POLICE CIRCULAR ORDER NO. 294/99

Sub:- For maintenance of Public Order - Regular detention under the National Security Act, 1980.

Ref:- State Police Hqrs. Letter No. 2694/Con. dt. 18.4.99 addressed to all District Ssp/Rage E.Ts.G.

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In the aforesaid directive, all District Ssp/Range II Ssp.G were advised to take on priority basis effective steps against the criminals/anti-socials of their jurisdictions for detention under the N.S. Act after complying to the requirements and provisions of the said Act. The Ssp were also directed to submit monthly return on N.S.A. detentions positively by the 7th of every succeeding month to the State Police Headquarters. Also in the above cited letter it was indicated that the performance of the Ssp would be assessed from time to time on the basis of their work done for detentions under the N.S. Act 1980.

However, it is noticed that the detentions under the N.S. Act in many Districts are far from satisfactory which reflects the poor performance of the Ssp concerned. It also reveals that the N.S. Act has not been understood properly nor how evidences are supposed to be collected in respect of anti-socials/criminals engaged in various illegal activities affecting the public order in the locality concerned. The Officer-in-Charge, Circle Inspectors and S.L.P.Os seem to be not ensuring the proper collection of information/evidence required for which the detention under the N.S. Act are a few. The Criminal activities like forcible collection of donation for every conceivable purposes, sale of illicit liquor encouraging criminality, mafia activities like theft of coal, protection money from shop keepers etc. are on the increase. People are not daring to come forward to lodge complaint against such desperate characters due to fear of reprisal and harassment.

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To remove any doubts or ignorance on the subject, a copy of the said N.S. Act along with case law is sent herewith for necessary action by all concerned at your end. The Officer-in-Charge, Circle Inspectors and S.D.P.Os, should be briefed about the provisions of the N.S.Act and how to collect evidence, especially during the Quarterly Crime Meetings from the S.L.Es., W.C.Es., Special Reports and entries made on C.D. Part-III of the Police Stations, pending warrants, petitions received etc. Each Circle Inspector/S.D.P.O/ Addl.S.P. and S.P. during their visits to each Police Station should personally check the aforesaid papers/Registers to ensure that all entries made on the illegal activities are correctly recorded and reports/extracts there of had been sent to the D.I.B. for examination by the S.P. of the District. The J.P. of the District should personally examine, every month, the reports received on the persons targeted to be booked under the N.S.Act to guide the field officers to collect further information/evidence, if the available evidences are not adequate to send a proposal to D.M. of the District for detention under the N.S.Act.

For easy reference in the D.I.B., a Register should be maintained containing information on the N.S.A. detainees and as per the proforma vide Annexure-I for keeping watch on their activities. Whenever any one is detained under N.S.Act, a copy of the proposal sent to D.M. along with the orders of the D.M. there on should also be forwarded to State Police Headquarters.

please acknowledge.

DIRECTOR GENERAL AND INSPECTOR GENERAL OF POLICE, ORISSA: CUTTACK.

Contd/3
Memo no. 4809/Con.,

Dt. 6th 8.99

Copy forwarded to All Dist. Supds. of Police, (Including Ss.P Berhampur/Rourkela)/SRP, Cuttack/S.A.P. Rourkela for information and necessary action.

II. Copy forwarded to All Range DIs.G of Police/I.G. of Police, Rlys., Orissa, Cuttack for information.

They are requested to personally guide the Ss.P for optimal results.

III. Copy forwarded to the Director Intelligence, Orissa, Cuttack for information. The S.B. may also suggest names in suitable cases to Ss.P for considering with regard to detention under N.S.A.

DIRECTOR GENERAL AND INSPECTOR GENERAL
OF POLICE, ORISSA: CUTTACK.