

POLICE



DEPARTMENT

No.U4-230646/2024/PHQ

Police Headquarters,

Thiruvananthapuram

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☎ 04712721547

Dated. 21-01-2025

Circular. 4/2025/PHQ

Sub : Kerala Public Ways (Restriction of Assemblies and (Processions) Act 2011 (Act 9 of 2011) - instructions for implementation of the provisions of the Act in accordance with the rulings issued by the Hon'ble Apex Court and Hon'ble High Court - reg.

Ref : 1. Circular No. 30/2011 dated 23.09.2011.
2. Circular No. 09/2012 dated 18.04.2012.
3. Judgment in WP(C) 32428 and 32429/2011 dated 22/03/2012

The Hon'ble High Court vide reference cited 3rd had issued certain directions with regard to the implementation of the provisions 5(a) and 5(d) of Kerala Public Ways (Restrictions of Assemblies and Processions) Act 2011 (Act 9 of 2011) that came into force on 18.02.2011 besides scrapping the provisions of Sec 5(c) of the said Act. Accordingly, Circular No.09/2012 was issued by this office on 18/04/2012 for strict compliance.

2. However, it has come to the notice of undersigned that some of the districts have defaulted in the implementation of the directions in the aforesaid Circular and Orders of the Hon'ble High Court. This has resulted in filing of Contempt of Court cases against those violators and the official respondents, including State Police Chief, by certain private individuals. Hence it has become imperative to make everyone aware of the directions in the aforementioned Court order and the Circular issued thereon. The need for adhering to the provisions of the aforesaid Act except those that has been struck down by the Hon'ble High Court and to the instructions issued through Circular 09/2012 is once again emphasized.

3. While resorting to giving permission under the provision 5(1)(a) relating to religious or national festivals, the DPCs should take adequate care to ensure that roads are not completely obstructed and that one side of the road is open for traffic.

4. While granting permissions by resorting to the provisions of 5(1)(d), the Orders of the Hon'ble High Court that procession should be permitted on one side of the road by allowing free flow of traffic on other side, should be strictly complied with.

SHAIK DARVESH SAHEB IPS
State Police Chief

To : 1. All District Police Chiefs for necessary action.
2. ADGP (L&O) / ADGP CB/ ADGP SCR/ IsGP Zones /IGP(Traffic) /DisG Ranges.

Copy To : 1. All CA's in PHQ.
2. Circular Register.



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