

**DIRECTORATE OF PROSECUTION,
GOVT OF NCT OF DELHI
ROOM No. 159, TIS HAZARI COURTS, DELHI-110 054**

MANUAL-1

PARTICULARS OF ORGANISATION, FUNCTION AND DUTIES

1. Aims and Objective of Organization:

Our state being welfare state is duty bound to protect life, personal liberty and property of its each and every individual and if an offence is committed against any person, this department being part of State machinery is here to prosecute the offender to secure justice to the victim.

2. Mission and vision:

The mission is to secure justice to the persons against whom any offence triable by the Courts of Metropolitan Magistrate, CMM or ACMM or Court of Sessions has been committed and to extend the help in maintenance of law and order in the society by opposing the bail application of offender and thus securing place for habitual offenders and criminals behind the bar.

3. Brief history and background for its Establishment:

Initially the Prosecution department was part of Delhi police but in the year 1973 with the promulgation of Amended (New) Code of Criminal Procedure, this department was separated from Delhi Police and started functioning under Administrative control of Home department, Govt of NCT of Delhi and Director of Prosecution is designated as Head of Department for administrative control and smooth functioning of the office.



4. ORGANISATION CHART:

	Addl. Chief Secretary (Home), Govt. of NCT of Delhi, Administrative Secretary/Cadre Controlling Authority	
	Director of Prosecution Head of Department	
Public Prosecutor/Chief Prosecutor - 14	Accounts Functionary – 01 Asstt. Accounts Officer/DDO	Section Officer – 01
Additional Public Prosecutor - 150		Asstt. Section Officer – 02 Sr. Assistant – 02 Jr. Assistant – 17 Stenographers – 25 Peon/Class-IV - 18
Assistant Public Prosecutor - 193		

5. Allocation of business:

Predominantly, the officers of this Branch/Department are required to do the following business:

- a) To conduct trial on behalf of the state of criminal cases registered and investigated by Delhi Police in the court of Metropolitan Magistrate, Addl. Metropolitan Magistrates, Chief Magistrates and Addl. Session Judges and District and Session Judges. As soon as a chargesheet, cancellation report or untraced report is filed in a particular case by the police, the officers of this Directorate from the level of Public Prosecutor, Addl. Public Prosecutor and Asstt. Public Prosecutor comes in picture. Such officers in their respective courts deals with such chargesheets, cancellation report and untraced report and other miscellaneous application on behalf of the state with a view to guard the interest of the state in order to secure justice to the people, parties to such litigation. The court work is assigned to Asstt. Public Prosecutor, Addl. Public Prosecutor and Public Prosecutor Delhi by the office of the Director of Prosecution as per their wisdom.
- b) To prepare appeals and revisions of cases in which the state feels aggrieved of the order of the Ld. MM, ACMM and CMM to be preferred in the court of sessions Delhi and also to prepare draft proposals of appeal/revision of the orders passed by Ld. Addl. Session Judges or the District and Session Judge wherever the state feels aggrieved of such orders and sent the proposal to Secretary Law and Justice for filing revision /appeal in the Hon'ble High Court of Delhi. Such work is also assigned to Asstt. Public Prosecutor, Addl. Public Prosecutor and Public Prosecutor Delhi also as per the wisdom of the Director of Prosecution.

- c) As soon as a crime is committed within the local jurisdiction of a police station, the police registers a criminal case and after completion of the investigation, sends the proposed chargesheet or cancellation report or untraced report to this Directorate where according to the jurisdiction police station wise, the same is marked to the concerned Prosecutor dealing with the concerned police station to scrutinize the same on legal aspect and after due scrutiny by the Asstt. Public Prosecutor and the Addl. Public Prosecutor, such files are sent back to the concerned police station for necessary action. Such work has been divided in two parts i.e. the matters related to the cases triable by the court of CMM and ACMM and the other to the court of Addl. Session Judges and the District and Session Judges and are being handled by Asstt. Public Prosecutors and Addl. Public Prosecutors respectively.
- d) The officers of this Branch are also assigned different type of reference from the different police stations requiring legal opinion from this office which is also handled by the officers of this branch and required opinions are also given in such matters.
- e) The officers of this branch also represent the state in matters of appeal and revision under different acts like Arms Act etc. preferred by people before the Hon'ble Lieutenant Governor of Delhi and contest such appeals at that forum.

6. Duties to be performed to achieve the mission:

Securing Police custody remand and judicial custody remain of accused persons. Opposing bail application of accused persons and to conduct trial/prosecution of accused persons.

7. Details of services rendered :

- a) To conduct a criminal trial, on behalf of the state in the courts of MM, ACMM, CMM and courts of sessions, is the main function and service of the officers of this branch. The trial is a very important part of duty of Asstt. Public Prosecutor and Addl. Public Prosecutor. As soon as a crime is committed within the local jurisdiction of the police station, the police registers a criminal case and during the investigation period, the officers of this branch working in their respective courts deal with the police remand, judicial remand and other miscellaneous applications moved by Delhi Police in the court and tried to assist for securing fair opportunities to the investigators for a fair and a speedy investigation of the case. They also deal with the bail applications and other miscellaneous applications moved by the accused persons in court at that stage. Thereafter on completion of the investigation, the local police sends the chargesheet prepared by them against the accused persons to this office/directorate where such chargesheets are assigned to concerned officer dealing with the concerned police station to scrutinize the same on legal aspect and after due scrutiny by the respective Asstt. Public Prosecutor and the Addl. Public Prosecutor, Chief Prosecutor such files are sent back to the concerned police station for necessary action. This is a very arduous and time consuming job and is being done quite efficiently in short period of time by the officers of this Directorate. Such scrutiny work has been divided in

two parts i.e. the chargesheets related to the cases triable by the court of CMM and ACMM and the other by the court of Addl. Session Judge and District and Session Judge and also being handled by Asstt. Public Prosecutor and Addl. Public Prosecutor and Chief Prosecutors respectively.

- b) Once, the chargesheet against a particular person for an offence is filed by the police, the criminal trial starts and the concerned Asstt. Public Prosecutor and the Addl. Public Prosecutors as the case may be puts his appearance on behalf of the state in the case. It is from this stage that the main service of the officer starts. He would open the prosecution case before the court and try to convince and show a prima facie case against an individual. He meets with tuff apposition of the defence counsel representing the accused and tries his best to establish on the basis of the given material that the particular charge is made out against the individual accused. When once the charge is framed, the officer starts producing the prosecution witnesses and examining them in court to establish his case and during this process he meets with different objections raised by the defence counsel for the accused. He puts all his efforts to secure the presence of all the required prosecution witnesses and to examine them in court. After the prosecution evidence is concluded, the defence puts his own case and adduce his own evidence to prove it and there the prosecutor tries to demolish the case of the defence by cross-examining such defence witnesses and tries to disprove the documents placed before the court by the defence with a view to affirm his own case. Thereafter during the end of the trial, the prosecutor prepares his case on the basis of the evidence brought on record from both the prosecution side as well as the defence and tries to convince the court by way of his arguments that the allegations put forth by the state against the accused have been duly established on record and pray for holding the accused guilty of the offence charged and for a deterrent punishment.
- c) After the conclusion of trial, the officer goes through the judgement delivered by the court and if he is of the view that on the basis of the evidence brought on record, the judgement of the court is erroneous, he would draft and recommend an appeal/revision against the said order/judgement and forwards the same to the senior officers including Public Prosecutor Delhi and Chief Prosecutor and Director of Prosecution for their approval.
- d) The officer also renders legal opinion on different kind of references received from the police.
- e) The officers of this branch also contest appeals and revisions preferred by the aggrieved parties against a police order before the Hon'ble Lieutenant Governor Delhi in certain matters.
- f) Some of the officers of this branch are also sent to police training college to teach law to the Constables, Head Constables, Asstt. Sub Inspector and Sub Inspectors going under training at the college.



To conduct trial/prosecution in courts of Metropolitan Magistrate, courts of session and in the court of Hon'ble L. G. of Delhi to perform other duties assigned by Home department, Govt of NCT of Delhi.

8. Citizen Interaction:

Prosecution department has no direct public dealing, however complainant of a case may enquire about the status of his case from the prosecutor of the concerned court from the office of DOP.

9. Postal Address of the Main office, attached/subordinate offices/field offices etc:

1. Director of Prosecution / Head of Department (HOD)
Govt. of NCT of Delhi
Room No. 159, 1st Floor
Tis Hazari Court Complex
Delhi-110 054

2. Chief Prosecutors/Incharge
Directorate of Prosecution
Govt. of NCT of Delhi
Patiala House Courts Complex
Delhi.


3. Chief Prosecutors/Incharge
Directorate of Prosecution
Govt. of NCT of Delhi
Karkardooma Courts Complex
Delhi.

4. Chief Prosecutors/Incharge
Directorate of Prosecution
Govt. of NCT of Delhi
Saket Courts Complex
Delhi.

5. Chief Prosecutors/Incharge
Directorate of Prosecution
Govt. of NCT of Delhi
Dwarka Courts Complex
Delhi.

6. Chief Prosecutors/Incharge
Directorate of Prosecution
Govt. of NCT of Delhi
Rohini Courts Complex
Delhi.

7. Chief Prosecutors/Incharge
Directorate of Prosecution
Govt. of NCT of Delhi
Rouse Avenue Courts Complex
Delhi.



10. Map of office location:

The headquarter of Directorate of prosecution is located at 1st floor of the District Courts Complex at Tis Hazari, Delhi-110 054. Other sub offices of this directorate are located in the District courts, at Karkardooma, Patiala House, Saket, Dwarka, Rohini and Rouse Avenue Court Complex.

11. Working hours both for office and public:

Working hours of the office is from 10.00 AM to 05.00 PM with a lunch break of half an hour from 1.30 PM to 2.00 PM.

12. Public interaction, if any:

As stated para 8 above.

13. Grievances Redressal mechanism:

Directorate of Prosecution is not a public dealing office. However, if any individual has any grievances, all efforts are made to redress the same at the level of Director of Prosecution and other Incharge of the respective court complexes.

