

No.D3/38198 /2013
Police Head Quarters
Kerala, Thiruvananthapuram-10
Dated: .06 .2013

CIRCULAR NO. 14 /2013

Sub: Measures to be adopted for safeguarding the interest of Missing Children - Supreme Court Directions

Ref: 1) Juvenile Justice (Care and Protection of Children) Act 2000
2) PHQ Circular No.15/2002 dtd 23/10/2002
3) PHQ Circular No.01/2004 dtd 09/01/2004
4) PHQ Circular No.12/2011 dtd 12/05/2011
5) Orders dtd 10/5/2013 of Supreme Court of India in WP(C) No.75/12

The Hon'ble Supreme Court of India has passed orders for safeguarding the interest of missing children in the country and measures to be adopted for the same in Writ Petition(Civil) No.75/12, on 10th May 2013. In view of the Supreme Court Order, the following instructions are issued for strict compliance by all concerned.

- 1) In case a complaint with regard to any missing children is made in a Police Station, the same should be reduced in to a First Information Report and must be entertained under sec 154 CrPC and appropriate steps should be taken to see that follow up investigation is taken up immediately thereafter. However, even in respect of complaints made otherwise with regard to a child, which may come within the scope of Sec 155 CrPC, upon making an entry in the Book to be maintained for the purposes of Sec 155 CrPC, and after referring the information to the Magistrate concerned, continue with the enquiry in to the complaint.
- 2) Each Police Station should have, at least, one Police Officer, especially instructed and trained and designated as a Juvenile Welfare Officer in

terms of Sec 63 of the Juvenile Act. There should be, in shifts, a Special Juvenile Officer on duty in the Police Station to ensure that the directions contained in the Supreme Court order are duly implemented.

- 3) The service of Para legal volunteers, recruited by Legal Service Authorities should be utilized so that there is, at least, one para-legal volunteer, in shifts, in the Police Station to keep a watch over the manner in which the complaints regarding missing children and other offences against children, are dealt with.
- 4) Every found/recovered child must be immediately photographed by the Police for purposes 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 missing child could locate their missing child and recover him or her from the custody of Police.
- 5) There is a suggestion of NALSA that a Standard Operating Procedure must be developed to handle the cases of missing children and to invoke appropriate provisions of law where trafficking, child labour, abduction, exploitation and similar issues are disclosed during investigation or after the recovery of the child, when the information suggests the commission of such offences. As part of the Standard Operating Procedure, a protocol should be established by the local Police with the High Courts and also with the State Legal Service Authorities for monitoring the case of a missing child.
- 6) In case a missing child is not recovered within four months from the date of filing of the FIR, the matter may be forwarded to the Anti-Human Trafficking Unit in each State in order to enable the said Unit to take up

more intensive investigation regarding the missing child. The Anti-Human Trafficking Unit shall file periodical status reports after every three months to keep the Legal Services Authorities updated.

- 7) In cases where First Information Reports have not been lodged at all and the child is still missing, an FIR should be lodged within a month and further investigation may proceed on that basis.
- 8) 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 thereupon.

All District Police Chiefs will implement the above instructions in its true spirit.


State Police Chief. 26/6/19

To

All Officers in list 'B'
CAs to all Officers in PHQ
Stcok file/Circular Book/RAC