Circular No. 5/2013

Sub: Acquiring CDRs for investigation of crimes – Modified Guidelines issued- reg.

Ref: PHQ Circular No.3/2013 dated 13/2/2013

CDRs have to be taken during the course of investigation of crimes and in other emergent circumstances during the course of enquiries. The procedure for requesting for and obtaining and dealing with CDRs has to be streamlined to ensure that CDR data which have implications concerning privacy and confidentiality is handled with sufficient care and caution. The instructions issued in this matter earlier vide PHQ Circular No. 3/2013 are modified and revised guidelines are issued as follows:

1) The following Officers are authorized to obtain call details from Cell Phone providers for the purpose of investigation and enquiry.
   
   a) State Police Chief, Kerala  
   b) ADsGP – Admn/Intelligence/Crimes/Zones  
   c) IsGP Ranges/Intelligence/Internal Security/Crimes  
   d) CPs/SPs/DCPs of Districts  
   e) Officer in charge of Hi-Tech Cell, Police Headquarters  
   f) SHO of Cyber Police Station  
   g) SPs of CBCID and SBCID

2) The above list will be given to the service providers and instructions will be given to them so that they will send the CDRs only to the persons in the above list.

3) The request for CDR details should be given by the authorised officer through the designated 'e-mail', so that only those officers having authorized 'e-mail ID' will have access to the details. The official e-mail Ids of the authorized officers will be notified and supplied to the service providers by IGP Intelligence.

4) Each request and CDR details received from the Service Provider should be placed on the connected CD file or Petition file or Enquiry File and wherever a file is not available for the connected subject, a file should be opened.

5) In case, Sub Inspectors and Circle Inspectors who require the CDR details in connection with investigation of cases or urgent enquiries, they should collect the same only through the officers who are authorized vide para 1 above to collect the CDR details. The authorized officers should examine the requests and satisfy themselves about the need for data before forwarding them.
6) The e-mail address/mobile phone numbers of Nodal Officers of Mobile Phone Service Providers in Kerala will be provided by IGP, Intelligence to all authorized officers from time to time.

7) IGP Intelligence will be the Nodal Officer of the Department for activities related to CDR collection who will bring the essential contents of this circular to the notice of the Service Providers and all others concerned at the earliest.

8) In an ongoing investigation or enquiry if one officer has requested for and obtained a particular CDR, the same should be shared with others connected with the process without their having to raise duplicate requests for the same data.

9) A Log Book should be maintained by every investigating officer to record the details about the CDR requests.

10) A report on the CDRs and the details of the help it rendered to the investigation of cases, if any, along with the justification for acquiring the CDR, should be submitted to the DPC (in the name cover) as a monthly report by every investigating officer who has initiated the request for the CDR.

11) All officers who authorise collection of CDRs should send a quarterly report on the CDR collection to their respective Superiors/Controlling Officers (in Name cover). ADsGP shall send a consolidated list to the State Police Chief (in Name cover) once every six months.

12. **CDRs shall not be called for by any unauthorised person and the Service Provider providing information to such unauthorised person has to be dealt with as per law along with such unauthorised information seeker.**

PHQ Circular No. 3/2013 dated 13/2/2013 is modified to this extent.

STATE POLICE CHIEF, KERALA

To
All Officers in List 'B'
AC, Hi-Tech Cell, PHQ/SHO Cyber Police Station
JS 'T' for necessary action

Copy to : CA to all Officers in PHQ
: RAC/Circular Book/Records/Stock File