

The Orissa Gazette

EXTRAORDINARY
PUBLISHED BY AUTHORITY

No. 1696 CUTTACK, MONDAY, NOVEMBER 23, 2009/MARGASIRA 2, 1931

HOME (SPECIAL SECTION) DEPARTMENT

NOTIFICATION

The 31st October 2009

S.R.O. No. 478/2009—Whereas the State Government have received information regarding the death of an engineering student in Balangir on the 24th October 2009 in an accident, allegedly caused by a Police vehicle and subsequently another engineering student succumbed to the injuries sustained during the police action on the 24th October 2009 to control the law and order situation arising out of the accidental death ;

And whereas the State Government are deeply concerned about the incidents which occurred at Balangir on the 24th October 2009 and are of the opinion that this being a matter of public importance should be enquired into by a Commission of Inquiry under the Commissions of Inquiry Act, 1952 (Act 60 of 1952).

Now, therefore, in exercise of the powers conferred by Section 3, read with sub-section (1) of Section 5 of the said Act, the State Government after careful consideration do hereby appoint a Commission of Inquiry consisting of Shri Justice Shuvansu Kumar Mohanty, Retired Judge of Orissa High Court, to enquire into and report in respect of the following matters within three months from the date of publication of this notification, namely :—

- (i) Analysis of the sequence of events and circumstances leading to the incidents,
- (ii) Whether the measures taken, the quantum of force used in anticipating, preventing and handling situations were adequate, inadequate or in excess of the 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, precipitating or escalating the incident.
- (iv) Any other matter connected with or incidental thereto as the Commission may consider appropriate.

Further the State Government do hereby direct that the provisions of sub-sections (2), (3), (4) and (5) of Section 5 of the said Act shall also apply to the Commission, as the State Government are of the opinion that having regard to the nature of enquiry to be made and other circumstances of the incident and provisions should be made applicable to the Commission.

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

The headquarters of the Commission shall be at Bhubaneswar but the Commission may hold inquiry in Balangir or elsewhere as may be necessary for the purpose of inquiry.

[No. 4608-C.]

By order of the Governor

K. C. SARANGI

Joint Secretary to Government