

No.U5/59529/2010

Police Headquarters,
Kerala, Thiruvananthapuram
Dated: 18/04/2012

CIRCULAR NO. 09/2012

Sub:- Kerala Public Ways (Restriction of Assemblies and (Processions) Act 2011 (Act 9 of 2011) – instructions – issued.

Ref:- 1. Govt. Notification No.3756/Leg E1/2011 law dated, 18.02.2011.
2. G.O (Rt) No.716/2011/Home dated, 01.03.2011.
3. Circular No. 30/2011 dated 23.09.2011

The Kerala Public Ways (Restrictions of Assemblies and Processions) Act 2011 (Act 9 of 2011) has come into force on 18.02.2011.

2. In the wake of judgment dated 22.02.2012 in WP (C) No. 32428 & 32429/11 of Hon'ble High Court of Kerala the Circular No. 30/2011 is amended as here under.

3. As per Section 5(1) (c) of the Act, the District Police Chief had been empowered, for a period not exceeding twenty four hours in any particular area, to grant exemption from the provisions of Sec 3 and 4 for the conduct public meetings and assemblies. The Hon'ble High Court has struck down this provision. Therefore no Police Officer shall henceforth, give any permission which had earlier been authorised under Section 5(1) (c) of the Act.

4. Similarly while resorting to giving permission under the provision 5(1)(a) relating to religious or national festivals, care should be taken to ensure that roads are not completely obstructed and that one side of the road should be open for traffic.

5. Additionally while granting permissions while resorting to the provisions of 5(1) (d), the earlier orders of the Hon'ble High Court with regard to the conditions to be imposed should be strictly complied with.

State Police Chief

To

All District Police Chief, for necessary action.
Addl. Directors General of Police, Zones/Crimes
All Range Inspectors General of Police & IGP (Traffic)

Copy to: All CA's in PHQ