

CHAPTER III
Criminal Investigation Department.
I. – FUNCTION OF THE DEPARTMENT.

Controlling Officer:

611. The Criminal Investigation Department which includes (1) the Intelligence Branch, (2) the Criminal Intelligence Bureau, (3) the Photographic Bureau and (4) the Finger Print Bureau, is under the control of a Deputy Inspector General.

Functions of the Department(12, Act V, 1861):

612.(b) The functions of the rest of the department include the following :-

- I. The collection and distribution of information relating to --
 - (1) The classes of crime detailed below which are ordinarily the work of professional criminals:--
 - (i) Dacoity;
 - (ii) highway, railway or mail robbery;
 - (iii) counterfeiting coin or stamps, forging Government currency or promissory notes and uttering or being in possession of the same;
 - (iv) drugging or poisoning;
 - (v) swindling;
 - (vi) murder for gain;
 - (vii) insurance frauds of serious nature;
 - (viii) cases of bank frauds;
 - (ix) crime on railways.
 - (2) Professional criminals and criminal tribes whose operations extend beyond the limits of a single district.
- II. (i) To control, assist or advise as circumstances require, enquiries or investigations into crime of the classes described in (I) above as well as into crime of the classes which arises out of such enquiries or investigations.
 - (ii) To control or assist enquiries and investigations in connection with cases under sections 400 and 401 of the Indian Penal Code, and proceedings under sections 109 and 110 of the Code of Criminal Procedure against members of specially formidable gangs of criminals.
 - (iii) To control prosecutions arising out of the institution of false civil suits(vide Appendix XXX).
- III. To assist or advise the local police in, or to take control of, enquiries or investigations into other serious crime in which such control, advice or assistance is invoked by local authorities with the approval of the Inspector-General or as ordered by the Inspector-General or any higher authority.

IV. To make enquiries concerning crime described in (I) above and other crime with the approval or under orders of the Inspector-General or any other authority.

NOTE.- Counterfeit coins presented at railway stations should be transmitted to the Mint for examination by the Deputy Inspector-General to whom the Railways shall transmit copies of their statement of counterfeit coins, and who should detain one specimen of similar coins when more than one is received by the Railways (Government Circular No. 24F., dated the 11th March 1912). Enquiries regarding obscene publications will be dealt with by the Criminal Investigation Department.

Definition of "enquiry" and "investigation":-

613. "Investigation" in the above regulation has the meaning attached to it in the Code of Criminal Procedure. "Enquiry" means the collection of information prior to an "investigation". The power to investigate does not arise until either there is reason to suspect the commission of a cognizable offence, which an officer in charge of a police-station is empowered to investigate under section 156 of the Code of Criminal Procedure (see also section 157), or, if the offence be non-cognizable a Magistrate directs an investigation under section 155 of that Code.

Collection and distribution of information:-

614. Information relating to serious crime, criminals and other matters of interest to the police is chiefly collected from -

- (i) special reports, first information reports in swindling cases and express letters as laid down in Appendix XV;
- (ii) special reports received from other provinces;
- (iii) confession of convicts;
- (iv) case histories kept on record in the Criminal Intelligence Bureau;
- (v) finger print slips received in the bureau;
- (vi) notice received for insertion in the "Criminal Intelligence Gazette";
- (vii) Police Gazettes of other provinces and of Calcutta;
- (viii) reports on crime and criminals received from officers.

Note.- It is also the duty of the Assistant to the Deputy Inspector-General to peruse weekly the gazettes of other provinces, and extract therefrom all matters of interest to the police in Bengal for publication in this province.

Distribution of information - Criminal Intelligence Gazette:-

615. The "Criminal Intelligence Gazette" is the principal medium for distribution of information. Information is also communicated, if available, on receipt of references from the District Police to the Criminal Intelligence Bureau, Finger Print Bureau and other sections of the Criminal Investigation Department

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.

Powers and functions of Criminal Investigation Department Inspectors deputed to districts. (12, Act V, 1861):-

626. (a) Inspectors and superior officers of the Criminal Investigation Department are superior in rank to an officer-in-charge of a police-station and, as such may, under section 551, Code of Criminal Procedure, exercise throughout the local area to which they are appointed, the same powers as may be exercised by an officer-in-charge of a police-station within the limit of his station. They accordingly have power to detail a Sub-Inspector of the Criminal Investigation Department to investigate a particular case when it is considered desirable that the case should be so investigated.

(b) (i) Officers of the department deputed to districts in cases or enquiries taken under control, except in those mentioned in regulation 621, shall work in subordination to the Superintendent of the district, who shall be responsible for controlling their movements and proceedings, subject to orders received from the Deputy Inspector-General, Criminal Investigation Department. Diaries, enclosures to diaries and progress reports shall be submitted in accordance with regulation 625. But all other reports and communications as between the department and the officers deputed and all orders issued from the department shall pass through the Superintendent, except in cases of extreme emergency. In such cases, copies of the orders or communications shall be forwarded simultaneously to the Superintendent.

(ii) They shall, in case of enquiries, in which the department assists, work in subordination to the Superintendent, who shall control their movements and proceedings relating to the cases and enquiries of his district.

(iii) When an enquiry or investigation taken under control or assisted by the department covers more than one district, the officer deputed shall send copies of enclosures to each Superintendent concerned.

(c) The Superintendent of the district, who controls the movements of an officer as laid down in clause (b) above and receives his diaries in accordance with regulation 625 shall pass his travelling allowance bills.

(d) The position of officers of the department vis-à-vis subordinate local officers shall be determined in the absence of special orders to the contrary, by their relative rank.

(e) Officers of the department deputed to districts shall not be employed by the Superintendent upon any enquiry or investigation other than that for which they are deputed without the sanction of the Deputy Inspector-General, Criminal Investigation Department.

EXTRACTS FROM VOLUME II OF POLICE REGULATIONS

DESTRUCTION OF RECORDS (extract from the PRB)

1101. (a) All papers connected with the investigation of cases (e.g., first information report, case diaries, statements under section 161 of the Code of Criminal Procedure, documentary exhibits, lists of property, final memo., and other miscellaneous connected papers) which do not form part of a judicial report, shall be kept together and preserved as below :-

(i) In all cases in which the accused has absconded.	Until the Magistrate orders their destruction on the ground that there is no further reasonable hope of arrest.
(ii) In non-bailable cases declared true by magistrates but not tried out, and under sections 109 and 110, of the Code of Criminal Procedure.	Fourteen years, provided that in cases under sections 454, 455, 456, 457, 379, 380 and 381 of the Indian Penal Code, in which no person has been reasonably suspected, the records shall be preserved for three years only.
(iii) In all other cases (bailable or not, tried out or not) and cases under sections 108, 107, 144 and 145 of the Code of Criminal Procedure.	Three years, provided that in all cases of a professional nature under Chapter XVII of the Indian Penal Code, professional and political murder and murder of informers, professional swindling, coining, note forgery and attempts thereof in which a person though not convicted is found or reasonably suspected to be concerned and in all cases of dacoity, conspiracy for dacoity and cases under sections 400 and 401, Indian Penal Code, the records shall be preserved for 14 years.

(b) The periods for which all other papers and registers, reports and returns are to be preserved will be found in Appendix XIII. If for any special reason, the officer in charge of the police-station

or the Inspector considers that a particular record should be preserved for a longer period than as noted above, he shall recommend accordingly.

(c) On receipt of the final memo. the papers in connection with a case (e.g., duplicates of final form, charge-sheet, first information report, case diaries, etc.) shall be filed together with a docket slip showing what papers the file contains. The year in which the file is to be destroyed shall be noted on it conspicuously in red ink.

(f) At the close of each year separate bundles shall be made up of –

- (i) Papers relating to absconders.
- (ii) Those to be kept for fourteen years.
- (iii) Those to be kept for three years.

REGISTERS TO BE MAINTAINED IN CID

(Extract from Appendix XIII – PRB Volume II)

(2).- Office of the Deputy Inspector-General, Criminal Investigation Department.
(The list does not include the registers, etc., prescribed for office routine.)

Serial No.	Name of Register or file.	Regulation under which kept.	Period for which to be preserved.
01	File of Police Gazette(Parts I to V)	74 ..	Five years.
02	File of Government Orders(Part VI, Police Gazette)	74 ..	Permanently.
03	File of Police Orders(Part VI, Police Gazette)	74 ..	Ditto.
04	File of Criminal Intelligence Gazette (Part s I-X)	74 ..	Ditto.
05	File of Criminal Intelligence Gazette (Part XI)	74 ..	Ditto.
06	Files of special and illustrated and other supplements to the Criminal Intelligence Gazette.	74 ..	Ditto.
07	Used books of railway and steamer warrants. (Bengal Forms Nos. 360B and 360C)	94 and Appendix III.	Two years.
08	Used books of omnibus warrants. (Bengal Form No.359).	94 and Appendix III.	Ditto.
09	File of personal diaries.(B.P.Form No.136)	623	One year.
10	File of special reports	See remarks against serial No.66 of the list of registers, etc., kept in the Superintendent's office.
11	Records of enquiries and Investigations in which the Criminal Investigation Department takes part by control or assistance.	629 ..	To be preserved permanently or destroyed after three years according to the importance of each case.
12	Detective warrant register.(Form A).	631 Appen-dix XXXI.	Three years.
13	Detective warrant register.(Form B).	Ditto ..	Ditto.
14	File of detective warrant certificates.	Ditto.	One year.

	(Forms C and D).		
15	List of local photographers ..	637 ..	Three years.
16	File of mufassil diaries of experts of the Finger Print Bureau.	655 ..	Ditto.
17	Crime Index Register. (B.P.O. Form No.29, new).	..	Permanently.
18	Statement of daily work in Finger Print Bureau. (B.P.O. Form No.14, new).	..	Five years.
19	Register of Criminal Investigation Department references received from police-stations and other sources. (B.P.O. Form No.15, new).	..	Three years.
20	Register of traced cases. (B.P.O. Form No.16, new).	..	Three years.
21	File of allotment statements of force	659 ..	Until fresh lists are issued.
22	Gradation lists of Inspectors and sergeants (Provisional list).	..	Until a fresh list is issued. (The list is printed periodically).
23	Gradation list of Sub-Inspectors in the Criminal Investigation Department.	..	Ditto.
24	Gradation list of Assistant Sub-Inspectors and head constables.	..	Ditto.
25	Gradation list of constables	Ditto.
26	Approved list of Inspectors fit for promotion to the rank of Deputy Superintendent.	735 and Appendix XLII	Until a fresh list is issued.
27	Gradation list of clerical establishment	..	Ditto.
28	List of officers of the Criminal Investigation Department and Intelligence Branch fit for promotion to the rank of Inspector.	738 and appendix XLIII.	Until a fresh list is issued.
29	Provincial approved list of officers fit for promotion to the rank of Inspector.	738 and Appendix XLIII.	Ditto.
30	Approved list of constables fit for promotion to the rank of Assistant Sub-Inspector.	743 ..	Ditto.
31	Register of revolver practice ..	797 ..	One year after completion.
32	Register of casual leave. (Bengal Form No.107).	819 ..	Two years after completion.
33	Register of casual leave and brass-numbers.(B.P. Form No.159).	819 ..	Ditto.
34	File of proceedings. (B.P. Form No. 164).	861 ..	See entry against serial 35 in the list of registers, etc., kept in the Reserve office.
35	File of command certificates. (B.P. Form No.10).	909 ..	Two years.
36	Order book	911 ..	Thirty-eight years.
37	Register of punishments. (B.P. Form No.175).	915 ..	Three years.
38	Register of receipt and issue of clothing.	916 ..	Two years.

	(B.P. Form No.176).		
39	Leave Register (B.P. Form No.177).	917 ..	Two years on completion.
40	Service books and rolls	920 ..	For disposal of service books and rolls (see Regulation 922).
41	Committee report book on clothing. (B.P. Form No.184).	973 ..	Two years.
42	Clothing Hand Book. (B.P. form No. 221).	976 ..	Until a new book is issued
43	File of issue forms of clothing. (B.P. Form No.186).	980 ..	Two years.
44	Register of securities and deposits. (B.P. Form No.221).	1145 ..	Until rewritten.
45	Stock Book. (Bengal Form No.1148)	1280 ..	Permanently.
46	Register of receipt and issue of form Bengal Form No.108).	1284 ..	Two years.
47	Register of receipt and issue of stationary. (Bengal Form No.402).	1288 ..	Three years.