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**OFFICE OF THE DIRECTOR-CUM-D.G OF POLICE, VIGILANCE,  
ODISHA, CUTTACK.**

...  
**Circular Order No. 7/2011**

...

**Sub : *Prevention of tampering / manipulation of years of construction of Buildings in DA files (later converted to cases).***

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During house search of Suspect Officer, the following aspects need to be attended without fail.

- (a) The years of construction of the building(s) and various floors are to be recorded during interrogation separately for S.O and his / her spouse on day of house searches in D.A files to obviate any further tampering / manipulation at investigation stage. If doubt arises local verification from reliable persons including P.W.D, P.H.D, Electricity Department, year of permission of local Urban/ Planning Bodies etc. regarding connections given, should be done.
- (b) The details of foundation of the building being a concealed item, is to be verified from S.O on the very date of house search (in course of his interrogation). It is sometimes found that foundation is laid for multistoried building and pile foundations in black cotton soil which are costly. In recent past many buildings are having even foundation against earth quake.
- (c) The seizure of buildings is to be made during house search as per Circular Order No.6 of 2011. The photographs of important features of buildings shall be taken on the date of house search and help of Architect may be taken, if required. Not only costly gadgets, the arches and structural beautification is taken up with lots of cost and advise of very costly architecture and internal decorator are taken. Very costly paintings and artifacts, if found to be valued by expert.
- (d) The I.O / S.P shall have to explain against departmental action any deviation for any subsequent modification of year of construction / year of purchase of the buildings. Further, the area of addition and alteration towards the purchased house / flats has to be clearly mentioned in the requisition for technical inspection made by the I.Os.

- (e) The technical inspection report is to be disposed of within six months from date of inspection and the collection of documents from the technical wing is to be expedited. I.Os must collect all MBs, measurement sheets etc. definitely prior to submission of C.S., as per Circular Order No.5/2010. Xerox copy of all these documents be kept in Division and one copy sent to Vigilance Hqrs. for posterity.
- (f) We may utilize local experts in case of small roads and other petty works. But their reports be collected and their statement be recorded in case diary. This will relieve the Vigilance technical staff for big cases and building assessment on Disproportionate assets case.

This order is issued as a part of Preventive Vigilance for organizational strengthening. It is expected that with the cooperation of all investigating officers and technical staff, the system can be further strengthened with the valued ethics of State Vigilance. The Technical staff is requested to work harder to expedite year old pending cases in which Executive Engineer may take appropriate steps.

*A.K. Patnaik*  
- 10.10.2011

**(A.K.Patnaik, IPS)**  
**Director-cum-D.G of Police,**  
**Vigilance, Odisha, Cuttack.**

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OFFICE OF THE DIRECTOR-CUM- D.G. OF POLICE, VIGILANCE:  
ODISHA, CUTTACK.

**Circular Order No. 6 of 2011**

Sub: **Seizure and Zima of properties.**

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It has come to notice that in many instances properties/documents seized by the Vigilance Officers in course of searches/Investigation left with the S.Os, are being utilized otherwise by them and even disposed of during the period of enquiry/investigation. In view of decision of the Hon'ble Supreme Court, in State of Maharashtra -Vrs- Tapas D Neogy case (1999 CRLJ 4305) "Bank account" of accused or any of his relation is property within the meaning of section 102 Cr.P.C. and a police officer, in course of investigation, can seize or prohibit operation of said account if such assets have direct links with the commission of the offence for which the police officer is investigating into.

It is therefore, impressed upon all Vigilance Officers that, while conducting searches/investigation should make a detail list of relevant articles/documents seized, and in case the seized articles/documents are not possible for keeping in malkhana for retention/further investigation, **leave the same in the custody of the person from whom seized or any other person, by executing a bond/undertaking** to produce the properties/ documents before the Court/Investigating Officer (I.O.) as and when required and not to dispose of the same without the order of the competent Court. Keeping in view of the decision of Apex Court, the properties such as Bank accounts, deposits in all respects which are subject matter of commission of offence may

(2)

be seized or operation of such account be prohibited immediately. It should be strictly followed with immediate effect.

It is observed that I.Os are not seizing the building and other immovable property under section 102 Cr.P.C. This provision is abundantly clear that I.O. can seize “any property” in “any offence”. In such case bond/undertaking be taken while giving the property in “zima” to the accused officer not to add or alter the property or dispose off the property without valid orders of the Court. Further more, **the seizure of immovable property U/s. 102 Cr.P.C. may be intimated to the Sub-Registrar and the authority maintaining property records so that they are aware of the encumbered nature of property and do not effect any transfer of the property.**

In case of immovable properties, efforts should also be made to seize the ownership documents i.e. original R.O.R., Sale deed or power of attorney etc., as the case may be. Such papers and documents be kept as evidence and may not be released in zima ordinarily. If there is any legal orders or orders from superior authority, it be released under zimanama with undertaking that they will not add or tamper with them or dispose off in any circumstance and will produce them before Court when directed.

A.K. Patnaik  
.. 28.7.2011

**(A.K. Patnaik)**

Director-cum-D.G. of Police,  
Vigilance, Odisha, Cuttack.

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OFFICE OF THE DIRECTOR-CUM-D.G OF POLICE, VIGILANCE,  
ODISHA, CUTTACK.

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**Circular Order No. 5/2011**

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**Sub : E-mail Account.**

In order to expedite the dispatch and receipt of letters and other correspondences, and reduce the dependence on costly fax transmission, it has been decided to utilize modern innovation in Information Technology and introduce communication by email to meet the ever-growing communication requirement. Email communication is fast, reliable, convenient and widespread and is expected to meet the ever-growing communication requirement of Vigilance efficiently and economically. Email Accounts have been opened for the concerned Vigilance Officers. The aforesaid email services will be provided by National Informatics Centre, Bhubaneswar which is a designated agency of Department of Information Technology, Government of India.

All the routine and unclassified correspondence like progress reports, DR. Is, Court Diaries, etc. may now be sent by emails. Classified and secret correspondence will continue to be sent as before through normal channels. A list of email accounts with Login Id and email Id provided to officers of the State Vigilance are given in the Annexure-I. Internet connection is required for accessing the email accounts, and the concerned officers may obtain internet connection by Internet Service providers like BSNL or others. After the first login at the email account, the concerned officers should change the passwords given initially by NIC and assign their own secret passwords.

All officers may familiarize themselves regarding procedure for operation of email account. In order to maintain a record of e-mails sent through their respective e-mail accounts, it is advised that office copies of e-mails only signed by the concerned officer may be kept in a log file. It will be the responsibility of concerned officer to maintain the secrecy of the password of the email account and to ensure that his email account is not misused. It is expected that, all the email account holders will check their email account at least once a day preferably during the following hours (1) 10.00 AM to 10.30 AM (2) 1.00 PM to 1.30 PM (3) 4.30 PM to 5 PM.

Sd/-

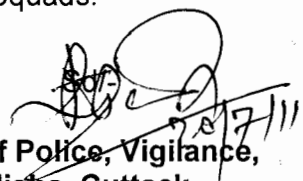
**Director-cum-D.G of Police,  
Vigilance, Odisha, Cuttack.**

Memo No. 7453 N.Co.(RA),

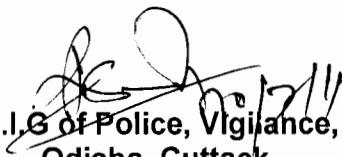
Dt. 20.7.11

Copy to Ss.P, Vigilance, all Divisions including Cell for information and necessary action. They are requested to circulate it among all the officers of their Division as well as Units and Squads under their jurisdiction. A copy of it be preserved in the guard file of the Division as well as Units and Squads.

Memo No. 7451 N.Co.(RA),

  
**A.I.G of Police, Vigilance,  
Odisha, Cuttack.**  
Dt. 20.7.11

Copy to Heads of all Sections / Cells / Wings of Vigilance Directorate, Cuttack for information and necessary action.

  
**A.I.G of Police, Vigilance,  
Odisha, Cuttack.**

**O.D** : Copy to P.A to Director, Vigilance / Sr. Stenos to I.G.P (N) / I.G.P (S) / I.G.P (Cell) / L.A (Vigilance) for information and necessary action.

## ANNEXURE-1

Sl No	Designation	Login ID	Email-Id
1.	DG,Vigilance	dirvig	dirvig@nic.in
2.	IG , Vigilance (N)	igpn.vig.or	igpn.vig.or@nic.in
3.	IG , Vigilance (S)	igps.vig.or	igps.vig.or@nic.in
4.	IG , Vigilance (Cell)	igpcell.vig.or	igpcell.vig.or@nic.in
5.	AIG, Vigilance	aigp.vig.or	aigp.vig.or@nic.in
6.	LA ,Vigilance	la.vig.or	la.vig.or@nic.in
7.	Addl.CCT,Vigilance	addlcct.vig.or	addlcct.vig.or@nic.in
8.	Supdt.Engineer,Vigilance	se.vig.or	se.vig.or@nic.in
9.	Executive Engineer, Vigilance	ee.vig.or	ee.vig.or@nic.in
10	Dy C.F Vigilance	dcf.vig.or	dcf.vig.or@nic.in
11	SP Co-Ordination	spcord.vig.or	spcord.vig.or@nic.in
12	Addl SP Coordination	addlspcord.vig.or	addlspcord.vig.or@nic.in
13	Dy .Director (Statistic), Vigilance	ddsta.vig.or	ddsta.vig.or@nic.in
14	System Analyst ,Vigilance	dspsa.vig.or	dspsa.vig.or@nic.in
15	ACCT ,Vigilance	acct.vig.or	acct.vig.or@nic.in
16	Dy SP Links (S), Vigilance	dsplinks.vig.or	dsplinks.vig.or@nic.in
17	Dy SP Links (N), Vigilance	dsplinkn.vig.or	dsplinkn.vig.or@nic.in
18	Dy SP, Prosecution ,Vigilance	dsppros.vig.or	dsppros.vig.or@nic.in
19	Dy SP,Co-ordination ,Vigilance	dspcord.vig.or	dspcord.vig.or@nic.in
20	Dy SP,Vigilance(Photo)	dspphoto.vig.or	dspphoto.vig.or@nic.in
21	Inspr.(Handwriting),Vigilance	geqd..vig.or	geqd.vig.or@nic.in
22	SP Cell	spcell.vig.or	spcell.vig.or@nic.in
23	Dy, SP Cell	dspcell.vig.or	dspcell.vig.or@nic.in
24	Spl.Cell , Secretariat ,BBSR	sectcell.vig.or	sectcell.vig.or@nic.in
25	SP, Cuttack ,Division	spctc.vig.or	spctc.vig.or@nic.in
26	Jajpur Unit	jjp.vig.or	jjp.vig.or@nic.in
27	Jagatsinghpur Unit	jsp.vig.or	jsp.vig.or@nic.in
28	Kendrapada Unit	kdp.vig.or	kdp.vig.or@nic.in
29	Angul Unit	ang.vig.or	ang.vig.or@nic.in
30	Dhenkanal Unit	dkl.vig.or	dkl.vig.or@nic.in
31	SP, Bhubaneswar Division	spbbsr.vig.or	spbbsr.vig.or@nic.in
32	Nayagarh Unit	ngr.vig.or	ngr.vig.or@nic.in

33	Puri Unit	pri.vig.or	pri.vig.or@nic.in
34	Khurda Squad	krd.vig.or	krd.vig.or@nic.in
35	SP Berhampur Division	spbpr.vig.or	spbpr.vig.or@nic.in
36	Phulbani Unit	plb.vig.or	plb.vig.or@nic.in
37	Paralakhemundi Unit	pkm.vig.or	pkm.vig.or@nic.in
38	Boudh Unit	bou.vig.or	bou.vig.or@nic.in
39	Chhatrapur Unit	cht.vig.or	cht.vig.or@nic.in
40	SP ,Baleswar Division	spbbs.vig.or	spbbs.vig.or@nic.in
41	Bhadrak Unit	bhc.vig.or	bhc.vig.or@nic.in
42	Baripada Unit	bpd.vig.or	bpd.vig.or@nic.in
43	Keonjhar Unit	knj.vig.or	knj.vig.or@nic.in
44	SP Sambalpur Division	spsbp.vig.or	spsbp.vig.or@nic.in
45	Jharsuguda Unit	jsg.vig.or	jsg.vig.or@nic.in
46	Sundergarh Unit	sng.vig.or	sng.vig.or@nic.in
47	Rourkela Unit	rkl.vig.or	rkl.vig.or@nic.in
48	Bargarh Unit	brg.vig.or	brg.vig.or@nic.in
49	Bolangir Unit	blg.vig.or	blg.vig.or@nic.in
50	Deogarh Unit	dgr.vig.or	dgr.vig.or@nic.in
51	Sunbarnapur Unit	snp.vig.or	snp.vig.or@nic.in
52	SP Koraput Division	spkpt.vig.or	spkpt.vig.or@nic.in
53	Koraput Unit	kpt.vig.or	kpt.vig.or@nic.in
54	Bhawanipatna Unit	bhpatna.vig.or	bhpatna.vig.or@nic.in
55	Rayagada Unit	rgda.vig.or	rgda.vig.or@nic.in
56	Nawarangpur Unit	ngp.vig.or	ngp.vig.or@nic.in
57	Malkangiri Unit	mlgiri.vig.or	mlgiri.vig.or@nic.in
58	Sr Standing Counsel Vigilance	ssc.vig.or	ssc.vig.or@nic.in
59	Standing Counsel Vigilance	sc.vig.or	sc.vig.or@nic.in
60	Addl Standing Counsel Vigilance	asc.vig.or	asc.vig.or@nic.in
61	Spl pp Vigilance Spl Court Cuttack	sppscctc.vig.or	sppscctc.vig.or@nic.in
62	Addl Spl pp Vigilance Spl Court Cuttack	adppacctc.vig.or	adppacctc.vig.or@nic.in
63	PP Vigilance Special Court BBSR	ppscbbsr.vig.or	ppscbbsr.vig.or@nic.in
64	PP Vigilance Special Court BBSR(Auth )	ppacbbsr.vig.or	ppacbbsr.vig.or@nic.in
65	PP Vigilance Special Judge , Cuttack	ppctc.vig.or	ppctc.vig.or@nic.in
66	Spl PP Vigilance Special Judge , Cuttack	sppctc.vig.or	sppctc.vig.or@nic.in



67	Asst PP Vigilance Special Judge , Cuttack	appctc.vig.or	appctc.vig.or@nic.in
68	PP Vigilance Special Judge , BBSR	ppbbsr.vig.or	ppbbsr.vig.or@nic.in
69	Spl PP Vigilance Special Judge ,BBSR	sppbbsr.vig.or	sppbbsr.vig.or@nic.in
70	Spl PP Vigilance Special Judge ,Koraput	sppkpt.vig.or	sppkpt.vig.or@nic.in
71	Spl PP , Bhawanipatna	sppbhpatna.vig.or	sppbhpatna.vig.or@nic.in
72	Spl PP Vigilance Special Judge ,Baleswar	sppbls.vig.or	sppbls.vig.or@nic.in
73	Addl Spl PP Vigilance Special Judge ,Baleswar	adppbls.vig.or	adppbls.vig.or@nic.in
74	Addl PP Vigilance Spl Judge Sambalpur	adppsbp.vig.or	adppsbp.vig.or@nic.in
75	Spl PP Vigilance Special Judge ,Sambalpur	sppsbp.vig.or	sppsbp.vig.or@nic.in
76	PP Vigilance Special Judge , Bolangir	ppblg.vig.or	ppblg.vig.or@nic.in
77	Addl Spl PP Vigilance Spl Judge Berhampur	adppbpr.vig.or	adppbpr.vig.or@nic.in

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**OFFICE OF THE DIRECTOR-CUM-D.G OF POLICE, VIGILANCE,  
ODISHA, CUTTACK.**

...  
**Circular Order No. 4/2011**  
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With reference to Department of Energy Order No.3995/En. Dated 26<sup>th</sup> May, 2011, it has been clarified that the employees of the Distribution Companies viz Central Electricity Supply Utility of Orissa (CESU), Western Electricity Supply Company of Orissa Ltd. (WESCO), North Eastern Electricity Supply Company of Orissa Ltd. (NESCO) and Southern Electricity Supply Company of Orissa Ltd. (SOUTHCO) would be treated as public servants within the purview of Prevention of Corruption Act, 1988 as defined under section 2(c) of the said Act since they are performing public duties, as defined in Section 2(b) of P.C.Act, 1988.

Copy of the Energy Department Order No.3995 dated the 26<sup>th</sup> May, 2011 is enclosed for reference and record.

*Handwritten signature*  
**Director-cum-D.G of Police,  
Vigilance, Odisha, Cuttack.**

Memo No. 6019 /V.Co.(RA),

Dt. 7.6.11

Copy to Ss.P, Vigilance, all Divisions including Cell for information and necessary action. They are requested to circulate it among officers of their Division as well as Units and Squads under their jurisdiction. A copy be preserved in the guard file of Division as well as Units and Squad.

*Handwritten signature*  
**A.I.G of Police, Vigilance,  
Odisha, Cuttack.**

Memo No. 6020 /V.Co.(RA),

Dt. 7.6.11

Copy to D.Ss.P, Vigilance, Link (S) / Link (N) / Prosecution Cell, Vigilance Directorate, Cuttack / Spl. P.Ps of all Courts for information and necessary action.

*Handwritten signature*  
**A.I.G of Police, Vigilance,  
Odisha, Cuttack.**

No 6021 / dt 7.6.11

**O.D** : Copy to P.A to Director, Vigilance / Sr. Stenos to I.G.P (N) / I.G.P (S) / I.G.P (Cell) / L.A, Vigilance / S.E, Vigilance, Vigilance Directorate, Cuttack for information and necessary action.

**OFFICE OF THE DIRECTOR-CUM- D.G. & I.G. OF POLICE, VIGILANCE  
ODISHA, CUTTACK.**

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**Circular Order No.3/2011**

**Sub: Monthly appraisal Report of P.Ps/Spl.P.Ps/Addl.P.Ps/Asst. Peps,  
working in Vigilance Organization (both cadre and contractual).**

It has come to notice that a number of Vigilance Cases are ending in acquittal due to inadequate monitoring of prosecution evidence during trial. However, we can achieve better result. by meticulous planning and systematizing the prosecution work. For this purpose, the P.Ps/Spl.P.Ps/Addl.P.Ps/A.P.Ps, conducting cases in different Vigilance Courts are required to play a very important and proactive role. Divisional Ss.P., are also required to pay personal attention to this matter and ensure that the rate of conviction improves substantially in the coming days.

In this connection, it has been decided to introduce the performance appraisal system for the P.Ps/Spl.P.Ps/ Addl. P.Ps/Asst.P.Ps (both cadre and contractual) working in Vigilance Origination. The prosecutors working in the Vigilance Organization will henceforth submit their monthly appraisal report to the Divisional Ss.P. in the prescribed format and Divisional Ss.P. will forward the same to the Directorate with their remarks/views by 5<sup>th</sup> of the succeeding month. P.Ps/Spl.P.Ps/Addl.P.Ps attached to the Spl.Courts established under the Orissa Spl. Courts Act, 2006 will submit their P.A.Rs. to A.I.G. of Police, Vigilance accordingly.

  
(A.K. Patnaik)

Director-cum-D.G.& I.G. of Police,  
Vigilance, Odisha, Cuttack.

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**Monthly appraisal Report of P.Ps/ Addl. P.Ps/Asst. P.Ps of  
Vigilance Organization (both cadre & Contractual)**

1. Name of the Public Prosecutor :
2. Name of the Court to which attached :
3. Number of cases conducted & Nos of witnesses examined/cross examined during the month :
4. Cases disposed of in the Court during the month Convicted/Acquitted Abated /Total
5. No. of attachment applications filed during the month/Court in which filed :
6. No. of appearance in attachment proceeding/ Progress name of the Courts :
7. No. of cases in which attachment orders passed in the Court :
8. No. of Legal Scrutiny Reports issued during the month indicating pendency at the month end :
9. Any other important assignment executed during the month :
10. Difficulties like non-attendance of important witnesses etc, or significant development in the case likely to have bearing in the case and corrective measures taken :
11. Remarks/views of S.P. Vigilance on aptitude towards Vigilance work and specific views on integrity :

OFFICE OF THE DIRECTOR-CUM-D.G. & I.G. OF POLICE, VIGILANCE,  
ODISHA, CUTTACK.

Vigilance Circular Order No. 2/2011

Sub: Instruction on Technical Inspection Report-Regarding.

In order to lessen the burden of Vigilance Technical Wing attached to Directorate and to speed up Technical Inspection Report the limit fixed for local Technical Inspection vide Vigilance Circular No.4/05 has been enhanced to ₹5.00 lakhs instead of ₹1.00 lakh.


It is observed that the local Engineers are not conversant with the procedure adopted by the Engineers of Vigilance Technical Wing while conducting Technical Inspection. Therefore it is ordered that the E.Os/ I.Os are to follow the guide line adopted by Vigilance Technical Wing while taking help of local Engineers such as.

- i. A joint memorandum is to be prepared with the suspect officer at the time of local inspection.
- ii. The quantity measured by the department is to be compared with measurement taken by local engineers in presence of suspect officers.
- iii. The Technical Inspection Report should be conclusive and complete in all respect covering the findings in definite terms.
- iv. Local Engineers may adopt a 'Technical Inspection Report' format of Vigilance Technical Wing as a model.

Clarification sought for by the E.O./I.O. on technical matters, should come through S.P. after proper processing.

Technical Inspection Programme should not be deferred by the E.O./I.O. without pressing reasons and approval of S.P. Such deferral should be under intimation to concerned I.G.

The circular supercedes the Vigilance Circular No.4/05

  
Director-cum-D.G.& I.G. of Police,  
Vigilance, Odisha, Cuttack.

## Amendment of Circular Order No.2/1995

**Sub : Submission of Monthly Progress Report in Vigilance Cases.**

In view of current workload of offices in Units and to save effective working mandays for IOs, aforesaid Circular is partially amended. Henceforth, Ss.P shall not call all IOs every month to Division Office for preparation of Progress Reports. Ss.P may collect the same by fax / email / post or visit Unit Offices regularly to review and monitor progress of investigation of P.I. Cases and file enquiries. However, P.Rs shall be submitted regularly every month to S.P. Office. Ss.P of Divisions shall submit P.Rs every quarter to Directorate much before Director's Quarterly Review Meeting.


AK/...  
12-10-11

**Director-cum-D.G. & I.G.of Police,  
Vigilance, Odisha, Cuttack.**

Memo No. 7673(7)/Co(RA)

Dt. 13-X-11

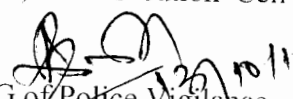
Copy to Ss.P Vigilance, all Divisions including Cell for information and necessary action. They are requested to circulate it among all officers under their jurisdiction including Units/Squads and preserve a copy of it in the Guard file of Division as well as Units/Squads.

  
A.I.G of Police Vigilance,  
Odisha, Cuttack.

Memo No. 7674(4)/Co(RA)

Dt. 13-X-11

Copy to D.Ss.P Vigilance, Link(S) / Link (N) / Prosecution Cell & Coordination for information and necessary action.

  
A.I.G of Police Vigilance,  
Odisha, Cuttack.

OD: NO. 7675(5) dt. 13-X-11

Copy to P.A to Director Vigilance/Sr.Stenos to I.G.P(N)/I.G.P(S)/I.G.P(C)/ L.A Vigilance for information and necessary action. They are requested to put up the circular before I.G.P Vigilance.

o/c

**OFFICE OF THE DIRECTOR-CUM- D.G. & I.G. OF POLICE,  
VIGILANCE, ODISHA, CUTTACK.**

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**Circular order No. 1 of 2011**

Section 18 of the Prevention of Corruption Act, 1988 empowers the Investigating Officer of Vigilance Organization to either inspect the Banker's Book or obtain ledger copies, account statement etc., in course of investigation.

Eventhough, certified ledger copies/computerized account statements are admissible in evidence, the same are required to be proved during trial by the bank officer concerned who has furnished the said documents. Instances have come to notice that in many of our cases pending trial in different Vigilance Courts, though summons are being issued to the bank officers, it is becoming difficult on the part of the prosecution to procure their attendance due to either transfer or retirement of the officers concerned or non-availability of their present residential address.

In this connection, it is worthwhile to follow the provisions contained U/s. 2-A of the Banker's Books Evidence Act, 1891. The said provision clearly lays down the following conditions for preparing print out of Bank documents which are required to be furnished by the Bank authorities for the purpose of investigation.

**Sec. 2A. Conditions in the printout**

A printout of entry or a copy of printout referred to in sub-section (8) of Section 2 of the Act shall be accompanied by the following, namely :-

- (a) A certificate to the effect that it is a printout of such entry or a copy of such printout by the Principal account branch manager; and
- (b) A certificate by a person in-charge or computer system containing a brief description of the computer system and the particulars of :-
  - (A) The safeguards adopted by the system to ensure that data is entered or any other operation performed only by authorized persons ;
  - (B) The safeguards adopted to prevent and detect unauthorized change of data ;

- (C) The safeguards available to retrieve data that is lost due to systemic failure or any other reasons ;
- (D) The manner in which data is transferred from the system to removable medias like floppies, discs, tapes or other electromagnetic data storage devices;
- (E) The mode of verification in order to ensure that data has been accurately transferred to such removable media ;
- (F) The mode of identification of such data storage devices ;
- (G) The arrangements for the storage and custody of such storage devices ;
- (H) The safeguards to prevent and detect any tampering with the system; and
- (I) Any other factors, which will vouch for the integrity and accuracy of the system.

(c) A further certificate from the person in-charge of the computer system to the effect that to the best of his knowledge and belief, such computer system operated properly at the material time, he was provided with all the relevant data and the printout in question represents correctly, or is appropriately derived from, the relevant data.

In view of the above, a certificate U/s. 2-A of the Banker's Books Evidence Act, 1891 is to be obtained from appropriate Bank authorities while obtaining copies of Bank documents for the purpose of investigation. The same is to be exhibited in the trial Court alongwith the Bank documents. A sample format prepared for this purpose is enclosed. This will not only expedite the process of trial but also be helpful to the Bank authorities, since examination of the officer concerned furnishing such documents may not be necessary during trial. The Investigating Officers should be suitably instructed to act upon this provision scrupulously.

*A.K. Patnaik*  
*2-4-11*

**(A.K.Patnaik)**

Director-cum-D.G. & I.G. of Police,  
Vigilance, Orissa, Cuttack.



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**CERTIFICATE U/s. 2A OF BANKER'S BOOK OF EVIDENCE ACT,1891**

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It is certified that the Statement of Account No. \_\_\_\_\_ in the name of \_\_\_\_\_ for the period \_\_\_\_\_ is a true extract in printed form of the relevant data created in the usual and ordinary course of business and stored on the Hard Disk of the Computer Systems installed at Branch of the Bank.

It is further certified that the access to the Computer System and the data stored thereon is controlled by pre-defined user permissions exercised through unique, user-id and associated pass words;

That physical access to the computer/Service room is prevented by locking the server room and the branch after office hours. Detection of any unauthorized changes in the data after day-end before day-begin activity is carried through procedures which are built in to the application programme. Unauthorized changes in the data during regular working hours are prevented/detected through verification of outputs with authorized inputs ;

That in case of system failure the data is retrieved from the back-up kept on tape/floppy/cartridge/hard disc, which is under the control of System Administrator/designated employee of the branch ;

That back-up is verified by the system during the process of transfer of data to back-up-media;

That physicals and logical levels identify the data storage devices;

That back-up devices and media are kept under lock and key which are in the custody of a designated staff member ; and

That physical and logical access controls are in place as safe guards against tampering of the systems.

It is further certified that to the best of our knowledge and belief, the computer system that generated and stored this information operated properly at the time of such generation/ storage of the data and the print out represents correctly the relevant data.

System Administrator  
(Short initials with  
Full name and date

Branch Manager,  
Short initials with  
Full name and date.