

GOVERNMENT OF INDIA
MINISTRY OF RAILWAYS
(RAILWAY BOARD)

90/Sec (Spl)/70/5

New Delhi, dated: 13.04.2016

General Managers
All Indian Railways & ICF
DG/RDSO & MD/KRCL

**Sub. Withdrawal of RP(UP) Act cases consigned to record room
u/s 299 CrPC.**

Ref: This office letter of even no. dated 16.09.1991.

The issue regarding withdrawal of cases, registered under RP(UP) Act 1966 and consigned to record room under section 299 CrPC for more than 10 years, has been re-considered in the Boards office, in the light of guidelines issued vide letter of even no. dated 16.07.91.

With a view to reduce long pendency of such cases in the Courts, it has been decided, in consultation with Legal Advisor of the Ministry of Railways, that cases registered under the RP(UP) Act, 1966 and consigned to the record room under section 299 CrPC for more than 10 years, and where the value of stolen railway property involved is Rs. 2000/- or less (which was earlier Rs. 500/- or less) may be withdrawn from the Court, except the cases having peculiar features/circumstances or involving hardened criminals and repeated offenders. In addition, following precautions may also be taken-

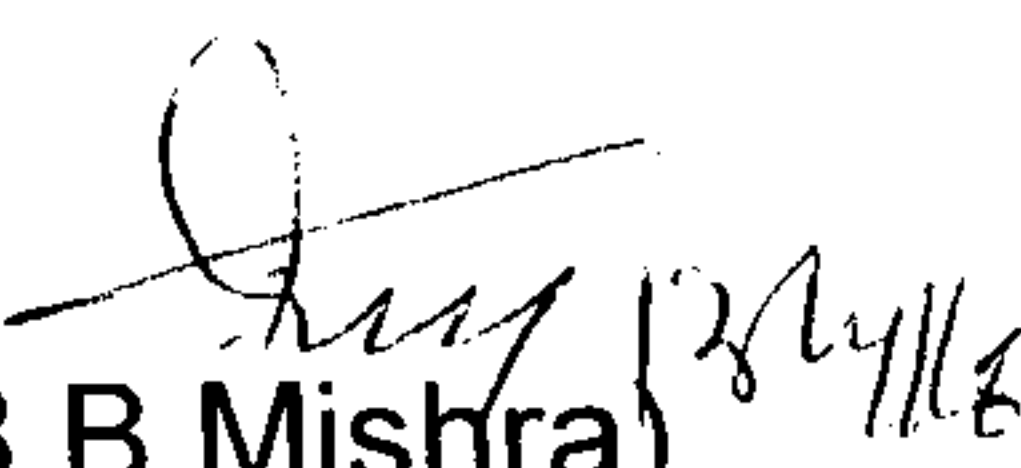
- i) In the light of amendments in RP(UP) Act, 1966 in the year 2012, the angle of conspiracy and abetment should also be enquired.
- ii) Cases against receivers should not be withdrawn.
- iii) It should be ensured and certified that there are no further chances of arrest of accused and all efforts have been made for his/her arrest by the respective Posts.

Chief Security Commissioners of zonal railways will issue instructions regarding withdrawal of RP(UP) Act cases to Sr. DSCs/DSCs in-charge of the Division, who will issue necessary instructions to Public Prosecutors through ADRMs regarding withdrawal of cases under section 321 CrPC as per procedure.

Cont...

Provisions contained in section 299 Cr PC may accordingly be adhered to. The period of limitation as provided in section 468 CrPC should also be kept in view while filing complaints in the Courts.

This issues with the approval of Member Staff/Railway Board.


(B.B.Mishra)
DIG/Policy & Tech Services
Railway Board

Copy to:

Chief Security Commissioners/RPF all zonal railways, ICF, KRCL, CORE, Construction, Director, JR RPF Academy, Lucknow & Director/Trg. center, Maula Ali.

GOVERNMENT OF INDIA
MINISTRY OF RAILWAYS
RAILWAY BOARD

No. 90-Sec.(Spl)/70/5

New Delhi, dated: 16-7-91

The General Managers,
All Indian Railways.

The Chief Security Commissioners/RPF,
All Indian Railways.

Sub: Withdrawal of RP(UP) Act cases consigned to
record room u/s 299 Cr.PC.

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The question of withdrawing RP(UP) Act cases consigned to record room under section 299 Cr. P.C. for more than 10 years has been under consideration for some time. It has now been decided in consultation with Legal Adviser of the Ministry that all RP(UP) Act cases consigned to record room for more than 10 years where value of property involved is Rs. 500/- or less may be withdrawn from the court except the cases having peculiar features/circumstances or involving hardened criminals. Chief Security Commissioners will accord sanction for withdrawal of each case after considering the circumstances and satisfying themselves about the efforts made to arrest the accused person(s). Necessary instructions may be issued to PI's incharge of the case for such withdrawal.

Action taken in this regard may please be intimated early for the information of DG/RPF.

Kindly acknowledge receipt.

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16/7/91
(S.C. PANDEY)
Asstt. Inspector General/Pros.
Railway Board.