

GOVERNMENT OF ODISHA  
HOME DEPARTMENT

\*\*\*\*\*

RESOLUTION

No. PDA-I-15/2012-

6885

/ Bhubaneswar, dated the 17/2/12

Sub: Constitution of Economic Offence Wing (EOW)- function and responsibilities of Officers.

**Jurisdiction of EOW**

EOW will have state wide jurisdiction. In due course EOW may be notified as a Police Station. However, till EOW is notified as a Police Station, cases for EOW will be registered at CID Police Station.

**General**

EOW is a part of CID, CB. Therefore, the present rules and regulation concerning CID, CB will apply to them. Head of CID, CB can take charge of any investigation in the State for investigation by EOW.

Role and function of CID, CB in so far as cases of economic offences is concerned will be transferred to EOW. So SR reports of all economic offence cases would be monitored by EOW.

**Charter of Duties**

The following will be the charter of duties of Economic Offence Wing of CID (CB).

1. Act as a Nodal agency in the State for dealing with Economic Offences.
2. Collection of intelligence pertaining to Economic Offence.
3. Interaction with Economic Offence Wing of other States and agencies of Government of India involved in combating economic offences.
4. Organising and conducting of campaign against activities of economic offenders.
5. Preparation of the periodic review reports and other Special Reports pertaining to economic crime in Odisha.
6. Investigation and prosecution of following types of economic offences, if there are complicated and the amount of fraud is more than twenty lakh.
  - NBFC and deposit related frauds.
  - Frauds under money circulation schemes.
  - Chit Fund Frauds.
  - Co-operative or Society fund defalcation.
  - Shares / Securities frauds.
  - Job racket frauds.
  - Banking fraud/Credit card fraud.
  - Cheating, Forgery.
  - Criminal breach of trust.
  - Land & Building racket / frauds.
  - Fake Indian Currency notes, security papers, stamp papers, promissory notes, stamps etc.
  - Vanishing Companies.
  - Insurance Frauds.

: 2 :

However, job racketing frauds and investment / deposit / chit fund / money circulation frauds, involving more than twenty victims, may be investigated by EOW, even if, amount involved is less than Rs. Twenty lakhs.

Similarly where Government is the victim of fraud, cases involving less than Rs. Twenty lakhs can be investigated by EOW.

Even if, amount involved is less than twenty lakhs, investigation of such economic offence cases can be taken up by EOW, with permission of DGP, if in view of nature of offence, modus operandi, or its connection with other cases under investigation in EOW, investigation by EOW is felt necessary.

DGP may review, from time to time, and upwardly revise the limit of Rs.20 lakhs as amount involved in fraud, keeping in view the resources available at the disposal of EOW and improved capacities of Police Stations to deal with such cases.

7. Prosecution of all offences investigated by EOW will normally be conducted by prosecutors of EOW. However, in case of vacancy or otherwise in public interest, such cases can be conducted by district prosecutors, if, EOW so requests.

#### Functions and responsibilities of Officers of Economic Offence Wing.

1. Functions and responsibilities of ADGP, CID, CB.

EOW and STF shall function under the general guidance and supervision of ADGP, CID, CB. All cases of public importance would be referred to him. ADGP, CID, CB would be kept informed of all important matters and his advice/instructions be obtained, wherever it is considered necessary by DIG, EOW or SP, CID, CB. Final order about final report u/s 173 Cr. P.C. would be passed by him / DGP.

Formulation of guidelines for investigation will be one of the foremost responsibilities of ADGP, CID, CB.

2. Functions and Responsibilities of DIG, EOW.

DIG, EOW will exercise full control and authority over EOW and will be responsible for its work, efficiency and discipline. Following are the important functions of the DIG, EOW.

- Supervision and control over the functioning of EOW
- Supervision of important cases, enquires and complaints.
- Keep the DGP and ADGP, CID, CB informed of all important matters including (but not limited to ) registration and disposal of cases, enquiries and complaints.
- Progress Report in all cases pending investigation or trial should be submitted to DIG of Police, EOW once in a month.
- Monitoring of all SR cases involving economic offences.
- All papers concerning EOW going to ADGP, CID, CB or DGP should pass through him.

3. Function and Responsibilities SP, EOW.

SP, EOW shall work under DIGP, EOW. He will be responsible for:

- Control over the work, efficiency and discipline of Units of EOW.
- Supervision and control of the work of the Units of EOW.
- Supervision of cases, enquires and complaints of such units.
- All papers concerning EOW going to the DIG, EOW, ADGP, CID, CB or DGP must pass through SP, EOW.
- Execution and direction of the Special Drives of EOW, particularly organising simultaneous raids, surprise checks etc. & achievement of targets.
- Monthly Progress Report in all cases should be submitted to DIG, EOW/ ADGP, CID, CB.
- Replies to Parliament Questions & Legislative Assembly Questions relating to cases, Enquiry and complaints of EOW shall be handled by SP, EOW.
- SP, EOW will communicate with media regarding important cases of EOW. He will also release Press Notes in EOW cases. He will ensure that any information in respect of any of the cases of EOW given to the Press goes through him and not by any subordinate officer.
- SP, EOW will keep DIGP, EOW and Addl. DGP, CID, CB informed of all important matters including (but not limited to) registration and disposal of cases, enquiries and complaints.

4. Function of Legal Advisors in EOW (in the rank of P.P. as well as Addl. P.P.)

- Legal Advisor working in EOW will be responsible for legal advice to SP, EOW, DIG, EOW & ADG, CID, CB as well as other work as detailed below.
- He will comment on Investigation reports, scrutinize the charge sheets to be filed in courts and prepare draft sanction order for prosecution.
- He will conduct the prosecution in Court in EOW cases that may be assigned to him by SP, EOW and will submit Court Diaries in respect of them;
- He will prepare and forward conviction, acquittal and discharge reports in the prescribed form;
- He will take steps to obtain certified copies of the judgments, as may be necessary without delay. In cases in which appeal or revision is to be recommended he will prepare a self-contained note giving the reasons for acquittal or discharge and the grounds on which appeal or revision is considered necessary.
- He will be responsible for seeing that Special Counsel, if any engaged in EOW cases are fully and properly briefed.
- He will ensure that warrant are obtained for the arrest of absconding accused persons and that necessary action is taken under section 82 and 83 Cr. P. C.

- He should be available to discuss cases with investigating officers and to give them guidance and advice on legal points arising during the course of investigation;
- He will keep the Supdt. of Police, EOW informed of all important matters concerning the proceedings in Courts.
- He will identify common defects of investigation and organise/conduct remedial programmes.
- He may scrutinize complaints received, when asked to do so. When so requested, he may vet draft FIRs when these are to be filed by police officers.

**Location**

EOW will be located at Bhubaneswar. In due course govt. may order opening new units of EOW at other places in Odisha.

**Induction of personnel into EOW**

EOW being a highly specialized unit of Odisha Police, personnel can be inducted into EOW only with written concurrence of Addl. D.G., CID, Crime.

Memo No.

6886 /

Dated

17/2/12

Principal Secretary to Government.

Copy forwarded to All Departments of Government for information.

Memo No.

6887 /

Dated

17/2/12

Joint Secretary to Government.

Copy forwarded to the D.G. & I.G. of Police, Odisha, Cuttack / Additional D.G. of Police, CID, CB, Odisha, Cuttack / All Revenue Divisional Commissioners / All Range D.I.G. / All Collectors & District Magistrate / All Superintendents of Police including S.P., Railways, Rourkela & Cuttack for information and necessary action.

Memo No.

6888 /

Dated

17/2/12

Joint Secretary to Government.

Copy forwarded to Home (C&HR) Department for information.

Memo No.

6889 /

Dated

17/2/12

Joint Secretary to Government.

Copy forwarded to All Police Sections of Home Department / Home (Special) Department / Home (D&A) Department with 05(five) copies for Guard file.

Memo No.

6890 /

Dated

17/2/12

Joint Secretary to Government.

Copy forwarded to Md. M. Khan, Scientist-D, N.I.C., Co-ordinator, Home Department for information and necessary action.

(25)  
M

Md. M. Khan  
N.I.C. Co-ordinator

Joint Secretary to Government.