

IN THE SUPREME COURT OF INDIA
CRIMINAL ORIGINAL JURISDICTION
SMW(CRL) NO. 1 OF 2017

IN THE MATTER OF:
IN RE: TO ISSUE CERTAIN GUIDELINES
REGARDING INADEQUACIES AND DEFICIENCIES
IN CRIMINAL TRIALS

COMPILATION ON BEHALF OF AMICUS CURIAE SHRI SIDHARTH
LUTHRA (SR. ADV.)

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BEFORE THE SUPREME COURT OF INDIA

Suo Motu Writ (CRL.) No.1 of 2017

**In RE: CRIMINAL TRIALS GUIDELINES REGARDING INADEQUACIES
AND DEFICIENCIES****DIRECTIONS SOUGHT BY AMICUS CURIAE MR. SIDHARTH LUTHRA,
SENIOR ADVOCATE**

1. This Hon'ble Court in the present Suo Motu proceedings has been pleased to note various aspects and inadequacies in Criminal law practice, procedures, rules and orders across jurisdictions of different High Courts.
2. This Court vide order dated 07.11.2017 and 20.02.2018 appointed Shri R. Besant, Senior Advocate, Shri Sidharth Luthra, Senior Advocate and Shri. K Parameshwar now Sr Advocate (& then Advocate on Record) as amici curiae after taking note of these inadequacies and archaic practice. Further, this Hon'ble Court, vide order dated 20.02.2018, directed all State Governments and High Courts to submit their responses to the *amici curiae*.
3. A consultation paper was submitted by the *Amici Curiae* - Shri R Basant, Senior Advocate, Shri Sidharth Luthra, Senior Advocate and Shri. K Parameshwar on the basis of the responses received from States and Union Territories.
4. This Hon'ble Court had recast and framed the rules - termed *Draft Rules of Criminal Practice, 2021* which are part of the order dated 20.04.2021 of this court in *Criminal Trials Guidelines regarding inadequacies and deficiencies, In Re v. State of Andhra Pradesh (2021) 10 SCC 598* to be implemented within a

period of 6 months (*para 19*). This court directed all the State governments, as well as the Union of India (in relation to investigating agencies in its control) to carry out consequential amendments to their police and other manuals by this judgement.

5. Thereafter, this Hon'ble Court, by its subsequent order dated 24.03.2022 directed the Registrar General of the High Courts and the Chief Secretaries of the States to file an Action Taken Report within three weeks.
6. Subsequent to the passing of said judgement, the New Criminal Law Codes - *Bhartiya Nagarika Suraksha Sanhita, 2023* ('**BNSS**'), *Bharatiya Nyaya Sanhita, 2023* ('**BNS**') and *Bharatiya Sakshya Adhinyam, 2023* ('**BSA**'), were enacted and brought into force from July 2024, to recalibrate the architecture of the criminal justice system and to apply the use of technology to further the objectives of the criminal justice system.
7. As regard the draft rules of criminal practice – the legislative mechanism governing the same under the law and the BNSS is reproduced in the table below- which demonstrates that there is some change and focus on the use of technology.
8. Hence at this stage, certain modifications are required in the *Draft Rules* and these amendments are necessitated on account the changes/modification in the existing CrPC proceedings while recasting in the new criminal law. It is therefore imperative that the stakeholders who were directed to bring in uniform rules – recast the existing rules, as proposed, to maintain reliability and to uphold constitutional right of due process.

9. Subsequent to the directions issued vide order dated 20.04.2021 by this Hon'ble Court, the BNSS and the BSA have been enacted and have come into force. Pursuant thereto, directions have been issued by different benches, such as in *Aman Kumar v State of Bihar*, bearing SLP (CRL.) No. 8437 of 2025. The guidelines have been modified to ensure that there is no overlap with other BNSS provisions which occupy the field.
10. Similarly, this Hon'ble Court had granted its imprimatur to the Witness Protection Scheme, 2018 and had directed the Union of India, States and all Union Territories to enforce the said Scheme, in both letter and spirit, vide its judgment dated 05.12.2018 reported in *Mahender Chawla v. Union of India*, (2019) 14 SCC 615. However, with the promulgation of the BNSS, 2023, the power to formulate a 'Witness Protection Scheme' stands codified under Section 398 of the BNSS. The States and UTs are statutorily conferred with the power to frame the said Witness Protection Scheme(s) but no time limit has been prescribed for the framing and promulgation of the same. Whilst some States and UTs have notified the said Scheme under Section 398 of the BNSS with promptitude, some States and UTs haven't notified the scheme as yet, which leads to a policy gap that needs to be urgently plugged. Mindful of this Hon'ble Court's polyvocality, the Hon'ble Court, may take note, that in SLP (CRL) No. 15311 of 2025, this Hon'ble Court has issued notice to the State of Madhya Pradesh on the limited question over the absence of the notified scheme under Section 398 of the BNSS. Accordingly, such States and/or UTs, which may not have formulated the scheme under Section 398 of BNSS as on date, may be

directed to file status reports of the same and to specify the steps taken and the time limit within which such schemes may be notified and enforced. **Table** showing the list of States and Union Territories that have issued Witness Protection Schemes under Section 398 of BNSS or have such a scheme which predates the BNSS is annexed as Annexure- 'A'. **Table** showing the list of States and Union Territories that have not issued Witness Protection Schemes under Section 398 of BNSS is annexed as Annexure – 'B'.

11. In addition, any evidence/ record that is stored in an audio-visual (hereinafter 'AV') format will have to be stored in compliance with the Digital Person Data Protection Act, 2023, and the subordinate rules made under the said Act, or such law for the time being in force as well as the SOPs¹ formulated by the Union, States and/or UTs, as the case may be.
12. The amicus thus seeks directions for adoption and framing of Draft Rules of Criminal Practice, 2026 in supersession of Draft Rules of Criminal Practice, 2021 as framed below and subject to such modifications, as this Hon'ble Court may deem fit. It is further prayed that till the adoption of these Rules by the High Courts, these Rules may be treated as directions under Article 142 of the Constitution of India.

¹ Ministry of Home Affairs SOP for Audio Video Means under BNSS
https://bprd.nic.in/uploads/pdf/1723616060_2a3a0a30527ffc634.pdf

RE: CHAPTER I: INVESTIGATION

1. Body Sketch to Accompany Medico Legal Certificate, Post-Mortem Report and Inquest Report:

- i. Every Medico Legal Certificate, Post Mortem Report shall contain a printed format of the human body on its reverse and injuries, if any, shall be indicated on such sketch.

Explanation: The printed format of the human body shall contain both a frontal and rear view of the human body as provided in ANNEXURE – A

- ii. Once prepared, the inquest, post mortem and medical reports and body sketch be forwarded to the concerned investigating officer, victim within the stipulated timeline under Section 184 and 194 of the BNSS.

2. Photograph and video of post mortem:

- i. In case of death of a person in police action [under Section 46 Cr.PC/ Section 43 BNSS or Sections 129 to 131 Cr.PC/148-151 BNSS] or death while in police custody, the Magistrate or the Investigating Officer as the case may be, shall inform the hospital or doctor in charge to arrange for photographs or videography for conducting the post-mortem examination of the deceased. The photographs of the deceased shall also be arranged to be taken in all cases.
- ii. Such photograph and video graphs shall be taken either by arranging a police photographer or a nominated photographer of the State Government, and where neither of the above are available, an independent or private photographer shall be engaged.
- iii. Such photographs or video graphs shall be seized under a panchnama or seizure memo and all steps taken to ensure proper proof of such photographs/video graphs during Trial.
- iv. The Investigating Officer shall ensure that such photographs and videographs, if taken electronically, are seized under a panchnama or seizure memo and steps are taken to preserve the original, and ensure that

certificate under Section 65B IEA or 63 BSA, as applicable, is obtained and taken to be proved during trial.

- v. The video or photographs shall be stored on a new and sealed separate memory card, accompanied by a duly certified by a certificate under Section 65B IEA/ 63 BSA as applicable.
- vi. Where post-mortems are recorded in electronic form, the file containing the post-mortem proceedings, duly certified by the photographer/videographer, as the case may be, should be placed with the memory card as an attachment unless individual memory cards are not capable of being produced before Court.

3. Scene Mahazar/ Spot Panchanama:

- i. A site plan of the place of occurrence of an incident shall be appended by the Investigating Officer to the scene mahazar or spot panchnama. The scene of crime shall be recorded by audio visual means as prescribed under Section 185 of BNSS.
- ii. The site plan shall be prepared by the Investigating Officer by hand and shall disclose
 - a. the place of occurrence,
 - b. the place where the body (or bodies) was / were found,
 - c. the place where material exhibits and/or weapons,
 - d. blood stains and/or body fluids had fallen,
 - e. the place where bullet shells, if any, were found or have caused impact,
 - f. the source of light, if any and
 - g. adjoining natural and man-made structures or features such as walls, pits, fences, trees/bushes, if any and
 - h. elevation of structures and their location.
- iii. The preparation of this sketch by the Investigating Officer shall be followed by a scaled site plan prepared by police draftsman, if available, or such other

authorized or nominated draftsman by the State Government, who shall prepare the scaled site plan after visiting the spot.

- iv. The relevant details in the mahazar or panchnama shall be marked and correlated in the said site plan.

Note: Wherever there is an amendment or new provisions in BNSS, these guidelines are made to supplement those provisions- and where the guideline is now dealt with by a new provision, that guideline is being deleted.

All provisions of BNSS on search and seizure shall be applicable in applying this rule.

4. Supply of documents:

- i. Every Accused shall be supplied with statements of witness recorded under Sections 180 BNSS (earlier S.161 CrPC) and 183 BNSS (earlier 164 CrPC) and a list of documents, material objects and exhibits seized during investigation and relied upon by the Investigating Officer (I.O) in accordance with Sections 207 CrPC/230 BNSS and 208 Cr. PC/231 BNSS.

Note: Every victim as defined in Section 2 (wa) of CrPC/ 2 (y) of BNSS is also entitled to be provided with a copy of the materials supplied. (Ref *Section 193(3)(ii) BNSS and 230 BNSS.*)

- ii. Accused or Victim- who are entitled to participate in the proceedings would be permitted inspection of the judicial record in pending cases and to utilize the same in accordance with law.

Note: Reference may be made to the ‘e-True Copy Rules of the High Court of Delhi, 2024’ (hereinafter ‘eTCR, 2024’). A detailed framework on how an Applicant (defined to mean a party to a proceeding – civil or criminal, or his advocate) to obtain a e-True copy of the record of a proceeding at any stage of the said proceeding. The following are the guidelines to issue such copies:

- (i) A stranger may also apply for an e-True copy to a proceeding subject to exceptions as specified in the relevant Rules of the Hon’ble High Court.

- (ii) Such e-true copies are furnished without the levy of any fee, are authenticated in the manner as specified in the Information Technology Act, 2000.
- (iii) Such e-True copies may be shared either in electronic form or in cases of heavy data file, through an electronic storage device to be furnished within a personable period to procure the digitised record.
- (iv) Electronic application for grant of such e-true copy of documents are to be made online through the website of the district court concerned or the Hon'ble High Court, as the case may be. ²

Note: If Rules have not been framed by a Jurisdictional High Court, eTCR, 2024 may serve as model set of Rules that may be modified, adapted and enforced by other High Courts and district courts as well, subject to inherent rule making powers of such Courts, wherever applicable and prescribed.

Re: CHAPTER II:

5. Framing of charge:

- (i) The order framing charge shall be accompanied by a formal charge in Form 32, Schedule II, Cr.P.C./ Form 33 Schedule II BNSS to be prepared personally by the Presiding Officer after complete and total application of mind within sixty days from the date fixed for the first hearing on charge.

Note 1: For the purpose of computing the sixty-day period, any time covered by an interim order staying the proceedings, passed by the High Court or any other competent court in the matter, shall stand excluded.³

Note 2: On a reading of Section 251(1)(b) as well as Section 263 of BNSS, 2023 brings out the intention of the legislature by inserting the expression 'shall' in the context of Trial before a Court of Session and Trial of Warrant Cases by Magistrates, respectively to the extent that it is mandatory for the

² e-True Copy Rules of the High Court of Delhi , 2024 dated 22.04.2024, accessed from: <https://cdnbbsr.s3waas.gov.in/s3ec0298c39996bf1543e974747a2549b3/uploads/2024/05/2024053114.pdf>

³ *Aman Kumar v State of Bihar*; SLP (CRL) No. 8437/2025

Court to frame charge in writing against the accused within a period of 60 days from the date of first hearing on charge. In other words, the said Court is duty bound that it shall 'frame in writing a charge against the accused within a period of 60 days from the date of first hearing on charge'.

Note 3: The time frames regarding framing of charge is equally applicable to Courts of Special Judges/Special Courts, inter-alia, governed by Section 4 and 5 of Prevention of Corruption Act, 1988, wherein, the Special Judge shall follow the procedure prescribed by Code of Criminal Procedure, 1973 (now BNSS, 2023) for the Trial of Warrant Cases by Magistrates. This is a significant fact as there are cases triable by Special/Designated Judges who are of the rank of Sessions Judge level officers trying offences under Special Laws such as Prevention of Corruption Act, 1988 (as amended in 2018).

Re: CHAPTER III: TRIAL

6. Recording of evidence: Procedure

- i. The depositions of witnesses shall be recorded, in typed format or AV format, if possible. The record of evidence shall be prepared on computers, if available, in the Court on the dictation of the Presiding Officer.

Provided that in case the language of deposition is to be recorded in a language other than English or the language of the State, the Presiding Officer shall simultaneously translate the deposition either himself or through a competent translator into English.

- ii. The deposition shall be recorded in the language of the witness and in English when translated as provided in Clause 6 (i).
- iii. The depositions shall without exception be read over by the Presiding officer in Court. Hard copy of the testimony so recorded duly signed to be a true copy by the Presiding Officer/court officer shall be made available free of cost against receipt to the accused or an advocate

representing the accused, to the witness and the prosecutor on the date of recording.

- iv. A translator shall be made available in each Court and Presiding Officers shall be trained in the local languages, on the request of the Presiding Officer.
- v. The Presiding Officers shall not record evidence in more than one case at the same time.
- vi. The entire evidence shall be recorded in Audio-Visual format and with live transcriptions using technological tools or manually, as maybe feasible.

Note: Any person entitled to copies of the evidence will be entitled to be provided true copies of audio-visual recording & transcripts of evidence.

7. Recording Of Evidence: Format Of Witness:

- i. The deposition of each witness shall be recorded dividing it into separate paragraphs assigning paragraph numbers. Prosecution witnesses shall be numbered as PW-1, PW-2 etc, in seriatim. Similarly, defence witnesses shall be numbered as DW-1, DW-2, etc., in seriatim. The Court witnesses shall be numbered as CW-1, CW-2, etc, in seriatim.
- ii. If the evidence is in audio visual (AV) format it shall be PW-1(AV), PW-2 (AV) and DW-1 (AV) and DW-2 (AV) and so on in seriatim.
- iii. The record of depositions shall indicate the date of the chief examination, the cross examination and re-examination.
- iv. The Presiding Officers shall wherever necessary record the deposition in question and answer format.
- v. Objections by either the prosecution or the defence counsel shall be taken note of and reflected in the evidence and decided immediately, in accordance with law, or, at the discretion of the learned Judge, at the end of the deposition of the witness in question.

- vi. The name and number of the witness shall be clearly stated on any subsequent date, if the evidence is not concluded on the date on which it begins.

8. Exhibiting Of Material Objects And Evidence:

- i. Prosecution exhibits shall be marked as Exhibit P-1, P-2 etc in seriatim. Similarly, defence Exhibits shall be marked as Exhibit D-1, D-2, etc in seriatim. The Court exhibit shall be marked as Exhibit C-1, C-2, etc in seriatim.
- ii. To easily locate the witness through whom the document was first introduced in evidence, the exhibit number shall further show the witness number of such witness after the Exhibit number. If an exhibit is marked without proper proof, the same shall be indicated by showing in brackets (subject to proof).

Explanation: If Prosecution witness no. 1 (PW1) introduces a document in evidence, that document shall be marked as Exhibit P-1/PW1. If proper proof is not offered for that document at the time when it is marked, it shall be marked as Exhibit P-1/PW1 (subject to proof). The Second document introduced by PW1 will be Exhibit P-2/PW1.

- iii. The Material objects shall be marked in seriatim as MO-1, MO-2 etc.

9. Subsequent References To Accused, Witness, Exhibits And Material Objects:

- i. After framing of charges, the accused shall be referred to only by their ranks in the array of accused in the charge and not by their names or other references except at the stage of identification by the witness.
- ii. After recording the deposition of witnesses, marking of the exhibits and material objects, while recording deposition of other witnesses, the witnesses, exhibits and material objects shall be referred by their numbers and not by names or other references.

- iii. Where witness cited in the complaint or police report are not examined, they shall be referred to by their names and the numbers allotted to them in the complaint or police report.

10. References To Statements Under Section 161CrPC/180 BNSS And 164 CrPC/183 BNSS:

- i. During cross examination, the relevant portion of the statements recorded under Section 161 CrPC/180 BNSS used for contradicting the respective witness shall be extracted. If it is not possible to extract the relevant part as aforesaid, the Presiding Officer, in his discretion, shall indicate specifically the opening and closing words of such relevant portion, while recording the deposition, through distinct marking.
- ii. In such cases, where the relevant portion is not extracted, the portions only shall be distinctly marked as prosecution or defence exhibit as the case may be, so that other inadmissible portions of the evidence are not part of the record.
- iii. In cases where the relevant portion is not extracted, the admissible portion shall be distinctly marked as prosecution or defence exhibit as the case may be. i
- iv. The aforesaid rule applicable to recording of the statements under Section 161 CrPC/180 BNSS shall mutatis mutandis apply to statements recorded under Section 164 of the CrPC/183 BNSS, whenever such portions of prior statements of living persons are used for contradiction/corroboration.
- v. Omnibus marking of the entire statement under S. 161 Cr. PC/180 BNSS and 164 Cr.P.C/183 BNSS shall not be done.

Note: Chapter 25 of the BNSS addresses Evidence in Inquiries and Trials. The majority of the procedures remain the same as the CrPC. However, the BNSS has provided for audio video (AV) means in the recording of evidence with the following sections:

BNSS	CrPC	Inclusions
254(1)	S. 231	Witness evidence for prosecution may be recorded using audio-video means.
254(2)	S. 231	Deposition of public servants may be recorded using audio-video means.
310(1)	S. 275 (no change)	Evidence in warrant cases may be recorded via audio-video means in the presence of the accused's advocate.
336	New section	Evidence of public servants, experts, police officers in certain cases. Deposition by successor officers may be recorded using audio-video means.
356(5)	New Section	Inquiry trial or judgement in absentia or proclaimed offender. Witness deposition and examination must be recorded using audio-video means wherever practicable.

11. Marking of confessional statement— 183 BNSS:

The Presiding Officers shall ensure that only admissible portion of Section 8 or Section 27 Indian Evidence Act, 1872/ Section 23 of the BSA is marked and such portion alone is extracted on a separate sheet and marked and given an exhibit number.

RE: CHAPTER IV: THE JUDGMENT

12. Every judgement shall contain the following

- i. Start with a preface showing the names of parties as per FORM A to the Rules.
- ii. A tabular statement as per FORM B to the Rules.

- iii. An appendix giving the list of prosecution witnesses, defence witnesses, Court witnesses, Prosecution Exhibits, Defence Exhibits and Court Exhibits and Material Objects as per FORM C to the Rules.

13. In compliance with Section 354CrPC/393 BNSS and 355 Cr.PC, in all cases, the judgments shall contain:

- i. the point or points for determination,
- ii. the decision thereon, and
- iii. the reasons for the decision

14. In case of conviction, the judgment shall separately indicate the offence involved and the sentence awarded. In case there are multiple accused, each of them shall be dealt with separately. In case of acquittal and if the accused is in confinement, a direction shall be given to set the accused at liberty, unless such accused is in custody in any other case.

15. In the judgment the accused, witnesses, exhibits and material objects shall be referred to by their nomenclature or number and not only by their names or otherwise. Wherever, there is a need to refer to the accused or witnesses by their name, the number shall be indicated within brackets.

16. The judgment shall be written in paragraphs and each paragraph shall be numbered in seriatim. The Presiding Officers, may, in their discretion, organize the judgment into different sections.

Note: It is clarified that this rule is not applicable to judgments in summary trials under Section 263, 264 of CrPC/283-287 of BNSS.

Re: CHAPTER V: MISCELLANEOUS

17. Bail:

- i. The application for bail in non-bailable cases must ordinarily be disposed off within a period of 3 to 7 days from the date of first hearing. If the application is not disposed off within such period, the Presiding Officer shall furnish reasons thereof in the order itself. Copy of the order and the reply to the bail application or status report (by the police or prosecution) if any, shall be

furnished to the accused and to the accused on the date of pronouncement of the order itself. The Presiding Officer may, in an appropriate case in its discretion insist on a statement to be filed by the prosecutor in charge of the case.

ii. The following timelines ought to be followed:

- (i) Bail applications and anticipatory bail applications are to be disposed within a time period of two weeks to two months⁴, and the directions in *Satender Kumar Antil v. CBI*⁵, shall stand modified accordingly.
- (ii) The power to grant bail, is inclusive of the power to grant interim bail.
- (iii) No indefinite adjournments and matters of personal liberty to be prioritised.⁶
- (iv) Cases where undertrials have remained in custody for more than five years be accorded priority for bail or release on personal bond, and mandated High Courts to monitor compliance through structured action plans.⁷
- (v) Undertrial prisoners who have spent a period more that the period of punishment f if convicted or the alleged offense should be released on personal bond.⁸
- (vi) Certain sections of the Code (u/s. 437(1), 439 of C.r.P.C) and other Special Acts (such as Unlawful Activities Prevention Act, 1967, Narcotic Drugs Psychotropic Substances Act, 1985) mandate that notice is to be given to the public prosecutor prior to the hearing of the bail application.
- (vii) The victim has the right to be heard at every stage of proceedings including bail.⁹

⁴ *Anna Waman Bhalerao vs. State of Maharashtra*, 2025 SCC OnLine SC 1974 @ para. 18.

⁵ *Satender Kumar Antil v. Central Bureau of Investigation*, 2022 10 SCC 51 @ para. 100.

⁶ *Anna Waman Bhalerao vs. State of Maharashtra*, 2025 SCC OnLine SC 1974 @ para. 18

⁷ *Hussain and Another v. Union of India*, (2017) 5 SCC 702 @para 29.

⁸ *ibid*

⁹ *Jagjeet Singh v. Ashish Mishra*, (2022) 9 SCC 321 & *Rekha Murarka v. State of West Bengal*, (2020) 2 SCC 474.

- (viii) A duly executed vakalatnama shall take precedence over a memo of appearance, and trial courts shall not insist upon a No Objection Certificate (NOC) when a vakalatnama is filed in a matter where a memo of appearance is already on record.
- iii. In cases where bail applications are preferred by the accused, and in such cases where the Prosecution is expected to file their objections to the said bail application, the Hon'ble Court may, in appropriate cases, whilst issuing notice to the State concerned, may direct such State to file its objections, at least 48 hours prior to the returnable date, specifying the following particulars:
- a) Date of arrest;
 - b) Particulars of police report under S. 173 CrPC (now S. 193 BNSS), if filed;
 - c) Number of witnesses proposed to be examined by the prosecution;
 - d) Whether charge(s) have been framed or not;
 - e) If the charge(s) has not been framed/the trial has not commenced, as the case may be, the reason therefor;
 - f) If the trial has commenced, the number of witnesses examined;
 - g) Criminal antecedents of such Petitioner/Accused; and
 - h) Any other information relevant for a decision on the bail application.
- iv. In cases seeking bail, following standardized applications may be preferred:

PARTICULARS	DETAILS
FIR:	
Offences:	
Accused Persons:	
Allegations:	.
Arrest:	Petitioner arrested and detained on _____ (date) at _____ (time) at (place)
Manner of arrest:	
Custodial Conditions	

Period of police Custody with dates:	
Medical Condition:	
Period of interim bail, if any:	
Whether bail cancelled	
Grounds Urged for Cancellation	

18. Separation Of Prosecutors And Investigators:

- (i) The State Governments shall appoint advocates, other than Public Prosecutors, to advise the Investigating Officer/s during investigation in terms of S. 18 to 20 of the BNSS.

Note: The BNSS aims to separate the functions of prosecutors and investigators within the criminal justice system. This separation is achieved by establishing a Directorate of Prosecution for each state under Section 20. The powers and function of the Directorate of Prosecution under Section 20 (7) involves monitoring case in which offenses are punishable for ten years or more by scrutinizing police reports, expediting proceedings and providing opinions on the filing of appeals.

The Deputy Director shall have similar functions but for offenses are punishable for seven years or more but less than ten years. The Assistant Director shall have similar functions but for offenses are punishable for less than seven years.

19. Probation: Since both Sec. 360 CrPC/Sec. 401 BNSS and Sec. 3-5 of Probation of Offenders Act, 1958 contain a mandate to first consider probation (which is not being complied with routinely), all courts if *not* considering probation as an

alternative to sentence, where applicable, must state reasons for not awarding probation, in writing in the order on sentence.

Further it is prayed that this court may be pleased to pass the following directions and/or any further directions in the interest of justice:

A. DIRECTIONS TO ALL STATES AND UNION TERRITORIES:

a) Call for status reports from all States and Union Territories, with regard to compliance and implementation of the order dated 20.04.2021 passed in In Re: To Issue Certain Guidelines Regarding Inadequacies and Deficiencies in Criminal Trials, (2021) 10 SCC 598, and the Draft Criminal Trial Rules, 2021 annexed;

RE. SYSTEMIC DELAYS IN CRIMINAL TRIALS STEMMING FROM PROCEDURAL LAPSES, STATUTORY NON-COMPLIANCE, AND ADJOURNMENTS

- b) Call for status reports from all States/UTs on:
- i) the number of criminal cases where delay has occurred due to non-supply of documents, lack of legal aid, or unavailability of interpreters,
 - ii) compliance with Sections 230–243 of BNSS (or corresponding provisions of CrPC where applicable), and
 - iii) number of trials adjourned for want of timely compliance with statutory requirements.

STATUS OF SOPS ON AUDIO-VIDEO RECORDING AND VIDEO
CONFERENCING: ADMISSIBILITY, STORAGE, ACCESS, RETENTION, AND
PRIVACY SAFEGUARDS

- c) Call for report from all Chief Secretaries of States and Union Territories as to whether a Standard Operating Procedure (SOP) has been framed for the conduct of audio-video recording of proceedings and video conferencing, including but not limited to guidelines on admissibility, storage, access control, data retention, and privacy safeguards, and if so, to place the same on record.

**B. DIRECTIONS TO THE REGISTRAR GENERAL OF JURISDICTIONAL HIGH
COURTS**

RE. HIGH COURTS' IMPLEMENTATION OF DRAFT RULES

- a) Call for data from the Registrar General of State High Courts on the extent to which the said Draft Rules have been notified, adapted, or modified by the respective High Courts, along with timelines for full implementation;

RE. SYSTEMIC DELAYS IN CRIMINAL TRIALS STEMMING FROM
PROCEDURAL LAPSES, STATUTORY NON-COMPLIANCE, AND
ADJOURNMENTS

- b) Call for data from all jurisdictional high courts on:
- (i) the number of criminal cases in trial and high courts where delay has occurred due to non-supply of documents, lack of legal aid, or non-availability of interpreters;

- (ii) whether High Courts have created appropriate number of cadre posts and started the process of appointing interpreters for other languages, including sign language, as required under third proviso of Sec. 183(6) BNSS;
- (iii) compliance with Sections 230–243 of BNSS (or corresponding provisions of CrPC where applicable), and
- (iv) number of trials adjourned for want of timely compliance with statutory requirements.

C. **DIRECTIONS TO UNION OF INDIA:**

ROADMAP AND STANDARDS FOR E-COURT SERVICES, JUDICIAL TRAINING, DIGITAL EVIDENCE MANAGEMENT AND SECURE HANDLING OF AUDIOVISUAL RECORDS.

- a) Seek a consolidated report from the Union Ministry of Law and Justice, in consultation with NIC and other technical agencies, regarding the national roadmap (if any) for integrated e-court services, including digital evidence management, AV recording, and secure data storage;
- b) Direct the National Judicial Academy and State Judicial Academies to submit a report on whether training has been imparted to judicial officers regarding the Draft Rules and the new procedural regime under BNSS, including use of digital tools;
- c) Seek a consolidated report from the Ministry of Home Affairs, in consultation with the Ministry of Electronics and Information Technology (MeitY), NIC, and BPR&D, regarding the framework for secure management, storage, and

dissemination of video evidence, including CCTV footage, body-worn camera data, and audiovisual recordings of proceedings;

- d) Direct the Union and States to indicate whether national or State standards or protocols exist for:
 - (i) encryption and secure transmission of video evidence,
 - (ii) access controls and audit trails, and
 - (iii) prevention of tampering or unauthorised disclosure;

D. OTHER DIRECTIONS**RE. TRAINING OF POLICE OFFICERS IN STATE POLICE
ACADEMIES IN RELATION TO COLLECTION OF EVIDENCE**

- a) Seek a consolidated report from the Ministry of Home Affairs, in consultation with the Bureau of Police Research and Development (BPR&D) and State Police Academies, regarding the training curriculum for police officers on lawful collection, preservation, and presentation of evidence, including digital and forensic evidence;
- b) Direct the BPR&D and State Police Academies to submit a report on whether structured training programmes and refresher courses have been conducted for police officers on evidence collection, chain of custody, and compliance with the Indian Evidence Act and BNSS, and the extent of participation of officers therein;
- c) Each State/UT shall, through its Director General of Police, furnish a report on the existing training curriculum in its Police Training Academies regarding collection, preservation and presentation of evidence, including use of forensic and digital tools;
- d) Each State/UT shall indicate whether refresher training has been provided to serving officers on chain of custody, forensic protocols, and compliance with the provisions of the Indian Evidence Act and BNSS;

E. RE: VIDEO CONFERENCING FACILITIES**AVAILABILITY, ACCESSIBILITY, USAGE, AND MANAGEMENT OF VC FACILITIES IN COURTS AND PRISONS**

- a) Direct the Chief Secretaries of all States and Union Territories and the Registrar Generals of all High Courts to submit up-to-date data regarding the availability, accessibility, and functional status of video conferencing facilities in subordinate courts and prisons, including but not limited to:
- (i) the number of courts equipped with AV infrastructure,
 - (ii) frequency of usage in remand/production/hearings,
 - (iii) technical and staffing support available, and
 - (iv) any training or SOPs in place for judicial officers and lawyers;
 - (v) any training for Advocates in place.

F. RE: STATUS REPORTS ON THE NOTIFICATION AND PROMULGATION OF WITNESS PROTECTION SCHEMES UNDER SECTION 398 OF BNSS:

1. Seek status reports from such States and Union Territories which, as on date, are yet to notify a Witness Protection Scheme under Section 398 of the BNSS, 2023. Furthermore, such States and Territories may be directed to specify the steps taken and the time limit within which such schemes are expected to be notified and enforced in the State and/or Union Territories concerned.

G. RE: RESPONSE OF THE STATES AND UNION TERRITORIES TO THE REVISED DRAFT RULES OF PRACTICE:

1. States and Union Territories may respond to the revised draft rules of practice as submitted to the Hon'ble Court.

**H. RE: SEEKING THE FORMULATION OF SIMILAR REGULATIONS
APROPOS SUPPLY OF DOCUMENTS AS FORMULATED BY HON'BLE
HIGH COURT OF DELHI THROUGH e-TCR, 2024 ACROSS ALL STATES
AND/OR UNION TERRITORIES:**

1. States and Union Territories may formulate regulations in the nature of the e-TCR, 2024 as formulated by the Hon'ble High Court of Delhi and notified through Notification bearing No. 29/Rules/DHC dated 22.04.2024, if not already formulated or in effect, as on date, by the States and Union Territories.

And pass any other directions that this Hon'ble Court deems fit to render justice.

ANNEXURE- 'A'

**LIST OF STATES AND UNION TERRITORIES THAT HAVE ISSUED
WITNESS PROTECTION SCHEMES (“WPS”) U/S. 398 OF THE BNSS, 2023
OR SUCH A SCHEME WHICH PREDATES BNSS, 2023.**

S.No.	Name of the State/U.T.	State/UT	Whether WPS u/s. 398 of BNSS	Date of Issuance of Notification	Name of the Witness Protection Scheme/ Statute/ with Remarks
1	Assam	State	YES	01.07.2024	Assam Witness Protection Scheme, 2024
2	Meghalaya	State	YES	15.05.2025	Meghalaya Witness Protection Scheme, 2025
3	Mizoram	State	YES	25.11.2025	Mizoram Witness Protection Scheme, 2024
4	Tripura	State	YES	28.10.2025	Tripura Witness Protection Scheme, 2025
5	West Bengal	State	YES	18.09.2025	West Bengal Witness Protection Scheme, 2025
6	Bihar	State	NO but prior scheme exists since 2020	15.01.2020	Bihar Witness Protection Scheme, 2018 (originally in vernacular)
7	Odisha	State	NO but prior scheme exists since 2019	05.07.2019	Odisha Witness Protection Scheme, 2019

8	Andhra Pradesh	State	YES	18.09.2025	Andhra Pradesh Witness Protection Scheme, 2025 (GOM No. 137 – Whether published in the Gazette?)
9	Telangana	State	YES	9.10.2025	Telangana Witness Protection Scheme, 2025
10	Puducherry	UT	YES	05.02.2025	The Puducherry Witness Protection Scheme, 2024
11	Maharashtra	State	Has a separate statute	01.05.2018	Maharashtra Witness Protection and Security Act, 2017
12	Goa	State	YES	18.02.2025	Goa Witness Protection Scheme, 2025 (Whether published in Gazette?)
13	Gujarat	State	YES	06.06.2025	Gujarat Witness Protection Scheme, 2025 (Whether published in the Gazette?)
14	Daman & Diu, Dadra & Nagar Haveli	UT	YES	04.06.2025	Dadra and Nagar Haveli and Daman and Diu Witness

					Protection Scheme 2025
15	Rajasthan	State	NO but prior scheme exists since 2020	23.10.2020	Rajasthan Witness Protection Scheme, 2020 (originally in vernacular)
16	NCT of Delhi	UT	YES	28.02.2025	Delhi Witness Protection Scheme, 2025
17	Haryana	State	YES	20.02.2025	Haryana Witness Protection Scheme, 2025
18	Uttarakhand	State	YES	13.10.2025	Uttarakhand Witness Protection Scheme, 2025 (originally in vernacular)
19	Punjab	State	YES	19.02.2025	The Punjab Witness Protection Scheme, 2025
20	Chandigarh	UT	YES	16.08.2024	Chandigarh Witness Protection Scheme, 2024

ANNEXURE – ‘B’

**LIST OF STATES AND UNION TERRITORIES THAT HAVE NOT ISSUED
WITNESS PROTECTION SCHEMES U/S. 398 OF THE BNSS, 2023.**

S.No.	Name of the State/U.T.	State/UT	Whether WPS u/s. 398 of BNSS	Remarks
1	Arunachal Pradesh	State	NO	N.A.
2	Manipur	State	NO	N.A.
3	Nagaland	State	NO	N.A.
4	Sikkim	State	NO	N.A.
5	Jharkhand	State	NO	N.A.
6	Tamil Nadu	State	NO	N.A.
7	Karnataka	State	NO	NLS Project goes on till end of 2026
8	Kerala	State	NO	N.A.
9	Lakshadweep	UT	NO	N.A.
10	Chhattisgarh	State	NO	N.A.
11	Madhya Pradesh	State	NO	SLP (CRL) No. 15311/2025 - Notice to State; ndoh:13.03.26
12	Uttar Pradesh	State	NO	N.A.
13	Himachal Pradesh	State	NO	N.A.
14	Ladakh	UT	NO	N.A.
15	Andaman & Nicobar Islands	UT	NO	N.A.
16	Jammu & Kashmir	UT	NO	23.12.2021 (Notification of 2018 Scheme)



गृह मंत्रालय
MINISTRY OF
HOME AFFAIRS



**SOP for
Audio-Video Recording under
Bharatiya Nagarik Suraksha
Sanhita (BNSS)**

**Bureau of Police Research & Development
Ministry of Home Affairs
Government of India
NH-48, Mahipalpur, New Delhi - 37**

DISCLAIMER

This SOP is a suggested guideline for various recordings to be done by using audio-video electronic means under various provisions of the Bhartiya Nagarik Suraksha Sanhita as a reference point for law enforcement agencies (LEAs). This SOP has been prepared after consultations with field practitioners & legal experts. The LEAs are advised to build upon this basic structure according to their peculiar needs & provisions of special and local laws with legal vetting wherever required.

The documents on this subject prepared by Delhi Police, Chandigarh Police, UP Police & Directorate of Forensic Science Services have been referred to while formulating the SOP and credit is duly acknowledged. This is not a legal document.

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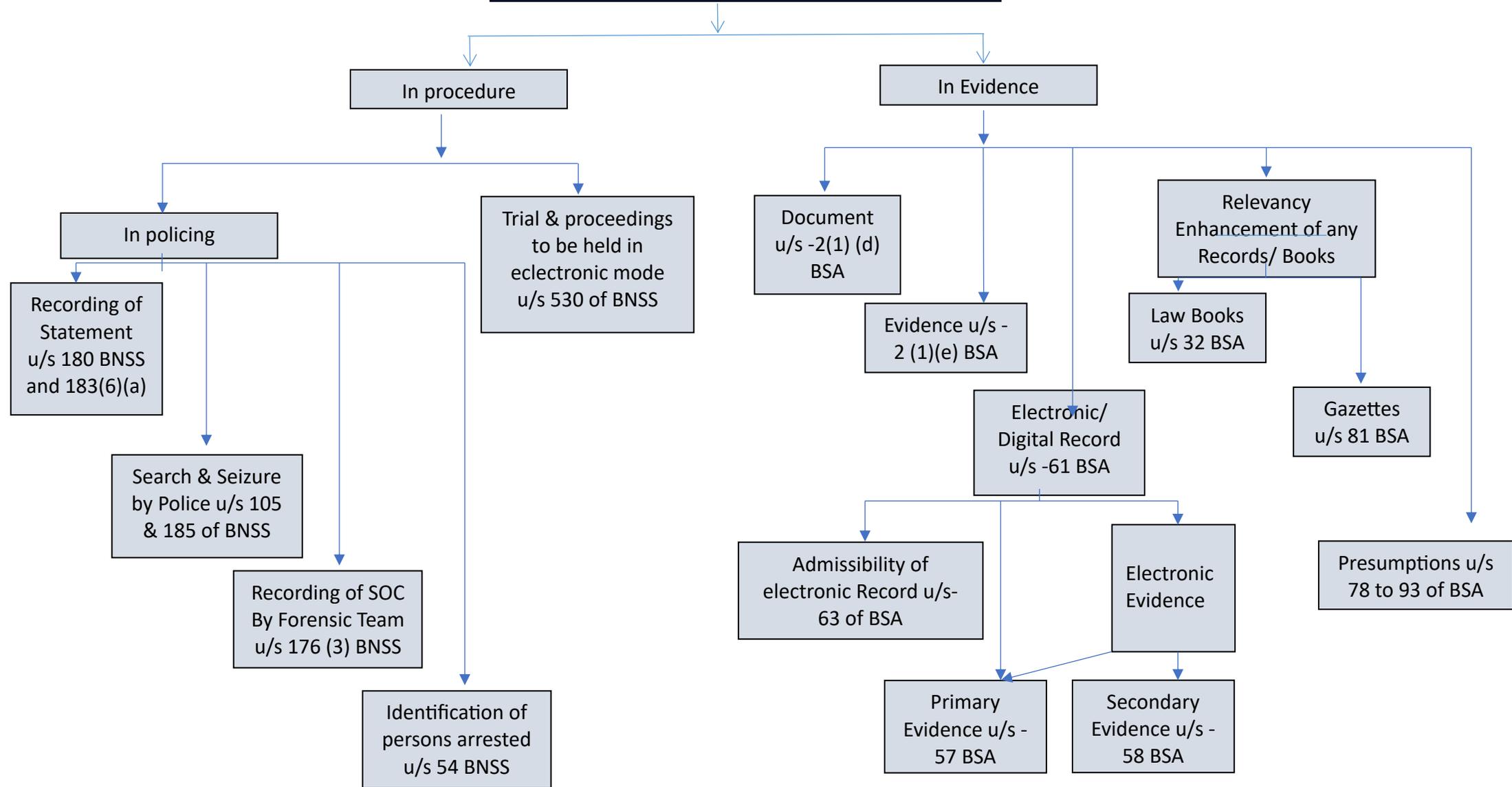
SUMMARY OF LEGAL PROVISIONS RELATED TO VIDEOGRAPHY IN NEW CRIMINAL LAWS				
#	Particulars	Relevant Legal Provision	Legal Mandate	Place of Recording or capturing
1.	Videography recording of the Scene of Crime	<p>Sec 176 Procedure for investigation</p> <p>Sub-section (3) - On receipt of every information relating to the commission of an offence which is made punishable for seven years or more, the officer in charge of a police station shall, from such date, as may be notified within a period of five years by the State Government in this regard, cause the forensics expert to visit the crimes scene to collect forensic evidence in the offence and also cause videography of the process on mobile phone or any other electronic device.</p>	<p>Optional as of now</p> <p>But Mandatory from the date notified by State Govt. within 5 years of 1st July 2024</p>	Scene of Crime
2.	Recording of Search and Seizure	<p>Sec 105- Recording of search and seizure through audio-video electronic means.</p> <p>The process of conducting search of a place or taking possession of any property, article or thing under this Chapter or under section 185, including preparation of the list of all things seized in the course of such search and seizure and signing of such list by witnesses, shall be recorded through any audio-video electronic means preferably mobile phone and the police officer shall without delay forward such recording to</p>	Mandatory	Place of search from where recovery is to be made

		<p>the District Magistrate, Sub-divisional Magistrate or Judicial Magistrate of the first class.</p> <p>Sec 185 (2) - Search by Police officer. A police officer proceeding under sub-section (1), shall, if practicable, conduct the search in person:</p> <p>Provided that the search conducted under this section shall be recorded through audio-video electronic means preferably by mobile phone.</p>		
3.	<p>Information in cognizable cases- FIR</p> <p>For sexual offences where the victim is Mentally or physically disabled</p>	<p>Sec 173-Information in cognizable cases.</p> <p>Provided further that-</p> <p>(a) in the event that the person against whom an offence under section 64, section 65, section 66, section 67, section 68, section 69, section 70, Section 71, section 74, section 75, section 76, section 77, section 78, section 79 or section 124 of the BNS, 2023 is alleged to have been committed or attempted, is temporarily or permanently mentally or physically disabled, then such information shall be recorded by a police officer, at the residence of the person seeking to report such offence or at a convenient place of such person's choice, in the presence of an interpreter or a special educator, as the case may be;</p> <p>b) the recording of such information shall be videographed.</p>	Mandatory	Residence of victim/ any place
4.	Recording of a statement by police for offence of Rape	<p>Sec 176- Procedure for investigation.</p> <p>Provided further that in relation</p>	Optional	Residence of victim/any place of

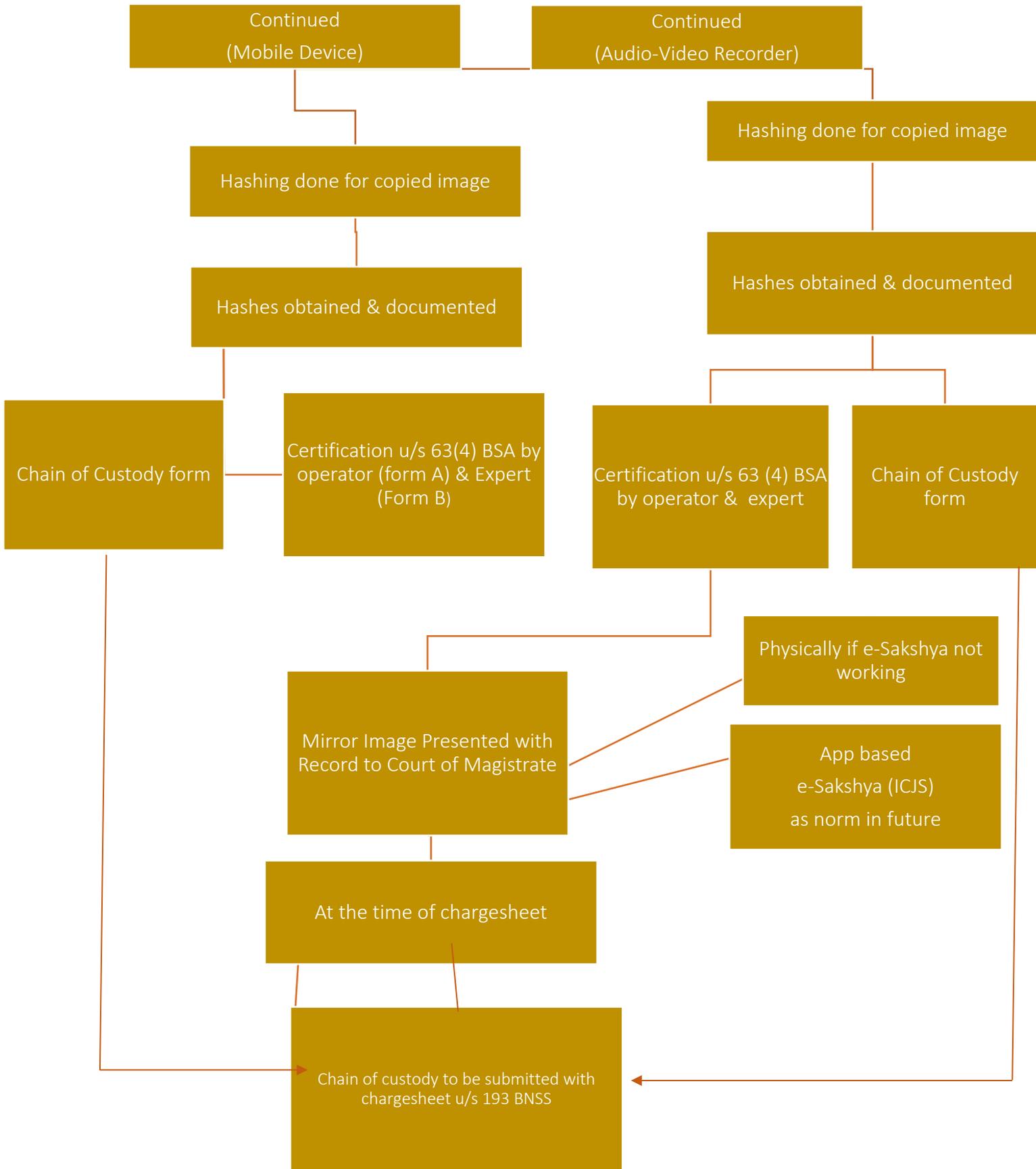
		to an offence of rape, the recording of statement of the victim shall be conducted at the residence of the victim or in the place of her choice and as far as practicable by a woman police officer in the presence of her parents or guardian or near relatives or social worker of the locality and such statement may also be recorded through any audio-video electronic means including mobile phone.		Choice of victim
5.	Examination of witness by police	<p>Sec 180 - Examination of witnesses by police. (3) The police officer may reduce into writing any statement made to him in the course of an examination under this section; and if he does so, he shall make a separate and true record of the statement of each such person whose statement he records:</p> <p>Provided that statement made under this sub- section may also be recorded by audio-video electronic means.</p> <p>Sec 183(1)- Recording of confessions & statements by magistrates.</p> <p>Sec 183(6)(a)- Provided also that if the person making the statement is temporarily or permanently, mentally or physically disabled, the statement made by the person, with the assistance of an interpreter or a special educator, shall be recorded through audio-video electronic means preferably by mobile phone.</p>	Optional	Police station or any other place
			Optional	At the Court of Magistrate
			Mandatory	

6.	Orders for custody and Disposal of property	<p>Sec 497- Order for custody and disposal of property pending trial in certain cases.</p> <p>(3) The Court or the Magistrate shall cause to be taken the photograph and if necessary, videograph on mobile phone or any electronic media, of the property referred to in subsection (1).</p>	<p>Direction is for the Court:</p> <p>Photograph mandatory</p> <p>Videography optional</p>	Place of custody of property or as directed by the court.
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Electronic and Digital
Eco-System in New Criminal laws







Note on CERTIFICATION of audio-video content as per the mandatory provisions of BSA:

There are two categories of evidence which require certification by experts:

- **First category:** Digital recordings after implementation of new laws:
 - Audio video recording of statements of victim and witnesses, u/s 180 BNSS (Optional)
 - Audio video recording of search and seizure. (Mandatory)
 - Audio video recording of other procedural compliances like identification parade, property disposal. (Optional)
 - Other provisions (Given in the table above)
- **Second category:** Various digital devices are routinely seized during investigations like mobile, social media accounts, emails, computers, CCTV cameras and so on.

Now, the new section 63(4) BSA introduces two new underpinnings viz. “a certificate **shall be** submitted along with the electronic record **at each instance** where it is being submitted” for (a) Identifying the electronic record containing the statement and describing the manner in which it was produced; and (b) Giving such particulars of any device involved in the production of that electronic record.

Thus, now each audio-video recording is part of procedural compliance and investigative compliance and each seizure of relevant digital evidence requires dual certification, part A by the operator (or manager) and part B by an expert.

(Note: The above certifications are required only in case of secondary electronic/ digital evidence and not required where primary recording or storage medium is intended to be used as the evidence).

I. **Owner or Operator/ First Responder/ Manager:**

According to 63(4) (c) BSA: “and purporting to be signed by a person in charge of the computer or communication device or the management of the relevant activities (whichever is appropriate)”

Part (A) of the format of the certificate – **‘to be given by party’** - as

specified by BSA explicitly refers to the certificate giver of this part to be the owner/ handler or operator/first responder/manager. However, the sequence of custody form should mention the change of hands and the reasons thereof.

Similarly, in the case of the seizure of digital evidence, **'the party'** or giver of certificate of Part -A of 63(4)(c) can be the owner/operator/handler or manager or person in-charge of communication /computer device in contention.

II. **Expert**

Part -B of the certificate of section 63(4)(c) BSA is to be given by an **expert**. Whereas, the part A certificate, which has to be provided by 'the party', flows from the old Indian Evidence Act as such, this '*expert*' added for first time in this new law, appears, from the legislative intent, to be an expert, who can issue part -B of the said certificate and make this admissible in the court of law. And hence for the limited purpose of collection of secondary evidence and for this secondary evidence to become admissible.

Expert-Related Provisions in New Criminal Laws:

I. Section 39 of BSA:

39(1) When the Court has to form an opinion upon a point of foreign law or of science or art, or any other field, or as to identity of handwriting or finger impressions, the opinions upon that point of persons specially skilled in such foreign law, science or art, or any other field, or in questions as to identity of handwriting or finger impressions are relevant facts and such persons are called **experts**.

Illustrations.

- (a) The question is, whether the death of A was caused by poison. The opinions of experts as to the symptoms produced by the poison by which A is supposed to have died, are relevant.
- (b) The question is, whether A, at the time of doing a certain act, was, by reason of unsoundness of mind, incapable of knowing the nature of the act, or that he was doing what was either wrong or contrary to law. The opinions of experts upon the question whether the symptoms exhibited by A commonly show unsoundness of mind, and whether such unsoundness of mind usually renders persons

incapable of knowing the nature of the acts which they do, or of knowing that what they do is either wrong or contrary to law, are relevant.

- (c) The question is whether a certain document was written by A. Another document is produced which is proved or admitted to have been written by A. The opinions of experts on the question whether the two documents were written by the same person or by different persons, are relevant.

(2) When in a proceeding, the court has to form an opinion on any matter relating to any information transmitted or stored in any computer resource or any other electronic or digital form, the opinion of the Examiner of Electronic Evidence referred to in section 79A of the Information Technology Act, 2000, is a relevant fact.

Explanation — For the purposes of this sub-section, an Examiner of Electronic Evidence shall be an **expert**.

II. Section 63(4) (c) of BSA

In any proceeding where it is desired to give a statement in evidence by virtue of this section, a certificate doing any of the following things shall be submitted along with the electronic record at each instance where it is being submitted for admission, namely: —

- (a) identifying the electronic record containing the statement and describing the manner in which it was produced.
- (b) giving such particulars of any device involved in the production of that electronic record as may be appropriate for the purpose of showing that the electronic record was produced by a computer, or a communication device referred to in clauses (a) to (e) of sub-section (3);
- (c) dealing with any of the matters to which the conditions mentioned in sub-section (2) relate,

and purporting to be signed by a person in charge of the computer or communication device or the management of the relevant activities (whichever is appropriate) and an **expert** shall be evidence of any matter stated in the certificate; and for the purposes of this sub-section it shall be sufficient for a matter to be stated to the best of the knowledge and belief of the person stating it in the certificate specified in the Schedule.

III. Section 329 BNSS: Reports of certain Government scientific experts.

BNSS also has a provision which defines Government Scientific Experts. This provision is also relevant while dealing with evidence.

329. (1) Any document purporting to be a report under the hand of a Government scientific expert to whom this section applies, upon any matter or thing duly submitted to him for examination or analysis and report in the course of any proceeding under this Sanhita, may be used as evidence in any inquiry, trial or other proceeding under this Sanhita.

(2) The Court may, if it thinks fit, summon and examine any such **expert** as to the subject matter of his report.

(3) Where any such expert is summoned by a Court, and he is unable to attend personally, he may, unless the Court has expressly directed him to appear personally, depute any responsible officer working with him to attend the Court, if such officer is conversant with the facts of the case and can satisfactorily depose in Court on his behalf.

(4) This section applies to the following Government scientific experts, namely: -

Apart from (a) to (f) which are sector-specific,

(g) any other scientific expert specified or certified, by notification, by the State Government or the Central Government for this purpose.

Note: LEAs may be required to approach their State government or Central government as the case may be, for declaring any competent person as government scientific experts, including experts from State/ Central FSL or National Forensic Science University (NFSU) wherever available, under the provisions of section 329 (4)(g) BNSS to fulfil the requirements of the experts required to provide Part B of the certificate under 63 (4)(c) of BSA.

POLICY & PROCEDURES OF EXECUTING SOP

1. POLICY

The Photographs and videography are universally accepted best practices and are critical for the appreciation of the scene of crime and evidence by the Hon'ble trial court. Therefore, the recording of the scene of crime via videography and photography preferably, be done by the first responder itself. Specific and expert photography for better appreciation of the evidence can be done by forensic experts.

2. PROCEDURE FOR PROCESSING SCENE OF CRIME

Basics of Audio-visual Recordings

Preparation:

- Verify that the audio-video recording equipment is operational.
- Inform all parties present about the recording process.
- Use a tripod or stabilizer to prevent shaky footage, wherever available.
- Limit the presence on the scene of crime and preferably none other than the mandatory required people/ witnesses should be present in that area during the process of videography.
- For recording the statement of the subject/witness set up a close-up frame.
- The quality of videography/photography should be given proper attention. If one anticipates a low light environment, carry a torch/additional light source with yourself.

3. VIDEOGRAPHY DURING SEARCH SEIZURE

- **Avoid talking while shooting the video** and capturing the photographs at the crime scene.
- Ensure that **the audio recorder is off** & also turn off mic devices available with the officials present at the crime scene. If recording on a mobile phone, preferably put it in airplane mode to avoid disturbance from incoming calls.
- Begin recording while entering the premises.

- Clearly announce the commencement of the search and seizure operation.
- Include a clear introduction with the date, time, location, case details, and warrant details. As far as possible, the latitude- longitude and time of recording should be recorded along with the video.
- Capture a 360-degree view to document its initial condition.
- Document the search process methodically, covering each room or area in sequence.
- Focus on capturing the entire search process, including a detailed walkthrough of the area being searched.
- Capture close-ups of seized items, showing their condition and any identifying marks.
- Clearly narrate the discovery and seizure of items, ensuring they are visible in the recording.
- Record the preparation and signing of the seizure list by witnesses.
- Ensure continuous recording from start to finish without unnecessary interruptions.
- End the recording with a summary of the search seizure operation.

Post-Recording

- Review the recording for accuracy and completeness.
- Securely store and back up the recording.
- Label the recording with the date, time, location, case details, and a brief description of the content.

4. SPECIFIC TECHNOLOGICAL PROCEDURES OF RECORDING

1. Only departmentally approved and issued recording devices should be used for official criminal investigation purposes.
2. Till appropriate recording devices or standalone devices are procured and made available to field investigation/responder units, for all practical purposes, mobile/smartphones are going to be the preferred medium of recording, due to practicality and because the statute specifically encourages it. As per recently circulated ICJS Guidelines of NCRB, the specification for Mobile's camera is a minimum of 3.0

megapixels (3.2 MP gross), for front camera & 8 megapixel for back camera with 300ppi or higher. Forensic experts using recording devices follow specs circulated by DFFS.

3. At the beginning of each tour of duty, it shall be the responsibility of the officer to ensure that-
 - a. The issued recording device is in proper working condition,
 - b. The recording device has a clean image memory card (wherever applicable) and the camera or mobile battery is fully charged. The officer should also have a 90-degree evidence ruler which gives white, grey and black vertical and horizontal planes to be used when taking close-up photographs/videos of injuries.
 - c. If using a digital camera, the date stamp is correctly set and the date stamp is set so that it will not be printed on the digital images.
 - d. The camera in mobile/ recording device is set at “automatic” for exposure, flash and focus. The storage control should be set to “best quality.”
4. In taking digital photographs/videos, the officer should take several photographs/videos. When taking photographs of injuries, the officer should have the camera at a 90-degree angle to the injury.
 - a. The photographs/video should include the following:
 - (1) A photograph/video of the general scene or if an individual, a full frame photograph/video of the person.
 - (2) A photograph/video showing the relationship of the injury to the subject’s body, and
 - (3) A closeup photograph/video of the injury, with and without the evidence ruler in the photograph/video.
 - b. If recording using a digital camera, the officer taking digital photographs at the crime scene should view the photographs on the camera’s LCD view screen to determine if the photographs effectively document a victim’s injury or the scene of a crime.
 - c. The officer at the scene of the crime should not delete any digital images which are photographically faulty. Digital images that are relevant for investigative or trial purposes can be printed later.
 - d. The digital photographs/video shall not be viewed with any device that would enable editing of the digital images, such as a memory card reader or a computer.
 - e. The officer should record the camera’s/audio video recorder's assigned

numbers for the images taken for a particular crime scene or case.

- f. The officer should note in the officer's incident report that photographs/ Video had been taken of the victim and the scene.
- g. The process of preparing a seizure memo and signing the same by the witnesses and concerned person also should be video-graphed. Details of the camera, date/time and description of storage media i.e. memory card should be mentioned in the seizure memo which matches with the details generated by the camera.

5. DO's & DON'Ts WHILE RECORDING PHOTOGRAPHIC & VIDEO EVIDENCE

1. Use the safe route when moving through the scene, and avoid disturbing the scene of crime.
2. It is important to calibrate the time and location of the camera before starting recording.
3. The whole episode of recording must be without any break. Also, all team members of the first responder team or forensic team should maintain silence during videography and avoid any chatter or loose talk which could be then used by the defence to counter the investigative sanctity. The same is also expected of witnesses present there.
4. Ensure proper lighting arrangements while conducting a search.
 - a. Take photographs and video of the crime scene before and after the alteration.
 - b. Take a complete set of pictures including aerial, long-range, mid-range and close-ups.
 - c. The photographs and video should include entry and exit routes, victims and evidence as far as possible.
 - d. Take photographs and video of crime scene objects such as blood stains, fingerprints or footprints as soon as possible.
 - e. Take photographs and video from the exterior to the interior of the crime scene and from general to the specific focus.
 - f. Close-up photography and recording are preferred when taking footprints, fingerprints, shoeprints, tyre tracks, injuries etc.

5. Take photographs and video with scale when appropriate.
6. To take spare blank memory cards.
7. If the search is to be prolonged than the anticipated capacity of one memory card, then there should be two audio-video recorders so that continuity may be maintained by recording the scene of the crime. Also, if the change of memory card is being done on the first recorder, it may be captured with another spare device and that recording also shall be preserved with the main memory card.
8. It is to be taken on record that the memory card was blank before any recording.
9. The process of recovery of evidence with closeup videography revealing the identifiable details of the recovered evidence should be done.
10. Don't submit unclear photographs and recordings to the court of law.
11. Ensure the admissibility of the digital evidence, by following the procedures demanded by law including the certificate under Sec. 63(4)(c) of BSA.
12. Don't forget to mention the hash value of the individual photograph and video in the case diary.

6. TECHNOLOGICAL PROCEDURES OF STORAGE, CERTIFICATION & TRANSPORTATION

I. Procedure for issuance of Certificate of Part A of Section 63(4) (c)

At the conclusion of the officer's tour of duty, the officer shall:

- a) In case of audio-video recording(s) done on a Mobile phone, (wherein it is stored on mobile's internal memory or on memory card), the police officer/ operator, should apply hashing software through app/web-based tool on the mobile itself and generate the hash value, note it down and transfer the recording to the expert in the police station, on to the local designated desktop - via Cable or Bluetooth or other default file transfer methods. Police officer shall produce a Part-A certificate of section 63(4)(c) to the officer in charge of the police station/investigation unit as his part of execution is complete.

- b) If the police officer/ operator does not have the hashing tool or app or is not confident of hashing techniques, he/she can take the help of the designated expert of the police station. Mention this entire process in the chain of custody form along with the name of the hashing software used. Also, mention whether the hashing was done by the police officer/operator independently or with the help of an expert in his/her presence. It is also advisable to take screenshots of the hash value in order to avoid human errors.

[Note -The expert, before transferring the Audio Video recording to the computer system, should ensure they have any antivirus/anti-malware system running on the computer system]

- c) In case a digital camera/ recording device with a detachable memory card is used, the officer/operator shall hand over the standalone recording device/ camera's memory card to an expert in the headquarters/police station by placing the memory card in an evidence envelope with identifying case information and sealed. This sealed envelope will then be delivered to the expert.

[Note: This is a best practice which is suggested to be followed since this will make the chain of custody more foolproof, and seal applier & seal opener shall be privy to the seal's characteristic & the same should be adduced with signatures in the chain of custody form]

- d). If a memory card or a standalone device has been handed over to the expert, in a sealed envelope, the expert will open the envelop and and calculate the hash value of the recordings from the storage device before copying it to the desktop **in the presence of the police officer/operator**. The police officer shall, after noting the hash values in his certificate, produce a Part-A certificate of section 63(4)(c) to the officer in charge of the police station mentioning the hashing software and the fact that the hashing was done by the police officer/operator with the help of expert in his/her presence. The expert should ensure he/she should not open/rename the recordings/images before hashing (this means, the digital audio-visual recording(s) shall not be viewed with any device/software that would enable editing of the digital audio-visual recording(s).

II. Procedure for issuance of Certificate of Part B of Section 63(4) (c)

a). The expert will now transfer the recording obtained from the first responder/ police officer to the designated computer/device. The digital audio-visual recording(s) transferred on the hard disc of the desktop will become the “**master negative.**” The master negative Hard Disk or storage device shall serve as the permanent record because it should not be altered once written/stored.

- The downloaded file will be named in a manner so that the relevant metadata of FIR Number, police station, date and serial number of the video related to the offence is captured therein. The standard format will be

FIR No_.....dd/mm/yy_.....S No.....

- The police officer will make an entry in the general diary regarding the downloading of the video wherein the file name (as explained in (iii) above) will be linked to the FIR number, Police Officer ID, Date and Time of recording, Latitude-Longitude and any other remarks, if any.
 - After ensuring the above, the AV recording can then be deleted from the police officer’s smartphone or audio-video recorder, making space for more recordings to be made in the future.
- b). Having copied the image, final **hashing** should be done at this stage. That is, he will then take another hash value for the respective recording(s)/images(s) and match the hash values with those of the primary recording and ensure both the hash values are the same, in order to preserve its integrity as potential evidence. **Transfers should be depicted in the chain of custody forms with the expert signing it duly.**
- c). The files on the master negative hard disk or storage devices should be copied, **without opening**, onto another pen drive or storage device which becomes the ‘*working record*’, the “**negative duplicate or mirror image.**” **This mirror image with both certificates A & B has to be supplied to the magistrate.**
- d). Once the master negative hard disk or storage device has been created, it shall not be removed from the custody of the appropriate

department or officer. If the storage device is to be reviewed beyond the custody of the appropriate agent, a new storage device should be made from the negative duplicate hard disc or storage device, such as for the investigating officer, prosecutor, defence attorney, etc.

- e). Any enhancement of digital image files should be documented by the expert/evidence specialist and recorded on a separate pen drive or storage device.
- f). The process of obtaining certificates required under 63(4) (c) Part-B should be started and completed by the expert and handed over to the officer-in-charge.

[Summary of Hashing: It is being repeated for the sake of clarity that Hashing is done of primary evidence i.e. original media as well as copied/mirrored copy of the media to prove that both have the same data by matching the hash value. In summary, the operator or first responder (police officer) either uses a hashing tool/app to generate the hash value and hands it over to the expert along with the certificate or takes the help of the expert to generate the hash value of primary evidence and transfers the recording in mobile to the dedicated computer. The expert after transferring the primary evidence to the dedicated hard drive/device again applies the hashing tool to create a hash value for the copied image and document both hash values. **Transfers should be depicted in the chain of custody forms with the responder & evidence expert signing duly.]**

Different hashing algorithms are as follows:

- MD5 (Message Digest 5) - once widely used but now considered less secure due to potential collisions.
- SHA-1 (Secure Hash Algorithm 1) also facing security concerns and phasing out.
- SHA-2 family (SHA-256, SHA-384, SHA-512)- widely used, secure, and recommended for most applications.
- SHA-3 (Secure Hash Algorithm 3) - newer, more efficient, and designed for future security needs.

There are some open-source tools available for hashing which may be accessed, or appropriate tools be procured for this purpose.

When seizing digital evidence/ device simultaneously as part of investigative compliance/ necessity, along with videography, **hashing should be done preferably through write blocking devices to make it alter proof or any accidental data tampering due to mishandling.** (Write blockers help in Hashing for files and imaging for the entire storage device and help prevent modification of the original data, preserving its integrity as potential evidence). Blockers are required during the seizure of digital storage devices and could be used once they are made available to the field Investigation units.

III. Procedure For Back-up

The master negative hard disk or storage devices should be placed in a secured location or on a designated desktop and not become part of the investigative case files. **The expert will then create a backup copy of the master negative and store it as a backup.**

As an ideal case, till fully integrated with [e-Sakshya](#), an interim policy should be adopted by states/organisations to timely transfer of the stored data which is master negative and needs storage for a considerable time, maybe decades. The backup of master-negative should be stored, in data centres or on the cloud, as per their policy, at another location which can be used in case of any natural disaster or calamitous occurrence.

IV. Transport of audio-video recordings:

- Section 105 BNSS mandates that the record of audio-video recording should be produced to the concerned court as soon as it is done.
- Courts will have to be provided with video files along with certification & chain of custody for which a mirror file from the destination computer where recorded files have been downloaded/archived and hashed would be supplied to the court in a storage device like a pen drive etc. All originals should therefore be stored in a designated/partitioned hard drive, on a desktop of a police station in a separate file which is not touched by anyone once it is hashed. IOs/Responders can make a

copy of files and store them in more accessible parts of computers. **Transfers should be depicted in the chain of custody forms with the responder & evidence expert signing them duly.**

- The expert, data manager, or designated officer at the Police Station **will transfer the mirror images** (preferably all recorded in the last 24 hours) **in a secure storage device to the designated desktop of the Magistrate** along with memos and chain of custody forms.

V. **Sequence of custody** of electronic evidence is crucial. A clear record of the sequence of custody should be kept in writing for each package till it is handed over to the concerned magistrate for perusal or to the FSL for forensic examination.

Document the sequence of custody-

- Name and signature of each person, including internal staff, who take possession of or transport the evidence.
- Date of transfer.
- Evidence labelled or serial number.

The notes and reports should be done in chronological order and should include no opinions, no analysis or no conclusions but just facts.

7. SEIZURE OF DIGITAL EVIDENCE & FUTURE OF EVIDENCE HANDLING

The basic premise of seizing digital evidence is that **'if forensic tools are available, create a forensic image copy. Otherwise, send the device to the nearest forensic lab'**. Now the seizure of digital evidence & audio-visual recording will invariably be going simultaneously. So, two sets of certifications, each with part -A and part - B, will be going on simultaneously sometimes, for recording & seizure.

Since the overall demand for experts is very high for practical implementation there will always be gaps, NIC has already developed software to capture audio/video and generate hash reports with time stamps ([e-Sakshya](#)). LEAs should consider adopting this application for the sake of uniformity.

Note

A case captioned ***Ram Ramaswamy v Union of India*** is pending before the Hon'ble Supreme Court of India urging the Court to pass guidelines regulating the seizure of electronic devices. Since the Government has formed a committee on this issue, which will be coming up with revised guidelines, Hon'ble Supreme Court has directed in the interim order that: **"...for the time being at least the CBI manual will be followed by all the Central Government agencies."**

Hence while using this SOP on Audio-Video Recording, for concurrent seizure of digital evidence, central agencies or even state agencies can follow **the CBI manual** after accounting for the changes in the sections as per the New Criminal Laws.

THE SCHEDULE

[See section 63(4)(c)]

CERTIFICATE**PART A**

(To be filled by the Party)

I, _____ (Name), Son/daughter/spouse of _____
residing/employed at _____ do hereby solemnly affirm and
sincerely state and submit as follows:—

I have produced electronic record/output of the digital record taken from the following
device/digital record source (tick mark):—

Computer / Storage Media DVR Mobile Flash Drive

CD/DVD Server Cloud Other

Other: _____

Make & Model: _____ Color: _____

Serial Number: _____

IMEI/UIN/UID/MAC/Cloud ID _____ (as applicable)

and any other relevant information, if any, about the device/digital record ____ (specify).

The digital device or the digital record source was under the lawful control for regularly
creating, storing or processing information for the purposes of carrying out regular
activities and during this period, the computer or the communication device was working
properly and the relevant information was regularly fed into the computer during the
ordinary course of business. If the computer/digital device at any point of time was not
working properly or out of operation, then it has not affected the electronic/digital
record or its accuracy. The digital device or the source of the digital record is:—

Owned Maintained Managed Operated

by me (select as applicable).

I state that the HASH value/s of the electronic/digital record/s is _____,
obtained through the following algorithm:—

SHA1:

SHA256:

MD5:

Other _____ (Legally acceptable standard)

(Hash report to be enclosed with the certificate)

(Name and signature)

Date (DD/MM/YYYY): _____

Time (IST): _____ hours (In 24 hours format)

Place: _____

PART B

(To be filled by the Expert)

I, _____ (Name), Son/daughter/spouse of _____
residing/employed at _____ do hereby solemnly affirm and
sincerely state and submit as follows:—

The produced electronic record/output of the digital record are obtained from the following
device/digital record source (tick mark):—

Computer / Storage Media DVR Mobile Flash Drive

CD/DVD Server Cloud Other

Other: _____

Make & Model: _____ Color: _____

Serial Number: _____

IMEI/UIN/UID/MAC/Cloud ID _____ (as applicable)

and any other relevant information, if any, about the device/digital record _____ (specify).

I state that the HASH value/s of the electronic/digital record/s is _____,
obtained through the following algorithm:—

SHA1:

SHA256:

MD5:

Other _____ (Legally acceptable standard)

(Hash report to be enclosed with the certificate)

(Name, designation and signature)

Date (DD/MM/YYYY): _____

Time (IST): _____ hours (In 24 hours format)

Place: _____



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NCRB Mobile App “NCRB Sankalan of Criminal Laws”

NCRB has launched a Mobile App “NCRB Sankalan of criminal Laws”. This App is compilation of new criminal laws namely Bharatiya Nyaya Sanhita, Bharatiya Nagarik Suraksha Sanhita and Bharatiya Sakshya Adhinyam. It is available on Googleplay store as well as Apple App store. This App is useful for General Public, Court Officers, Advocates, Law Students as well as for Police Officers in enhancing their knowledge about the New Criminal Laws. This App serves as a comprehensive guide providing complete information about the new criminal laws at one place. It provides an Index linking all Chapters and Sections of the new laws and a corresponding chart for section wise comparison between old and new laws with a search and linking facility for quick information retrieval. The App is designed to work in offline mode also in absence of connectivity. With its user-friendly design, comprehensive content, and innovative features, the app empower susers to learn the new laws effectively.



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Overview of BNSS, 2023 for Field Practitioners



Overview of Bharatiya Nyaya Sanhita, 2023 for Field Practitioners



Overview of Bharatiya Sakshya Adhinyam, 2023 for Field Practitioners

HIGH COURT OF DELHI: NEW DELHI**NOTIFICATION**

No. 29/Rules/DHC

Dated : 22.04.2024

In the exercise of powers conferred under Section 7 of the Delhi High Court Act, 1966 (act 26 of 1966) and Article 227 of the Constitution of India, the High Court, with the previous approval of the Lieutenant Governor of the National Capital Territory of Delhi, makes the following rules for providing e-True Copy of court records of the High Court as well as the District Courts under its control and supervision:

e-True Copy Rules of the High Court of Delhi, 2024**I. Short Title, Applicability and Commencement**

These Rules shall be called “e-True Copy Rules of the High Court of Delhi, 2024” and shall apply to the High Court as well as the District Courts under its control and supervision. These Rules shall come into force on the date of notification in the official Gazette.

The facility of providing e-True Copies shall be in addition to the existing facility of providing attested copies as per Chapter 5, Part B of Volume V, and Chapter 17 of Volume IV of the Rules of the High Court.

2. Preface

These Rules will apply to electronic application(s) made for obtaining an e-True Copy generated from the available Digitized record.

3. Definitions

(I) In these Rules, unless the context otherwise requires:

- a) **Action(s)** means all proceedings instituted in the High Court, District Courts including suits, criminal complaints, appeals, civil or criminal writ, revision, contempt, execution, arbitration, probate cases and interlocutory applications.
- b) **Applicant** means a party to an action or an advocate entitled, at any stage of the action, to obtain an e-True Copy record of an action.

A stranger may also apply for an e-True Copy subject to exceptions as mentioned in the relevant Rules of the High Court.

- c) **Authorized officer** means the officer(s) not below the rank of Administrative officer Judicial (AOJ), authorized to administer and deal with matters connected with or related to e-True Copy in the High Court.

In so far as the District Courts are concerned, it would mean the official(s) authorized by the concerned Principal District & Sessions Judge in this regard.

- d) **Dealing official** means an official working under the supervision and control of the Authorized officer.
- e) **District Court(s)** means and includes court(s) established and functioning under the control and supervision of the High Court.
- f) **Digitized record** means the record of action (s) available in digital form.
- g) **Electronic application(s)** means an application for e-True Copy filed through the electronic mode on the official web portal or the mobile application of the High Court, District Court, as the case may be.
- h) **E-True Copy** means an authenticated electronic copy generated from the Digitized record containing particulars as prescribed by the High Court Rules.
- i) **High Court** means High Court of Delhi.
- j) **High Court Rules** means the Rules of the High Court.
- k) **Officer in Charge** means an officer of the rank of Registrar who shall be empowered to nominate the Authorized officer and Dealing official to discharge duties and functions under these Rules.
- l) **Objections** means and include deficiencies and errors pointed out by the Authorized officer in the Electronic application.
- m) **Registry** means the Registry of the High Court or officials of the District Court, as the case may be.
- n) **Technical Failure** means a failure of the hardware, software or telecommunications facility of the High Court, District Court as the case may be, which results in the impossibility of submitting an Electronic application. Technical failure does not include equipment malfunction concerning the person submitting an Electronic application.
- o) **Stranger** means and includes any person or entity who is not a party to the action.
- p) **Working Day** means and includes a day when the Registry works as per the calendar published or as directed by the High Court.

(2) The words and expressions used herein and not defined hereinabove, but defined in Rules of the High Court, shall have the meaning assigned to them in the said Rules.

4. General Instructions

4.1 Electronic application for grant of e-True Copy shall be made only through the official web portal or mobile application of the High Court, District Court, as the case may be.

4.2 At a given time, a party entitled to e-True Copy of records and exhibits can move only one Electronic application in an action.

4.3 Anyone unable to access the web portal or mobile application may submit an application for such e-True Copy at the designated counters of the High Court, District Court for that purpose, as the case may be.

4.4 In actions where the e-True Copy of the Digitized record is a heavy data file and cannot be conveniently shared through the electronic mode, the Authorized officer may choose any other mode or may inform the applicant to furnish an electronic storage device within a reasonable period to enable sharing of the e-True Copy of the Digitized record.

4.5 In cases where the Digitized record is not available the electronic application for e-True copy shall be treated as the one for physical certified copy and the dealing official shall inform the applicant about the same. The applicant shall deposit the fee for physical certified copy as per extant rules and on failure to deposit the fee, the application shall stand disposed of on expiry of 10 working days from the date of intimation to the applicant. Nothing herein shall apply, in case the applicant is a person with disability or not residing in Delhi, the record of such Actions shall be digitized and e-True copy shall be made available.

5. Steps for Registration

5.1 To file an Electronic application for e-True Copy, the persons entitled shall register on the official web portal of the High Court as per the procedure prescribed in the e-Filing Rules of the High Court of Delhi, 2021.

5.2 Likewise, the registration process for the District Court may be carried out as per the procedure published on their respective websites.

6. Entitlement to e-True Copy of the Actions.

High Court Rules shall govern an applicant's entitlement to seek e-True copy of the record of Actions. .

7. Mode of Application

An application for e-True Copy can be made only through the web portal or mobile application of the High Court, District Court as the case may be. An acknowledgement slip will be generated upon successful submission of the Electronic application.

8. Scrutiny and Delivery

8.1 The Authorized officer or dealing official shall scrutinize the Electronic applications. Objections, if any, shall be communicated to the Party through the electronic mode. On removal of the Objections the Electronic application shall be processed further. If the applicant fails to remove the objections within 10 working days from the date of communication of objections, the application shall lapse.

8.2 The authorised officer may reject an application for supply of e -True copy if the same is applied by a stranger who has no right to obtain a copy in an Action pertaining to matrimonial and family disputes, contempt matters and sexual offences against women and children.

8.3 The authorised officer may also reject the application on any other ground including disclosure of any incorrect details in the application or mismatch of signature.

8.4 In case of rejection of the application for supply of e -True copy the applicant/stranger may challenge the same before the Officer in Charge of the concerned copying branch in case of High Court or to the Principal District & Sessions Judge concerned in case of District Courts or any authorized officer authorized by him.

8.5 Subject to the availability of the Digitized record, the Authorized officer or Dealing official shall make best endeavours to deliver the e-True Copy within four (04) working days. In case of any delay in delivery, the Authorized officer shall inform the applicant electronically.

8.6 No Electronic application shall be allowed if it is not as per the Rules of the High Court.

9. Supervision

The officer in Charge of the concerned copying branch shall be in Charge of the internal organization of the copying branch and shall be responsible for the efficient monitoring of Electronic applications, their scrutiny, delivery, and other related matters.

10. Particulars to be endorsed on an e-True Copy

(1) Party/Applicant Details	
(2) Electronic Application Reference Number	
(3) Day, Date and Time of electronic application	
(4) Date of Preparation of e-True Copy	

(5) Date of electronic delivery of e-True Copy	
(6) Name of Dealing official	
(7) Name of Authorized officer	

11. Authentication of e-True Copy

e-True copy shall be authenticated in the manner prescribed by the Information Technology Act 2000.

12. Fee

No fee shall be levied for supply of e -True copies of record of Actions.

13. Limitation

13.1 To compute the date on which an Electronic application for e-True Copy is made, the calendar notified by the High Court shall apply.

13.2 To compute the time at which an Electronic application for e-True Copy is made, the Indian Standard Time (IST) shall apply.

13.3 An Electronic application for an e-True copy filed after **1600** hours on any day will be treated as filed on the date which follows the actual filing date, provided it is a court working day. Applications filed on a day declared as a gazetted holiday or when the High Court, District Court as the case may be, is closed will be regarded as having been filed on the next working day. For the computation of limitation, an electronic application for e-True Copy shall be subject to the same legal regime applicable to the physical filing, save and except as provided herein.

13.4 The facility for filing an Electronic application on the web portal or mobile application shall be made available round the clock, subject to breakdown, server downtime, system maintenance or other unforeseen exigencies. Where online filing of an Electronic application is not possible for any of the reasons set out above, the applicant shall approach the designated counters for physical filing of application between **1000** hours to **1500** hours on court working days. No exemption from limitation shall be permitted on the ground of failure of the web portal or mobile application facility.

14. Storage and Retrieval of e-filed applications

Electronic applications for an e-True Copy will be stored electronically for a period as may be decided by the Registry/concerned Principal District & Sessions Judge.

15. Legal recognition of e-True copy

An authenticated e-True Copy shall be deemed to be a certified copy of the digitized record and have legal recognition as provided under the Information Technology Act 2000. e-True copy may be produced in proof of the contents of the public documents or parts of the public documents of which they purport to be copies.

16. Copy of the record required by public officers

The High Court Rules shall govern the entitlement of the Public official to receive the e-True Copy record of the Action.

17. Confidentiality

The applicant shall not use e-True Copy of the record for any unauthorized purpose. In the event an e-True Copy is inadvertently shared with a person not entitled to access or inspect the e-True Copy, such person shall immediately inform about the same to the Authorized officer and shall not use and share the said e-True Copy for any purpose.

18. Power to remove difficulties

If any difficulty arises in giving effect to the provisions of these Rules, the Chief Justice of the High Court shall have the power to remove such difficulty, and the decision taken in that regard shall be final.

19. Rules not in derogation of any other law

The provisions of these Rules shall be in addition to and not in derogation of the provisions of any other law for the time being in force. The aspects on which present rules are silent, provisions of Chapter 5, part B of Volume V, and Chapter 17 of Volume IV of the Rules of the High Court shall apply.

BY ORDER OF THE COURT

SD/-
(KANWAL JEET ARORA)
REGISTRAR GENERAL