POLICE CIRCULAR ORDER No. 168

Copy of letter No. 9929 915) CB, dated the 26-7-1960 from the Inspector-General of
Police Orissa, Cuttack to all Superintendents of Police, Orissa, Additional
Superintendent of Police, Rourkela and Deputy Superintendent of Railway Police, Orissa,
Cuttack.

A question has been raised that in order to avoid delay in investigation, the A.S.-Is,
in charge of out Posts should be authorised to register and investigate cases
independently within their respective jurisdictions in view of the fact that they are usually
selected from amongst the well-experienced personnel of the rank.

As the law stands at present, the A.S.I or even an S.I. in charge of an outposts,
which is a subordinate post under a police-station, has got no legal status so far as the
initial action of recording the F.I.R. under section 154, Cr. P. C. is concerned. Further
Section 154 Cr.P.C. read with sections 256 and 157 therefore, clearly indicate that the
O.I.C. of a police-station alone has the power to take cognizance and investigate a
congnizable case. The Officers left in charge of O.Ps. derive their authority for
investigation from the O.I.C. of the parent police-station under section 157, Cr.P.C. and
as such, they cannot legally draw up F.I.Rs. and take up investigation sou-motu, even if
they come across the same. They can only reduce the version of the complainant/informant
into writing, as any scribe does, and send the same, the O.I.C. of the parent police-
station for taking necessary action thereon. It is, however, incumbent on them to take
such preliminary steps of investigation, viz., guarding the scene of crime, apprehension of
offenders, seizure of property as envisaged under section 550 Cr.P.C. etc., pending the
orders/direction of the O.I.C. of the police-station.

In view of the above it will be irregular/illegal to invest the powers of registration and
investigation of cognizable cases upon the S.Is./A.S.Is. in charge of O.Ps. under the
existing provisions of the law.

(Previous Police Circular Order No. 10 of 1963)