

Circular No. 23/2011

Sub: Storage of unclaimed movable articles – fixing of rates of fees to be levied – orders issued.

Sub Section (1) of Section 56 Kerala Police Act 2011 provides for action in respect of unclaimed articles. Accordingly every Police Officer shall take temporary charge of the following movable articles,-

- (i) all movable articles found by him or transferred to him or in his possession which are not claimed by any one or refused to be taken over by anyone;
- (ii) movable articles found lying in any public street, which are not being removed by anyone within a reasonable time, despite the owner or the person in charge thereof having been given direction to remove the same by a notice affixed on or near the said articles.

Section 56 Sub section 8 (1) of Kerala Police Act 2011 empowers the State Police Chief and Director General of Police to fix norms from time to time for fixing the rates of fee to be levied for keeping unclaimed movable articles taking into account the size and nature of such article taken charge of by the Police under Sub Section (1).

In accordance with the above proviso, the rates of fees to be levied for keeping unclaimed movable articles taken charge of by the Police under Sub Section (1) is fixed as shown hereunder:

Sl. No	Storage Requirement	Amount to be levied
1	Requiring floor or shelf space.	Rs. 1/- per square foot per day or Rs.1 per cubic foot which ever is more. ¹
2	Gaseous or liquid substances	Amount shown in Column 1 plus 50% extra.
3	Special type of articles such as explosives, corrosives etc. requiring special care	The actual cost of up keep in addition to the fee as in Column 1, and 2.
4	Live stock.	Actual cost for feeding and upkeep in addition to the fee calculated.

¹Note: Fractions shall be rounded to the next higher integer

When unclaimed articles are taken into custody the particulars of the same have to be entered in station records with details like size and type of article and the daily rate of storage levy to be imposed. All DPCs shall ensure that such articles which are not claimed by any one are auctioned expeditiously so that the Police Station premises are not crowded by such articles. In this they have to follow the procedure prescribed in the Act.

In case the article is released to the claimant as per the conditions laid down in the Act, the SHO shall calculate the levy amount and give the same in writing to the claimant, who in turn will remit the amount. Such amount will be deposited in the Criminal Justice Miscellaneous Expenses Fund. No charge shall be collected from the actual owner of the article for the first seven days after the article was taken charge of by the Police.

The expenses relating to maintenance and storage of articles kept in custody can be met from Criminal Justice Miscellaneous Expenses Fund maintained as per section 127 of Kerala Police Act.

Separate orders will be issued from Police Headquarters prescribing the registers to be kept with regard to the storage and disposal of unclaimed articles.

State Police Chief, Kerala

To All Officers in list B

Copy to All Officers in PHQ, Legal Advisor, Police Information Centre, Operations Cell, Circular Book, Stock File, Records.