<u>कार्यालय– प्रधान जिला एवं सत्र न्यायाधीश, उज्जैन (म.प्र.)</u>

पृष्ठांकन कं. /..7520..                              उज्जैन, दिनांक – 2 6 JUL 2024

<u>प्रतिलिपि–</u> समस्त न्यायिक अधिकारीगण, उज्जैन/खाचरौद/तराना/महिदपुर/नागदा/
बड़नगर की ओर–

    माननीय रजिस्ट्री का ई–मेल दिनांक 20.07.2024 के संलग्न एसओपी (मानक संचालन प्रकिया) की छायाप्रति, जिला मुख्यालय के साथ–साथ तहसील न्यायालयों को भी आपराधिक मामलों में इलेक्ट्रॉनिक प्लेटफॉर्म का उपयोग करके समन और वारंट बनाने और प्रसारित करने की प्रकियाओं की ऑटो जनरेशन प्रोसेस लागू करने बाबत रजिस्ट्री जबलपुर से प्राप्त निर्देशों का पालन सुनिश्चित किये जाने हेतु सूचनार्थ, पालनार्थ एवं आवश्यक कार्यवाही हेतु प्रेषित।

<u>संलग्न –</u>  उपरोक्तानुसार.

                                     26/7/2024

                       वास्ते–प्रधान जिला एवं सत्र न्यायाधीश,
                        उज्जैन जिला उज्जैन.

*PUD-02*

**• Email**                                 **District Judge Ujjain**

## Fwd: Implementation of auto generating and transmitting summons and warrants in criminal cases for test run.

**From :** Registrar IT <regitmphc@mp.gov.in>      Sat, Jul 20, 2024 02:03 PM

**Subject :** Fwd: Implementation of auto generating and transmitting summons and warrants in criminal cases for test run.      ⬭1 attachment

**To :** District and Session Judge Panna <dcourtpan-mp@nic.in>, Raisen District Court <dcourtrai-mp@nic.in>, District and Session Court Rajgarh <dcourtraj-mp@nic.in>, District & Session Court Ratlam (M.P.) <dcourtrat-mp@nic.in>, District Court Rewa <dcourtrew@nic.in>, SAGAR_DC <dcourtsag-mp@nic.in>, District Court Satna, Madhya Pradesh <dcourtsat-mp@nic.in>, dcourtseh-mp <dcourtseh-mp@nic.in>, District Court Seoni <dcourtseo-mp@nic.in>, District Court sHAHDOL <dcourtshd-mp@nic.in>, District & Sessions Judge Shajapur <dcourtshj-mp@nic.in>, dcourtshe mp <dcourtshe@indianjudiciary.gov.in>, Shivpuri District Court <dcourtshi-mp@nic.in>, dcourtsid <dcourtsid@nic.in>, District Court Tikamgarh <dcourttik-mp@nic.in>, District Judge Ujjain <dcourtujj-mp@nic.in>, Prinicipal Ditrict Judge, Umaria <dcourtuma-mp@nic.in>, Prinicipal Ditrict Judge, Umaria <dcourtuma@aij.gov.in>, District Court Vidisha <dcourtvid-mp@nic.in>, District Court Mandleshwar <dcourtkhr-mp@nic.in>, Distt. & Sessions Court Singrauli (Waidhan) <dcourtsin-mp@nic.in>, District court Agar Malwa <dcourtagar@mp.gov.in>
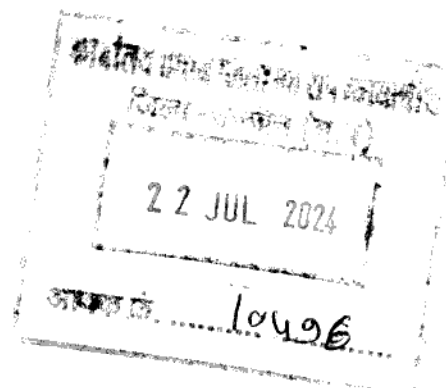
**Cc :** samreshcj@gmail.com

To,

urgent
SO/JSA
22|7|24

Principal District & Sessions Judge,
All District Courts in the State of Madhya Pradesh


Respected Sir/Madam

        Please refer to email dated 07.06.2024 whereby it was requested implement this auto generation of processes in criminal cases in accordance with the attached Standard Operating Procedure (SOP) for test run in the district, however, it has come to our knowledge that some of the districts are confused as to whether it is to be implemented in Taluka Court, for which this is to clarify that the it has already been informed that it is to be implemented in all District Courts and their Taluka Courts. Further, this is to apprise that the training with regarding to implementation of the said project has already been conducted for all the District & Taluka Court.

        However, it is again requested to implement this auto generation of processes in criminal cases in accordance with the attached Standard Operating Procedure (SOP) for test run in all District Courts and their Taluka Courts.

        Kindly treat this as urgent and after implementation of the said project, inform this Registry with regard to the said implementation.



With regards,

Samresh Singh
Registrar (I.T.) & CPC
High Court of M.P.
Jabalpur

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**From:** "Registrar IT" <regitmphc@mp.gov.in>
**To:** "District and Session Judge Panna" <dcourtpan-mp@nic.in>, "Raisen District Court" <dcourtrai-mp@nic.in>, "District and Session Court Rajgarh" <dcourtraj-mp@nic.in>, "District & Session Court Ratlam (M.P.)" <dcourtrat-mp@nic.in>, "District Court Rewa" <dcourtrew@nic.in>, "SAGAR_DC" <dcourtsag-mp@nic.in>, "District Court Satna, Madhya Pradesh" <dcourtsat-mp@nic.in>, "dcourtseh-mp" <dcourtseh-mp@nic.in>, "District Court Seoni" <dcourtseo-mp@nic.in>, "District Court sHAHDOL" <dcourtshd-mp@nic.in>, "District & Sessions Judge Shajapur" <dcourtshj-mp@nic.in>, "dcourtshe mp" <dcourtshe@indianjudiciary.gov.in>, "Shivpuri District Court" <dcourtshi-mp@nic.in>, "dcourtsid" <dcourtsid@nic.in>, "District Court Tikamgarh" <dcourttik-mp@nic.in>, "District Judge Ujjain" <dcourtujj-mp@nic.in>, "Prinicipal Ditrict Judge, Umaria" <dcourtuma-mp@nic.in>, "Prinicipal Ditrict

Judge, Umaria" <dcourtuma@aij.gov.in>, "District Court Vidisha" <dcourtvid-mp@nic.in>, "District Court Mandleshwar" <dcourtkhr-mp@nic.in>, "Distt. & Sessions Court Singrauli (Waidhan)" <dcourtsin-mp@nic.in>, "District court Agar Malwa" <dcourtagar@mp.gov.in>
**Sent:** Friday, June 7, 2024 5:28:53 PM
**Subject:** Fwd: Implementation of auto generating and transmitting summons and warrants in criminal cases for test run.

To,
Principal District & Sessions Judge,
All Districts of M.P.

Respected Sir/Madam

On the above mentioned subject, please find the attached Standard Operating Procedure (SOP) developed to streamline the process of generating and transmitting summons and warrants in criminal cases in District Judiciary using electronic platforms. As per the approval of Hon'ble Acting Chief Justice it is requested to kindly implement this auto generation of processes in criminal cases in accordance with the attached Standard Operating Procedure (SOP) for test run.

For any issues pertaining to above auto generation processes please contact to Mr. Arvind Mehra, System Officer at Mob. No. 8305977966.

With regards

**(Samresh Singh)**
**Registrar (I.T.)/**

**CPC**

**Email:**

**regitmphc@mp.gov.in**

Phone:0761-

2600628

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📎 **Final Standard Operating Procedure 10.04.2024.pdf**
57 KB

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**From** : Registrar IT <regitmphc@mp.gov.in>    Fri, Jun 07, 2024 05:31 PM
**Subject** : Fwd: Implementation of auto generating    📎1 attachment

and transmitting summons and warrants in criminal cases for test run.

**To :** District and Session Judge Panna <dcourtpan-mp@nic.in>, Raisen District Court <dcourtrai-mp@nic.in>, District and Session Court Rajgarh <dcourtraj-mp@nic.in>, District & Session Court Ratlam (M.P.) <dcourtrat-mp@nic.in>, District Court Rewa <dcourtrew@nic.in>, SAGAR_DC <dcourtsag-mp@nic.in>, District Court Satna, Madhya Pradesh <dcourtsat-mp@nic.in>, dcourtseh-mp <dcourtseh-mp@nic.in>, District Court Seoni <dcourtseo-mp@nic.in>, District Court sHAHDOL <dcourtshd-mp@nic.in>, District & Sessions Judge Shajapur <dcourtshj-mp@nic.in>, dcourtshe mp <dcourtshe@indianjudiciary.gov.in>, Shivpuri District Court <dcourtshi-mp@nic.in>, dcourtsid <dcourtsid@nic.in>, District Court Tikamgarh <dcourttik-mp@nic.in>, District Judge Ujjain <dcourtujj-mp@nic.in>, Prinicipal Ditrict Judge, Umaria <dcourtuma-mp@nic.in>, Prinicipal Ditrict Judge, Umaria <dcourtuma@aij.gov.in>, District Court Vidisha <dcourtvid-mp@nic.in>, District Court Mandleshwar <dcourtkhr-mp@nic.in>, Distt. & Sessions Court Singrauli (Waidhan) <dcourtsin-mp@nic.in>, District court Agar Malwa <dcourtagar@mp.gov.in>

To,
Principal District & Sessions Judge,
All Districts of M.P.

Respected Sir/Madam

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generation of processes in criminal cases in accordance with the attached Standard Operating Procedure (SOP) for test run.

For any issues pertaining to above auto generation processes please contact to Mr. Arvind Mehra, System Officer at Mob. No. 8305977966.

With regards

**CPC**

**regitmphc@mp.gov.in**

2600628

**(Samresh Singh)**
**Registrar (I.T.)/**

**Email:**

Phone:0761-

**Final Standard Operating Procedure 10.04.2024.pdf**
57 KB

## Standard Operating Procedure

## Title: Auto Generation of Processes in Criminal Cases

1. **Objective:** The objective of this Standard Operating Procedure (SOP) is to establish a comprehensive and efficient system for the auto-generation and transmission of summons and warrants in criminal cases. This SOP aims to expedite the service of process in criminal matters, which traditionally takes considerable time from the issuance of court processes to their delivery at the relevant police station. By implementing this streamlined process, aim is to accelerate the delivery of summons and warrants, with accuracy and uniformity to ensure strict compliance with legal requirements and ultimately enhance the efficiency and transparency of the summoning process in criminal matters.

2. **Relevant Provisions:** This SOP is guided by the following legal provisions:

   Sections 61 and 70 of Code of Criminal Procedure, 1973 (CrPC)/(Criminal Procedure Code 1973) and Rules 42 and 46 of MP Rules & Orders (Criminal) are relevant. These provisions read as follows:

   **Section 61. Form of summons :-** Every summons issued by a Court under this Code shall be in writing, in duplicate, signed by the presiding officer of such Court or by such other officer as the High Court may, from time to time, by rule direct, and shall bear the seal of the Court.

   **Section 70. Form of warrant of arrest and duration :-**

   (1) Every warrant of arrest issued by a Court under this Code shall be in writing, signed by the presiding officer of such Court and shall bear the seal of the Court.

   (2) Every such warrant shall remain in force until it is cancelled by the Court which issued it, or until it is executed.

**Rule 42:** Processes should ordinarily be written in the language of the court, but when they are sent for service to another court where the language is different, they should be accompanied by a translation into English, certified by transmitting court to be correct.

**Rule 46:** Every process must be signed legibly and in full by the officer by whom it is issued. The name of his office or the capacity in which he acts should be clearly written under his signature. The practice of singing initials only or of using a stamp is forbidden. Summonses issued by Courts of Session, District Magistrates and magistrates of the first class may however be signed by the clerk of court or the superintendent of the office or the reader as the case may be. A warrant of arrest must invariably be signed personally by the judge or magistrate by whom it is issued. The signature of a ministerial officer is not sufficient.

A bare perusal of the above provisions makes it clear that warrants, both bailable as well as non-bailable are invariably required to be signed by the presiding officer of Court. However, summons may be signed by Reader, as authorized by the High Court earlier.

Sections 4 and 5 of Information Technology Act, 2000 are also relevant here which provide that -

**Section 4. Legal recognition of electronic records:-** Where any law provides that information or any other matter shall be in writing or in the typewritten or printed form, then, notwithstanding anything contained in such law, such requirement shall be deemed to have been satisfied if such information or matter is

(a) rendered or made available in an electronic form; and

(b) accessible so as to be usable for a subsequent reference.

**Section 5. Legal recognition of digital signatures:-** Where any law provides that information or any other matter shall be authenticated by affixing the signature or any document shall be signed or bear the signature of any person, then, notwithstanding anything contained in such law, such requirement shall be deemed to have been satisfied, if such information or matter is authenticated by means of digital signature affixed in such manner as may be prescribed by the Central Government.

**Explanation.-** For the purposes of this section, "signed", with its grammatical variations and cognate expressions, shall, with reference to person, mean affixing of his handwritten signature or any mark on any document and the expression "signature" shall be construed accordingly.

3. **Cohesion between CIS and CCTNS:** The Case Information System (CIS) and Crime and Criminal Tracking Network System (CCTNS) are integrated and synchronized as well. Meta data and PDF file would be provided by both systems i.e. CIS and CCTNS.

4. **Compliance of Legal Requirements:** To ensure compliance with legal requirements:

4.1. Processes are generated in writing, in Hindi language (Devnagari script) or if so required by law in English, as per Cr.P.C and M.P. Rules & Orders (Criminal).

4.2. Digital signatures, in accordance with the Information Technology Act, 2000, are affixed to electronically generated processes.

4.3. Alternative methods such as stylus, e-sign, or OTP verification may be explored for cost-effectiveness.

4.4. Amendments to Rules and Orders (Criminal) may simplify the process by eliminating the requirement for physical signatures, enhancing efficiency while maintaining legal validity.

5. **Mode of Implementation:** The implementation of this SOP involves the following steps:

5.1. Preparation of templates in CIS in Devnagari script (or if so required by law in English), encompassing forms prescribed in Cr.P.C and other relevant legislations.

5.2. Five Thousand Four Hundred and Fifty Two (5452) number of digital signatures have already been purchased by the High Court for the district courts in the State of Madhya Pradesh.

5.3. Digital signature will be provided to the concerned Reader of each Court to facilitate efficient signing of processes. However, more digital signatures may be allotted to a court if the need so arises.

5.4. The Court Staff will be guided by the technical team to use the digital signatures allotted to them.

5.5. The I.T. team of High Court of M.P. Jabalpur has developed software for facilitating bulk signatures within the Windows Operating System. The setup of the said software will be extended to district courts. Additionally, the IT team, High Court of M.P. Jabalpur is actively working on enhancing the software to support bulk signatures on Ubuntu Linux operating systems.

5.6. Automatic transmission of digitally signed processes from CIS to CCTNS.

5.7. Adherence to Cr.P.C. guidelines, Police regulations by police stations for the service of processes.

5.8. Return of processes to the Court electronically with corresponding entries made in CCTNS to ensure data synchronization.

5.9. Courts may issue digitally signed memos or letters through pre-defined templates for special instructions, forwarded through CIS to maintain accountability and clarity in communication.

5.10. Data will be uploaded to either the NJDG servers or ICJS servers via the Chrome schedule, occurring four times daily: at 8 am, 1 pm, 3 pm, and 8 pm.

5.11. The CIS software will generate, publish, and transmit the process to the ICJS or NJDG servers. Subsequently, the respective police station will execute the service of summons/warrants; they will capture photographs of the serving officer and add the signature of the recipient.

5.12. The services of summons/warrants generated status can also be viewed in N-Step software.

5.13. Police officer/SHO, while returning process, may issue digitally signed/signed letters through pre-defined templates in case any special response is to be bring to the notice of process issuing court.

## 6. Responsibilities:

6.1. CIS administrators: IT team of High Court of M.P. Jabalpur would develop and maintain templates, oversee transmission, and ensure data integrity. In district courts Junior System Analyst/Technical Team would monitor that data would be uploaded on scheduled time.

6.2. Court Readers: Utilize and affix digital signatures in the summons ordered by the Court. Also he/she shall affix bulk digital signatures also on all processes issued by the Court.

It is clarified that bailable and/or non-bailable warrants issued by the Court will bear digital signature of the concerned Presiding Officer only.

6.3. Police Stations: Effectively serve processes in accordance with CrPC provisions/ Police manual and return it electronically to the Court and also provide feedback on service status.

6.4. Courts: Monitor process flow, issue special instructions when necessary, and ensure compliance with legal requirements.

7. **Review and Evaluation:** Regular audits, feedback mechanisms, and performance evaluations shall be conducted by the IT team of High Court of M.P. Jabalpur and Nodal officer of I.C.J.S. to assess the efficiency and effectiveness of this SOP. Any necessary revisions or improvements shall be implemented promptly to optimize system functionality. As and when Bhartiya Nagrik Suraksha Adhiniyam, 2023 and/or new enactments are made applicable this SOP shall be amended accordingly.

8. **Revision History:** These SOPs are made for smooth functioning of Auto Generation of summons and warrants and may be amended time to time until rules are not framed or amended accordingly.

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