

The Orissa Gazette

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HOME DEPARTMENT

NOTIFICATION

The 28th December 2007

No. 60901-D & A.—In exercise of the powers conferred by Section 58(1)(a) of the Orissa Urban Police Act, 2003 (Orissa Act 8 of 2007), the State Government do hereby vest on the Police Commissioner of twin cities of Bhubaneswar and Cuttack to exercise and perform the powers and duties of a District Magistrate in respect of the provisions under Sections 106 to 124 of Chapter VIII and 129 to 148 of Chapter X of the Code of Criminal Procedure, 1973 within the limits of territorial jurisdiction of the Commissionerate.

2. Further in exercise of the powers conferred by Section 58(1)(b) of the Act the Additional Police Commissioner, Deputy Police Commissioners, Additional Deputy Police Commissioners and Assistant Police Commissioners of the Commissionerate of twin cities of Bhubaneswar and Cuttack are hereby authorized to exercise and perform the powers and duties of an Executive Magistrate in respect of the provisions of Sections 106 to 124 of Chapter VIII and 129 to 148 of Chapter X of the Code of Criminal Procedure, 1973.

3. The Deputy Police Commissioners of twin cities of Bhubaneswar and Cuttack shall exercise and perform the powers and duties of an Executive Magistrate in respect of Bhubaneswar and Cuttack Police Districts respectively under the provisions of the code as specified in Paragraph 1 above subject to the general control of the Police Commissioner. The magistracy powers shall not be delegated further.

4. The Additional Police Commissioner and the Deputy Police Commissioners, Bhubaneswar and Cuttack Police Districts shall in the exercise and performance of any powers and duties under Paragraphs 2 and 3 above be subject to the general control of the Police Commissioner in similar manner like the Additional District Magistrate and Executive Magistrates under the control of the District Magistrate.

5. The Commissioner or any other officer subordinate to him shall not be subject in the exercise and performance any powers and duties which he is empowered to exercise and perform as per this Notification to the control of the District Magistrate appointed under Section 20 of the Code of Criminal Procedure, 1973.

6. The provisions of this Notification shall have effect notwithstanding anything contained in the Code of Criminal Procedure, 1973.

7. The powers and duties of the Executive Magistrate and the District Magistrate in respect of the jurisdiction of the Commissionerate of twin cities of Bhubaneswar and Cuttack shall stand modified only to the extent of powers and duties assigned to the officers of the Commissionerate as per the provisions laid down in Section 34 of the Code of Criminal Procedure, 1973.

ORDER—Ordered that this Notification be published in the next extraordinary issue of the *Orissa Gazette* and copies thereof be forwarded to all Departments of Government and Heads of Departments/Accountant-General (A & E), Orissa, Bhubaneswar/Secretary, Orissa Public Service Commission, Cuttack.

By order of the Governor
TARUN KANTI MISHRA
Principal Secretary to Government