

**POLICE CIRCULAR ORDER NO. 260/85**

SUBJECT : Checking of Motor vehicles by Police Officers

The restrictions imposed in P.C.O. No. 242/82 in regard to checking of Motor vehicles by Thana Officers, were lifted in this office letter No. 16262 (19)/MV CB dated 14-6-1985, wherein , the purpose of checking motor vehicles and detailed instructions in that regard were indicated for guidance of Police Officers. It was emphasized to organise drives to check motor vehicles at regular intervals, by Thana Officers under the supervision of Circle Inspectors and S.D.P.Os. and to arrange holding of mobile courts with a view to ensuring safety on roads and prevention of accidents. In this regard guide lines were also issued to pay greater attention towards truck and trekkers carrying passengers and detect violation of provisions of Sections 71 to 91 of the M.V.Act, 1939 and rules 155 to 177-A of the Orissa M.V. Rules, 1940.

Instances have been brought to my notice, in which the powers of checking of Motor vehicles by Thana Officers have not been properly exercised and owners, drivers and conductors, particularly of vehicles plying on inter-State route permits, were put to undue harassment, as a result of indiscriminate seizure of the documents of the vehicles and non-issue of proper receipts in that regard.

It is therefore ordered that Thana Officers while checking motor vehicles should ensure that the powers are not misused and that no harassment is caused to the owner/drivers/conductors of the vehicles concerned. In cases of accidents, the licenses of the drivers should only be seized. Other documents namely permits, Registration certificates, Fitness and Insurance certificates should be inspected to find out if those are in order and up-to-date and need not be seized unless those are found to be defective or the bonafides of the drivers/owners appear to be suspicious. Whenever the driving license or any other documents relating to a vehicle is seized, a proper seizure list in English should be prepared indicating the details of the documents and their dates of validity and bearing the clear signature and designation of the officer seizing the same and the stamp of the Police Station and a copy thereof should be granted to the driver or the owner, as the case may be. All seizures of driving licenses and other documents of the vehicles should find entry in the Station Diary of the Police-station and be accounted for in the Malkhana Register, even if given in zima. This order should be strictly followed by all officers and any deviation from it shall be viewed seriously.

B. K. PANIGRAHI  
Director General &  
Inspector-General of Police, Orissa, Cuttack.