

MANUAL III

PROCEDURE FOLLOWED IN DECISION MAKING PROCESS

I.- Control and assistance in enquiries and investigations.

Deputy Inspector-General may assume control or only assist. (12, Act V, 1861):-

616. The Deputy Inspector-General, Criminal Investigation Department, may either assume control of enquiries or investigations, subject to the provisions of regulation 612 or may advise or assist without assuming control.

Responsibility of Deputy Inspector-General of Criminal Investigation Department and Ranges (12, Act V, 1861) :-

617. With the assumption of control the responsibility is transferred from the Deputy Inspector-General of the Range to the Deputy Inspector-General, Criminal Investigation Department. The former shall refrain from passing any orders or comments on enquiries or investigations controlled by the latter.

Such control includes the determination of the broad lines of enquiry or investigations, as well as such supervision of the conduct of the same thereafter, as will prevent serious errors or irregularities. Superintendents of districts, except in the special cases mentioned in regulation 621, are responsible under such control, for details of enquiry or investigation within their districts, but they shall, in all cases controlled by the Criminal Investigation Department, consult the Deputy Inspector-General of that department before ordering the submission of charge-sheets or final reports. In enquiries or investigations in which the Criminal Investigation Department assists or advises, the responsibility of control remain with the Deputy Inspector-General of the Range. The Deputy Inspector-General, Criminal Investigation Department, shall issue no orders in respect of enquiries or investigations of which he has not assumed control.

Method of assuming control. (12, Act V, 1861):-

618. (a) The Deputy Inspector-General, Criminal Investigation Department, may issue control of an enquiry or investigation at any stage. On assuming control he shall inform the Deputy Inspector-General of the Range forthwith, sending a copy of his intimation direct to the Superintendent or Superintendents concerned.

(b) In excise cases in which the investigation must extend to more than one district, or in which there are intricacies which cannot be dealt with without the aid of a specially skilled detective, the services of an officer of the Criminal Investigation Department, shall be requisitioned by the Commissioner of Excise. In emergencies such requisition may also be made by an officer of lower rank. The Deputy Inspector-General, Criminal Investigation Department, shall, if he thinks fit and if he has an officer available, depute one and also decide whether the officer deputed shall be placed at the

disposal of the Commissioner of Excise or whether the control of enquiry shall be taken over by the Criminal Investigation Department.

Rewards in controlled cases. (12, Act V, 1861):-

619. In cases controlled by the Criminal Investigation Department, the Deputy Inspector-General, Criminal Investigation Department, will sanction any pay the rewards. In such cases every list containing recommendations for rewards for police officers and outsiders shall be submitted by the Criminal Investigation Department. Inspector to the Superintendent concerned after allowing the Circle Inspector or Inspectors interested in the case an opportunity of expressing an opinion. The Superintendent will then submit the list with his remarks to the Deputy Inspector-General, Criminal Investigation Department, through the Range Deputy Inspector-General.

Assistance – intimation of:-

620. The Deputy Inspector-General, Criminal Investigation Department, may assist an enquiry or a series of enquiries; e.g., a dacoity campaign or an investigation at any stage and depute officers of his department to co-operate with the local police. He shall inform the Deputy Inspector-General of the Range forthwith, sending a copy of his intimation direct to the Superintendents concerned.

Enquiries or investigations of a special nature under the immediate control of the Deputy Inspector-General, Criminal Investigation Department. (12, Act V,1861):

621. The Deputy Inspector-General, Criminal Investigation Department, may direct enquiries or investigations of a special nature in which Superintendents have no local interest, such as enquiries in connection with false civil suits to be conducted by officers of his department under his immediate control instead of through the Superintendent of the districts after obtaining the sanction of the Inspector-General by a general or special order.

Personal diaries. (12, Act. V, 1861):-

623. All officers of the department shall submit personal diaries which shall comprise a brief record of their movements day by day together with separate sheets describing the work done upon each enquiry or investigation on which they are engaged. The diaries shall be in B.P. Form No.136. When officers are required to conduct investigations in person they shall submit case diaries prescribed under section 172 of the Code of Criminal Procedure and need not submit enclosures with personal diaries.

Progress reports. (12, Act V, 1861):-

624. Officers of the Criminal Investigation Department shall submit fortnightly reports showing the progress of investigations or enquiries on which they are engaged. Copies of these reports shall be sent to the Superintendents concerned.

Submission of diaries, enclosures and progress reports in cases taken under control. (12, Act V, 1861):-

625. (a) In enquiries or investigations taken under control, except those falling under regulation 621 one copy of the diary, enclosure and progress report shall be sent to the Superintendent, and another to the Deputy Inspector-General, Criminal Investigation Department. In the case of a Sub-Inspector of the department, the diary, enclosure and progress report intended for these officers, shall be submitted through the Circle or Criminal Investigation Department Inspector under whom the Sub-Inspector is working. A copy of any order, instruction or remark of any kind passed by the Superintendent upon a diary or report of an officer of the Criminal Investigation Department shall be forwarded to the Deputy Inspector-General of that Department; orders passed by that officer are governed by regulation 626. Any orders or instructions given by the Superintendent that are intended or likely to divert a Criminal Investigation Department officer from any time of enquiry he wishes to follow or action he wishes to take shall be reduced to writing, a copy being sent, without delay, to the Deputy Inspector-General, Criminal Investigation Department. In enquiries or investigations under the direct control of the Deputy Inspector-General, Criminal Investigation Department, under regulation 621 a copy of the diary, enclosure and progress report shall be submitted direct to the Deputy Inspector-General, and need not pass through the Superintendent.

(b) An officer of the department deputed under regulation 620 to assist enquiries or investigations shall submit the diary, enclosure and progress report as laid down in clause (a) above.

(c) An officer of the department placed under the Superintendent under regulation 622, shall submit a copy his personal diary to the Superintendent of the district or the Circle Inspector, according to his rank. A copy shall be sent to the Criminal Investigation Department through the Superintendent for information only.

(d) In cases in which officers of the department are required to conduct investigations in person, their diaries under section 172 of the Code of Criminal Procedure shall be submitted according to the regulations for the submission of case diaries, whilst their personal diaries shall be submitted as directed in clauses (a), (b) and (c) above.