In pursuance of the provision of clause (3) of Article 348 of the Constitution of India, the Governor is pleased to order the publication of the following English translation of Notification no.4424-40 /XX-3/2026-01(15)2025 E-93303

Uttarakhand Government
Home Section-3
No. 4424-41 /XX-3/2026-01(15)2025 E- 93303
Dehradun : Dated 27 August, 2026

Notification

Miscellaneous

In order of the provisions of sub-section (3) of Section 19 of the Bharatiya Nagrik Suraksha Sanhita, 2023 (Act No. 46 of 2023), the Governor is pleased to notify the following procedure, namely:-

1- Where no Assistanant Public Prosecutor is available for the purposes of any particular case or class of cases, the District Magistrate may appoint any other eligible person to be the Assistant Public Prosecutor in charge of that case or class of cases.

2- For appointment under the provisions of sub–section (3) of Section 19 of the Bharatiya Nagrik Suraksha Sanhita, 2023, a person shall be eligible only if he has been in practice as an advocate for not less than five years.

3- No police officer shall be eligible to be appointed as an Assistant Public Prosecutor, if he -

(a) has taken any part in the investigation of the offence with respect to which the accused is being prosecuted; or

(b) is below the rank of Inspector.

4- For the said appointment, it shall be mandatory for the District Magistrate to give 14 days' prior notice to the State Government.

5- The Assistant Public Prosecutor appointed by the District Magistrate for the conduct of any case or class of cases shall be paid the prescribed fee/honorarium in accordance with Government Order No. 108(1)/XXXVI-A-1 /2020-07 चार/न्या0अनु0/2005, dated 18 March 2020 (as amended from time to time) issued by Law Department, Government of Uttarakhand,.

6- Upon appointment of a regular Assistant Public Prosecutor in the Court, the appointment made by the District Magistrate for the purpose of conducting any case or class of cases shall automatically stand deemed to be cancelled.

No. HS3-MISC/MISC/50/2025-XX-3-Home Department (Computer No. 93303)
erated from eOffice by ASHISH CHAND, Review Officer-Home Section-03-AC, ASSISTANT REVIEW OFFICER, Home Department on 27/10/2026 11:46 am

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7- The District Magistrate shall maintain a separate register for the appointment of persons who have been appointed as Assistant Public Porsecutor for the purpose of conducting any case or class of cases. The following particulars shall be recorded in the said register-

(i) Name of the person appointed as Assistant Public Porsecutor.

(ii) Details of the case.

(iii) Details of fee payment.

(iv) Details of eligibililty criteria.

By Order,

Digitally signed by
Shailesh Bagauli
Date: 22-10-2026
10:35:49

(Shailesh Bagauli)
Secretary

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