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HOME (SPECIAL SECTION) DEPARTMENT

NOTIFICATION

The 4th September 2009

**S. R. O. No. 373/2009** —In exercise of the powers 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 a one-man Commission of Inquiry headed by Hon'ble Shri Justice P. K. Patra (Retired) of Orissa High Court, Cuttack vide Notification No. 288-C, dated the 16th January 2008 to take up the enquiry from the stage left over by Hon'ble Shri Justice A. S. Naidu to enquire into and report within six months from the date of publication of Notification in respect of the following matters, namely :—

- (i) analysis of the sequence 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 forces used in anticipating, preventing and handling situations 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 incidents; and
- (iv) any other matter connected with or incidental thereto as the Commission may consider appropriate.

2. And whereas the inquiry still remains incomplete, Hon'ble Shri Justice P. K. Patra (Retired) of Orissa High Court discontinued the enquiry consequent upon his appointment as Lokpal, Orissa. Therefore, it is felt expedient in the interest of justice, to entrust the residuary inquiry to another Commission of Inquiry headed by a Retired High Court Judge to conclude the process.

3. 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. Mohanty (Retired) of Orissa High Court, Cuttack as a one-man Commission to take up the enquiry from the stage it was left over by Shri Justice P. K. Patra. The terms of reference of the Commission will be the same as mentioned above in the first paragraph.

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

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

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

[ No.3839-C. ]

By order of the Governor

K. C. SARANGI

Deputy Secretary to Government