

**GOVERNMENT OF ODISHA
HOME DEPARTMENT**

RESOLUTION

No. 26923 /D&A, Bhubaneswar, dated 03.08.2021
HOME-DA1-CRTN1-0013-2020

**Sub: Constitution of Crime against Women & Children Wing (CAW&CW)-
function and responsibilities of Officers.**

Jurisdiction of CAW&CW

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

General

The present rules and regulations concerning CID, CB will apply to CAW&CW. The Head of CID, CB can take charge of any investigation in the State for investigation by CAW&CW.

Role and functions of CID, CB in so far as cases of crime against women & children are concerned will be transferred to CAW&CW. So SR reports of all offences against women & children would be monitored by CAW&CW.

Charter of Duties

1. Monitoring and studying trends and patterns of all categories of crimes against women and children across the State in order to develop strategies for detection, prosecution and prevention of such crimes and for developing improved counselling strategies to deal with victims of crimes against women and children and Juvenile criminals.
2. Monitoring investigations in specific important cases (Special Report cases) of crimes against women and children in order to ensure successful prosecution. Co-ordinating efforts in dealing with organised criminal gangs indulging in human trafficking.
3. Co-ordinating with other State Police forces / CBI and Interpol with regard to human trafficking.
4. Creating database of specific categories of offenders like Human traffickers, child sexual abusers, etc.
5. Collecting intelligence on human trafficking network.
6. Coordinating with NGOs and academic institutions operating in the field of crimes against women and children in order to develop better strategies for dealing with crimes against women and children and getting inputs on spread of various types of crimes against women and children and social evils.

7. Co-ordinating with other Government Departments like Women & Child Development Department for co-ordinated interventions in specific cases and developing overall strategies.
8. Developing and conducting educational awareness campaigns on crimes against women and children and social evils over internet / social media and in educational institutions and elsewhere in Odisha.
9. Developing Community Policing initiatives on crimes against women and children.
10. CAW&CW would be monitoring cases of crime against Women and Children registered at various Police Stations and taking up investigation of sensitive/sensational nature of cases pertaining to following offences against women and children.
 - i. Rape (376 IPC)
 - ii. Molestation (354 IPC)
 - iii. Sexual harassment U/s. 354-A IPC
 - iv. Public disrobing U/s. 354-B IPC
 - v. Voyeurism U/s. 354-C IPC
 - vi. Stalking U/s. 354-D IPC
 - vii. Acid attack U/s. 326 -A IPC
 - viii. Trafficking of women U/s. 370 IPC, and Prevention of Immoral Trafficking Act.
 - ix. Eve-teasing U/s. 509 IPC
 - x. Kidnapping/abduction of women and children (359 to 374 IPC)
 - xi. Sexual intercourse not amount to rape U/s. 376(C) IPC
 - xii. Dowry Homicide/Suicide (498-A/302/309 IPC)
 - xiii. Prevention of Children against Sexual Offences Act(POCSO Act- 2012)
 - xiv. Any other legislation though not covering women and children alone, but often crucial e.g.. I.T Act which deals with misuse of internet and social media for committing offences against women and children

Attempts, abetments and conspiracies in relation to or in connection with the offences mentioned above and any other offences committed in the course of the same transaction arising out of the same facts.

11. Prosecution of all offences investigated by CAW&CW will normally be conducted by prosecutor(s) of CAW&CW. However, in case of vacancy or otherwise in public interest, such cases can be conducted by district prosecutors, if, CAW&CW so requests.

Functions and responsibilities of officers of Crime against Women & Children Wing (CAW&CW)

1. Functions and responsibilities of ADGP, CID, CB

CAW&CW 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 IG, CAW&CW or Addl.SP, CAW&CW. Final order about final report u/s.173 Cr.P.C. would be passed by DGP unless delegated.

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

2. Functions and Responsibilities of IG, CAW&CW.

IGP, CAW&CW will exercise full control and authority over CAW&CW and will be responsible for its work, efficiency and discipline. Following are the important functions of the IG, CAW&CW:

- Supervision and control over the functioning of CAW&CW.
- Supervision of important cases, enquiries 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 Reports in all cases pending investigation or trial should be submitted to IG of Police, CAW&CW once in a month.
- Monitoring of all SR cases involving offences against women & children.

3. Function and Responsibilities Addl.SP, CAW&CW.

Addl.SP, CAW&CW shall work under IGP, CAW&CW. He/She will be responsible for:

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

Legal Advisor working in CAW&CW will be responsible for legal advice to Addl.SP, CAW&CW, IG, CAW&CW & 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 CAW&CW cases that may be assigned to him by Addl. SP, CAW&CW 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 CAW&CW 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 Addl SP, CAW&CW informed of all important matters concerning the proceedings in Courts.
- He will identify common defects of investigation and organize/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

The Headquarters of CAW&CW will be located at Bhubaneswar.

By order of Governor

2.8.2021

(Sanjeev Chopra)

Additional Chief Secretary to Government

Memo No. 26924 /D&A, date 03.08.2021

Copy forwarded to All Departments of Government for information.

Officer on Special Duty

Memo No. 26925 /D&A, date 03.08.2021

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

Officer on Special Duty

Memo No. 26926 /D&A, date 03.08.2021

Copy forwarded to Crime Prevention & Monitoring Cell, Home Department / Human Rights Protection Cell, Home Department / Special Section, Home Department for information and necessary action.

[Signature]
21/8/21

Officer on Special Duty

Memo No. 26927 /D&A, date 03.08.2021

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

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21/8/21

Officer on Special Duty

Memo No. 26928 /D&A, date 03.08.2021

Copy forwarded to Scientist (E-TD), NIC Coordinator, Home Department for information and necessary action.

[Signature]
21/8/21

Officer on Special Duty

