1. **OBJECT**

The purpose of the Economic Offences Wing (EOW) is to prevent, detect and investigate cases of Economic, Cyber and Intellectual Property related crimes to ensure prompt justice and desired relief to the victims and to become the benchmark for other units in Chandigarh Police in investigation of such cases. The Economic Offences Wing will deal with important cases concerning multi-level-marketing frauds, share market frauds, multi-victim frauds, foreign trade related frauds, land and building rackets, offences of forgery, cheating by individuals and Non-Banking Financial Companies, cyber crimes, offences related to Intellectual Property Rights and such like cases.

2. Section 415 of the Indian Penal Code deals with cheating. To hold a person guilty of cheating as defined under Section 415 of the Indian Penal Code, it is necessary to show that he has fraudulent or dishonest intention at the time of making the promise with an intention to retain the property. In other words, Section 415 of the Indian penal Code with defines cheating, requires deception of any person (a) inducing that person to: (i) to deliver any property to any person, or (ii) to consent that any person shall retain any property OR (b) intentionally induing that person to do or omit to do anything which he would not do or omit if he were not so deceived and which act or omission caused or is likely to cause damage or harm to that person in body mind, reputation or property.

3. There is a very fine difference between a matter of civil nature and cases failing under criminal breach of trust, misappropriation and cheating. There is thus a need for exercising greater caution and care before initiating action under the criminal law by way of registration of criminal case. It is not uncommon for individuals to make efforts to get matters of civil nature registered as criminal offences by twisting and tweaking the facts or even by misrepresentation which could lead to considerable anguish and trouble for the accused party. We must be careful while enquiring into such matters. Both parties must be carefully examined and the facts and circumstances brought on record so that a clear picture emerges. However, there would be some instances where there would be no doubt in cheating have taken place
and in such cases it may be essential that the police need to act with alacrity and haste so that the accused party does not flee/go underground or dispose off the ill-acquired wealth.

4. Since the EOW has very limited staff and resources, such cases shall normally be investigated by the Local Police Station. However, any complaint involving cheating, embezzlement, misappropriation, forgery of Rs. 50 Lacs or more or gang cases having interstate ramification cases can be investigated at EOW. All such complaints shall be enquired into or investigated by EOW only when the orders have been obtained from the concerned SSP/DIGP, Chandigarh and with due approval of IGP/Chandigarh. In case a complaint has to be sent to EOW by the Police Station, it will be routed through concerned SSP/Chandigarh. In certain cases, where the complainants express their dissatisfaction with the investigation conducted by the local police, SSP/Chandigarh could transfer such cases to crime branch after the approval of IGP/Chandigarh rather than rush to transfer the cases to EOW. Cases should be transferred to EOW sparingly and not in a routine manner. Besides this, Inspector General of Police can entrust any complaint/case to EOW or any other Police Station/Investigation agency.

5. INVESTIGATION

I. The EOW shall enquire into and investigate the Economic Offences mentioned above. Any complaint received by the wing directly or through senior officers shall be inquired into if prima-facie a cognizable offence is not made out and if, after enquiry, the cognizable offences is found to have been made out, formal orders of the SSP shall be obtained for registration of case under respective Police Station and the investigation shall be carried out by the officer of the EOW. In case on the complaint received, prima facie, a cognizable offence is found to have been made out, formal orders of the SSP shall be obtained for registration of a case directly in the respective Police Station and investigation shall be carried out by the officer of EOW if amount is more than 50 Lacs. This should be brought to the notice of IGP by the concerned SSP without any delay.

II. In case, after the enquiry no cognizable offences is made out, a report shall be sent to the SSP for final orders and disposal. IGP should be kept informed.

III. If after the investigation of the case by EOW Cell/Police Station, IO comes to conclusion that the case is to be sent as untraced or be
cancelled, it should be brought to the notice of IGP and file submitted before sending it to court.

IV. After registration of case, DSP/EOW/SDPO should scrutinize the FIR and decided whether the case is of:
   a) A localized nature.
   b) A simple case with no wide ramifications.
   c) A case involving professional skill or that inter-state or international cheats are involved or is a case having wider interstate ramifications.

   If the DSP/EOW/SDPO consider that the case does not fall under category (a) & (b) but falls under category (c), he will direct the SHO/IO of EOW to prepare a detailed report and sent the same to IGP/UT/Chandigarh through SSP.

V. A monthly report about the progress of the cases under investigation and pending complaints shall be sent by the Inspector/Incharge to the SSP through DSP/EOW. This report will be put up to the IGP.

6. SHARING & DISSEMINATION

   EOW shall share their experiences with officers of other units in the Chandigarh Police as an endeavour to raise the standards of investigation related to such crimes. EOW will provide prompt technical assistance to other units involving complex transactions. EOW will maintain database of economic offenders of Chandigarh and the various modus operandi adopted by them and pursue case till their logical end.

7. STRENGTH

   Economic offences Wing will be provided staff for its smooth functioning as per work load.

8. HEAD QUARTERS

   The Headquarters of the unit shall be Economic Offences Wing, UT, Home Guards Building, Sector-17, Chandigarh.

9. RECORD/REGISTERS

   The following record/registers shall be maintained by this wing:

I. DAILY DIARY

   A daily dairy register shall be maintained in form 22.48(1) in duplicate by carbon copy process. The staff while taking over duties will sign
the entries made in the daily dairy regarding the same. The daily dairy shall be a complete record of all important proceedings and duties and movements of the personnel of Economic Offences Wing. All entries regarding arrests of the accused and information, regarding arrest given to relatives, control room and senior officers as per various guidelines issued by the police Headquarters shall be duly entered in the daily dairy. The Inspector- Incharge will ensure that correct entries are made in the daily dairy and it is neatly maintained. The carbon copy shall be submitted to the DSP- Incharge of the unit, after it is closed for the day for his information and further action

II. **STANDING ORDER FILE**

A file shall be maintained in which orders and instructions received from senior officers shall be filed.

III. **DESPATCH AND RECEIPT REGISTER**

A register in the prescribed form for police station Register No. 5 shall be maintained for the entry of dispatch and receipt of all kinds of order, complaints and miscellaneous dak etc.

IV. **REGISTER NO. 16**

A register in the form No. 16.5(1) shall be maintained regarding the Govt. property issued for use at the Headquarters i.e. furniture, fans, bulbs, tube lights etc.

V. **DAK BOOK**

A dak book shall be maintained which shall contain entries about the dak dispatched from the unit. The signature of the person receiving the dak shall be obtained on the dak book.

VI. **MISCELEANEOUS FILES**

All miscellaneous paper shall be filed in the miscellaneous file maintained in the unit.

10. **VEHICAL**

MTO shall provide vehicles with driver for official duties for effective functioning of the wing.

11. **ARMS AND AMMUNTION**
Arms and ammunition, as and when required by the staff for official duties, shall be drawn from Police Station Sec-17 and shall be deposited back after the duty is over.

12. **LOCK UP:**

   The lock up of the Police Station sector-17 shall be used by EOW.

13. **INTEGRITY & COMMITMENT**

   EOW will endeavor to achieve all the above objectives with integrity and commitment, in keeping with the highest traditions & values of the Chandigarh Police.

14. **SUPERVISION**

   The Economic Offences Wing shall function under the supervision of a DSP, who shall report to DIG/Chandigarh or any other officer deputed by the IGP/Chandigarh and ensures that Economic Offence Wing works towards the objective of investigation and detection of organized white- collar crime.

   This standing order supersedes the previous standing orders issued in this regard.

(Tajender Singh Luthra, IPS)

Inspector General of Police,

UT, Chandigarh.

No. 605-650 /UT/E-6, dated Chandigarh the: 02/02/2017

A copy is forwarded to the following for information and necessary action:-

1. DIGP/UT.
2. SSP/Chandigarh.
4. SP/City.
5. SP/Communication
6. All DSPs.
7. All SHOs/Inspector I/C Units.

[Signature]

For information & uploading on website