

Guidelines to Anti Corruption Branch Police Station

Government of West Bengal
Personnel & Administrative Reforms Department
Writers' Buildings, Kolkata – 700 001

No. Vig. 283(SPAR) /2012, Date: 22.11.2012.

ORDER

WHEREAS the Governor has been pleased to establish a Police Station namely [Anti Corruption Branch Police Station](#) vide Home Department Notification No. 2208 PS Cell, dated, November 14, 2012 (hereinafter referred to as said Notification);

AND WHEREAS the Governor has also been pleased to extend the jurisdiction of the said Police Station throughout the State of West Bengal;

NOW, THEREFORE, the Governor is pleased to state that

1. It is stipulated that the said Police Station will carry out investigation of those cases only which is to be assigned to them by the state Government in P & AR Department.
2. A Preliminary Enquiry shall be undertaken by the said Police Station of the assigned cases;
3. On completion of Preliminary Enquiry by the said Police Station, a comprehensive report of the Preliminary Enquiry undertaken, together with the documents substantiating the Preliminary Enquiry report, shall mandatorily be sent to the State Government in the P & AR Department for further scrutiny;
4. P & AR Department would send the Preliminary Enquiry Report with documents to the concerned department for obtaining their views, if any. The department concerned must send their views within one month of receipt of the report, otherwise it would be presumed that they have no comment thereon;
5. The State Government, if satisfied that there is a prima facie case of criminal misconduct found against the alleged accused persons, may issue necessary directions, to initiate action as per law;

During the course of Preliminary Enquiry, pertaining to the abuse of official position by a public servant in the matter of business/ commercial decision, the important difference between a business risk and a malafide conduct should be kept in mind with a view to ensuring that while corrupt public servants are suitably dealt with, bonafide business and/or commercial decisions taken by public servants in dis-charge of their official duties, are not questioned;

7. The above provision shall also be applicable to a retired public servant subject to provision of any other law in force for the time being;

Note: In cases where the State Vigilance Commission recommends lodging of Criminal cases, the State Government may refer such cases to the Anti Corruption Police Station after examination.

Sd/- Chief Secretary to the Govt. of West Bengal

No. Vig. 283 dated 22.11.2012