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HOME (SPECIAL SECTION) DEPARTMENT

NOTIFICATION

The 16th January 2008

S.R.O. No.34/2008—In exercise of the power conferred by Section 3 read with sub-section(1) of Section 5 of the Commissions of Inquiry Act, 1952 (60 of 1952), the State Government had appointed an one man Commission of Inquiry vide Notification No.632/C., dated 4th February, 2006 consisting of Hon'ble Mr. Justice A. S. Naidu, a sitting Judge of the High Court of Orissa to enquire into and report within six months from the date of publication of Notification in the *Orissa Gazette* in respect of the following matters namely :—

1. Analysis of the sequences of events and circumstances leading to the Police firing at Kalinga Nagar on the 2nd January, 2006.

- ii) Whether the measure taken, the quantum of force used in anticipating, preventing and handling situation were adequate, inadequate or in excess of requirement and the responsibility for such acts of Commission or Omission.
- iii) The role, conduct and responsibility of the Organisations group of individuals or persons, if any, in influencing participating or escalating the incident; and
- iv) Any other matter connected with or incidental there to as the Commission may consider appropriate.

2. And where as the said period of six months has been extended for a further period of six months vide Notification No.3452/C dated the 10th August 2006 but the inquiry could not be completed.

3. And where as the inquiry still remains incomplete, Hon'ble Shri Justice A. S. Naidu discontinued the enquiry consequent upon the Hon'ble Supreme Courts Order in "Special leave petition (Civil) 24295/04 University of Keral (Petitioner)- Vrs-Council, Principals's Colleges, Keral & others (consequently)" it was felt necessary, therefore, to

entrust the residuary enquiry to another Commission of Inquiry headed by a Retired High Court Judge to conclude the process.

4. Now, therefore, in exercise of the powers conferred by Section- 3 read with sub-Section (1) of Section 5 of the above mentioned Act, the State Government, after careful consideration do hereby appoint Hon'ble Shri Justice P.K. Patra(Retd.) of Orissa High Court, Cuttack as one man Commission to take up the enquiry from the stage it was left over by Hon'ble Shri Justice A. S. Naidu. The terms of reference of the Commission will be the same as mentioned above in the first Paragraph.

5. The Commission of Inquiry may also perform such other functions as are deemed necessary or incidental to the inquiry.

6. The headquarters of the Commission shall be at Cuttack. However, the Commission may hold the inquiry at Kalinga Nagar or at any other place as may be considered necessary for the purpose of inquiry.

7. The Government shall provide requisite infrastructures as essential for the functioning of the Commission.

8. The Commission may conclude the inquiry within a period of six months from the date of publication of this Notification in the *Orissa Gazette*.

[No.288/C.]

By order of the Governor

TARUN KANTI MISHRA

Principal Secretary to Government.