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ORISSA ACT 6 OF 1995

THE CODE OF CRIMINAL PROCEDURE (ORISSA AMENDMENT) ACT, 1994

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1. Short title.
2. Amendment of section 25.
3. Amendment to the First Schedule.

## ORISSA ACT 6 OF 1995

## [\* THE CODE OF CRIMINAL PROCEDURE (ORISSA AMENDMENT) ACT, 1994]

[Received the assent of the President on the 10th March 1995 first published in an extraordinary issue of the *Orissa Gazette*, dated the 13th April, 1995.]

AN ACT TO AMEND THE CODE OF CRIMINAL PROCEDURE, 1973  
IN ITS APPLICATION TO THE STATE OF ORISSA

**B** it enacted by the Legislature of the State of the Orissa in the Forty-fifth Year of the Republic of India, as follows :—

Short title. 1. This Act may be called the Code of Criminal Procedure (Orissa Amendment) Act, 1994.

Amendment of section 23. 2. In section 25 of the Code of Criminal Procedure, 1973 (hereinafter referred to as the said Code), to sub-section (2), the following proviso shall be inserted namely :—

“Provided that nothing in this sub-section shall be construed, to prohibit the State Government from exercising its control over Assistant Public Prosecutors through police officers.”

Amendment to the First Schedule. 3. In the First Schedule to the said Code, in the entry under column 5 relating to section 354 of the Indian Penal Code, 1860 for the word “Bailable” the word “non-bailable” shall be substituted.”

\*For the Bill, see *Orissa Gazette*, Extraordinary dated the 14th December 1994 (No. 1499).

## ORISSA ACT 11 OF 1997

**\*THE CODE OF CRIMINAL PROCEDURE (ORISSA AMENDMENT)  
ACT, 1997**

*[Received the assent of the President on the 20th October 1997, first published in an extraordinary issue of the Orissa Gazette, dated the 5th November 1997]*

AN ACT TO AMEND THE CODE OF CRIMINAL PROCEDURE, 1973 IN ITS APPLICATION TO THE STATE OF ORISSA.

**B**E it enacted by the Legislature of the State of Orissa in the Forty-eighth Year of the Republic of India as follows:—

Short title.

1. This Act may be called the Code of Criminal Procedure (Orissa Amendment) Act, 1997.

Amendment of section 167.

2. In section 167 of the Code of Criminal Procedure, 1973, in paragraph (a) 2 of 1974. of the proviso to sub-section (2),—

(i) for the words "under this paragraph" the words "under this section" shall be substituted; and

(ii) for the words "ninety days" wherever they occur, the words "one hundred and twenty days" shall be substituted.

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\*For the Bill see *Orissa Gazette*, Extraordinary, dated the 7th December 1997 (No. 1317).

ORISSA ACT 6 OF 2004  
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1. Short title.
2. Amendment of Section 9.
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## ORISSA ACT 6 OF 2004

**\*THE CODE OF CRIMINAL PROCEDURE (ORISSA AMENDMENT) ACT, 2001**

[ Received the assent of the Governor on the 11th May, 2004, first published in an Extraordinary issue of the *Orissa Gazette* dated the 11th June, 2004 (No. 807)]

AN ACT TO AMEND THE CODE OF CRIMINAL PROCEDURE, 1973  
IN ITS APPLICATION TO THE STATE OF ORISSA.

Be it enacted by the Legislature of the State of Orissa in the Fifty-third Year of the Republic of India as follows:—

Short title. 1. This Act may be called the Code of Criminal Procedure (Orissa Amendment) Act, 2002.

Amendment of Section 9. 2. In Section 9 of the Code of Criminal Procedure, 1973 (hereinafter referred to as the principal Act), to sub-section (3), the following provisions shall be added, namely:— 2 of 1974.

“Provided that notwithstanding anything to the contrary contained in this Code, an Additional Sessions Judge in a district or subdivision, other than the district or subdivision, by whatever name called, wherein the headquarters of the Sessions Judge are situated, exercising jurisdiction in a Court of Sessions shall have all the powers of the Sessions Judge under this Code, in respect of the cases and the proceedings in the Criminal Courts in that district or subdivision for the purposes of sub-section (7) of Section 116, Sections 193 and 194, clause (a) of Section 209 and Sections 409 and 449:

Provided further that the above powers shall not be in derogation of the powers otherwise exercisable by an Additional Sessions Judge or a Sessions Judge under this Code.”

Amendment of First Schedule. 3. In the first Schedule to the principal Act, for the existing entries relating to Sections 272, 273, 274, 275 and 276, the following entries shall respectively be substituted, namely :—

Section (1)	Offence (2)	Punishment (3)	Cognizable or non-cognizable (4)	Bailable or non-bailable (5)	By what Court triable (6)
272.	Adulterating food or drink intended for sale, so as to make the same noxious.	Imprisonment for life and fine.	Cognizable	Non-bailable	Court of Session.
273.	Selling any food or drink as food and drink, knowing the same to be noxious.	Ditto	Ditto	Ditto	Ditto
274.	Adulterating any drug or medical preparation intended for sale so as to lessen its efficacy, or to change its operation, or to make it noxious.	Ditto	Ditto	Ditto	Ditto

\*For the Bill, See *Orissa Gazette*, Extraordinary, dated the 11th June 2004 (No. 807)

(1)	(2)	(3)	(4)	(5)	(6)
275.	Offering for sale or issuing from a dispensary any drug or medical preparation known to have been adulterated.	Imprisonment for life and fine.	Cognizable	Non-bailable	Court of Session.
276.	Knowingly selling or issuing from a dispensary any drug or medical preparation as a different drug or medical preparation.	Ditto	Ditto	Ditto	Ditto."