भारत सरकार GOVERNMENT OF INDIA

रेल मंत्रालय MINISTRY OF RAILWAYS

(रेलवे बोर्ड RAILWAY BOARD)

No.2012E(GC)13-2 (67) New Delhi, dt. 12.06.2019

The General Managers,
All the Zonal Railways &
Production Units.

Sub:- S.B. Civil Writ Petition No.465/1995 filed by Sh. Sohan Singh & Anr Vs. UOI & Anr. before Division Bench of Rajasthan High court -- Formation of a separate Prosecution Cadre on the Railways.

Consequent upon the verdict delivered on 29.09.2011 by the Hon'ble Supreme Court of India and in compliance of the judgement dated 03.07.1997 of Single Judge Bench of Hon'ble Rajasthan High Court in S.B. CWP No.465/1995 **filed by Sh. Sohan Singh & Anr Vs. UOI & Anr.** for establishment of separate Prosecution Dte., it was decided in principle to separate the Prosecution Cadre from Railway Protection Force on the Railways. Ministry of Railways have accordingly decided to form a separate Prosecution Cadre on the Railways free from the administrative control of the Railway Protection Force and to make the head of separate cadre directly responsible to the higher authorities of the Railways for their discipline and control. The matter has been examined in detail in consultation with the Ministry of Finance and Department of Personnel and Training and it has been decided to form a separate cadre of Prosecution Deptt in the Ministry of Railways.

2. Accordingly, sanction of the President is accorded to form following Cadre structure of the separate Prosecution Deptt. on the Railways:-

Existing Prosecution wing in RPF				Approved Separate cadre of Prosecution Deptt.		
S.No	Designation	Pay Scale in 6th CPC	No. of posts	Name of the Post	Pay Scale/Level	No. of posts
1.	-	-	-	Assistant Legal Officer (Prosecution) (Group A)	PB3/ 6600 (level 11 in Pay matrix)	17 (1-RB, 16-Zones)
2.	Asstt. Security Commissioner (Prosecution)	PB-3/GP-5400	16	Abolished	-	0
3.	-	-	-	Senior Public Prosecutor (Group B)	PB2 /4800 (level 8 in Pay matrix)	68 (Divisions)
4.	Inspector (Prosecution)	PB-2/GP-4600	158	Public Prosecutor	PB2 /4600 (level 7 in Pay matrix)	87* (2-RB, 16 - Zones, 1-Kolkata Metro, 68-Divisions)
5.	Sub Inspector (Prosecution)	PB-2/GP-4200	23	Abolished	-	0
Total			197			172

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* Since DoPT has accorded approval for only 87 posts of Public Prosecutor in Level 7 of the Pay Matrix as per 7th CPC, it has been decided by Board that the existing 108 posts in the Grade of Public Prosecutors (Level 7) may be operated, if required to adjust existing incumbents with the condition that the same may be tapered to 87 within a period of 4 years.

3. The salient features of the newly formed Prosecution Deptt are as under:-

a) The Cadre Controlling Authority for the newly formed Prosecution Cadre will be the Secretary/Railway Board. However, for the technical matters, they will be under Legal Adviser/Railway Board.

b) All PPs/APPs should function under the control of AGM/ADRM through DGM (Law)/Asst. Legal Officer (Prosecution). In zones where there is no post of AGM, they will function under the administrative and disciplinary control of Asst. Legal Officer (Prosecution) and the officer who is controlling law unit in Zone (i.e. SDGM/CPO as the case may be) shall act as overall controlling officer for the cadre.

c) There will be a Prosecution Deptt. in Railway Board consisting of one post of Asstt Legal Officer (Prosecution) and 2 posts of Public Prosecutor. The Deptt. will look after establishment and the other administrative functions. However, Establishment and the other administrative functions on the Zonal Railways will be looked after by the administrative side of the Railways/Divisions.

d) There will be one Asstt. Legal Officer (Prosecution)/HQ on each Zonal Railway (16) who will be assisted by one Public Prosecutor.

e) Each Division will have one Senior Public Prosecutor (68) who will be assisted by one Public Prosecutor. The distribution of remaining 21 posts of Public Prosecutors on Zones/Division to adjust existing incumbents with the condition that the same may be abolished within a period of 4 years, will be issued separately by Establishment (Non-gazetted) Dte.

f) Sr. Public Prosecutors and Public Prosecutors will form their respective combined seniority list at Board's level.

g) Details of all gazetted posts of newly formed prosecution cadre are given in Annexure - I and Annexure – II.

h) Before abolition of grade/posts, the officer not meeting the eligibility criteria for promotion to the next higher grade may be allowed to continue in their present grade till the time the criteria is met.

i) Surrender of sixteen (16) posts of Asst. Security Commissioner (Prosecution) in Level 10 of pay matrix (pre-revised scale Pay Band-3, Grade Pay-5400) would be done in phased manner over a period of three years starting from 2020 by Security (Establishment) Directorate to avoid any administrative embarrassment.

j) Filling up of vacancies in one stretch may lead to stagnation in future, hence the recruitment must be done in a phased manner and the officer recruited must not exceed 6-10 officers per year.

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4. The date from which these posts are operated may please be intimated to this office in due course.

5. This issues with the concurrence of the Ministry of Finance (Deptt. of Expenditure) vide their I.D. No.2(42)/E.III-Desk/2014 dt.31.3.2017 and approval of DoP&T vide their OM No. 11019/5/2015-CRD dated 05.07.2018 and Ministry of Railways.

6. All the concerned Railways may furnish the compliance report w.r.t. operation/ creation of posts as detailed in Annexure-II.

12/06/19
(Anvita Sinha)
Director Estt.(Gaz.Cadre)
Railway Board

No.2012E(GC)13-2 (67) **New Delhi, dt. 12.06.2019**

Copy forwarded to:-

1. The Principal Director of Audit, All the Zonal Railways & Production Units.
2. The Dy. Comptroller & Auditor General of India (Railways), Room No.222, Rail Bhavan, New Delhi.
3. Dy.Secretary(E.Coord.I), Ministry of Finance (Deptt. of Expenditure) w.r.t.their I.D.No. 2(42)/E.III Desk/2014 dt.31.3.2017.
4. Under Secretary, Ministry of Personnel, Public Grievances & Pensions (DoP&T), Cadre Review Division, 3rd Floor, Lok Nayak Bhawan,KhanMarket, New Delhi – 110003 w.r.t OM no. 11019/5/2015-CRD dated 05.07.2018.

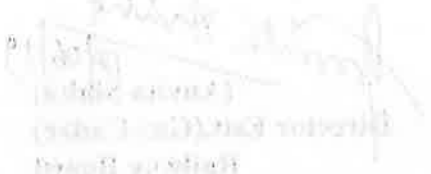
For Finacial Commissioner/Railways
New Delhi, dt. 12.06.2019

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Copy forwarded to:-

The FA&CAO, All the Zonal Railways & Production Units.

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(Anvita Sinha)
Director Estt.(Gaz.Cadre)
Railway Board

Copy to: MS, DG/RPF, Secretary, AM(Staff), ED(T&MPP), Legal Adviser, JS(C)/P, JS(G), EDE(GC), EDF(E), EDPC-II, EDE/N, DE(GC), DE(GP), JD(Gaz), DDF(E)I, DDE(GP)-III, E(O)III, F(E)I ,Security (E), E(P&A)-I, E(P&A)-II, E(GP), E(NG)II, E(GRR) & Legal Branches in Railway Board.



Annexure-I

Annexure – I of letter No. 2012 E(GC) 13-2 dt. 12.06.2019

Details of the gazetted posts in the Prosecution Cadre

S.No.	Railway	Division	Name of Post	Grade	New Post Code
1	Railway Board	Railway Board	Assistant Legal Officer (Prosecution)	PB3+6600(Level 11 of 7th CPC Pay Matrix)	32RB6P001
2	Central Railway	Mumbai/HQ			32CR6P001
3	Eastern Railway	Kolkata/HQ			32ER6P001
4	Northern Railway	New Delhi/HQ			32NR6P001
5	North Eastern Railway	Gorakhpur/HQ			32NE6P001
6	Northeast Frontier Railway	Guwahati/HQ			32NF6P001
7	Southern Railway	Chennai/HQ			32SR6P001
8	South Central Railway	Secunderabad/HQ			32SC6P001
9	South Eastern Railway	Kolkata/HQ			32SE6P001
10	Western Railway	Mumbai/HQ			32WR6P001
11	East Central Railway	Hajipur/HQ			32EC6P001
12	East Coast Railway	Bhubaneswar/HQ			32CO6P001
13	North Central Railway	Allahabad/HQ			32NC6P001
14	North Western Railway	Jaipur/HQ			32NW6P001
15	South East Central Railway	Bilaspur/HQ			32RC6P001
16	South Western Railway	Hubli/HQ			32SW6P001
17	West Central Railway	Jabalpur/HQ			32WC6P001

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Annexure-II

Annexure – II of letter No. 2012 E(GC) 13-2 dt. 12.06.2019

Railway	S.No.	Division	Name of Post	Grade/Level	New Post Code
Central Railway	1	Bhusawal	Senior Public Prosecutor (Group B)	PB2+4800(Level 8 of 7th CPC Pay Matrix)	32CR8P001
	2	Nagpur			32CR8P002
	3	Mumbai			32CR8P003
	4	Solapur			32CR8P004
	5	Pune			32CR8P005
Eastern Railway	6	Malda			32ER8P001
	7	Howrah			32ER8P002
	8	Sealdah			32ER8P003
	9	Asansol			32ER8P004
Northern Railway	10	Ambala			32NR8P001
	11	Firozpur			32NR8P002
	12	Lucknow			32NR8P003
	13	Morabad			32NR8P004
	14	Delhi			32NR8P005
North Eastern Railway	15	Lucknow			32NE8P001
	16	Varanasi			32NE8P002
	17	Izzatnagar			32NE8P003
Northeast Frontier Railway	18	Katihar			32NF8P001
	19	Lumding			32NF8P002
	20	Tinsukia			32NF8P003
	21	Alipurduar			32NF8P004
	22	Rangiya			32NF8P005
Southern Railway	23	Chennai			32SR8P001
	24	Madurai			32SR8P002
	25	Palghat			32SR8P003
	26	Trichy			32SR8P004
	27	Trivandrum			32SR8P005
	28	Salem			32SR8P006
South Central Railway	29	Secunderabad			32SC8P001
	30	Hyderabad			32SC8P002
	31	Guntakal			32SC8P003
	32	Vijayawada			32SC8P004
	33	Guntur			32SC8P005
	34	Nanded			32SC8P006
South Eastern Railway	35	Kharagpur			32SE8P001
	36	Chakradharpur			32SE8P002
	37	Adra			32SE8P003
	38	Ranchi			32SE8P004

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Railway	S.No.	Division	Name of Post	Grade/Level	
Western Railway	39	Bhavanagar	Senior Public Prosecutor (Group B)	PB2+4800(Level 8 of 7th CPC Pay Matrix)	32WR8P001
	40	Mumbai Central			32WR8P002
	41	Ratlam			32WR8P003
	42	Rajkot			32WR8P004
	43	Vadodara			32WR8P005
	44	Ahemdabad			32WR8P006
East Central Railway	45	Danapur			32EC8P001
	46	Dhanbad			32EC8P002
	47	Sonepur			32EC8P003
	48	Mughalsarai			32EC8P004
	49	Samastipur			32EC8P005
East Coast Railway	50	Khurda Road			32CO8P001
	51	Waltair			32CO8P002
	52	Sambalpur			32CO8P003
North Central Railway	53	Allahabad			32NC8P001
	54	Jhansi			32NC8P002
	55	Agra			32NC8P003
North Western Railway	56	Bikaner			32NW8P001
	57	Jodhpur			32NW8P002
	58	Jaipur			32NW8P003
	59	Ajmer			32NW8P004
South East Central Railway	60	Nagpur			32RC8P001
	61	Bilaspur			32RC8P002
	62	Raipur			32RC8P003
South Western Railway	63	Bangalore			32SW8P001
	64	Mysore			32SW8P002
	65	Hubli			32SW8P003
West Central Railway	66	Jabalpur			32WC8P001
	67	Bhopal			32WC8P002
	68	Kota			32WC8P003

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