

Notification

HOME DEPARTMENT

Sachivalaya, Gandhinagar.

Date the 11/06/2025

Bharatiya
Nagarik
Suraksha
Sanhita,2023

No. G IG/95/2025/HD/FOR/e-file/8/2025/2454/L-1: In exercise of the powers conferred by sub-section (11) of section 20 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (46 of 2023), the Government of Gujarat, hereby specifies the powers and functions of the Director of Prosecution, Deputy Director of Prosecution and Assistant Directors of Prosecution, as follows namely: -

1. Functions of Director of Prosecution. -

(a) The Director of Prosecution (hereinafter referred as "the DoP") shall be primarily responsible for ensuring responsible prosecution in criminal cases instituted by the Government Departments of the state Government before the Criminal Courts of the State.

(b) The DoP shall monitor criminal cases where the offense is punishable with imprisonment of ten years or more or with life imprisonment or with death and also expedite the proceedings for speedy disposal of cases.

(c) The DoP shall ensure about the presence of the Public Prosecutor/Additional Public Prosecutor/Special Public Prosecutor/Assistant Public Prosecutor before every criminal court in the State and issue guidelines in this regard.

(d) The DoP shall periodically evaluate the working of the Public Prosecutors/Additional Public Prosecutors/Special Public Prosecutor/Assistant Public Prosecutor appearing before the Criminal Courts and send a periodical report along with recommendations to the State Government regarding the efficiency and quality of the prosecutors.

(e) The DoP shall receive the proposals for criminal appeals etc.to be presented before the Hon'ble High Court through the Public Prosecutor and after examination, forward the same to State Government with his opinion for filing of appeal.

(f) The DoP shall ensure that the criminal appeals and revision petitions presented on behalf of the Government before the Criminal Court shall be filed within the prescribed time and will ensure the appearance of Public Prosecutors / Additional public Prosecutors/ Special Public Prosecutor/ Assistant Public Prosecutor in such proceedings.

(g) The DoP shall ensure improvement of the efficiency of the prosecutors appearing on behalf of the State and maintaining the quality of prosecution work.

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Approved By: Principal Secretary,HD

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2. Powers of the Director of Prosecution. -

(a) The DoP shall call for necessary reports and information regarding work done by the Public Prosecutors/Additional Public Prosecutors of the High Court appointed under sub-section(1) of section **(except the Advocate General/Additional Advocate General)** and the Special Public Prosecutors appointed under sub-section (8) of Section 18 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (No. 46 of 2023).

(b) The DoP shall control and supervise the work of the Deputy Director of Prosecution, Assistant Director of Prosecution and Public Prosecutor/ Additional Public Prosecutor/ Special Public Prosecutor/ Assistant Public Prosecutor to ensure responsible prosecution in criminal cases.

(c) The DoP shall call periodic reports and such information through the Deputy Director of Prosecution regarding the work of the Public Prosecutors, Additional Public Prosecutors, Special Public Prosecutors conducting the prosecution before the Criminal Courts which is necessary to maintain the quality of the prosecution proceedings.

(d) The DoP shall call for reports of daily work from all the prosecutors through digital software which shall also include Inter-operable Criminal Justice System Software.

(e) The DoP shall evaluate the workload of the prosecutors and submit a report to the State Government, for the development of organizational and internal resources for smooth functioning

(f) The DoP shall appoint any of his subordinate officers with the prior permission of the State Government to coordinate with the Solicitor General/Additional Solicitor General/Advocate General/Additional Advocate General, in serious criminal cases pending before the Hon'ble Supreme Court and Hon'ble High Court.

(g) The DoP shall identify and address the gaps in investigation and prosecution and ensure compliance with legal and procedural requirements in the prosecution of crimes in the States.

(h) The DoP shall arrange training programs and take necessary measures for enhancing the quality of prosecution in the State.

(i) The DoP may seek necessary cooperation and coordination from Government Departments like Police, Excise Department, Forest Department, Weights and Measures Department, Forensic Science Laboratory, Department of Food and Drug Administration etc. for smooth conduct of the proceedings.

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(j) In the capacity of the Head of the Department, the DoP shall exercise all the administrative and financial powers provided to the Head of the Department by the State Government.

3. Responsibilities and Powers of the Deputy Director of Prosecution posted in the District Directorate.-

(a) The Deputy Director of Prosecution shall be head of District Directorate of Prosecution and shall be subordinate to the Director of Prosecution.

(b) The Deputy Director Prosecution shall examine and scrutinize police reports and monitor cases and ensure speedy disposal of criminal cases where the offence are punishable with imprisonment of seven years or more but less than ten years.

(c) The Deputy Director of Prosecution shall be primarily responsible for ensuring responsible prosecution in all the criminal cases of the District Criminal Courts instituted on behalf of the Government Departments of the State Government.

(d) The Deputy Director of Prosecution shall ensure the presence of the Public Prosecutor/Additional Public Prosecutor/Special Public Prosecutor/Assistant Public Prosecutor before the District Criminal Courts.

(e) The Deputy Director of Prosecution shall periodically evaluate the working of the Public Prosecutor/Additional Public Prosecutor/Special Public Prosecutor/Assistant Public Prosecutor appearing before all the Criminal Courts of the district and shall send a periodical report regarding the efficiency of the prosecutors to the DoP.

(f) The Deputy Director of Prosecution shall ensure the progress and speedy trial of criminal cases pending before all the Criminal Courts of the district.

(g) The Deputy Director of Prosecution shall ensure that the criminal appeals and revision petitions presented behalf of the State Government before the Criminal Court of the district shall be filed with the prescribed time limit and also ensure the appearance of public Prosecution/Additional Public Prosecutors/Special Public Prosecutor/Assistant Public Prosecutor in Such proceedings.

(h) The Deputy Director of Prosecution shall ensure the improvement of the efficiency of the prosecutors appearing on behalf of the State in the Criminal Courts of respective district and maintaining the quality of prosecution work.

4. Responsibilities and Powers of the Assistant Director of Prosecution posted in the District Directorate.-

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(a) The Assistant Director of Prosecution shall be responsible for ensuring prosecution in criminal cases instituted by the Government Department of the State Government before the Magistrate Courts of the district.

(b) The Assistant Director of Prosecution shall ensure responsible prosecution and speedy disposal of criminal cases where the offence is punishable with imprisonment less than seven years.

(c) The Assistant Director of Prosecution shall assist the Deputy Director of Prosecution in examination and scrutiny of police reports and give advice or observation on legal issue arising in such criminal proceedings referred to him by the Deputy Director of Prosecution.

(d) The Assistant Director of Public Prosecution shall be subordinate to the Deputy Director of Prosecution under the general control of the DoP.

By order and in the name of the Governor of Gujarat,


(Anita Zula)

Deputy Secretary to Government.

To,

The Secretary to the Hon. Governor, Raj Bhavan, Gandhinagar.

The Principal Secretary to the Hon. Chief Minister.

The Personal Secretary to the Hon. Ministers / Hon. Ministers of State.

The Personal Secretary to the Hon. Leader of Opposition Party.

- The Secretary, Gujarat Legislative Secretariat.
- The Secretary, Gujarat Public Service Commission.
- The Secretary, Gujarat Vigilance Commission, Gandhinagar.
- The Registrar, Gujarat High Court, Ahmedabad.
- The Secretary, Gujarat Civil Services Tribunal, Gandhinagar.
- The Director, Office of the Director of Prosecution, Block No.3, fourth Floor, E-wing, Karmayogi Bhavan, Sector-10, Gandhinagar.

The Accountant General, Gujarat, Ahmedabad/Rajkot

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The Pay and Accounts Officer, Ahmedabad / Gandhinagar

The Resident Audit Officer, Gandhinagar

All Departments of Secretariat.

All Collector and District magistrate.

✓ Web Master

.....For uploading the orders on Govt. Net work/GR Book online

The Manager, Government Press, Gandhinagar with a request to publish the notification in Gujarat Government Gazette and send 500 copies to this department.

The Legislative and Parliamentary Affairs Department, Sachivalaya, Gandhinagar with a request to publish Gujarati Translation of Notification and send 500 Gazette copies to this department.

All Branches of General Administration Department

The Select file.

- By letter.

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