



ODISHA POLICE  
CRIME BRANCH

CRIMINAL INVESTIGATION DEPARTMENT

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## **POLICE CIRCULAR ORDER NO.3 4 4/2013**

No.29441 / CID-MPS

Date. 11 -07-2013.

To

All district SsP / DCP Cuttack & Bhubaneswar / SRP Cuttack and Rourkela / SP, CID, CB, Cuttack.

Sub:

Registration of FIR in all Missing Children Reports.

The Hon'ble Apex Court in its order dated 10<sup>th</sup> May 2013 in WP(Civil) No.75/2012 Bachpan Bachao Andolan Vrs Union of India has passed order in connection with safe guarding the interest of missing children in the country and measures to be adopted for the same. Gist of order of the Hon'ble Apex Court is as follows:-

1. Previously, on 17<sup>th</sup> January 2013, the Court had issued an interim direction that a missing children complaint in the Police Station should be reduced into a FIR & investigated into immediately thereafter.
2. In case of every missing child reported, there will be an initial presumption of either abduction or trafficking, unless, in the investigation, the same is proved otherwise. Accordingly, whenever any complaint is filed before the police authorities regarding a missing child, the same must be entertained under Section 154 CrPC.
3. Even in respect of complaints made otherwise with regard to a child, which may come within the scope of Section 155 CrPC, upon making an entry in the Book to be maintained for the purposes of Section 155 CrPC and after referring the information to the Magistrate concerned, continue with the inquiry into the complaint. The Magistrate, upon receipt of the information recorded under section 155 CrPC, shall proceed, in the meantime, to take appropriate action under sub-section (2), especially, if the complaint relates to a child and, in particular, a girl child.
4. Each police station should have, at least, one Police Officer, especially instructed and trained and designated as a Juvenile Welfare Officer in terms of Section 63 of the Juvenile Justice (C&PC) Act.

5. There should be, in shifts, a Special Juvenile Officer on duty in the Police Station to ensure that the directions contained in this Order are duly implemented.
6. Every found/recovered child must be immediately photographed by the police for the purpose of advertisement and to make people aware of the missing child. Photographs of the recovered child should be published on the website and through the newspapers and even on the T.V. so that the parents of the missing child could locate their missing child and recover him or her from the custody of the police.
7. A Standard Operating Procedure (SOP) to handle the cases of missing children and related issues is under preparation and will be issued separately. On receipt, copy of some SOP should be made available to all field and supervising officers.
8. In case a missing child is not recovered within four months from the date of filing of the First Information Report, the matter may be forwarded to the respective Anti Human Trafficking Unit in the Dists./Range in order to enable the said Unit to take up more intensive investigation regarding the missing child. All Anti Human Trafficking Units shall file periodical status reports after every three months to keep the Legal Service Authorities updated.
9. In cases where FIRs have not been lodged at all and the child is still missing, an FIR should be lodged at once and further investigation may proceed on that basis.
10. Once a child is recovered, the police authorities shall carry out further investigation to see whether there is an involvement of any trafficking in the procedure by which the child went missing and if, on investigation, such links are found, the police shall take appropriate action thereon.

Above mentioned order of the Hon'ble Apex Court may please be implemented without any deviation.

(Prakash Mishra)  
Director General of  
Police,  
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