

POLICE ORDER No. 160

Investigation
of Kidnap-
ping cases.

Consequent upon the insertion of a new section to the Indian Penal Code, i. e., Section 363-A in order to eradicate the heinous crime of kidnapping children and maiming them for the purpose of begging, following instructions are issued to ensure effective application of law :—

1. The offences described in sub-sections (1) and (2) of Section 363-A are cognizable. The Police Officer should therefore, proceed to register cases and take up investigation immediately on getting information about the commission of such offences. Full advantage should be taken of the presumption in sub-section 3 in pursuing suspicious cases. Whenever any children, maimed or otherwise, are found begging vigorous enquiries should immediately be taken up by the Police to ascertain if they have been kidnapped for that purpose.

2. The cases registered under section 363-A should be promptly investigated. In cases put up in Court the prosecuting officers should be instructed to press the Courts to award deterrent and exemplary punishments to kidnappers.

3. A careful watch should be kept on the activities of kidnappers, after they are released from Jail to prevent them from reverting to such crime. They should be kept under close surveillance till such time as they take to regular work and normal life.

4. There may be cases where, minors are found begging but the person, or persons in whose custody they may be saying cannot be easily traced. Suitable watch should be maintained on such children to trace their guardians. Persons, who run houses, where such children take shelter or food, should be dealt with under this section after registration of cases.

5. The Women and Children's Institutions (Licensing) Act of 1956 prohibits people from establishing or maintaining institutions for the reception, protection and welfare of women or children, except under licences. Rules under the Act are still in the process of being framed. The police will have to carry out a careful survey of all orphanages, Ashrams, etc., maintained to ensure that they comply with the requirements of this Act.

6. During the pendency of investigation into cases under section 363, A. I. P., the police should have the children, whose parents or next of kin cannot be traced, placed in approved rescue homes, or institutions.

7. Such cases should be specially reported and a "Kidnapping Slip" in the appended *pro forma* should be submitted with the second report.

8. All available evidence as to the existence of gangs and individuals who specialise in the types of crime described in this section in various part of the country shall be collected. Since the elimination of such gangs is of primary importance, the endeavour of the police should be to fix the identity of members of such gangs, list and index them and open history sheets for the active members thereof. In case of gangs of inter-State importance the Crime Branch will institute the necessary enquiries in co-operation with the C. I. Ds. of the State concerned.

9. A list of "Missing persons" is being maintained in the Intelligence Bureau of the Crime Branch Officers working on kidnapping cases should consult the Bureau in course of their enquiries.

(Previous Police Order Reference No. 4 of 1960)

Kidnapping Slip

1. Special report case No. and year
2. Police-station and date of occurrence
3. Distance and direction from P.-S.
4. No. of kidnapers seen
5. Description of the kidnapers noticed (give name and percentage, etc if know)
6. Dress
7. Disguise
8. Dialects and words used
9. Method of approach
10. Modus operandi
11. Treatment of victim
12. Obvious local knowledge
13. Particular characteristics of the case, if any
14. result of investigation
15. Headquarters of the gang, if known
16. Any other comments and remarks