



OFFICE OF THE INSPECTOR GENERAL OF POLICE
PUDUCHERRY



No.4/IGP/SECY/2013- 70,

Dated: 14.06.2013

OFFICE MEMORANDUM

Enclosed is the Supreme Court guidelines for prevention of Destruction and Damage to Public Properties in the name of agitations, Bandhs, Hartals etc., received from Ministry of Home Affairs, New Delhi. All the SSP's and Sub-Divisional Police Officers may go through it and ensure meticulous compliance.

R. S. Krishnia

(R. S. KRISHNIA, IPS)
INSPECTOR GENERAL OF POLICE

Encl: As stated above.

To

SSP(L&O) of Puducherry / Karaikal.
SP's Sub-Division.

Copy to:

The DIGP(Admn), Puducherry. - For information & necessary action.

g/b

*copy communicated to
all SSPs/SPs for I/S*

[Signature]
SUPERINTENDENT OF POLICE (SOUTH)
PUDUCHERRY

*copy communicated
to all SSPs for I/S*

[Signature]
INSPECTOR OF POLICE
VILLIANUR CIRCLE
PUDUCHERRY

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OFFICE OF THE IGP
PUDUCHERRY
No. 2675/CR.
Date 10/06/2013

No.J/11017/2/2009/P3/H
Government of Puducherry
Home Department

Puducherry, dt.10.06.2013

OFFICE MEMORANDUM

Sub: Home (Police) – Distraction and Damage to Public Properties in the name of agitations, Bandhs, Hartals etc. – Guidelines for prevention of such destructive activities – Reg.

Ref: Letter No.11034/01/2013-IS-IV, dated 06.05.2013 received from Joint Secretary to Govt. fo indi9a, MHA, New Delhi.

A copy of the reference cited on the above subject is forwarded herewith for information and strict compliance.

08/11/2013

(PANKAJ KUMAR JHA)
ADDL. SECRETARY TO GOVERNMENT

To

1. The Inspector General of Police, Puducherry.
2. The Collector, Puducherry / Karaikal.

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~~SP (L&D) / (K&K)~~

Pl. Circulate to all SSP Luv, SSP C&D & SSP
Sub division for meticulous compliance.

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OFFICE OF THE ADDL. SECRETARY
No. 3075/CS/2013
Received on 8/5/2013
Despatched on

No.11034/01/2013-IS-IV
Government of India
Ministry of Home Affairs
IS-I Division

North Block, New Delhi
the 06th May, 2013

9 MAY 2013

To

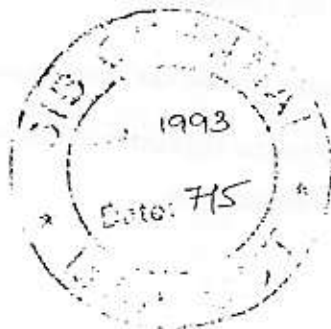
The Chief Secretaries
All State Govts. / UTs

Subject : Destruction and Damage to Public Properties in the name of agitations, Bandhs, Hartals etc. - guidelines for prevention of such destructive activities - regarding.

Sir/Madam

The Hon'ble Supreme Court of India taking a serious note of various instances where there was large scale destruction of public and private properties in the name of agitations, bandhs, hartals and the like vide order dated 16.04.2009 in WP(Crl.) No.77/2007 in the matter of Destruction of Public & Private properties Vs State of A.P. and Ors. directed that the following guidelines should be observed as soon as there is a demonstration organized to effectuate the modalities for preventive action and adding teeth to enquiry/investigation :

- (i) If the officer in charge of a police station or other law enforcing agency is of the opinion that any direct action, either declared or undeclared has the potential of causing destruction or damage to public property, he shall avail himself of the services of video operators. For this purpose, each police station shall be empowered to maintain a panel of local video operators who could be made available at short notices.



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- (ii) The police officer who has the responsibility to act on the information that a direct action is imminent and if he has reason to apprehend that such direct action has the potential of causing destruction of public property, he shall immediately avail himself of the services of the video-grapher to accompany him or any other police officer deputed by him to the site or any other place wherefrom video shooting can conveniently be arranged concentrating on the person/persons indulging in any acts of violence or other acts causing destruction of damage to any property.
- (iii) No sooner than the direct action subsides, the police officer concerned shall authenticate the video by producing the video grapher before the Sub divisional or Executive Magistrate who shall record his statement regarding what he did for preparing the video graph. The original tapes or CD or other material capable of displaying the recorded evidence shall be produced before the said Magistrate. It is open to the Magistrate to entrust such CD/material to the custody of the police officer or any other person to be produced in court at the appropriate stage or as and when called for.
- (iv) The organizer shall meet the police to review and revise the route to be taken and to lay down conditions for a peaceful march or protest.
- (v) All weapons, including knives, lathis and the like shall be prohibited.
- (vi) An undertaking is to be provided by the organizers to ensure a peaceful march with marshals at each relevant junction.

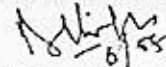
- (vii) The police and State Government shall ensure videography of such protests to the maximum extent possible.
- (viii) The person in charge to supervise the demonstration shall be the SP (if the situation is confined to the district) and the highest police officer in the State, where the situation stretches beyond one district.
- (ix) In the event that demonstrations turn violent, the officer-in-charge shall ensure that the events are videographed through private operators and also request such further information from the media and others on the incidents in question.
- (x) The Police shall immediately inform the State Government with reports on the events, including damage, if any caused.
- (xi) The State Government shall prepare a report on the police reports and other information that may be available to it and shall file a petition including its reports in the High Court or Supreme Court as the case may be for the Court in question to take suo motu action.

2. Though 'Police' and 'Public Order' are State subjects under the Seventh Schedule(List-II) to the Constitution of India, the Union Government attaches highest importance to prevention of crime. Therefore has been advising the State Governments/Union Territory Administration from time to time to give more focused attention to the administration of the criminal justice system with emphasis on prevention and control of crime.

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3. In view of the Hon'ble Supreme Courts directions, all the State Governments/UTs are advised to take appropriate steps for effective prevention, detection, registration, investigation and prosecution of all crimes within their jurisdiction.

Yours faithfully,



(Rakesh Singh)

Joint Secretary to the Govt. of India
Tele No.2309 2736

Copy to :

1. The Prl. Secretary/Secretary (Home) of all State Govts./UTs.
2. The Director General of Police of all State Govts./UTs