



'CORRUPTION, A CRIME AGAINST NATION'

Vigilance & Anti-Corruption Bureau
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No.P - 01/2017

Executive Directive No.02/2017

Sub:- **Registration of FIR suo moto** – reg.

01. Based on a Surprise Check conducted in 2014, a Vigilance Case was registered u/s 13(1)(d)(i)(ii) r/w 13(2) of PC Act 1980 Section 408, 409, 477A of IPC on 15.01.2015 against the officials of PWD Road Section. The main allegation was that the accused dishonestly and fraudulently recorded measurements in M Book and did not use the required quality and quantity of materials thereby caused loss to the Government and corresponding gain to the accused.

02. On completion of investigation, the Investigating Officer came to a conclusion that the alleged irregularity in the execution of work are not substantiated in the investigation and recommended to drop further action.

03. On a scrutiny by the VACB Directorate, it was found that the Vigilance Case was registered when the Surprise Check prima facie did not reveal commission of offences under the PC Act and registration of FIR was premature. After the Surprise Check, a Preliminary Enquiry or Quick Verification should have been conducted before the registration of an FIR.

04. It is to be understood that more diligent and care should be taken while registering an FIR suo moto. There are a number of instructions from the Constitutional Courts, Government and Directorate relating of registration of FIRs. Once an FIR is registered even on some flimsy grounds, a lot of efforts go into the investigation and ultimately we close the case and all these efforts go to the drain.

05. Therefore, once again it is stressed that the officers of the level of Supdts. of Police must be careful and apply their mind while registering an FIR, that to suo moto.


Loknath Behera IPS
Director

To
All Unit Heads

Copy to : 1) ADGP-I & ADGP-II
2) SP (Int.) / IB Inspector
3) ADP (Vig) / LA / ALAs
3) Manager / AO / AA / SS / JS
4) CA to Director, ADGP-I & II, SP (Int.), ADP (Vig.) / CE