

Government of Odisha
Home Department

Resolution

No. 358 /D&A, Bhubaneswar, Date: 3rd January, 2019.
HOME-DA1-PWR-0001-2018

Sub: Conferring of Power u/s-157 CrPC.

Consequent upon conferring of powers u/s 157 CrPC vide Notification No. 348/D&A dated 03.01.2019 on Graduate Constables and Criminal Intelligence Havildars, the Government have been pleased to make the following guidelines: -

The officer in charge of a Police Station may depute one of his Sub-Ordinate Officers of the rank of ASI to conduct investigation. Besides, the Graduate Constables and Criminal Intelligence Havildars who would now take up investigation of the offences as detailed here below: -

List of Offences: -

1. Section 277, 279, 280, 282, 283, 284, 285, 286, 287, 288, 289, 291, 292, 292-A, 294, 304-A, 318, 324, 336, 337, 338, 341, 342, 343, 344, 345, 346, 347, 348, 356, 357, 379 (property up to 30,000/-), 447, 448 and 453 IPC.
2. An attempt to commit any of the foregoing offences, when such attempt is an offence. During course of investigation if any additional offence is prime facie established for which punishment is more than three years, the IIC / OIC shall take over the investigation either himself to or shall transfer investigation to any other officer empowered to investigate such offences.
3. In addition, offences under the following Minor Acts having punishment up to 3 years may be investigated by graduate Constable or Criminal Intelligence Havildars.
 - a) The Odisha Prevention of Gambling Act, 1995.
 - b) The Odisha Fire-work and Loud speakers (Regulation) Act, 1958.

Besides, while conferring the said power, it is further ordered that;

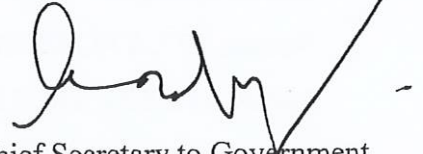
- i. In order to maintain proper control and supervision over the investigation, the OIC/IIC of the concerned Police Stations shall supervise the investigation conducted by the Graduate Constables and Criminal Intelligence Havildars as per the provision laid down in the Criminal Procedure Code.

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- ii. Before undertaking investigation the Graduate Constables and Criminal Intelligence Havildars would be provided institutional training in any recognized Training Institute for 30 days on all aspects of investigation followed by practical training in Police Stations for a further period of 45 days and;
- iii. An examination shall be conducted on completion of the training and power of investigation shall be conferred upon them who passes out the examination conducted by DG & IG of Police, Odisha on ad-hoc basis. D.G. and I.G. of Police shall formulate modalities of the course of training and examination.

However, it is hereby clarified that such Graduate Constables and Criminal Intelligence Havildars shall not be entitled for any financial / service benefit on account of such delegation of power of investigation.

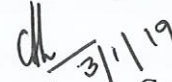
By the order of Governor



Additional Chief Secretary to Government

Memo No: 359 /D&A Date: 3.1.2019

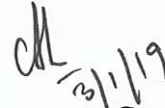
Copy forwarded to the Director, Printing, Stationary and Publication, Odisha, Cuttack for information. He is requested to publish this Resolution in the next issue of the Extra-Ordinary issue of Odisha Gazette and supply the Home Department with 350 copies.



Additional Secretary to Government

Memo No: 360 /D&A Date: 3.1.2019

Copy forwarded to the DG & IG of Police, Odisha, Cuttack / DG, Fire Service & CG, HG, Odisha, Cuttack / Additional DG-cum-IG, Prisons & Director, Correctional Services, Odisha, Bhubaneswar / all Revenue Divisional Commissioners / all Range DIG of Police / all District Magistrates / Commissioner of Police, Bhubaneswar-Cuttack / all Superintendents of Police / all Police Sections of Home Department / Home (IMU) Department and 05 spare copies of D&A Section for information and necessary action.



Additional Secretary to Government

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