified in column (2) thereof, namely:—

TABLE

S. No.	Accused	Penalties specified under rule	Authority	Appellate authority
(1)	(2)	(3)	(4)	(5)
1.	Constable or junior patrol officer	5(1)(a), 5(1)(b), 5(1)(d), 5(1)(e), 5(1)(f) and 5(1)(g)	ASP	SP
		5(1)(c), 5(2)(a), 5(2)(b), 5(2)(c) and 5(2)(d)	SP	DIG

(1)	(2)	(3)	(4)	(5)
2.	Head constable or assistant patrol officer	5(1)(a), 5(1)(d) and 5(1)(e)	ASP	SP
		5(1)(g), 5(1)(f), 5(1)(b), 5(1)(c), 5(2)(a), 5(2)(b), 5(2)(c) and 5(2)(d)	SP	DIG
3.	Sub inspector or patrol officer	5(1)(a), 5(1)(b), 5(1)(c), 5(1)(d), 5(1)(e), 5(2)(a), 5(2)(b), 5(2)(c) and 5(2)(d)	SP	DIG
4.	Inspector or senior patrol officer	5(1)(a), 5(1)(b) and 5(1)(d)	SP	DIG
		5(1)(c), 5(1)(e), 5(2)(a), 5(2)(b), 5(2)(c) and 5(2)(d)	DIG	IGP
5.	Deputy superintendent of police or chief patrol officer	5(2)(a), 5(2)(b), 5(2)(c) and 5(2)(d)	IGP	IGP (Review)
		5(1)(a), 5(1)(b), 5(1)(c), 5(1)(d) and 5(1)(e)	DIG	IGP

5. **Penalties.**—(1) The following shall be minor penalties, namely:—

(a) censure;

(b) forfeiture upto two years of service qualifying for pension;

(c) withholding of promotion upto one year;

(d) stoppage of increment for a period not exceeding three years with or without cumulative effect;

(e) fine not exceeding fifty per cent of one month's pay;

(f) confinement to quarters for a term not exceeding fifteen days, with or without punishment drill, extra guard, fatigue or other duty; and

(g) extra drill not exceeding fifteen days fatigue or other duties.

(2) The following shall be major penalties, namely:—

(a) reduction in rank or pay;

(b) compulsory retirement;

(c) removal from service; and

Thursday, 04 September, 2025, 2:35:11 PM Admin Officer(Admin-IT) Tauseef Yousaf

(d) dismissal from service.

(3) Removal from service does not but dismissal from service does disqualify for future employment.

(4) Reversion from an officiating rank, as a consequence of an action other than the action under these rules, shall not be a penalty.

(5) In this rule, removal or dismissal from service does not include the discharge of a person—

(a) appointed on probation, during the period of probation or in accordance with the probation or training rules applicable to him; or

(b) appointed, otherwise than under a contract, to hold a temporary appointment on the expiration of the period of appointment; or

(c) engaged under a contract in accordance with the terms of the contract.

6. **Suspension and forced leave.**—Where a police officer is accused of subversion, corruption or misconduct, the authority may require him to proceed on leave or suspend him, provided that any continuation of such leave or suspension shall require to be reviewed by the authority after every three months.

7. **Procedure for imposition of penalty.**—(1) The authority shall determine whether in light of facts and circumstances of the case or in the interest of justice, a departmental inquiry through an inquiry officer or inquiry committee is necessary to inquire into the charges against an accused.

(2) Where the authority decides under sub-rule (1) that it is not necessary to hold an inquiry, he shall—

(a) by order in writing inform the accused of the action proposed to be taken against him and the grounds of such action; and

(b) against the action under clause (a), give him a reasonable opportunity of showing cause within a period of not less than seven days and not more than fourteen days or within such an extendable period as many be allowed by authority.

Tauseef Yousaf Admin Officer(Admin-IT) Thursday, 04 September 2025, 2:35:11 PM

(3) No opportunity of showing cause under sub-rule (2) shall be given where the authority is satisfied that in the interest of security of Pakistan or any part thereof it is not expedient to give such opportunity.

(4) Where the authority decides that it is necessary to hold a departmental inquiry through an inquiry officer or an inquiry committee, he shall appoint for this purpose an inquiry officer or, as the case may be, inquiry committee:

Provided that the inquiry officer or chairman of the inquiry committee shall be senior in the rank to the accused.

(5) On receipt of findings of the inquiry officer or, as the case may be, the inquiry committee or where no such officer or committee is appointed, on receipt of the explanation of the accused, if any, the authority shall determine whether the charge or charges have been proved or not. In case the charge or charges have been proved the authority may impose one or more of the major or minor penalties as deemed necessary and in case the charges have not been proved the authority shall exonerate the accused.

8. **Procedure to be observed by inquiry officer and inquiry committee.**—(1) Where an inquiry officer or inquiry committee is appointed the authority shall—

(a) frame a charge and communicate it to the accused together with statement of the allegations explaining the charge and of any other relevant circumstances which are proposed to be taken into consideration; and

(b) require the accused to put in through the inquiry officer or, as the case may be, the inquiry committee, within seven to fourteen days from the day the charge has been communicated to him, a written defence and to state at the same time whether he desires to be heard in person.

(2) The inquiry officer or inquiry committee shall inquire into the charge and may examine such oral or documentary evidence in support of the charge or in defence of the accused as may be considered necessary and the accused shall be entitled to cross-examine the witnesses against him.

(3) The inquiry officer or inquiry committee shall hear the case from day-to-day and no adjournment shall be given except for reasons to be recorded in writing and where any adjournment is given it shall not be more than a week and the reasons thereof shall be reported forthwith to the authority.

(4) Where the inquiry officer or, as the case may be, the inquiry committee is satisfied that the accused is hampering or attempting to hamper the progress of the inquiry, he or it shall administer a warning and if thereafter he or it is satisfied that the accused is acting in disregard of the warning, he or it shall record a finding to that effect and proceed to complete the departmental inquiry *ex parte*.

(5) If the accused absents himself from the inquiry on medical grounds he shall be deemed to have hampered or attempted to hamper the progress of the inquiry, unless medical leave applied for by him is sanctioned on the recommendation of a medical officer nominated by the authority for this purpose:

Provided that the authority may, in his discretion, sanction medical leave up to seven days without the recommendation of the medical officer.

(6) The inquiry officer or inquiry committee shall within ten days of the conclusion of the proceedings or such longer period as may be allowed by the authority, submit his or its findings and grounds thereof to the authority.

9. **Powers of the inquiry officer or committee.**—(1) For the purpose of an inquiry under these rules, the inquiry officer or the inquiry committee shall have the powers of a Civil Court trying a suit under the Code of Civil Procedure, 1908 (Act V of 1908), in respect of the following matters, namely:—

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

(b) requiring, the discovery and production of documents;

(c) receiving evidence on affidavits; and

(d) issuing commissions for the examination of witnesses or documents.

(2) The proceedings under these rules shall be deemed to be judicial proceedings within the meaning of sections 193 and 228 of the Pakistan Penal Code (Act XLV of 1860).

10. **Rules 7 and 8 not to apply in certain cases.**—Nothing in rules 7 and 8 shall apply in a case:—

(a) where the accused is reduced in rank, removed or dismissed from service on the ground of conduct which has led to a sentence of fine or of imprisonment or both; or

(b) where the authority competent to reduce a person in rank, remove or dismiss him from service is satisfied that, for reasons to be recorded in writing by that authority, it is not reasonably practicable to give the accused an opportunity of showing cause.

11. **Procedure of inquiry against police officer on deputation to foreign service and *vice-versa*.**—(1) Where a police officer, to whom these rules apply, is on deputation to a foreign service and it is expedient to initiate disciplinary proceedings against him during his deputation, the borrowing department shall have power of the authority for the purpose of placing him under suspension or requiring him to proceed on leave and of initiating proceedings against him under these rules subject to approval of the authority as specified in rule 4.

(2) The borrowing authority shall forthwith inform the lending department of the circumstances under sub-rule (1) leading to the order of suspension, forced leave and the commencement of the proceedings, as the case may be.

(3) On completion of inquiry proceedings under sub-rule (1), if it appears that a minor penalty is to be imposed on the accused deputationist, the borrowing department shall pass orders for imposition of the minor penalty or penalties and where it appears that the guilt of the accused deputationist requires imposition of a major penalty or penalties the borrowing department shall repatriate the accused to his parent department alongwith inquiry proceedings supported by documentary evidences and recommendations of the Authorized Officer for completion of the disciplinary proceedings under the Rules.

(4) Where any person, of the rank and status to which these rules are applicable, is on deputation to the National Highways and Pakistan Motorway Police the provisions of this rule shall *mutatis mutandis* apply:

Provided that the deputationists above the rank, pay scale and status of Deputy Superintendent of Police shall remain under control of the parent or lending department.

12. **Appeal.**—(1) Within thirty days of communication of an order of imposition of a penalty or penalties, the accused Police officer may prefer and appeal to the appellate authority.

(2) There shall be only one appeal from the original order and the order of the appellate authority in appeal shall be final.

(3) The appellate authority may call for the record of the case and comments on the points raised in the appeal, from the concerned officer and on consideration of the appeal by an order in writing—

(a) uphold the order of penalty and reject the appeal or review petition; or

(b) set aside the orders and exonerate the accused; or

(c) modify the orders and reduce or enhance the penalty; or

(d) set aside the order of penalty and remand the case to the authority, where it is satisfied that the proceedings by the authority or the inquiry officer or inquiry committee, as the case may be, have not been conducted in accordance with the provisions of these rules, or the facts and merits of the case have been ignored, with the directions to either hold a *de novo* inquiry or to rectify the procedural lapses or irregularities in the proceedings:

Provided that where the appellate authority proposes to enhance the penalty, it shall by an order in writing

(a) inform the accused of the action proposed to be taken against him and the grounds of such action; and

(b) give him a reasonable opportunity to show cause against the action and afford him an opportunity of personal hearing.

(4) An appeal preferred under these rules Shall be made in the form of a petition in writing in a proper and temperate language and shall set forth concisely the grounds of objection to the impugned order.

13. **Revision.**—(1) The appellate authority may call for the record of penalty imposed by an authority and confirm, enhance, modify or annul the same or make further investigation or direct such inquiry to be made before passing orders.

(2) In all cases in which it is proposed to enhance a penalty, the officer proposing such enhancement shall, before passing final orders, give the accused police officer an opportunity of showing cause as to why the penalty should not be enhanced.

14. **Representation by counsel barred.**—No party to any proceedings under these rules before the inquiry officer, inquiry committee, authority, appellate authority, revising authority, as the case may be, shall be represented by an advocate.

Tausif Yousaf (ATO) Admin Office (Admin) Thursday, 04 September, 2025, 2:35:11 PM

15. **Repeal.**—Any rules, regulations, notifications, orders, instructions, etc. applicable to police officers to whom these rules apply shall stand repealed:

Provided that unless a different intention appears, the repeal shall not—

(a) revive anything not in force or existing at the time at which the repeal takes effect; or

(b) affect the previous operation of any such instrument so repealed or anything duly done or suffered thereunder; or

(c) affect any right, privilege, obligation or liability acquired, accrued or incurred under any instrument so repealed; or

(d) affect any penalty, forfeiture or punishment incurred in respect of any offence committed against any instrument so repealed; or

(e) affect any investigation, legal proceeding or remedy in respect of any such right, privilege, obligation, liability, penalty, forfeiture or punishment as aforesaid, and any such investigation, legal proceeding, remedy may be instituted, continued or enforced and any such penalty, forfeiture or punishment may be imposed as if these rules had not been made.

[No. NH-MP-(E.D)Rules-2016/1979.]

GHULAM RASUL ZAHID, PSP,
Deputy Inpector General
(Headquarters).

Tauseef Yousaf
Admin Officer(Admin-IT)
Thursday, 04 September, 2025, 2:35:11 PM

PRINTED BY THE MANAGER, PRINTING CORPORATION OF PAKISTAN PRESS, ISLAMABAD.
PUBLISHED BY THE DEPUTY CONTROLLER, STATIONERY AND FORMS, UNIVERSITY ROAD, KARACHI.