

Government of Odisha
Home Department


Notification

Dated, Bhubaneswar, the 1st August 2022

No. HOME-DA1-MANUAL-0001-2022/ 26404 /D&A, In exercise of powers conferred under Section 46 (3) of the Police Act, 1861 (Act No. 5 of 1861) and in compliance of directions of the Hon'ble Supreme Court of India vide their orders dated 20-04-2021 passed in Suo Moto Writ (Crl) No. (S) 1/2017; the State Government do hereby add certain clauses / columns, as and where applicable, in Police Manual Rules (Vol – I & II) as mentioned in the Annexure.

Encl: As above

By the order of Governor


01/08/2022

(D.K.Singh)

Principal Secretary to Government

Memo No. 26405 /D&A, dated 01.08.2022

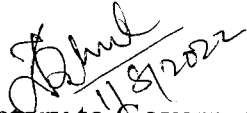
Copy along with enclosure forwarded to A.G. Odisha, Bhubaneswar for kind information.


01/08/2022
Deputy Secretary to Government

Memo No. 26406 /D&A, dated 01.08.2022

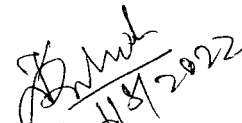
Copy along with enclosure forwarded to Director, Printing , Stationery and Publications, Odisha, Cuttack for publication of the notification in the next issue of Odisha Gazette.

He is requested to send twenty (20) copies of the publication to Home Department.


01/08/2022
Deputy Secretary to Government


Memo No. 26707 /D&A, dated 01.07.2022

Copy along with enclosure forwarded to All Departments / D.G. & I.G. of Police, Odisha, Cuttack / Revenue & Disaster Management Department / Law Department / Home (Elections) Department / Member, Board of Revenue, Odisha, Cuttack / All Revenue Divisional Commissioners / Director, State Crime Records Bureau, Bhubaneswar / All Range I.G.s & D.I.G.s / All District Magistrate & Collectors / All Superintendents of Police for information and necessary action.


11/8/2022
Deputy Secretary to Government


Memo No. 26408 /D&A, dated 01.08.2022

Copy along with enclosure forwarded to all Police Sections of Home Department / Guard file of D&A Section with five (05) copies for information.


11/8/22
Deputy Secretary to Government

Memo No. 26409 /D&A, dated 01.08.2022

Copy along with enclosure forwarded to Nodal Officer, IMU Cell, Home Department for information along with a request to upload this notification on website of Home Department.


11/8/2022
Deputy Secretary to Government

Addendum to Odisha Police Manual Rules (Vol – I & II)

**1. Rule- 209 (B): PHOTOGRAPHS AND VIDEO GRAPHS
OF POST MORTEM IN CERTAIN CASES:**

- a. In case of death of a person in police action (under Section 46 Criminal Procedure Code, 1973 (“Cr.P.C”) or Sections 129 to 131 Cr.P.C) or death while in police custody, the magistrate or the Investigating Officer as the case may be, shall inform the hospital or doctor in charge to arrange for photographs or videography for conducting the post-mortem examination of the deceased. The photographs of the deceased shall also be arranged to be taken in all cases.
- b. Such photograph and video graphs shall be taken either by arranging a police photographer or a nominated photographer of the State Government, and where neither of the above are available, an independent or private photographer shall be engaged.
- c. Such photographs or video graphs shall be seized under a *Panchnama* or *seizure* memo and all steps taken to ensure proper proof of such photographs/video graphs during Trial.
- d. The Investigating Officer shall ensure that such photographs and videographs, if taken electronically, are seized under a *Panchnama* or *seizure* memo and steps are taken to preserve the original, and ensure that certificate under Section 65B Indian Evidence Act, 1872 is obtained and taken to be proved during trial.
- e. The video or photographs shall be stored on a separate memory card, accompanied by a duly certified certificate under Section 65B Indian Evidence Act, 1872.
- f. Where post-mortems are recorded in electronic form, the file containing the post-mortem proceedings, duly certified, should be placed with the memory card as an attachment unless individual memory cards are not capable of being produced before Court.

[Accordingly, in the Existing PM Form No. 40, a new column-VI (a) is inserted after Col. VI under head “Body Sketch (both frontal and rear view) along with the print out and injuries if any, shall be indicated on such sketch]

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(12)

2. Rule- 176(f): Scene Mahazar spot Panchnama

- i. A site Plan of the Place of occurrence of an incident shall be appended by the Investigating Officer to the Scene *Mahazar* or Spot *Panchnama*.
- ii. The site plan shall be prepared by the Investigating Officer by hand and shall disclose
 - a. Place of occurrence.
 - b. Place where material exhibits and/or weapons.
 - c. Blood stains and/or body fluids had fallen.
 - d. Place where bullet shells, if any, where found or have caused impact.
 - e. Source of light, if any.
 - f. Adjoining natural and man-made structures or features such as walls, pits, fences, trees/ bushes, if any.
 - g. Elevation of structures and their location
- iii. The Preparation of this sketch by the Investigating Officer shall be followed by a scaled site plan prepared by Police Draftsman, if available, or such other authorized or nominated draftsman by the State Govt, who shall prepare the scaled site plan after visiting the spot.

The relevant details in the *mahazar* or *panchnama* shall be marked and correlated in the said site plan.

3. Under PMR-212(a) Medical Examination of injured persons: *[In the reverse of Existing PM Form No. 41, a new column-7 is inserted under head "Body Sketch (both frontal and rear view) along with the print out and injuries if any, shall be indicated on such sketch]*
