

POLICE CIRCULAR ORDER NO. 216, Dated, Cuttack the 24th April, 1975

SUBJECT : Civil Suit against State/I.-G. of Police

Cases have come to notice where proper action for filing of appeals and revisions in matters involving the I.-G.P./or State in Civil litigations has not been taken. Government of Orissa, Law Department Memo. No. VIII—LR—19/67/7599 (86) LR dated 2-8-67 communicated to all Ss.P./D.Is.G. in C.B. Law. 33—67/17092 (33) CB dated 27-9-67 contains detailed procedure regarding filing of appeals, revisions etc. Cases of civil suit/notice comes to notice firstly in matters which concern criminal cases including motor vehicle compensation cases where police vehicles are involved, secondly in case where suit is filed or notice is given to Inspector-General of Police as head of the police establishment in respect of non-payment of house rent etc. which do not concern criminal cases.

It is hereby ordered that, in matters relating to criminal cases and motor vehicle cases, all information received from the very beginning will be communicated to C.B. and the same will be maintained by the Inspector Law Section who will maintain a register as in Appendix A & B. Even when proposal for appeals are filed through the District Magistrate, copies of correspondence should be communicated to C.B. for effecting necessary co-ordination with the Advocate-General and the Legal Remembrancer. The S. P., C.B. in-charge of the Law Section should call for this Register every 15 days to see that proper action is taken in pending proceedings. In the districts D.S.P. or Addl. S.P. in-charge of the S.R. section should also call for this register which is to be maintained in the district S.R. section/Head Clerk in the Police establishments every 15 days to see that proper action has been taken after receipt of the notice of the civil suits.

In matters which have not arisen out of criminal cases or motor vehicle compensation cases, the S.P. will refer and ask the opinion of the Government Pleader and sent the opinion along with a notice to A.I.-G. Finance where a similar register is to be maintained by the H.A. of the Finance Section. The A.I.G. Finance will persue the register every 15 days to see that proper action has been taken in moving the Advocate-General and Legal Remembrancer.

The district Ss. P./Heads of Police establishment either by writing or by deputing a suitable officer should ascertain from the Government Pleader the progress of proceedings in the civil suits and M.V. compensation cases. The Range D.I.Gs. and D.I.G., C.I.D. will inspect this register during the course of their inspections and find out whether the register is maintained according to the rules and action is being taken to follow up notices issued by the parties. It may be noted that employment of a Government Pleader in Motor vehicle compensations cases has to be done with the previous approval of the Inspector-General of Police and the legal remembrancer. So, as soon as notice in M.V. Compensation cases is received the Government Pleader should take up the case initially and approval of the L.R. through the Inspector-General of Police should be obtained, as early as possible.

Criminal Investigation Department, Crime Branch, Orissa, Cuttack.

(N. Swain)
Inspector-General of Police, Orissa.