

## II. THE POWERS AND DUTIES OF OFFICERS AND EMPLOYEES:-

The powers and duties of officers/employees of Himachal Pradesh Police can be classified into the following main categories :-

- A. Statutory Powers /Duties as a Police Officer
- B. Financial Powers
- C. Disciplinary Powers
- D. Special Administrative Powers

Each of these categories is detailed below:-

### A. Statutory Powers /Duties as a Police Officer:

Under Section 23 of the Police Act, 1861, the powers of police officers are delineated as below:-

*It shall be the duty of every police officer promptly to obey & execute all orders & warrants lawfully issued to him by any competent authority :-*

- a. *To collect & communicate Intelligence affecting the public peace.*
- b. *To prevent the commission of offences & public nuisances*
- c. *To detect & to bring offenders to justice & to apprehend all persons whom he is legally authorized to apprehend & for whose apprehension sufficient grounds exist.*

*It shall be lawful for a Police officer, for any of the purpose mentioned in this section without a warrant, to enter & inspect any drinking shop, gambling house or other place of resort of loose & disorderly characters.*

Main powers/ duties of a police officer under various sections of Cr.P.C. are as below:-

Section 36	Powers of superior Officers of Police.
Section 41	When Police may arrest without Warrant
Section 42	Arrest on refusal to give name & residence
Section 46	Procedure of Arrest
Section 47	Power of Police officer to search of a Place entered by a person sought to be arrested.
Section 50	Arrested person must be informed the grounds of Arrest & right to bail.
Section 51	Search of Arrested Person

Section 52	Power to seize Offensive weapon.
Section 53	Examination of accused by medical Practitioner at the request of Police.
Section 55	Procedure when Police Officer deposes his subordinate to arrest without Warrant
Section 57	Arrested person not to be detained more than 24 hours
Section 58	Police to report apprehensions
Sec 61-90	Processes to compel appearance
Sec 91-105	Processes to compel the production of things
Section 100	Procedure of search of closed place.
Section 102	Powers of Police Officer to see certain Properties
Sec.106-124	Security for keeping the peace and for good behaviour. Powers of Police officers to arrest the person for prevention of Crime
Sec 149-153	Preventive action of the Police.
Sec 154	Registration of FIR on disclosure of cognizable offence.
Sec 160	Police officer's Power to require the attendance of Witnesses
Sec 165-166	Search by Police Officer
Sec 172-174	Procedure of Investigation

**B. Financial powers: -**

- i) Financial powers delegated by the Govt. of Himachal Pradesh vide their letter No. Fin.I.C(14)1/83 dated 6.9.95.
- ii) Financial powers delegated by the Govt. of Himachal Pradesh vide their letter No. Fin.1.C(14)1/83 dated 6.0.95, and further re-delegated to the Controlling Officers and to the Head of Police Offices in H.P.
- iii) Financial powers delegated by the H.P. Govt. vide their letter No. Fin-C(14)1/83 dated 6.9.95, further re-delegated to the Distts. Supdts. Of Police.
- iv) Financial Powers delegated by the Govt. of Himachal Pradesh vide their letter No. Fin.I-C(14)1/83 dated 6.0.06, further re-delegated to the Addl. Director General of Police CID, H.P. Shimla-9.

v) **TRAVEL EXPENSES:**

Journey performed out side the State but in Govt. vehicle. Full powers.

1. **OFFICE EXPENSES:**

- |      |   |                               |
|------|---|-------------------------------|
| i)   | Replacement of furniture subject to the to condemnation of old furniture Procedure & Replacement as per approved Norms. | Up to Rs. 75,000/- each case. |
| ii)  | To sanction office expenditure for purchase of machines and equipment. as per condition lay down by CP&S Deptt.         | Up to Rs. 15,000/-            |
| iii) | To sanction expenditure for payment of telephone bills.   | Upto Rs. 25,000/-             |
| iv)  | To sanction expenditure for stationery other than that received from CP&S.  | Upto Rs. 15,000/-             |
| v)   | To sanction expenditure for printing other than that done CP&S.   | Upto Rs. 10,000/-             |

2. **OTHER CHARGES.**

To sanction expenditure not classified under any of the S.O.Es. in the letter of H.P. Govt. quoted above, the powers in each such cases. Upto Rs. 7,500/-

3. **MACHINRY EQUIPMENT:**

To sanction expenditure for purchase from Approved sources & rates duly approved by Govt. through COS/H.P. and DGS&D and any Specific order in this regard. Upto Rs. 75,000/-

vi. Financial powers delegated to the Head of Offices and Controlling Officers vide Sr. No. (iv) of Office Expenses' are hereby modified as under:-

Nature of power.	Authority to which The power is re- Delegated.	Extent of power delegated.
(1)	(2)	(3)
To sanction Head of Offices. Telephone bills.	Controlling Officer.	Upto Rs. 4,000/- Upto Rs. expenditure or 2,4000/-  To pay a fixed monthly payment for the telephone bills for the residential phone in view of H.P. Govt. letter No. Fin-1(c) 14-1/92-14.1-

1000 and payment of  
telephone bills in the offices.

- vii) Financial powers delegated by the Govt. of Himachal Pradesh vide their letter No. Fin.I.C(14)1/83 dated 6.9.95, the Commandant IInd I.R.B., delegated the following financial powers upto 30.4.2001:-
- viii). Financial powers re-delegated to the Controlling officers and Heads of offices vide Sr. No.2 in SOE "Office Expenses" are hereby revised . This order supersedes the earlier order No. P-I(I)96-9077-B dated 7.3.2000 regarding delegation of powers to sanction expenditure for telephone bills. The other conditions laid down in this office order No. P-I(I)FP/96-49344 dated 20.9.96 will remain unchanged.

**C. Disciplinary powers:-**

Disciplinary power of all ranks of HP Police are mentioned vide PPR para 16.1, as applicable for HP Police.

**D. SPECIAL ADMINISTRATIVE POWERS:-**

S.No	DGP	HPPR	Power to dispense with minimum
a)		HPPR 13.21	Power to relax any of the provisions of Chapter XIII of Police Rule governing promotions with respect of any class or category of persons.
b)	Range DIGs,	HPPR 13.8	Promotion to the rank of Head constable from amongst selection grade constable who have not passed the Lower School Course but are otherwise considered suitable.
		HPPR 13.9	Power to ignore seniority of Head constables on list-D for promotion to the rank of ASI.
c)	SPs/ Commandants/	HPPR 12.21	Discharge of inefficient