The Principal Chief Security Commissioners/RPF,
All Zonal Railways

Security Advisory No.-02/2019

Sub:- Care to be taken while taking over/ handing over of accused by RPF.

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It is learnt that RPF officers and staff are not following procedure while handing over of accused to GRP/Local Police/Other agencies and similarly do not adopt the norms when they receive accused from other agencies.

It is instructed that the following precautions may be taken while -

(A) Receiving of accused.
While receiving any accused from any agency following precautions should be adhered –

1. It should be verified that whether the case is to be dealt by RPF or not. If not, the person presenting the accused to be guided to hand over the apprehended person to the appropriate agency and further due assistance may be given.

2. It should be ensured that proper procedure has been adopted for making an arrest as mentioned in CrPC Chapter – V by person presenting the accused.

3. All the documents that have been prepared by the person handing over the accused may be examined and if any procedural lapse is noticed, it should be entered in the production papers and the gaps may be fulfilled by making the proper documentation at the time of receiving the accused.

4. The accused may be disposed as mentioned in the Act under whose provisions he has been arrested/remanded.

5. Proper Production seizure & arrest report (where there should be the name of persons producing the accused and papers related to his/her arrest be mentioned) to be entered in the Daily Diary.

6. If the accused is received from Police or any other agency and they are produced with all the relevant papers, even then Production papers are to be made.

7. Entries about compliance of Sec. 50, 50-A CrPC should be entered in the Daily Diary.

8. Arrested person be either forwarded to respective magistrate having jurisdiction over that area or be disposed otherwise as mentioned in the Act under which he/she has been arrested and no unnecessary delay is to be made in production before magistrate.

9. Provisions of Sec. 59 of CrPC be adhered in toto.
Handing over the accused.

1. As mentioned in care to be taken while receiving the accused, the same will be appreciated/expected by the agency to whom we are handing over the accused. As such all the necessary documents to make an arrest be made before the accused is handed over to other agency.

2. Before handing over the accused, proper entry in the Daily Diary be done and report be written in detail, on return, in the Daily Diary.

3. Acknowledgement to be kept with proper records and a brief of the incident, reason of arrest and handing over the accused to other agency be conveyed to Divisional Control Room.

4. Post Commanders should ensure that proper documents have been prepared and procedure is followed as mentioned in Cr PC Chapter-V before forwarding accused to other agency.

5. The cases which can be dealt by RPF should not be unnecessarily transferred to other agency.

6. All seized materials should be forwarded along with accused and nothing should be kept in possession of RPF.

Acknowledgement of this letter be communicated to Railway Board.

(ARUN KUMAR)
DG/RPF

Copy to: Security (Special) Branch for uploading on the Indian Railways website.