OFFICE OF THE COMMISSIONER OF POLICE : DELHI

C I R C U L A R

No.15/2021

Subject:- Instructions regarding providing Police Assistance to Civic Agencies viz MCD, DDA, Electricity Distribution Companies, Court Bailiffs, Bank/Financial Institutions, Revenue Department, Archaeological Department etc.

The Hon'ble High Court of Delhi vide its order dated 19.02.2021 passed in Writ Petition (C) No. 2282 of 2021, titled Tarun Krishan Aggarwal & Anr. Vs SHO PS Hauz Qazi & Ors., expressed its annoyance towards the practice of Police accompanying Receivers (who are officers of the respective banks), for enforcing orders passed by the Arbitrators, without approaching an Executing Court. The Court sought the data of cases from Delhi Police, wherein Police assistance was provided to the Bank officials during the months of December, 2020 and January, 2021.

In pursuance of the above directions of the Hon'ble Court, reports were called from the field formations, wherein it was reported that no police assistance was provided to Receivers of the respective Banks, for enforcing orders passed by Ld. Arbitrators. Accordingly, a "NIL" report was filed before the Hon'ble High Court of Delhi.

On 17.08.2021, Respondent Bank provided a list of 20 cases for the period of December, 2020 and January, 2021 to the Hon'ble Delhi High Court, stating that Delhi police has provided assistance in 20 cases for enforcing orders passed by Ld. Arbitrators. On re-verification from the districts by this office, it was found that in 19 cases out of 20 cases mentioned by bank, police assistance was provided by the districts for the execution of Arbitrator's order.

Different reports received from districts suggest that at times, the reports are forwarded to the Police Headquarters casually in routine manner, even in Court matters, without proper verification and cross checking of available records which leads to filling of incorrect Status Report/Affidavits before the Courts/Authorities.

Hence, in order to rectify these lacunae and for maintaining and reverse tracking of record w.r.t. providing Police assistance, the following directions are hereby issued:

1) In all the matters wherein reply is to be filed before the Supreme Court of India/Hon'ble High Court of Delhi by Police Headquarters, the reports/replies of districts shall be accompanied by a correctness certificate issued by DCsP of Districts/Units certifying the correctness of the report.

2) A register titled **"POLICE ASSISTANCE TO VARIOUS AGENCIES REGISTER "** shall be maintained by all the Police Stations. In this register, details of police assistance provided to the following Agencies/ Organizations shall be maintained

I. Civic Agencies such as MCD, DDA, Forest Department, Land and Development Organization, Jal Board etc.
II. Court Bailiffs.
III. Electricity Distribution Companies.
IV. Labour Department.
V. Revenue Authorities such DM, SDM, BDO etc.
VI. Banks/Financial Institutions
VII. Archeological Department.
VIII. Any other Agency authorized by the Courts.

Note: In case of Bank/ Financial institutions, Revenue Department, Court Bailiffs, Police assistance will be provided only after production of the written order of the Executing Courts.

3) The Register shall be maintained and updated regularly in the following format appended below:

Sl. No.	Name of the Organization /Department seeking Police assistance	Name and designation of the Official seeking Aid with Contact Number	Date and Time on which requisition for Police Assistance was Received	Date and Time on which Police Assistance was provided	Details of Court Orders in case of Bank/ Financial/ Revenue/ Court Bailiffs seeking Police Assistance	Particulars of the Police Officer deputed for providing assistance	Arrival / Departure DD entry	Checked by	
								SHO	ACP

These instructions shall be brought into the knowledge of all ACsP/Insprs. to ensure meticulous compliance. Non compliance of these instructions shall be viewed seriously.

This has the approval of Commissioner of Police, Delhi.

22/9/21

(**RAJESH DEO**)
DY. COMMISSIONER OF POLICE,
LEGAL CELL/ PHQ, Delhi

No. 2101-2250 /Record Branch/PHQ, dated Delhi 22/09/**2021**.

Copy for information and necessary action to:-

1. All Spl. Commissioners of Police, Delhi.
2. All Joint Commissioners of Police, Delhi.
3. All Addl. Commissioners of Police, Delhi.
4. SO to Commissioner of Police, Delhi.
5. All Districts/Units DCsP including P/PTC, IGIA & FRRO, Delhi/New Delhi.
6. Reader to CP, Delhi.
7. All ACsP/PHQ including Computer.
8. All Insprs./PHQ.
9. HAR/PHQ with 10 spare copies.