



OP-II

### ABSTRACT

Public Services - Prosecution Department - Sanction of 16 posts of Special Public Prosecutors in the rank of Additional Public Prosecutor / Deputy Legal Advisors to the 16 Special Courts to try the offences relating to the POCSO Act 2012 - Orders - Issued.

#### Home (Cts.VI) Department

G.O.(Ms).No.84

Dated 10.02.2020

Read:

1. G.O.Ms.No.554, Home (Cts.II) Department, dated 18.10.2019.
2. Order of the Supreme Court of India dated 16.12.2019 and 08.01.2020 in Suo Moto W.P.(CrI).No.01/2019.

Read also:

3. From the Director of Prosecution Letter Rc.No.4797/DOP/A1/2018, dated 13.1.2020.

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In the order first read above, the Government have constituted 16 Special Courts in the cadre of District Judge at Chennai, Coimbatore, Cuddalore, Kancheepuram @ Chengalpet, Kanyakumari @ Nagercoil, Madurai, Nagapattinam, Salem, Sivagangai, Thanjavur, Tirunelveli, Tiruvannamalai, Thoothukudi, Vellore, Villupuram and Virudhunagar @ Srivilliputhur for exclusive trial of cases under POCSO Act, 2012 in the above 16 Districts.

2. In the Suo Moto WP (CrI.) No.1/2019 dated 16.12.2019, the Hon'ble Supreme Court of India has directed as follows:-

"the State of Tamil Nadu to ensure that the State in consultation with the Chief Justice of the High Court makes all infrastructure available with all support staff on or before 31.01.2020 and the courts as per the parameters set out hereinabove are set up and start functioning at the earliest, at least not later than 28.02.2020"

Further, the Supreme Court of India in its order dated 08.01.2020 in Suo Moto WP(Crl.) No.1/2019 has directed as follows:-

"all the States to takes steps to appoint exclusive Public Prosecutors in all the courts which have been set up exclusively for POCSO Cases."

3. Accordingly, the Government have decided to appoint regular cadre Prosecuting Officers in the Prosecution department for Special Courts to try offences relating to the POCSO Act, 2012.

4. In the letter third read above, the Director of Prosecution has sent a proposal requesting the Government

(i) to sanction 16 posts of Special Public Prosecutors in the rank of Additional Public Prosecutors/Deputy Legal Advisors to the Prosecution Department to try the offences relating to the Protection of Children from Sexual Offences Act 2012 for the Special Courts in the cadre of District Judge functioning one each at Chennai, Coimbatore, Cuddalore, Kancheepuram @ Chengalpet, Kanyakumari @ Nagercoil, Madurai, Nagapattinam, Salem, Sivagangai, Thanjavur, Tirunelveli, Tiruvannamalai, Thoothukudi, Vellore, Villupuram and Virudhunagar @ Srivilliputhur in the scale of pay of Rs.59,300-1,87,700/- (Level 25) as a recurring expenditure of Rs.2,07,59,952/- towards salaries.

(ii) to sanction a sum of Rs.13,00,692/- towards providing office accessories (Laptop and printers) and Rs.5,11,700/- towards purchase of furniture for the above 16 posts of Special Public Prosecutors as a non-recurring expenditure.

(iii) to sanction the following posts of supporting ministerial staff to the post of 16 Additional Public Prosecutors attached to Special Court, (POCSO Act cases):-

Sl. No	Name of the District/ Court	Name of the Post to be sanctioned/created		
		Additional Public Prosecutor	Steno-Typist Gr.III	Office Assistant
1	Special Court (Pocso Act cases) Chennai, Coimbatore, Cuddalore, Kancheepuram Kanyakumari @ Nagercoil, Madurai, Nagapattinam,	16	16	16

Salem, Sivagangai, Thanjavur, Tirunelveli, Tiruvannamalai, Thoothukudi, Vellore, Villupuram and Virudhunagar @ Srivilliputhur.			
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5. The Government after careful examination, have decided to accept the proposal of the Director of Prosecution and to sanction 16 posts of Special Public Prosecutors in the rank of Additional Public Prosecutors / Deputy Legal Advisors to the Prosecution Department to try the offences relating to the Protection of Children from Sexual Offences Act 2012 for the Special Courts functioning one each at Chennai, Coimbatore, Cuddalore, Kancheepuram @ Chengalpet, Kanyakumari @ Nagercoil, Madurai, Nagapattinam, Salem, Sivagangai, Thanjavur, Tirunelveli, Tiruvannamalai, Thoothukudi, Vellore, Villupuram and Virudhunagar @ Srivilliputhur in the minimum Pay of Rs.59,300/- (Level- 25 Rs.59,300 - 1,87,700/-) at a recurring cost of Rs.2,07,59,952/- (Rupees two crore seven lakh fiftynine thousand nine hundred and fifty two only) towards salaries and to sanction a sum of Rs.13,00,692/- (Rupees thirteen lakhs six hundred and ninety two only) towards providing office accessories (Laptop and Printer) and Rs.5,11,700/- (Rupees Five lakhs eleven thousand and seven hundred only) towards purchase of furniture as a non-recurring expenditure to the above 16 posts of Special Public Prosecutors.

6. The Government also sanction the following posts of supporting ministerial staff for the above sanctioned 16 posts of Additional Public Prosecutors attached to the above 16 Special courts for exclusive trial of cases under POCSO Act 2012:-

Sl. No	Name of the post and Scale of Pay	No of post
1.	Steno-Typist Grade.III in the minimum pay of Rs.20,600/- (Level-10 Rs.20,600 - 65,500/-)	16
2.	Office Assistant in the minimum pay of Rs.15,700/- (Level-1 Rs.15,700 - 50,000/-)	16

7. The expenditure sanctioned in paragraph 5 and 6 above shall be debited to the following head of account:-

Salaries:

"2014-00 Administration of Justice - 114 Legal Advisers and Counsels - State's Expenditure - AF Mofussil Law Officers - 301 Salaries".  
IFHRMS (DP Code 2014-00-114-AF-30100)  
Old (DP Code 2014-00-114-AF-0116)

Furniture:

"2014-00 Administration of Justice - 114 Legal Advisers and Counsels - State's Expenditure - AF Mofussil Law Officers - 305 Office expenses-05 Furniture"  
IFHRMS (DP Code 2014-00-114- AF -30505)  
Old (DP Code 2014-00-114-AF-0554)

Office Accessories

"2014-00 Administration of Justice - 114 Legal Advisers and Counsels - State's Expenditure - AF Mofussil Law Officers - 376 Computers and Accessories - 01 Purchase"  
IFHRMS (DP Code 2014-00-114- AF -37601)  
Old (DP Code 2014-00-114-AF-7619)

8. The expenditure sanctioned in para-5 above shall constitute an item of "New Instrument of Service" and the approval of the Legislature shall be obtained in due course of time by an inclusion in the Supplementary Estimates 2019-2020. Pending approval of the Legislature, the expenditure may be initially met by drawal of an advance from the Contingency Fund. The Director of Prosecution is requested to calculate the actual amount required for the period up to next supplementary estimates and apply for sanction of the same as advance from the Contingency Fund to Finance (BG-I / Home-II) Department directly in Form 'A' appended to the Contingency Fund Rules, 1963 along with a copy of this order. Orders for sanction of an advance from the Contingency Fund will be issued from Finance (BG-I) Department. The Director of Prosecution shall also send necessary draft explanatory notes for inclusion of this expenditure in the Final Supplementary Estimates for the year 2019-2020, without fail.

9. This order issues with the concurrence of the Finance Department vide its C.No.6622/Home-I/2020, dated 07.02.2020, U.O.No.6904/CMPC/2020, dated 10.02.2020 and Additional Sanction Ledger No.3017 (Three thousand and seventeen)

(BY ORDER OF THE GOVERNOR)

S.K.PRABAKAR  
ADDITIONAL CHIEF SECRETARY TO GOVERNMENT

To  
The Director of Prosecution, Chennai- 5.  
The Registrar General, High Court of Madras, Chennai-104.  
The Principal Accountant General (A&E/Audit), Chennai-18.  
The Pay and Accounts Officer Concerned.  
The Treasury Officer Concerned.

Copy to:

The Office of the Chief Minister, Chennai-9.  
The Special Personal Assistant to Minister  
(Law, Courts and Prisons), Chennai - 9.  
The Private Secretary to Additional Chief Secretary,  
Home, Prohibition & Excise Department, Chennai-9.  
The Finance (Home-I/CMPC/BG-II) Department,  
Chennai-9.  
The Personnel and Administrative Reforms Department, Chennai-9.  
Stock File/Spare Copy.

//Forwarded /By Order//

*to. S. Prabhakar*  
*10/02/2020*  
SECTION OFFICER

*10.02.2020*