

LOC – LOOK OUT CIRCULAR

Is a circular letter by the police served to the authorities to check and identify a specified person who is wanted by the police. It is a part of the Police hunt / search / vigilance procedure. It is usually issued against wanted criminals, accused as criminals after the police have registered the FIR.

The basic substantive guidelines regarding the publication of the LOCs in relation to Indian citizens issued by the Ministry of Home Affairs (MHA) enunciate the following four cardinal principles:

1. The request for opening of LOC is required to be made to all immigration Checkposts in the country in the Official Format prescribed by the MHA.
2. The request for opening of LOC must invariably be issued with the approval of an officer not below the rank of Deputy Secretary to the Government of India/Joint secretary in the State Government/Superintendent of Police concerned at the district level.
3. The originating agency must ensure that complete identifying personal particulars of the person, in respect of whom the LOC is to be opened, are clearly mentioned in the prescribed proforma. The LOC will not be opened for less than three identity parameters other than name of the subject.

An LOC is valid for a period of one year. However, in case the originating agency wants to extend the validity beyond one year it can ask for the extension before the expiry of the one-year period. If no request is made for the extension of the LOC within the stipulated period of one year, the Immigration Officer concerned is authorized to suspend the LOC.

The details of the person looked out for in the circular includes:

Name, address, Picture / photo or description of the person's physical appearance, Passport number/details, other unique identification card number, alleged offence details / case involved in.

The scope of the circular could be Local, National or International.

Local LOC: It is limited to a particular town / city area. In this case, usually the LOC is issued to the local Airport, Sea port, Train or Bus stations.

National LOC: Is a nationwide circular to all the Airports, Seaports, border agencies across the border within a country.

International LOC: International circular to different countries' Airports, Seaports and across the international Border agencies. This has a limitation of bilateral understanding between the countries.

498a and LOC:

Usually issued by the Police against the accused NRI husband and his family members after the Police registers the FIR. In some cases Court orders the same against the accused NRI's if the accused does not surrender to the court within the stipulated time interval given.

So, what one need to know whilst dealing with LOC's?

Be Courageous,

Be prepared for any eventualities,

Have all the legal documents with you,

hope would have read this document before you face the concerned officials -

1. Confirm whether the LOC is issued against you by the police / court and also the type of LOC.
2. If one is abroad whilst the LOC was issued, **NEED** to take the **Anticipatory bail (AB)** before entering the country. Otherwise the police arrest at the portal of entry is unavoidable!!
3. Show the certified copy of the AB to the authorities whilst entering the country. For eg: to immigration officers in the airport during the immigration check.
4. Inform them that you are surrendering to the court within 24 hours of entering into the country for further legal rituals.
5. Authorities should take a photocopy of the AB and hand back the original to you, so that you take your originals with you and proceed.
6. If the authorities try to detain you, ask for the VIP lounge as they do not have **any right** to detain you when you have been given the AB and entering into the concerned jurisdictional area to surrender yourself before the concerned court.
7. More over, if the authorities try to detain you ask for the concerned Police (Sub Inspector / DySP) to come and release you then and there (as you have your AB). If they fail to do so, collect the person's name and designation, try and take a photo of him/her on your mobile and file a complaint against them next day detailing the violation of your rights and the contempt of the court order i. e AB (as AB clearly states that the concerned person should be released on the spot even if the police arrest the person given the AB in hand).
8. Whilst regularizing the bail or whilst seeking the regular bail in the court, **file a supplementary application seeking the LOC to be lifted.**
9. Failing no. 8, one should look for the bail conditions to make sure there are no restrictions like *not to leave the country without prior permission of the court* has been mentioned in the bail conditions. If there is such condition, please do get the permission from the court and keep the certified copy of the court's order permitting your leave from the country to produce before the immigration officers in the port.

However, the saga does not end there, cause of our greedy, lazy Police officers.

10. One need to push the police to forward the **court order** to the concerned authorities (the concerned portal police station and in turn to the immigration authority at the port) to lift the LOC altogether as well as keeping the certified copy with yourself in hand. You need to request the copy of the confirmation for the same from the Police or ask for a letter confirming the same (this is in addition to the court order). It may take a cut on your purse but never forget to do this before you book your return ticket as this is the final and most important job from your side to prevent subsequent portal entry/exit hassles for the entire tenure of the case.
11. On your return, you will meet the friends again and this time if you have done all the above you would board your flight within the scheduled time whilst smiling at them.....BON VOYAGE!!

What one should not do when faced with LOC:

Lose focus, become timid and yield to the pressure of the authorities and pay them whopping amount of bribe, not following the above 10 commandments of LOC!!

Remember the onus lies with the accused to understand the LOC and dealing with the same smartly.

Just to clarify, the time for your trip to India should be at least 2-3 weeks as one need to sort out all these with the help of the Police, hope one can understand how our police are.

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