

POLICE CIRCULAR ORDER NO. 272/90

**SUBJECT :—Police Registered System—Collection of Finger Print Slip at Police Station—
Consignment thereof.**

1. The Police Registered System (P.M.R. 329) relates to collection of Finger Prints for permanent record to certain class of convicted criminals. The Finger Print System in turn aids the Investigating Officers in their quest :

- (i) To trace the identity of unidentified persons;
- (ii) To trace the previous convictions of criminals for securing enhanced punishment; and
- (iii) To trace the involvement of known criminals in unsolved crimes.

Moreover the intrinsic deterrent value of the system has to be appreciated. The Finger Print record slip which form the bedrock of the system are not being steadily received in the designated cases from the P.R. Section of the Sadar Court Offices for quite some years. In the absence of several of these record slips relating to currently active criminals, the system has become non-functional. The growing neglect of collection/consignment of record slips and non-utilisation of the system by Investigating Officers to obtain trace/detection particulars is quite disconcerting.

2. The prosecution system has undergone drastic changes and several operational constraints have also crept in to collect the finger print record slips as envisaged in P.M. Rules 329 to 350. A concrete measure has to be introduced to maintain the operational effectiveness of the P.R. System. After careful examination it has been decided that the finger print slips for record purposes (P.M. Form 90) shall be collected at the P.S. well in advance i.e. soon after arrest of an accused person in the designated cases as listed out in the schedule of offences annexed to the circular order. The Schedule has been prepared keeping in view list of offences enumerated in PMRs. 317, 330 and Police Order 256 and in doing so laws which have been repealed and laws which have no relevance in the present context have been delisted while laws newly enacted have been listed where it is considered necessary.

3. The Identification of Prisoners Act, 1920 which is in force empowers the I.Os. to collect the finger prints of any person arrested in connection with an offence punishable with rigorous imprisonment for term of one year or more on the strength of Section 4. In offences where the punishment is less, the I.Os. can obtain the finger print of the arrested accused person with the permission of the Magistrate as provided for under Section 5. Thus in the case of those apprehended in such cases and under the preventive provisions of law permission of the Magistrate therefore would be required before collection of the finger prints at the Police-stations.

4. In the collection of finger print slips the I.Os. will rely on the existing provisions of P.M. Rules 335 to 340 read with P.M. Rules 440 to 443.

Every Police Officer is trained to be proficient in taking F.Ps. It will be the responsibility of the I.O. of the concerned case to prepare the required No. of F.P. slips for record purposes. The I.O. who takes the F.P. impressions will sign in the appropriate column and another officer of the P.S. will countersign that the impressions were taken before him. Due care should be taken to ensure that there is clarity in the ridge characteristics of the F.Ps. and the sequence is maintained.

All available particulars relating to name, address, date of birth and other physical particulars should be recorded on the reverse of the slip and the provision criminal number along with alpha code should be invariably given. The record slips so collected by the IOs shall be sent to PROs for custody until disposal of the case.

5. As a measure of abundant caution the CSIs/PROs of the Court Offices on receipt of the case records from the I.Os. will satisfy themselves of the perfection of the finger prints taken and subject it to scrutiny by the finger print expert attached to the DFSL/DCRB where considered necessary only. If fresh and clear prints are required to be taken, the CSI/PRO would attend to the same when the case is pending in trial. Further the F.P. slips should be tested by them as per existing P.M. Rule provisions and in token the appropriate column signed.

When the case ends in conviction or ends in binding the F.P. record slips available in the case diary can be detached and sent to the Finger Print Bureau for record purpose as per the provision of P.M.R. 341, after filling conviction particulars in appropriate columns. If the case ends in acquittal the finger print slips will remain in the case records duly consigned to the Police-station alongwith the final memos.

6. The procedure relating to initiating search slips of unidentified arrested persons will continue to operate as per the existing provisions of the P.M. Rules subject to only one modification in that the search slips in P.M. Form 49 will be collected by the I.Os. instead of Court S.Is. and will be referred to the Finger Print Bureau for trace particulars.

In addition, the Unidentified Persons Register which is being maintained at the Sadar Court Offices in P.M. Form 8 shall be maintained henceforward at the police Station individually. Other P.M. Rule provisions relating to initiating search slips from 272 to 278 will remain unchanged.

Unless the Investigating Officer is convinced of the true identity of the arrested person he shall invariably treat that person as unidentified.

7. Arrangement will be made to supply the required kits to all P.Ss. Besides a suitable source will be identified for regular supply of consumables from whom districts can indent their annual requirements. The S.P. Headquarters will make necessary additional budgetary allocations to meet such requirements. Sufficient F.P. record slips and search slip have been printed and distributed to all P.Ss.

8. Supervisory level officers will ensures strict implementation of the above and during inspection of P.Ss. scrutinise the concerned records.

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6-12-90
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SCHEDULE

SUBJECT—List of offences under Central or State Penal Laws where Finger Prints of arrested accused persons shall be taken.

I. I.P.C. Offences :

1. Offences or attempt at or abetment of offences under Chapter XII of IPC—Offences relating to Coin & Government Stamps.

Sections 230 to 263 IPC

2. Offences or attempt at or abetment of offences under Chapter XVII of IPC—Offences against Property.

Sections 379 to 462 IPC

3. The following offences or attempt at or abetment of offences under :

- (i) Chapter V-A : Offences relating to Criminal Conspiracy.

Section 120 B IPC

- (ii) Chapter VI : Offences against the State

Sections 121 to 130 IPC

- (iii) Chapter VIII : Offences relating to promotion of enmity on grounds of religion, race, place of birth, residence, language and acts prejudicial to maintenance of harmony, etc.

Sections 153 A and 153 B IPC

- (iv) Chapter XVI : Offences against body

- (a) 302—Where motive is purely for gain

- (b) 328—Administering stupefying drug with intent to cause hurt, etc.

- (c) 363, 363 A, 364, 365, 366, 366 A, 366 B, 367, 369, 370, 371, 272, 373:

All offences relating to kidnapping/abduction of persons for various purpose like ransom, slavery, prostitution, trafficking in women etc.

- (v) Chapter XVII : Offences relating to counterfeit currency.

Sections 489 A, 489 B, 489 C, 489 D IPC

- (vi) Chapter XXII : Offences relating to Remour mongering with intent to cause mutiny or offence against public peace, etc.

Sections 505 IPC

II. Special Laws :

A. Having provision for enhanced punishment

1. Arms Act, 1952
2. Cinematograph Act, 1952
3. Essential Commodities Act, 1955
4. Explosive Substance Act, 1908
5. N. D. P. S. Act, 1985
6. Protection of Civil Right Act, 1955
7. Prevention of Immoral Traffic Act, 1986
8. Poison Act, 1919
9. Indian Railways Act, 1890
10. Railway Properties (unlawful possession) Act, 1966
11. Telegraph Wires (unlawful possession) Act, 1950
12. Orissa Restriction of Habitual Offenders Act, 1952

B. Of relevance for prevention and detection of crimes

1. Bonded Labour System (Abolition) Act, 1976
2. Excise (B & O) Act, 1915
3. Foreigners Act, 1946
4. Indian Explosive Act, 1884
5. Minimum Wages Act, 1961
6. Orissa Money Lenders Act, 1939
7. Orissa Scheduled Areas Money Lenders Regulation Act, 1967
8. Official Secrets Act, 1923
9. Orissa Prevention of Gambling Act, 1954
10. Prize Chits and Money Circulation (Banning) Act, 1978
11. Unlawful Activities (Prevention) Act, 1967
12. Prevention of Food Adulteration Act, 1954
13. Drugs and Cosmetic Act, 1940
14. Customs Act, 1962
15. FER Act, 1973

III. Preventive Laws :

1. Bad livelihood Cases—Sections 109 and 110 Cr. P.C.
2. National Security Act, 1930
3. Conservation of Foreign Exchange & Prevention of Smuggling Activities Act, 1974
4. Prevention of Black Marketing and Maintenance of Supplies of Essential Commodities Act, 1930.
5. Terrorist and Disruptive Activities Act, 1986
6. Prevention of Illicit Traffic in ND & PS (Amendment) Bill, 1990.