

POLICE



DEPARTMENT

No.D3-7255/2022/PHQ

Police Headquarters,
Thiruvananthapuram

✉phq.pol@kerala.gov.in

☎04712721547

Dated. 09-01-2025

Circular. 3/2025/PHQ

Sub : 'Certificate of Involvement / Non-involvement in offences- U/s 59 of the Kerala Police Act, 2011 in place of the existing Non-involvement in Offences issued by the Kerala Police to the Citizens of India for job/other purposes within India- Issuance of revised guidelines -reg

- Ref : 1. Circular No.55/2009 dated 24-12-2009.
2. Executive Directive No.02/2018 dated 31-12-2018.
3. Executive Directive No.07/2018 dated 09-03-2018.
4. PHQ Circular No: 4/2022/PHQ dated: 28/01/2022.
5. Judgment dated 27-08-2021 of the Hon'ble High Court of Kerala in WP(C) No.5930/2018 Femin Panikkassery Vs. Union of India and others
6. Government Letter No. G1/239/2021/Home dated 25-09-2021.
7. Circular No. 13/2022/PHQ dated: 27/04/2022.
8. Circular No. 14/2022/PHQ dated: 07/05/2022.
9. CircularNo. 15/2022/PHQ dated :13/05/2022.

The Hon'ble High Court of Kerala, vide judgment 5th cited, had held that no State Government Authority including the State Police department, is authorized to issue Good Conduct Certificate (GCC) to the Citizens for overseas employment to any country, and that, it is the sovereign function of the Union Government to issue all such certificates through its authorised representatives. It was further held that the issuance of a Police Clearance Certificate is one of the "miscellaneous services" under the Passport Rules,1980.

In view of the above verdict of the Hon'ble High Court of Kerala, it was instructed that no Police Clearance Certificate shall be issued from the Police Department with regard to foreign affairs/overseas employment, superseding all previous Circulars, Executive Directives and Messages (including references 1 to 4 & 8) issued on the subject of Police Clearance Certificates (PCCs), in so far as they relate to overseas employment. Hence the Clearance Certificates issued by the Police Department under section 59 of the Kerala Police Act, 2011 was rechristen as "**Certificate of Non-Involvement in Offences**" (**NIO Certificate**). Such certificates were issued for job/other purposes within the country.

Subsequently, in WP(Crl) No.1206/2024 filed by Sri. Renjith Benny challenging the NIOC-REJECTION Notice, the Hon'ble High Court vide judgment dated 8.11.2024 has allowed the writ petition and directed to issue a fresh certificate styled as "**Involvement / non-involvement of offences**" specifying whether the applicant is involved in any criminal case and if so the nature of offence, the name of court and also the stage of proceedings. The Hon'ble High Court ordered that even though there is a criminal case against the applicant, the details of cases should be mentioned in the certificate and the **application should not be rejected**. Name "Rejection notice" is avoided and the name of the certificate will be changed to "**Involvement / Non-involvement in offences**"

The procedure for the issue of the Certificate shall be as detailed below:



D3-7255/2022/PHQ



e846ed

I. How to apply for Certificate of Involvement / Non-involvement in offences.

The application for the issuance of Certificate of Involvement / Non-involvement in offences can be submitted either online or offline.

(1) Online - The application for the certificate can be submitted at the office of the respective District Police Office or Police Station through **THUNA** website or Mobile app of Kerala Police viz '**Pol-App**'. The application will be received at Citizen Module of iCoPS application in the concerned PS or DPO.

(2) Offline - The application can be directly submitted at the office of the respective District Police Office or Police Station (offline) as in **Annexure I** attached to this Circular. The submitted application will be entered in the iCoPS application by the concerned office. Further enquiry and approval process will be done through the iCoPS application only.

(3) Acknowledgement Receipt will be issued for each application either online or offline based on the mode of application.

II. Details to be provided

1. Personal details
2. Contact Details
3. Identification details
4. Enter present and permanent address. If both permanent and present address are outside Kerala, then enter the last stay details of the applicant in Kerala.
5. Provide the details of contact/authorized person, if the applicant is not physically available for verification in the given address.
6. If the applicants have any criminal record or any criminal proceedings against him/her or family in any part of the country, then add the details in affidavit.
7. Details of requirement of the Certificate of Non-involvement in Offences.

III. Documents to be uploaded/attached

The application form should be accompanied by the following documents:

1. Photograph : Photograph of the applicant
2. Proof of Address: Any one of the following:
 1. Ration Card
 2. Voters ID
 3. SSLC Book
 4. Aadhar Card
 5. Passport
3. Proof of Identity: Any one of these documents:
 1. Identity card issued by the State Govt. or Central Govt. Institution.
 2. Aadhar Card
 3. Voters ID
 4. Driving License
 5. Passport
4. Copy of letter/document showing the requirement of Certificate for Involvement / Non-involvement in offences (like the copy of advertisement, request from firm etc.)

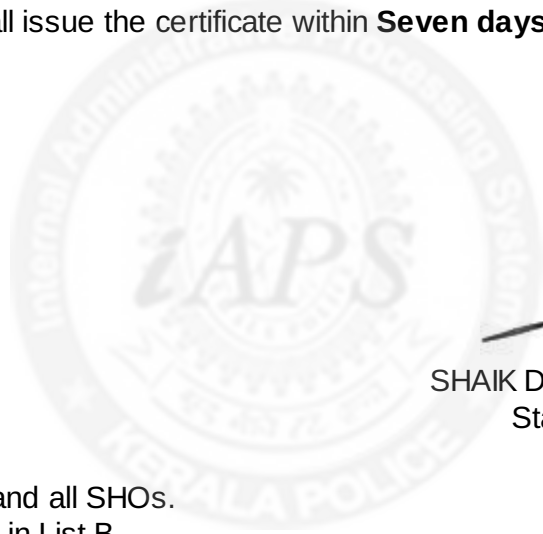


IV. Fees to be remitted

1. The fee for the certificate will be Rs.555/- subject to the Orders issued by Govt. of Kerala from time to time.
2. Applications submitted through THUNA/Pol-APP (online) have to make the payment through online mode only. All the advanced online payment facilities are available in THUNA and Pol-App.
3. In case of direct application submission (offline) at PS/Police Office, the applicant has to remit the fees at the Treasury and submit the Challan to the PS/ Office, or the fee can be collected at PS/Police Office through TR 5. The details of Challan or TR 5 can be entered in the iCoPS.

V. Issuance of certificate

1. On receipt of the application with relevant documents, the concerned officer will conduct verification and issue certificate or rejection document, after verifying applicant's identity and antecedents.
2. For person verification, the search facilities like ICJS, digital police portal, search/FRS (Facial Recognition System) facility in iCoPS etc., should be utilized.
3. The Certificate of Involvement / Non-involvement in offences will be issued in **Annexure II** attached with this Circular.
4. The certificates being issued either online or offline will be imprinted with QR code and photograph of the applicant. By scanning the QR code, the authenticity of the certificate can be verified by anyone.
5. The DPCs / SHOs shall issue the certificate within **Seven days** of receipt of the application in normal circumstances.



Shikhar

SHAIK DARVESH SAHEB IPS
State Police Chief

To : 1. All DPCs and all SHOs.
2. All officers in List B.
3. CAs to all officers in PHQ/DD, PR.

Copy To : 1. ADGP (Intelligence)
2. Circular Register, Kerala Police Website.

