

**GOVERNMENT OF INDIA  
MINISTRY OF RAILWAYS  
(RAILWAY BOARD)**

No.2021/Sec(E)/DAR-3/3

NEW DELHI, Dated: 18.05.2021

**The Principal Chief Security Commissioners/RPF  
All Zonal Railways, KRCL, RPSF, RDSO, Metro Rly  
Production Units, Constructions, CORE  
Director JR RPF Academy/LKO  
Director TC/MLY & TC/KGP**

**SECURITY CIRCULAR – 04/2021**

**Sub:- Instructions regarding the procedure to be followed in releasing the person detained/arrested by RPF.**

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Railway Protection Force, registers and enquires cases for various offences mentioned under "The Railways Act, 1989" and "The Railway Property (Unlawful Possession) Act, 1966". RPF personnel also make arrest under the provisions of Section 12 of "The Railway Protection Force Act, 1957" and forward them to the Police as mentioned in Section 14 of this act. Section 180 of "The Railways Act" & Section 8 of "The Railway Property (Unlawful Possession) Act" explains the process of enquiry (under the head 'Enquiry how to be made') against the arrested person(s). All the Enquiry Officers (E.O) and Post Commanders are supposed to follow the procedure of enquiry as mentioned in Section 8 (2) of RP(UP) Act & Section 180 – D (2) of The Railways Act read with The Code of Criminal Procedure 1973 (CrPC) as amended in 2013, for investigation of a case.

Recently, some instances have come to the notice where it has been found that officers have not adopted proper procedure in releasing the persons detained after examination. Instances have also come to notice wherein procedure mentioned in CrPC was not followed in releasing arrested accused on Bond or Bail-Bond (in Bailable Offences). Such instances have caused embarrassment to the administration resulting in adverse impact on the image of the force. Therefore, there is a need for system improvement by creating awareness among Subordinate Officers of the Force regarding the procedure in such cases.

In view of above, the following precautions may be taken while releasing person detained/arrested by RPF -

1. All arrests made, must be diarised immediately in the Roznamcha/Daily Diary and respective prescribed register.
2. The Procedure of arrest as mentioned in CrPC and various judgments of Constitutional Courts must be followed.
3. No person should unnecessarily be detained or called for examination.
4. If someone is detained or called for examination in any case for enquiry, it should be mentioned in the relevant records i.e. Roznamcha, Daily Diary, Case Diary etc. (as the case may be) and proper disposal of such person should also be brought on record.

5. Instances have come to notice where some RPF personnel call individual for examination to RPF office and then force him/her to sign documents like bond/bail bond, statement, plain papers etc. If commission of such act is established, deterrent penal action will be taken against the RPF personnel found responsible.
6. Nothing should be obtained/taken in custody of RPF from the accused person or person detained/called during enquiry without following legal process and giving acknowledgement.
7. Only formats prescribed in CrPC may be utilized for the purpose of Bond or Bail Bond.
8. The information of each person arrested and released on the Bond or Bail Bond should be sent to the Divisional Security Control Room and to Hon'ble trial court having jurisdiction for their information and necessary action.
9. Information about person released on Bail/Bail Bond may immediately be brought to the notice of Sr.DSC/DSC through Divisional Security Control Room.
10. All the cases of release of accused on Bond or Bail-Bond should be documented in a separate register which should be inspected by the supervisory Officers from time to time and during their visit and inspections to Post/Out Post.
11. Information regarding all arrests and arrested person/persons should be communicated to all concerned as mandated in CrPC and as per the directions given by higher courts from time to time.
12. The process of investigation should invariably be incorporated in initial/refresher/orientation (promotion) training courses.
13. Senior Officers should also brief Enquiry Officers from time to time during their visit to Posts/Out Posts and while interacting with EOs of cases during reviews.
14. Strict disciplinary action should be taken against erring staff for any omission/commission not in accordance with law.

Above instructions are not exhaustive. Zonal railways may issue supplementary instructions based on legal requirements and in the interest of transparency and administration of justice.

  
18/5/2021  
**(ARUN KUMAR)**  
**DG/RPF**