

THE UTTAR PRADESH VIGILANCE ESTABLISHMENT ACT 1965
(U.P. Act No, VII of 1965)
(Authoritative English text of the Uttar Pradesh Satarkata Adhistan
Adhiniyam 1965)

To make provision for the constitution, superintendence and administration of the Uttar Pradesh Vigilance Establishment as a special police force.

IT IS HEREBY ENACTED IN THE SIXTEENTH Year of the Republic of India as follows:

(1) Short title and extent-(1) This Act may be called the Uttar Pradesh vigilance Establishment Act 1965.

(2) It extends to the whole of Uttar Pradesh.

2 (1) Constitution and powers of the Vigilance Establishment : (1) Notwithstanding anything in the police Act 1861, the State Government may constitute a special police force to be called the Uttar Pradesh Vigilance Establishment for the investigation of offences notified under the section 3.

(2) Subject to any orders which the State Government may make in this behalf members of the said establishment shall have, in relation to the investigation of such offences and arrest of persons concerned in such offences, all the powers , duties, privileges and liabilities which police officers holding corresponding ranks in the ordinary police force of the State have in connection with investigation of offences and shall for purpose of conferment of powers under any law for the time being in force be deemed to be police officers holding corresponding ranks in the ordinary police force of the State.

(3) Any member of the said establishment of or above the rank of Sub Inspector may, subject to any orders which the state Government may make in this behalf , exercise, in discharging his functions under sub section(2), any of the powers of the officer in charge of police station in the area in which he is for the time being and when so exercising such powers shall, subject to any such orders as aforesaid, be deemed to be an officer-in- charge of a police station discharging the functions of such an officer within the limits of his station.

3. Offences to be investigated by the Vigilance Establishment. The State Government may by notification in the Gazette, specify the offence or

classes of offences which are to be investigated by the Uttar Pradesh Vigilance Establishment .

4. Superintendence and administration of the Vigilance Establishment.

(1) The superintendence of the Uttar Pradesh Vigilance Establishment shall vest in the State Government.

(2) The administration of the said establishment shall vest in an officer to be called the Director of Vigilance , appointed in this behalf by the state Government, who shall exercise, in respect of that establishment , such of the powers exercisable by the Inspector. General of Police in respect of the ordinary police force of the State as the State Government may specify in this behalf.

(3) Save as otherwise provided in this Act the provisions of the Police Act, 1861 and of the rules and regulations made thereunder as they apply in relation to members of the ordinary police force of the State shall apply in relation to members of the said establishment , subject to such adaptations, whether by way of modification , addition or omission as may be required for the purposes of the Act.

5. Repeal and saving –

(1) The Uttar Pradesh Vigilance Establishment Ordinance ,1965, is hereby repealed.

(2) Notwithstanding such repeal , anything done or any action taken under the said ordinance shall be deemed to have been done or taken under this Act, as if this Act had commenced on the fifth day of January 1965.

No. 592/XXXIX-VGL-1965, dated February 12, 1965

Dated Lucknow, February 12, 1965

NOTIFICATION

In exercise of the powers conferred by section 3 of the U.P. Vigilance Establishment Ordinance, 1965(U.P. Ordinance no. 1 of 1965), Governor of Uttar Pradesh is pleased to specify the following to be the offences and classes of offences which may be investigated by the Uttar Pradesh Vigilance Establishment namely:

(a) Offences punishable under sections 161, 162, 163, 164, 165, 165-A, 166, 167, 168, 169, 182, 193, 197, 198, 201, 204, 211, 218, 379, 380, 381, 384, 385, 386, 387, 388, 389, 403, 406, 407, 408, 409, 411, 412, 413, 414, 417, 418, 419, 420, 465, 466, 467, 468, 471, 472, 473, 474, 475, 476, 477, 477-A of the Indian Penal Code 1860 (Act XLV of 1860)

(b) Offences punishable under the Prevention of Corruption Act 1947(Act of 1947)

(c) Offences punishable under the Indian official Secrets Act 1923 (XIX of 1923)

(d) Offences punishable under section 7 and 8 of the Essential Commodities Act, 1955(Act x of 1955) and conspiracies in relation thereto or in connection therewith.

(e) Offences punishable under section 24(1)(iii) of the Industries (Development and Regulation) Act, 1951(LXV of 1951) and conspiracies in relation thereto or in connection therewith.

(f) Attempts, abetments and conspiracies in relation to or in connection with the offences mentioned in clauses(a) to (c) and any other offences committed in the course of the same transaction or arising out of the same facts.

By order
B.L. Chak,
Secretary.

No.2614/39 (2)-217-64

October 3,1975

In exercise of the powers conferred by section 3 of the U.P. Vigilance Establishment Act. 1965(U.P. Act no . VII of 1965), the Governor is pleased to specify the following also to be an offence and class of offence which may be investigated by the Uttar Pradesh Vigilance Establishment in addition to those already specified in notification no. 592/39-VGL-65 dated February 12, 1965:

An offences punishable under section 342 of the Indian Penal Code.

By Order,
B.J.KHODAIJI
Secretary

No. 1796/XXXXIX-VGL_100-65

Dated Lucknow, September 16, 1965

In exercise of the powers under the first proviso to sub-section(1) of section 5-A of the Prevention of Corruption Act, 1947 (Act no, 2 of 1947) as amended by the anti-corruption Act, 1947 (Act no, 2 of 1947) as amended by the Anti-Corruption Laws (Amendment) Act, 1964(Act no. 40 of 1964), the Governor of Uttar Pradesh is pleased to authorise the police officers in the U.P. Vigilance Establishment not below the rank of Inspector of Police to investigate any offense punishable under section 161, section 165 or section 165-A of the Indian Penal Code or under section 5 of the Prevention of Corruption Act, 1947, without the order of a Magistrate of the first class:

Provided that an offence referred to in clause(e)of sub- section (1) of section 5 of the Prevention of Corruption Act, 1947, as amended by the Anti Corruption Laws (Amendment)Act, 1964, shall not be investigated without the order of a police officer not below the rank of a Superintendent of Police.

By order
B.P.Joshi,
Commissioner and secretary

English translation of satarkata Anubhag-4, Noti, No. 3176?XXXIX-4-95-44(33)-81, dated October 9, 1995, published in the U.P. Gazette, Extra. Part 4, Section (Kha), dated 9th October, 1995,p.2 [AP 2804]

In exercise of the powers under the first proviso to Section 17 of the **Prevention of Corruption Act, 1988** (Act No. 49 of 1988), read with Section 21 of the General Clauses Act, 1897(Act No. 10 of 1897) and in supersession of Government Notification No. 2565/XXXXIX-4-93-44(33)-81, dated October 14 , 1993, the Governor is pleased to authorise Inspectors of Police in the Uttar Pradesh Vigilance Establishment for the purposes of Section 17 the said Act of 1988

No. 2598/XXXIX (2)-33(10-3)-76

Dated Lucknow, August 16, 1976

UPA -7/65-order-76(Fifth)- In exercise of the powers conferred by Sub-**sections (2)** and (3) of section 2 of the U.P. Vigilance Establishment Act 1965, (U.P. Act no. VII of 1965) and in partial modification of the previous orders on the subject , the Governor is pleased to order that henceforth the members of the U.P. Vigilance Establishment shall not be required to obtain prior orders of Government for laying trap and apprehending red –handed a non-gazetted Government Servant or other Public Servant of Similar rank against whom complaint is made in writing to the Establishment that he has demanded or agreed to accept any gratification (other than legal remuneration) as a motive or reward such as is mention in section 161 of the Indian panel code.

2- The Governor is further pleased to order that action as in paragraph 1 above shall be taken on the prior orders.

(a) of the Director of Vigilance, and in his absence of the Superintendent of Police (Headquarters), Vigilance Establishment when a complaint is received at the headquarters of Establishment.

(b) of the Superintendent of Police in charge of the sector office of the Vigilance Establishment, and in his absence of the officer holding charge of the sector, when the complaint is received in sector office.

3- The Governor is also pleased to order that the Vigilance Establishment shall submit to Government in the Vigilance department report progress of investigation and on the completion of the investigation shall submit its detailed report embodying its conclusions and recommendations and copy of proposed charge-sheet, if prosecution is recommended.

By Order,
B.J.KHODAIJI
Secretary

No. 4294/XXXIX (2)-33(10-3)-76

Dated Lucknow, September 3, 1977

Notification

In exercise of the powers conferred by sub-section (2) and (3) of section 2 of the U.P. Vigilance Establishment Act 1965 (U.P. Act no Vii of 1965) and in partial modification of the previous orders on the subject the Governor is please to order that henceforth the members of the U.P. Vigilance Establishment shall not be required to obtained prior orders of the Government in the following cases, namely:

- (i) Where a complaint is made in writing in the Establishment that a non-gazetted government servant or other public servant of similar rank has demanded or agreed to accept any gratification (other than legal remuneration) as motive or reward, such as is mentioned in suction 161 of the Indian Panel Code for laying trap and apprehending red-handed such public servant:

Provided that such action shall be taken only on the prior orders:-

- (a) of the Director of Vigilance and in his absence of the Superintendent of Police (Headquarters), Vigilance Establishment when a complaint is received at the Headquarters of Establishment.
 - (b) of the Superintendent of Police in charge of the sector office of the Vigilance Establishment, and in his absence of the officer holding charge of the sector, when the complaint is received in sector office.
- (ii) Where no such written complaint is made but a non-gazetted Government Servant or other Public Servant of similar rank is found, in the premises or precincts of the public office, place or vehicle where such public servant ordinarily discharges his

functions or is for the time being detained for duty accepting any gratification (other than legal remuneration) as a motive or reward such as mentioned in section 161 of the India Penal Code in the presence of an officer of the U.P. Vigilance Establishment not below the rank of Deputy Superintendent of Police, Vigilance Establishment, deputed for the purpose of detecting cases of this nature, for apprehending red-handed such public servant.

2- The Governor is also pleased to order that the Vigilance Establishment shall submit to the Government in the Vigilance department reports of progress of investigation and on the completion of investigation it shall submit its detailed report embodying its conclusions and recommendations and copies of the proposed charge-sheet, if prosecution is recommended.

3- This supersedes notification no, 2598/XXXIX-(2)-33(10-3)-76 dated August 16,1976

By order,
I.M.SAHAI,
Commissioner and
Secretary, Vigilance.

English translation of Satarkata Vibhag, Anubhag 4, Niyukti, Noti. No. 1825/XXXIX-4-90-40(415)-88, dated November-30 1990, published in the U.P. Gazette, part 1, dated 16th February ,1991,P.345

In exercise of the powers under sub-sections(8)and (9) of section 24 of the code of Criminal procedure 1973(Act No . 2 of 1974), the Governor is pleased to appoint all senior Prosecution Officers, Prosecution officers and Assistant Prosecution Officers , deputed to the Uttar Pradesh Vigilance Establishment , who have rendered service as Senior Prosecution Officer or Prosecution Officer or Assistant Prosecution Officers for a period of ten years or more, as Special Public Prosecutors for conducting cases investigated by Vigilance Establishment..

**Government of Uttarakhand
Vigilance Department
No. 592(i)/Vigilance-2006-38(9)/2004
Dehradun:Dated:10 January, 2007**

Notification

In exercise of the powers conferred by clause(s) of section-2 of the Code of Criminal Procedure 1973 (2 of 1974), the State Government do hereby declare that the Offices mentioned in column (2) of schedule shall be Police Station which shall include within their respective limits the areas specified against each in column (3) of the said schedule for the purpose of the offence notified for investigation by the Vigilance Establishment vide notification no. 592/XXXIX-vgl-1965 dated February 12, 1975 and notification no. 2614/39(2)-217-69 dated October 3, 1975 and notification no. 291/39-4-91-44(30)/81 dated 18-9-91 issued under Section -3 of the Uttar Pradesh Vigilance Establishment Act, 1965.

This notification shall come into force from the date of its publication.

Sl. No.	Name of the Office	Jurisdiction
1	2	3
1	Office of the Director, Vigilance Establishment	All revenue districts of Uttarakhand State
2	Office of the Superintendent of Police Vigilance, Dehradun Sector	All revenue districts of Garhwal Division
3	Office of the Superintendent of Police Vigilance, Nainital Sector	All revenue districts of Kumaon Division

By Order of the Governor

Nrip Singh Napalchiyal
Principal Secretary

No. 592(i)/Vigilance-2006-38(9)/2004 of date

1. The Director, Vigilance Establishment, Dehradun.
2. Director General, Police, Uttarakhand Dehradun.
3. Principal Secretary, Government of Uttar Pradesh, Vigilance Department Lucknow.
4. Principal Secretary, Government of Uttar Pradesh, Home Department Lucknow.
5. S.P., Vigilance, Dehradun/Nainital Sector.
6. S.S.P., Dehradun/Nainital.
7. Principal Secretary, Home Department, Uttarakhand Shasan, Dehradun.
8. Dy. Director, Government Press, Roorkee, Haridwar for publication in official Gazette of Uttarakhand Government.
9. All Sections of Uttarakhand Secretariat.

