

HIGH COURT OF CHHATTISGARH, BILASPUR
ENDORSEMENT

Endt No. 7726 /Rules/2025

Bilaspur, dated 23/04/25

Copy of Chhattisgarh Gazette dated 19/04/2025 & 21/04/2025 related to i) Chhattisgarh eSakshya Management Rules, 2025, ii) Chhattisgarh Electronic Processes (Issuance, Service and Execution) Rules, 2025, iii) Guidelines for Community Services and iv) The High Court and District Judiciary of the State of Chhattisgarh for the use of Electronic Communication and Audio-Video Electronic Means Rules (Nyaya Shruti), 2025 be forwarded to :-

1. Joint Registrar-cum-P.P.S. to Hon'ble the Chief Justice, High Court of Chhattisgarh, Bilaspur for information of his Lordship.
2. Private Secretary to Hon'ble Mr. Justice Sanjay K. Agrawal, High Court of Chhattisgarh, Bilaspur for information of his Lordship.
3. Private Secretary to Hon'ble Mr. Justice Sanjay S. Agrawal, High Court of Chhattisgarh, Bilaspur for information of his Lordship.
4. Private Secretary to Hon'ble Mr. Justice Parth Prateem Sahu, High Court of Chhattisgarh, Bilaspur for information of his Lordship.
5. Private Secretary to Hon'ble Mrs. Justice Rajani Dubey, High Court of Chhattisgarh, Bilaspur for information of her Ladyship.
6. Private Secretary to Hon'ble Mr. Justice Narendra Kumar Vyas, High Court of Chhattisgarh, Bilaspur for information of his Lordship.
7. Private Secretary to Hon'ble Mr. Justice Naresh Kumar Chandravanshi, High Court of Chhattisgarh, Bilaspur for information of his Lordship.
8. Private Secretary to Hon'ble Mr. Justice Deepak Kumar Tiwari, High Court of Chhattisgarh, Bilaspur for information of his Lordship.
9. Private Secretary to Hon'ble Mr. Justice Sachin Singh Rajput, High Court of Chhattisgarh, Bilaspur for information of his Lordship.
10. Private Secretary to Hon'ble Mr. Justice Rakesh Mohan Pandey, High Court of Chhattisgarh, Bilaspur for information of his Lordship.
11. Private Secretary to Hon'ble Mr. Justice Radhakishan Agrawal, High Court of Chhattisgarh, Bilaspur for information of his Lordship.
12. Private Secretary to Hon'ble Mr. Justice Sanjay Kumar Jaiswal, High Court of Chhattisgarh, Bilaspur for information of his Lordship.
13. Private Secretary to Hon'ble Mr. Justice Ravindra Kumar Agrawal, High Court of Chhattisgarh, Bilaspur for information of his Lordship.
14. Private Secretary to Hon'ble Mr. Justice Arvind Kumar Verma, High Court of Chhattisgarh, Bilaspur for information of his Lordship.
15. Private Secretary to Hon'ble Mr. Justice Bibhu Datta Gura, High Court of Chhattisgarh, Bilaspur for information of his Lordship.
16. Private Secretary to Hon'ble Mr. Justice Amitendra Kishore Prasad, High Court of Chhattisgarh, Bilaspur for information of his Lordship.
17. Private Secretary to the Registrar General, High Court of Chhattisgarh, Bilaspur for information.
18. Steno to Registrar (Vigilance and I&E/ Judicial/ S&A Cell/ Computerization) High Court of Chhattisgarh, Bilaspur for information.
19. Director, Chhattisgarh State Judicial Academy, High Court of Chhattisgarh, Bilaspur for information.
20. Principal Secretary, Law & Legislative Affairs Department, Government of Chhattisgarh, Mantralaya, Mahanadi Bhawan, Atal Nagar, Nava Raipur (Chhattisgarh).
21. Advocate General, High Court of Chhattisgarh, Bilaspur for information.
22. Assistant Solicitor General, High Court of Chhattisgarh, Bilaspur for information.
23. President, Chhattisgarh Bar Association, High Court Campus, Bilaspur for information.
24. The Principal District & Sessions Judge, Bastar at Jagdalpur/ Bilaspur/ Durg/ Raigarh/ Raipur/ Rajnandgaon/ Dakshin Bastar at Dantewara/ Janjgir-Champa/ Dhamtari/ Korba/ Mahasamund/ Kabirdham(Kawardha)/ Uttar Bastar (Kanker) /Koriya (Balkunthpur)/ Jashpur/ Balod/ Bemetara/ Kondagaon/ Surajpur/ Sarguja at Ambikapur/ Baloda-Bazar/ Mungeli/ Balrampur at Ramanujan for information.
25. The Principal Judge/Judge, Family Court, Bastar at Jagdalpur/ Bilaspur/ Durg/ Raigarh/ Raipur/ Rajnandgaon/ Janjgir-Champa/ Dhamtari/ Korba/ Mahasamund/ Kabirdham (Kawardha)/ Uttar Bastar (Kanker)/ Koriya (Balkunthpur)/ Jashpur/ Balod/ Bemetara/ Kondagaon/ Surajpur/ Sarguja at Ambikapur/ Baloda-Bazar/ Mungeli/ Dantewada for information.
26. Commercial Court, Sector-19, Kotara Bhantha, Naya Raipur, C.G. 492101 for information.
27. The President, Chhattisgarh State Industrial Court, Near Ghadi Chowk, Raipur with a request to circulate all the Presiding Officers of the Labour Courts for information.
28. Registrar Ministerial (C.S.J.A./Vigilance and I&E), High Court of Chhattisgarh, Bilaspur for information.
29. Additional Registrar (Judicial/ D.E.&E/ HCLSC/ Adm.), High Court of Chhattisgarh, Bilaspur for information.
30. All Joint Registrar, High Court of Chhattisgarh, Bilaspur for information.
31. Officer on Special Duty-cum-Central Project Coordinator, E-Courts Mission Mode Project, High Court of Chhattisgarh for information.
32. All Additional Registrar (M), High Court of Chhattisgarh, Bilaspur for information.
33. Member Secretary, Chhattisgarh State Legal Services Authority, Old High Court Building, Bilaspur for information.
34. All Deputy Registrar, High Court of Chhattisgarh, Bilaspur for information.
35. Library, High Court of Chhattisgarh, Bilaspur for information.
36. Court Manager, High Court of Chhattisgarh, Bilaspur for information.
37. In-Charge, NIC High Court Computer Cell, High Court of Chhattisgarh, Bilaspur with a direction to upload in the official web-site of this High Court.


(K. Vinod Kujur)
Registrar General

“बिजनेस पोस्ट के अन्तर्गत डाक शुल्क के नगद भुगतान (बिना डाक टिकट) के प्रेषण हेतु अनुमत. क्रमांक जी.2-22-छत्तीसगढ़ गजट / 38 सि. से. मिलाई. विनांक 30-05-2001.”



पंजीयन क्रमांक
“छत्तीसगढ़/वुर्ग/09/2013-2015.”

छत्तीसगढ़ राजपत्र

(असाधारण)
प्राधिकार से प्रकाशित

क्रमांक 356]

नवा रायपुर, शनिवार, दिनांक 19 अप्रैल 2025 — चैत्र 29, शक 1947

गृह (पुलिस) विभाग
मंत्रालय, महानदी भवन, नवा रायपुर अटल नगर

नवा रायपुर अटल नगर, दिनांक 19 अप्रैल 2025

अधिसूचना

क्रमांक ESTB/1255/2025-HOME SECTION — छत्तीसगढ़ के राज्यपाल, भारतीय नागरिक सुरक्षा संहिता, 2023 (2023 का 48) के अधीन छत्तीसगढ़ उच्च न्यायालय के परामर्श के पश्चात्, निम्नलिखित नियम बनाते हैं, अर्थात:-

नियम

- संक्षिप्त शीर्षक और प्रारंभ,— (1) ये नियमों को छत्तीसगढ़ “ई-साक्ष्य” प्रबंधन नियम, 2025 कहलायेंगे।
(2) ये राजपत्र में इसके प्रकाशन की तारीख से प्रवृत्त होगा।
- परिभाषाएँ,— (1) इन नियमों में, जब तक कि संदर्भ से अन्यथा अपेक्षित न हो,—
 - “सीसीटीएनएस” से अभिप्रेत अपराध और अपराधी ट्रैकिंग नेटवर्क और सिस्टम, एक सिस्टम, सॉफ्टवेयर जिसका उपयोग पुलिस द्वारा डेटा के संग्रह और निर्देशों के निष्पादन के लिए किया जाता है;
 - “सीआईएस” से अभिप्रेत प्रकरण सूचना प्रणाली, एक सिस्टम सॉफ्टवेयर जिसका उपयोग जिला न्यायपालिका और उच्च न्यायालयों द्वारा डेटा के संग्रह और निर्देशों के निष्पादन के लिए किया जाता है;
 - “ई-साइन” से अभिप्रेत है सूचना प्रौद्योगिकी अधिनियम, 2000 (2000 का 21) की दूसरी अनुसूची में निर्दिष्ट इलेक्ट्रॉनिक तकनीक के माध्यम से सभ्यक्राइबर या न्यायालय द्वारा किसी भी इलेक्ट्रॉनिक रिकॉर्ड का प्रमाणीकरण और इसमें डिजिटल हस्ताक्षर शामिल हैं। इसके अलावा, जब इलेक्ट्रॉनिक रूप में तैयार की गई प्रक्रिया या रिपोर्ट को इलेक्ट्रॉनिक हस्ताक्षर के माध्यम से प्रमाणित किया जाता है, तो इसे इलेक्ट्रॉनिक हस्ताक्षर करने वाले व्यक्ति के हस्ताक्षर द्वारा प्रमाणित माना जाएगा।
 - “उच्च न्यायालय” से अभिप्रेत है न्यायापालिका का उच्च न्यायालय।
 - “आई सीजेएस” का अर्थ होगा अंतर-संचालनीय आपराधिक न्याय प्रणाली, आपराधिक न्याय प्रणाली के विभिन्न स्तम्भों के बीच सूचना के हस्तांतरण के लिए वर्तमान में संचालन में एक सॉफ्टवेयर, जिसमें जांच एजेंसियां, अदालतें, सुधारगृह, फोरेंसिक प्रयोगशालाएं, अभियोजन शामिल हैं; और केंद्र सरकार द्वारा अधिसूचित कोई अन्य हितधारक।
 - “जांच अधिकारी से अभिप्रेत है कोई भी पुलिस अधिकारी या कोई अन्य व्यक्ति जिसे किसी सक्षम प्राधिकारी द्वारा अधिकृत किया गया हो या किसी अपराध के लिए जांच करने के लिए सशक्त किया गया हो।

- (छ) "साक्ष्य" से अभिप्रेत है ई-साक्ष्य मोबाइल एप्लीकेशन के माध्यम से दस्तावेज के रूप में एकत्रित/रिकॉर्ड किया गया कोई भी साक्ष्य। साक्ष्य में वीडियो रिकॉर्डिंग, फोटोग्राफ, गवाहों की फोटोग्राफ और जांच/रिकॉर्डिंग अधिकारी की फोटो शामिल है। ई-साक्ष्य मोबाइल एप्लीकेशन के माध्यम से रिकॉर्ड किए गए सभी साक्ष्य घटना का एक सुरक्षित पैकेट (जिसे आगे "ई-साक्ष्य पैकेट" कहा जाएगा) उत्पन्न करेंगे, जिसमें एसआईडी नामक एक अद्वितीय आईडी, खोलने, बंद करने का समय और भौगोलिक स्थान के साथ एक अद्वितीय 16 अंकीय आईडी (एसआईडी) होगी। प्रत्येक एसआईडी और इसकी सामग्री में अखंडता सुनिश्चित करने के लिए अद्वितीय हैशमान होगा। साक्ष्य को अपरिवर्तनीय भंडारण में संग्रहीत किया जाएगा।
- (ज) "संहिता" से अभिप्रेत है भारतीय नागरिक सुरक्षा संहिता, 2023 (2023 का 46)।
- (2) इन नियमों में प्रयुक्त किन्तु परिभाषित नहीं किया गया है शब्दों और अभिव्यक्तियों का वही अर्थ होगा जो उन्हें भारतीय नागरिक सुरक्षा संहिता, 2023 (2023 का 46); भारतीय न्याय संहिता, 2023 (2023 का 45); भारतीय साक्ष्य अधिनियम, 2023 (2023 का 47) और सूचना प्रौद्योगिकी अधिनियम, 2000 (2000 का 21) में निर्दिष्ट किया गया है।
3. प्रत्येक जांच अधिकारी ई-साक्ष्य मोबाइल एप्लीकेशन के माध्यम से संहिता की धारा 105, 173, 176, 180, 185 और 497 के अधीन अपेक्षित किये गये अनुसार सभी वीडियो और फोटो साक्ष्य रिकॉर्ड करेगा।
4. जांच अधिकारी ई-साक्ष्य मोबाइल एप्लीकेशन के माध्यम से भारतीय साक्ष्य अधिनियम, 2023 (2023 का 47) के अनुसूची में भाग क का प्रमाण-पत्र 63 (4) (ग) तैयार करेगा। सभी प्रमाण पत्रों पर ई-हस्ताक्षर किए जाएंगे।
5. जांच अधिकारी एसआईडी को सीसीटीएनएस के माध्यम से उत्पन्न संबंधित एफ आई आर नंबर/जी डी नंबर से लिंक करेगा।
6. अपरिवर्तनीय भंडारण में अपलोड की गई साक्ष्य को संहिता की धारा 105 और 185 के अधीन मजिस्ट्रेट को अग्रेषित किया जाना माना जाएगा।
7. न्यायालय आईसीजेएस पर सीआईएस एप्लीकेशन/साक्ष्य पोर्टल में अपने अधिकार क्षेत्र से संबंधित सभी साक्ष्य देख और प्रबंधित कर सकते हैं।
8. न्यायालय संहिता की धारा 230 के अधीन प्रावधानों के अनुसार अभियुक्त और पीड़ित (यदि वकील द्वारा प्रतिनिधित्व किया जाता है) के साथ साक्ष्य साझा करने की अनुमति दे सकता है।
9. ई-साक्ष्य पैकेट को ट्रायल पूरा होने के पश्चात् संग्रहित किया जाएगा और उसे अभिलेखीय मोड में ले जाया जाएगा।
10. इन नियमों में कुछ भी न्यायालय द्वारा साक्ष्य देखने की न्यायालय की शक्ति को सीमित करने वाला नहीं माना जाएगा।
11. ये नियम भारतीय साक्ष्य अधिनियम, 2023 (2023 का 47) के प्रावधानों के अनुसार न्यायालय द्वारा साक्ष्य को स्वीकार करने और प्रबंधित करने के लिए वर्तमान में लागू किसी अन्य कानून या नियमों के अतिरिक्त होंगे, न कि उनके विरुद्ध।

छत्तीसगढ़ के राज्यपाल के नाम से तथा आदेशानुसार,
अभिषेक अग्रवाल, उप-सचिव.

Nava Raipur Atal Nagar, the 19th April 2025

NOTIFICATION

No. ESTB/1255/2025-HOME SECTION—The Governor of Chhattisgarh is pleased to make the following rules under the Bharatiya Nagarik Suraksha Sanhita, 2023 (No. 46 of 2023), after consultation with the High Court of Chhattisgarh, namely:-

RULES

- Short title and commencement.**— (1) These rules may be called the Chhattisgarh eSakshya Management Rules, 2025.
(2) They shall come into force from the date of their publication in the Official Gazette.
- Definitions.**— (1) In these rules, unless the context otherwise requires, -
(a) "CCTNS" means Crime and Criminal Tracking Network and Systems, a system software used by the Police for the collection of data and execution of instructions;

- (b) "CIS" means Case Information System, a system software used by the District Judiciary and High Courts for the collection of data and execution of instructions;
- (c) "eSign" means authentication of any electronic record by a subscriber or court, by means of the electronic technique specified in the Second Schedule of the Information Technology Act, 2000 (No. 21 of 2000) and includes digital signature. Also, when a process or report generated in electronic form is authenticated by means of electronic signature, it shall be deemed to be authenticated by signature of the person who affixed the electronic signature;
- (d) "High Court" means the High Court of Chhattisgarh;
- (e) "ICJS" shall mean Inter-operable Criminal Justice System, a software presently in operation for transfer of information among various pillars of criminal justice system, which includes investigating agencies, courts, correctional homes, forensic laboratories, prosecution; and any other stakeholder as notified by the Central Government;
- (f) "Investigating Officer" means any police officer or any other person authorized by a competent authority or empowered to undertake investigation for any offence;
- (g) "Sakshya" means any evidence collected/recorded as a document through eSakshya Mobile Application. Sakshya consists of video recording(s), photograph(s), photograph(s) of witness(s) and photograph of the investigating/recording officer. All evidence recorded through eSakshya Mobile Application shall generate a secure packet of the event (hereinafter referred to as "eSakshya Packet") with a unique ID called SID, a unique 16 digit ID (SID) with opening, closing time stamp and geo-location. Each SID and its contents will have unique hash value to ensure integrity. Sakshya will be stored in immutable storage;
- (h) "Sanhita" means the Bharatiya Nagarik Suraksha Sanhita, 2023 (No. 46 of 2023).
- (2) Words and expressions used, but not defined in these rules shall have the same meaning as assigned to them in the Bharatiya Nagarik Suraksha Sanhita, 2023 (No. 46 of 2023); the Bharatiya Nyaya Sanhita, 2023 (No. 45 of 2023); the Bharatiya Sakshya Adhiniyam, 2023, (No. 47 of 2023) and the Information Technology Act, 2000 (No. 21 of 2000).
3. Every Investigating Officer shall record all video and photo evidence as required under Section 105, 173, 176, 180, 185, and 497 of the Sanhita through the eSakshya Mobile Application.
 4. Investigating Officer shall generate a certificate contained in Section 63(4) (c) of Part A of Schedule of the Bharatiya Sakshya Adhiniyam, 2023 (No. 47 of 2023) through the eSakshya Mobile Application. All Certificates will be eSigned.
 5. Investigating Officer shall link SID with the concerned FIR number/GD number generated through CCTNS.
 6. The Sakshya uploaded to immutable storage shall be construed to be forwarded to Magistrate as required under Section 105 and 185 of the Sanhita.
 7. The courts can view and manage all Sakshya concerning to their jurisdiction in the CIS application/Sakshya portal on ICJS.
 8. The court may permit sharing of Sakshya with accused and the victim (if represented by an advocate) as per the provisions under Section 230 of the Sanhita.
 9. eSakshya packet will be archived after completion of trial and will be moved to Archival mode.
 10. Nothing in these rules shall be deemed to limit the power of the Courts to view the Sakshya by the Court.
 11. These rules shall be in addition to, not in derogation of any other law or rules for time being in force for accepting and managing Sakshya by the Court in terms of the provisions of Bharatiya Sakshya Adhiniyam, 2023 (No. 47 of 2023).

By order and in the name of the Governor of Chhattisgarh,
ABHISHEK AGRAWAL, Deputy Secretary.

“बिजनेस पोस्ट के अन्तर्गत डाक शुल्क के नगद भुगतान (बिना डाक टिकट) के प्रेषण हेतु अनुमत. क्रमांक जी.2-22-छत्तीसगढ़ गजट / 38 सि. से. भिलाई, दिनांक 30-05-2001.”



पंजीयन क्रमांक
“छत्तीसगढ़/दुर्ग/89/2013-2015.”

छत्तीसगढ़ राजपत्र

(असाधारण)
प्राधिकार से प्रकाशित

क्रमांक 357]

नवा रायपुर, जनिवार, दिनांक 19 अप्रैल 2025 — चैत्र 29, शक 1947

गृह (पुलिस) विभाग
मंत्रालय, महानदी भवन, नवा रायपुर अटल नगर

नवा रायपुर अटल नगर, दिनांक 19 अप्रैल 2025

अधिसूचना

क्रमांक ESTB/1261/2025-HOME SECTION. छत्तीसगढ़ राज्य के लागू हुए रूप में भारतीय नागरिक सुरक्षा संहिता, 2023 (2023 का 46) की धारा 64 की उप-धारा (1) तथा धारा 530 के खण्ड (एक) तथा अन्य समस्त सामर्थ्यकारी धाराओं द्वारा प्रदत्त शक्तियों को प्रयोग में लाते हुए, छत्तीसगढ़ राज्य सरकार, छत्तीसगढ़ उच्च न्यायालय के परामर्श से एतद्वारा, निम्नलिखित नियम बनाती है, अर्थात:-

नियम

- संक्षिप्त नाम तथा प्रारंभ —(1) इन नियमों का संक्षिप्त नाम "छत्तीसगढ़ इलेक्ट्रॉनिक आदेशिका" (जारी किया जाना, तामीली तथा निष्पादन) नियम, 2025 है।
(2) ये छत्तीसगढ़ राजपत्र में इनके प्रकाशन की तारीख से प्रवृत्त होंगे।
- परिभाषाएं —(1) इन नियमों में, जब तक कि संदर्भ से अन्यथा अपेक्षित न हो, —
 - (क) "जमानत बंधपत्र" से अभिप्रेत है, प्रतिमूर्ति के साथ रिहाई के लिए वचन बंध;
 - (ख) "सी सी टी एन एस" से अभिप्रेत है, अपराध तथा अपराधी निगरानी तंत्र एवं प्रणाली, डेटा के संग्रहण तथा निर्देशों के निष्पादन के लिए पुलिस द्वारा उपयोग किया जाने वाला एक सिस्टम साफ्टवेयर;
 - (ग) "सी आई एस" से अभिप्रेत है, प्रकरण सूचना प्रणाली, डेटा के संग्रहण तथा निर्देशों के निष्पादन के लिए जिला न्यायपालिका द्वारा उपयोग किया जाने वाला एक सिस्टम साफ्टवेयर;
 - (घ) "इलेक्ट्रॉनिक संसूचना" से अभिप्रेत है, कोई लिखित, मौखिक, चित्रमय जानकारी या वीडियो सामग्री, जो किसी इलेक्ट्रॉनिक उपकरण, जिसमें सम्मिलित है, टेलीफोन, मोबाईल फोन, अथवा अन्य वायरलेस दूरसंचार उपकरण या कम्प्यूटर या आडियो वीडियो प्लेयर या कैमरा या ऐसा कोई अन्य इलेक्ट्रॉनिक उपकरण या इलेक्ट्रॉनिक स्वरूप, जैसा कि उच्च न्यायालय द्वारा विनिर्दिष्ट किया जाए, द्वारा प्रसारित या अंतरित (चाहे एक व्यक्ति से दूसरे व्यक्ति को या एक उपकरण से दूसरे उपकरण को या किसी व्यक्ति से किसी उपकरण को या किसी उपकरण से किसी व्यक्ति को) की जाए;
 - (ङ) "इलेक्ट्रॉनिक हस्ताक्षर" से अभिप्रेत है किसी ग्राहक या न्यायालय द्वारा किसी इलेक्ट्रॉनिक अभिलेख का सूचना प्रौद्योगिकी अधिनियम, 2000 (2000 का 21) की दूसरी अनुसूची में

विनिर्दिष्ट तकनीक के माध्यम से प्रमाणीकरण और इसमें सम्मिलित है, इलेक्ट्रॉनिक हस्ताक्षर। साथ ही, जब इलेक्ट्रॉनिक रूप में जनित (जनरेटेड) किसी आदेशिका या रिपोर्ट का इलेक्ट्रॉनिक हस्ताक्षर के माध्यम से प्रमाणीकरण किया जाता है, तो वह इलेक्ट्रॉनिक हस्ताक्षर करने वाले व्यक्ति के हस्ताक्षर द्वारा प्रमाणीकृत समझा जाएगा;

- (च) "उच्च न्यायालय" से अभिप्रेत है, छत्तीसगढ़ उच्च न्यायालय;
- (छ) "ज्ञात इलेक्ट्रॉनिक मेल एड्रेस" से अभिप्रेत है, किसी व्यक्ति अथवा संगठन का ऐसा ई-मेल एड्रेस, जो इंटरनेट पर संदेश (मैसेज) भेजने और प्राप्त करने के लिए उपयोग किया जाता है, जो कि ऐसे व्यक्ति या संगठन द्वारा या तो व्यक्तिगत रूप से अथवा किसी वेबसाइट या पोर्टल पर स्वीकार किया गया या उपयोग किया गया या प्रदान किया गया दर्शाया गया है;
- (ज) "आदेशिका" में सम्मिलित है, समन, वारंट या ऐसे परिवर्तनों के साथ, जैसा कि प्रत्येक प्रकरण की परिस्थितियां अपेक्षा करें, संहिता में यथा उल्लेखित संबंधित प्रयोजनों के लिए जारी, संहिता की द्वितीय अनुसूची में उपवर्णित, कोई अन्य प्रपत्र;
- (झ) "नियम तथा आदेश" से अभिप्रेत है, छत्तीसगढ़ नियम तथा आदेश (आपराधिक);
- (ञ) "संहिता" से अभिप्रेत है, भारतीय नागरिक सुरक्षा संहिता, 2023 (2023 का 46);
- (ट) "मुद्रा" से अभिप्रेत है, न्यायालय की मुद्रा की छवि;
- (ठ) "राज्य" से अभिप्रेत है, छत्तीसगढ़ राज्य;
- (ड) "समन" से अभिप्रेत है, संहिता के अध्याय छह के अधीन जारी कोई समन;
- (ढ) "वारंट" से अभिप्रेत है, जमानती वारंट एवं गैर जमानती वारंट।

(2) इन नियमों में प्रयुक्त किन्तु परिभाषित नहीं किए गए शब्दों तथा अभिव्यक्तियों के वही अर्थ होंगे, जो भारतीय नागरिक सुरक्षा संहिता, 2023 (2023 का 46), भारतीय न्याय संहिता, 2023 (2023 का 45) तथा सूचना प्रौद्योगिकी अधिनियम, 2000 (2000 का 21) में उनके लिए समनुदेशित किए गए हैं।

3. न्यायालय, ऐसे परिवर्तनों के साथ, जैसा कि प्रत्येक प्रकरण की परिस्थितियां अपेक्षा करें, संहिता की दूसरी अनुसूची में यथा उपवर्णित ऐसे प्ररूपों में सी आई एस/एन एस टी ई पी के माध्यम से इलेक्ट्रॉनिक पद्धति में आदेशिका जनित (जनरेट) तथा जारी कर सकेंगे तथा उन्हें किसी पुलिस अधिकारी द्वारा या उसे जारी करने वाले न्यायालय के किसी अधिकारी द्वारा या किसी अन्य लोक सेवक द्वारा तामील किए जाने के लिए निदेशित किया जा सकेगा।
4. संहिता के अधीन इलेक्ट्रॉनिक संसूचना के रूप में जारी प्रत्येक आदेशिका, सामान्यतः न्यायालय की भाषा में लिखी जाएगी तथा इलेक्ट्रॉनिक संसूचना के कूट (एन्क्रिप्टेड) या किसी अन्य रूप में होगी तथा उस पर न्यायालय की मुद्रा की छवि और / या डिजिटल हस्ताक्षर होंगे।
5. इलेक्ट्रॉनिक रूप से जारी की गई प्रत्येक आदेशिका में इलेक्ट्रॉनिक हस्ताक्षर उस रीति में होंगे, जैसा कि न्यायालय का नाम या वह हैसियत, जिसमें हस्ताक्षरकर्ता या ग्राहक कार्य करता है, स्पष्ट रूप से उल्लिखित किया जाना चाहिए। इलेक्ट्रॉनिक रूप में जनित (जनरेटेड) समन में न्यायालय की मुद्रा की छवि होगी या यथास्थिति न्यायालय के लिमिक या रीडर या इस संबंध में लिखित में प्राधिकृत किसी व्यक्ति के डिजिटल हस्ताक्षर होंगे। इलेक्ट्रॉनिक रूप में गिरफ्तारी का प्रत्येक वारंट, न्यायालय के पीठासीन अधिकारी के इलेक्ट्रॉनिक हस्ताक्षर द्वारा जारी किया जाएगा तथा उस पर न्यायालय की मुद्रा भी लगी होगी।
6. जहां इलेक्ट्रॉनिक रूप में जनित (जनरेटेड) आदेशिकाएं किसी सुरक्षित प्रणाली के माध्यम से इलेक्ट्रॉनिक संसूचना के कूट (एन्क्रिप्टेड) या किसी अन्य रूप से सी सी टी एन एस पर प्राप्त होती हैं, तो उसे न्यायालय द्वारा जारी किया गया माना जाएगा। यह और कि, ऐसी आदेशिका के किसी प्रिन्टआउट का वही प्रभाव होगा, मानो कि वह उसके निष्पादन के प्रयोजन के लिए मूल रूप से जारी किया गया है।
7. पुलिस थाने का भारसाधक अधिकारी यह सुनिश्चित करेगा कि यथास्थिति आरोपी या गवाहों द्वारा उपयोग किया गया पता, ज्ञात इलेक्ट्रॉनिक मेल एड्रेस, फोन नम्बर तथा मैसेजिंग एप्लीकेशन से संबंधित सत्यापित ब्यौरे गिरफ्तारी, अन्वेषण या जांच, यथास्थिति के दौरान अभिलिखित किए जाएं तथा सी सी टी एन एस में दर्ज किए जाएं। ऐसे ब्यौरे, संहिता की धारा 64 की उप-धारा (1) के अनुपालन में पुलिस थाने पर संघारित रजिस्टर में भी दर्ज किए जाएंगे। यदि ऐसे कोई ब्यौरे उपलब्ध नहीं हैं, तो पुलिस थाने का भारसाधक अधिकारी रजिस्टर में इस आशय का पृष्ठांकन करेगा:

परन्तु ऐसे किसी ब्यौरे को किसी और सत्यापन के आधार पर या ऐसे व्यक्ति द्वारा आवेदन के आधार पर संशोधित किया जा सकेगा।

8. जहाँ कोई मामला व्यक्तिगत परिवाद के आधार पर दायर किया जाता है, वहाँ परिवादी (शिकायतकर्ता) परिवाद के साथ आरोपी और साक्षियों के पते, ज्ञात इलेक्ट्रॉनिक मेल एड्रेस, फोन नम्बर, मैसेजिंग एप्लीकेशन से संबंधित ब्यौरे दर्ज करेगा। यदि इनमें से कोई जानकारी उपलब्ध नहीं है, तो परिवादी (शिकायतकर्ता) इस आशय का पृष्ठांकन करेगा।
9. पते, ज्ञात इलेक्ट्रॉनिक मेल एड्रेस, फोन नम्बर और मैसेजिंग एप्लीकेशन से संबंधित ब्यौरे इलेक्ट्रॉनिक प्रारूप में दिए जाएंगे और सीआईएस में अनुरक्षित रखे जाएंगे और आदेशिकाएं जारी किए जाने के लिए उपयोग किए जा सकेंगे। ऐसी डिजिटल जानकारी, संहिता की धारा 64 के अधीन रजिस्टर का हिस्सा बनेगी।
10. संहिता की धारा 230 तथा 231 के अधीन प्रतियां प्रदान करते समय अभियुक्त को साक्षियों के ज्ञात इलेक्ट्रॉनिक मेल एड्रेस, फोन नम्बर और मैसेजिंग एप्लीकेशन से संबंधित ब्यौरे प्रदान नहीं किए जाएंगे। पुलिस थाने का भारसाधक यह सुनिश्चित करेगा कि ऐसे ब्यौरे संहिता की धारा 193 की उप-धारा (8) के अधीन तैयार की गई प्रतियों का हिस्सा न बनें।
11. न्यायालय द्वारा इलेक्ट्रॉनिक संसूचना के रूप में जारी किए गए समन की प्राप्ति पर पुलिस थाने का भारसाधक अधिकारी या उसके द्वारा प्रतिनियुक्त कोई अधीनस्थ अधिकारी, समन किए गए व्यक्ति के ज्ञात इलेक्ट्रॉनिक मेल एड्रेस, फोन नम्बर या मैसेजिंग एप्लीकेशन पर समन अग्रेषित कर सकेगा।
12. (1) जहाँ समन इलेक्ट्रॉनिक मेल के माध्यम से तामील किए जाते हैं, वहाँ इलेक्ट्रॉनिक मेल सेवा प्रदाता इस रीति में उपयोग किया जाएगा, ताकि अभिस्वीकृति जनित (जेनरेट) की जा सके तथा ऐसी अभिस्वीकृति तामिली की रिपोर्ट का हिस्सा बनेगी।
(2) जब कोई आदेशिका किसी व्यक्ति या संगठन के ज्ञात इलेक्ट्रॉनिक मेल एड्रेस पर भेजी जाती है, तब, जब तक कि इलेक्ट्रॉनिक मेल का परिदान किसी भी कारण से बाधित नहीं होता या वापस नहीं आ जाता या मेल सर्वर से "रिटर्न टू सेंडर" मैसेज, "बाऊन्स बैक मैसेज" या "एरर मैसेज" प्राप्त नहीं होता, तब तक तामिली प्रभावी मानी जा सकेगी और जब तक कि विपरीत न साबित कर दिया जाए, वह उसी समय प्रभाव में आया माना जाएगा, जिसको कि ई-मेल के सामान्य अनुक्रम के कोई इलेक्ट्रॉनिक मेल परिदान किया गया होता।
स्पष्टीकरण: ई-मेल, का सामान्य अनुक्रम, सूचना प्रौद्योगिकी अधिनियम, 2000 (2000 का 21) की धारा 13 के अनुसार अवधारित किया जा सकेगा।
13. (1) जहाँ समन किसी अन्य इलेक्ट्रॉनिक संसूचना के माध्यम से तामील किया जाता है, जिसमें मैसेजिंग एप्लीकेशन भी सम्मिलित है, वहाँ अभिस्वीकृति तामिली की रिपोर्ट का हिस्सा होगी और रिपोर्ट में मोबाइल नम्बर, मैसेजिंग एप्लीकेशन और संसूचना के परिदान (डिलेवरी) को दर्शाने वाले स्क्रीनशॉट/एप्लीकेशन के फोटो सहित ब्यौरे अंतर्विष्ट होंगे।
(2) ऐसा परिदान (डिलेवरी) समन / आदेशिका की सम्यक तामिल माना जा सकेगा और तामिल की रिपोर्ट के साथ ऐसे समन/आदेशिका की एक प्रतिसमन/आदेशिका की तामिली के सबूत के रूप में अभिलेख में रखी जाएगी।

स्पष्टीकरण: इस नियम 13 या नियम 14 के अधीन अभिस्वीकृति में निम्नलिखित द्वारा दी गई अभिस्वीकृति सम्मिलित है, -

(क) पाने वाले द्वारा कोई संसूचना, स्वचालित या अन्यथा; या

(ख) प्रवर्तक को यह संकेत करने के लिए पर्याप्त, पाने वाले का कोई आचरण, कि इलेक्ट्रॉनिक अभिलेख प्राप्त किया गया है

14. समन किए गए व्यक्ति से संबंधित ई-मेल एड्रेस, फोन नम्बर या मैसेजिंग एप्लीकेशन के सत्यापित ब्यौरे उपलब्ध न होने की दशा में, पुलिस थाने का भारसाधक अधिकारी या उसके द्वारा प्रतिनियुक्त कोई पुलिस अधिकारी, उस संबंध में प्रविष्टि करेगा और इलेक्ट्रॉनिक माध्यम से जारी किए गए समन की द्वितीय प्रति प्रिन्टआउट लेने के पश्चात संहिता के अध्याय छह के अधीन विहित प्रक्रिया के अनुसार उसका निष्पादन करेगा।
15. जब समन, इलेक्ट्रॉनिक मेल या इलेक्ट्रॉनिक संसूचना की अन्य पद्धतियों द्वारा तामिल नहीं होते हैं या प्रदाय किसी अन्य कारण से बाधित होता है और वापिस हो जाता है, तो पुलिस थाने का भारसाधक अधिकारी या उसके द्वारा प्रतिनियुक्त कोई पुलिस अधिकारी, मोबाइल नम्बर, मैसेजिंग एप्लीकेशन और स्क्रीनशॉट/एप्लीकेशन के फोटो सहित समस्त ब्यौरे अंतर्विष्ट करते हुए, उसके संबंध में एक प्रतिवेदन तैयार करेगा तथा समन के निष्पादन हेतु नियम 15 के अनुसार कार्यवाही कर सकेगा।

16. वारंट या कोई अन्य आदेशिका इलेक्ट्रॉनिक माध्यम में जारी किए जाने की दशा में, पुलिस थाने का भारसाधक अधिकारी या उसके द्वारा प्रतिनियुक्त कोई पुलिस अधिकारी वारंट या आदेशिका का प्रिंट आउट लेगा और उस संबंध में संहिता तथा नियमों के अनुसार उसे निष्पादित करेगा।
17. जहाँ कोई आदेशिका अन्यथा इलेक्ट्रॉनिक माध्यम से तामील या निष्पादित की जाती है, पुलिस अधिकारी, तामील या आदेशिका का निष्पादन करने के दौरान प्राप्तकर्ता की अभिस्वीकृति प्राप्त करेगा तथा फोटोग्राफ्स ले सकेगा, जो तामीली के प्रतिवेदन का भाग होगी।
18. वारंट की सम्यक तामील या तामील न होने पर, संबंधित पुलिस थाने का तामीलीकर्ता अधिकारी जमानत बन्धपत्र, फोटोग्राफ, अभिस्वीकृति, यदि कोई हो, तो सहित सुसंगत दस्तावेजों के साथ तामील सी सी टी एन एस / एन एस टी ई पी के माध्यम से, इलेक्ट्रॉनिक रूप में, संबंधित न्यायालय को पारेषित करेगा और ऐसी तामीली / निष्पादन प्रतिवेदन को भौतिक रूप में भी अग्रेषित कर सकेगा।
19. नियम 19 के अधीन इलेक्ट्रॉनिक रूप में प्रतिवेदन प्राप्त करने के पश्चात्, न्यायालय ऐसे प्रतिवेदन पर कार्रवाई कर सकेगा। ऐसा प्रतिवेदन या ऐसे प्रतिवेदन का प्रिंटआउट, आदेशिका की तामील/ निष्पादन के समाधान के प्रयोजन के लिए मूल प्रति के रूप में पर्याप्त होगा।
20. जहाँ कोई आदेशिका भारतीय न्याय संहिता, 2023 (2023 का 45) की धारा 64 से 71 के अधीन अपराधों अथवा महिला या बच्चे के विरुद्ध अपराधों से संबंधित प्रकरणों में जारी की गई है, वहाँ पुलिस थाने का भारसाधक अधिकारी यह सुनिश्चित करेगा कि तामील या निष्पादन के दौरान किसी भी रीति में पीड़ित की पहचान प्रकट न हो। यह और कि, भौतिक रूप में तामील प्रतिवेदन न्यायालय में मुहरबंद लिफाफे में प्रस्तुत की जाएगी।
21. इन नियमों में की कोई भी बात, दण्ड प्रक्रिया संहिता, 1973 (1974 का 2) के अधीन प्रकरणों में, इन नियमों के अधीन आदेशिकाओं की तामील या निष्पादन को जनित (जनरेट) करने और निर्देश देने की न्यायालयों की शक्तियों को सीमित करने वाली नहीं समझी जाएगी।
22. ये नियम, न्यायालय द्वारा आदेशिका के जारी, तामील और निष्पादन किए जाने के लिए तत्समय प्रवृत्त छत्तीसगढ़ उच्च न्यायालय द्वारा बनाई गई किसी अन्य विधि या नियमों के अतिरिक्त होंगे।

छत्तीसगढ़ के राज्यपाल के नाम से तथा आदेशानुसार,
अभिषेक अग्रवाल, उप-सचिव.

Nava Raipur Atal Nagar, the 19th April 2025

NOTIFICATION

No. ESTB/1261/2025-HOME SECTION.— In exercise of the powers conferred by sub-section (1) of Section 64 read with clause (i) of Section 530 and all other enabling sections of the Bharatiya Nagarik Suraksha Sanhita, 2023 (No. 46 of 2023), in its application to the State of Chhattisgarh, the Government of Chhattisgarh, hereby, makes the following rules, namely:-

RULES

1. **Short title and commencement.**— (1) These rules may be called the "Chhattisgarh Electronic Processes" (Issuance, Service and Execution) Rules, 2025.
(2) They shall come into force from the date of their publication in the Official Gazette.
2. **Definitions.**—
(1) In these rules, unless the context otherwise requires,—
(a) "Bail Bond" means an under taking for release with surety;
(b) "CCTNS" means Crime and Criminal Tracking Network and Systems, a system software used by the Police for the collection of data and execution of instructions;
(c) "CIS" means Case Information System, a system software used by the District Judiciary for the collection of data and execution of instructions;

- (d) "Electronic Communication" means the communication of any written, verbal, pictorial information or video content, transmitted or transferred (whether from one person to another or from one device to another or from a person to a device or from a device to a person), by means of an electronic device, including a telephone, mobile phone, or other wireless telecommunication device, or a computer, or audio-video players or cameras or any other electronic device or electronic form, as may be specified by the High Court;
 - (e) "Electronic Signature" means authentication of any electronic record by a subscriber or court, by means of the electronic authentication technique specified in the Second Schedule of the Information Technology Act, 2000 (No. 21 of 2000) and includes digital signature. Also, when a process or report generated in electronic form is authenticated by means of electronic signature, it shall be deemed to be authenticated by signature of the person who affixed the electronic signature;
 - (f) "High Court" means the High Court of Chhattisgarh;
 - (g) "Known Electronic Mail Address" means the e-mail account of a person or organization used to send and receive messages over internet, which is shown to be admitted, used, or provided by such person or organization either personally or on a website or portal;
 - (h) "Process" includes summons, warrant or any other forms set forth in the Second Schedule of the Sanhita, with such variations as the circumstances of each case require, issued for the respective purposes as mentioned in the Sanhita;
 - (i) "Rules and Orders" means the Chhattisgarh Rules and Orders(Criminal);
 - (j) "Sanhita" means the Bharatiya Nagarik Suraksha Sanhita, 2023 (No. 46 of 2023);
 - (k) "Seal" means image of the seal of the Court;
 - (l) "State" means the State of Chhattisgarh;
 - (m) "Summons" means any summons issued under Chapter VI of the Sanhita;
 - (n) "Warrant" means and includes bailable warrant and non-bailable warrant.
- (2) Words and expressions used but not defined in these rules shall have the same meaning as assigned to them in the Bharatiya Nagarik Suraksha Sanhita, 2023 (No. 46 of 2023); the Bharatiya Nyaya Sanhita, 2023 (No. 45 of 2023) and the Information Technology Act, 2000 (No. 21 of 2000).
3. The Courts may generate and issue process in electronic mode through CIS/NSTEP in such forms as set forth in the Second Schedule of the Sanhita, with such variations as the circumstances of each case require and the same may be directed to be served by a police officer, or by an officer of the Court issuing it or any other public servant.
 4. Every process issued in form of electronic communication under the Sanhita must ordinarily be written in the language of the court and shall be in an encrypted or any other form of electronic communication and shall bear the image of the seal of the Court and/ or digital signature.
 5. Every process issued electronically shall contain electronic signature in such a manner that the name of the Court or the capacity in which the signatory or subscriber Acts, should be clearly mentioned. The summons generated in electronic form shall bear image of the seal of the court or digital signature of the Clerk of Court or the Reader or any person authorized in writing in this regard as the case may be. Every warrant of arrest in electronic form shall be issued by electronic signature of the Presiding Officer of the Court and shall also bear the seal of the Court.
 6. Where the processes generated in electronic form are received on CCTNS through a secured system, in an encrypted or any other form of electronic communication, it shall be presumed to be issued by the Court. Further, any printout of such process shall have the same effect as issued in original for the purpose of its execution.

7. The Officer-in-charge of the Police Station shall ensure that the verified details relating to address, known electronic mail address, phone number and messaging application used by the accused or witnesses, as the case may be, are recorded during arrest, investigation or inquiry and entered in CCTNS. Such details shall also be entered in the Register maintained at the Police Station in compliance with sub-section (1) of Section 64 of the Sanhita. If any of such details is not available, the Officer-in-charge of the Police Station shall make an endorsement to that effect in the Register:

Provided that any such details may be amended on the basis of any further verification or on the basis of an application by such person.

8. Where a case is filed on the basis of a private complaint, the complainant shall file the details relating to address, known electronic mail address, phone number and messaging application of the accused and witnesses along with the complaint. If any of such information is not available, the complainant shall make an endorsement to that effect.
9. The details relating to address, known electronic mail address, phone number and messaging application shall be transmitted in electronic form and maintained in CIS and may be used for issuance of process. Such digital information shall form part of the register under Section 64 of the Sanhita.
10. The details relating to known electronic mail address, phone number and messaging application of the witnesses shall not be provided to the accused while supplying copies under Section 230 and 231 of the Sanhita. The Officer-in-charge of the Police Station shall ensure that such details do not form part of the copies prepared under sub-section (8) of Section 193 of the Sanhita.
11. The Officer-in-charge of the Police Station or any Sub-ordinate Officer deputed by him upon receipt of summons issued in form of electronic communication by the Court, may forward the summons on the known electronic mail address, phone number or messaging application of the person summoned.
12. (1) Where summons are served by way of electronic mail, the electronic mail service provider shall be used in such a manner so as to generate acknowledgment and such acknowledgment shall form part of the report of service.

(2) When any process is sent to a person or organization on known electronic mail address, unless the delivery of the electronic mail is disrupted or bounced back for any reason whatsoever, or a "return to sender" message, "bounced back message" or "error message" is received from mail server, the delivery may be deemed to be effected and unless the contrary is proved, to have been effected at the time at which the electronic mail would be delivered in the ordinary course of e-mail.

Explanation- The ordinary course of e-mail may be determined in accordance with Section 13 of the Information Technology Act, 2000 (No. 21 of 2000).

13. (1) Where summons are served by way of any other electronic communication including messaging application, the acknowledgment shall form part of the report of the service and the report shall contain details including mobile number, messaging application and screenshot/photo of the application reflecting delivery of the communication.

(2) Such delivery may be deemed to be due service of summons/process and a copy of such summons/process along with report of service shall be kept in record as a proof of service of summons/process.

Explanation- Acknowledgement under this rule 13 or rule 14 include an acknowledgement given by-

- (a) any communication by the addressee, automated or otherwise; or
- (b) any conduct of the addressee, sufficient to indicate to the originator that the electronic record has been received.

14. In case verified details of the e-mail address, phone number or messaging application relating to the person summoned are not available, the Officer-in-charge of the Police Station or any Police Officer deputed by him shall make an entry in that regard and after taking printout in duplicate of the summons issued in electronic mode, shall execute the same in accordance with procedure prescribed under Chapter VI of the Sanhita.

15. When summons are not served by an electronic mail or other mode of electronic communication or delivery is disrupted and bounced back for any other reason, the Officer-in-charge of the Police Station or any Police Officer deputed by him shall prepare a report in that regard containing all details including mobile number, messaging application and screenshot/photo of the application and may proceed as per rule 15 for execution of the summons.
16. In case of warrant or any other process is issued in electronic mode, the Officer-in-charge of the Police Station or any Police Officer deputed by him shall take a printout of the warrant or process and execute the same in accordance with the Sanhita and rules made therein.
17. Where any process is served or executed otherwise through electronic mode, the Police Officer while making service or executing the process shall take acknowledgement of the recipient and may capture photograph, which shall form part of the report of the service.
18. Upon due service or non-service of the warrant, the serving officer of the concerned Police Station shall transmit the service along with relevant documents including bail bonds, photographs, acknowledgment, if any, to the concerned Court in electronic form through CCTNS/NSTEP and may also forward such service/execution report in physical form.
19. The Court, after receiving the report in electronic form under rule 19, may act upon such report. Such report or printout of such report shall be sufficient to be original for the purpose of satisfaction as the service/execution of the process.
20. Where any process is issued in cases relating to offences under Sections 64 to 71 of the Bharatiya Nyaya Sanhita (No. 45 of 2023) or offences against woman or child, the Officer-in-charge of the Police Station shall ensure that the identity of the victim is not revealed in any manner in course of service or execution. Further, service report in physical form shall be submitted in a sealed envelope to the Court.
21. Nothing in these rules shall be deemed to limit the powers of the Courts to generate and direct service or execution of processes under these rules, in cases under the Code of Criminal Procedure, 1973 (No. 2 of 1974).
22. These rules shall be in addition to any other law or rules made by the High Court of Chhattisgarh for the time being in force for issuance, service and execution of process by the Court.

By order and in the name of the Governor of Chhattisgarh,
ABHISHEK AGRAWAL, Deputy Secretary.

“बिजनेस पोस्ट के अन्तर्गत डाक शुल्क के नगद भुगतान (बिना डाक टिकट) के प्रेषण हेतु अनुमत. क्रमांक जी.2-22-छत्तीसगढ़ गजट / 38 सि. से. मिलाई. दिनांक 30-05-2001.”



पंजीयन क्रमांक
“छत्तीसगढ़/वुर्ग/09/2013-2015.”

छत्तीसगढ़ राजपत्र

(असाधारण) प्राधिकार से प्रकाशित

क्रमांक 355]

नवा रायपुर, शनिवार, दिनांक 19 अप्रैल 2025 — चैत्र 29, शक 1947

गृह (पुलिस) विभाग
मंत्रालय, महानदी भवन, नवा रायपुर अटल नगर

नवा रायपुर अटल नगर, दिनांक 19 अप्रैल 2025

अधिसूचना

क्रमांक ESTB/927/2025:HOME SECTION — भारतीय न्याय संहिता, 2023 (क. 45 सन् 2023) की धारा 4 के खण्ड (च) तथा भारतीय नागरिक सुरक्षा संहिता, 2023 (क. 46 सन् 2023) की प्रासंगिक धारा द्वारा प्रदत्त शक्तियों को प्रयोग में लाते हुए, राज्य सरकार, छत्तीसगढ़ उच्च न्यायालय के परामर्श के पश्चात्, दंड के रूप में सामुदायिक सेवा देने के लिए निम्नलिखित दिशा-निर्देश बनाती है:—

सामुदायिक सेवा के लिए दिशा-निर्देश

स. क्र.	सामुदायिक सेवाएं	सेवा का स्थान/कार्यालय	प्राधिकृत अधिकारी	निगरानी प्राधिकारी	सामुदायिक सेवा की अवधि
(1)	(2)	(3)	(4)	(5)	(6)
1	वार्ड एवं बाह्य क्षेत्र की सफाई/रख रखाव	शासकीय अस्पताल/ शासकीय औषधालय	रजिस्टर्ड मेडिकल ऑफिसर/डीन अथवा नामांकित अधिकारी	जिला परिवीक्षा अधिकारी या इस प्रयोजन हेतु राज्य सरकार द्वारा नियुक्त या नामांकित अधिकारी	1 दिवस से 31 दिवस अथवा 40 घंटे से 240 घंटे
2	आपातकालीन/ बाह्य रोगी प्रबंधन	शासकीय अस्पताल	रजिस्टर्ड मेडिकल ऑफिसर/डीन अथवा नामांकित अधिकारी	—”—	—”—
3	ट्रॉली लाने-ले जाने में सहायता	शासकीय अस्पताल	रजिस्टर्ड मेडिकल ऑफिसर/डीन अथवा नामांकित अधिकारी	—”—	—”—
4	रजिस्टर्ड मेडिकल ऑफिसर/डीन द्वारा चिन्हांकित गये कोई अन्य कर्तव्य, जिसके लिए अति विशेष/चिकित्सा ज्ञान की आवश्यकता हो	शासकीय अस्पताल	रजिस्टर्ड मेडिकल ऑफिसर/डीन अथवा नामांकित अधिकारी	—”—	—”—

5	अध्ययन क्षेत्र, भंडारण क्षेत्र एवं बाह्य क्षेत्र की सफाई/रख रखाव	जिला/अनुभाग कार्यालय/लीगल ऐड विलनिक या कोई सरकारी पुस्तकालय	सचिव, जिला विधिक सेवा प्राधिकरण/लाईब्रेरियन/प्रभारी अधिकारी	—"	—"
6	पुस्तकों को व्यवस्थित रखना/पुस्तकों को सूचीबद्ध करना अथवा कोई लिपिकीय सहायता या बाइंडिंग	जिला विधिक सेवा प्राधिकरण कार्यालय/जिला/अनुभाग कार्यालय/कोई सरकारी पुस्तकालय	सचिव, जिला विधिक सेवा प्राधिकरण/लाईब्रेरियन/प्रभारी अधिकारी	—"	—"
7	अध्ययन कक्ष, पुस्तकालय, लैब, मैदान एवं बाह्य क्षेत्र की सफाई	सरकारी शैक्षणिक संस्थान	प्रधान, प्राठक/प्राचार्य अथवा नामांकित अधिकारी	—"	—"
8	निगम/नगर पालिका के सफाई कर्मियों के साथ सफाई/रख रखाव	निगम/नगर पालिका/पंचायत	संबंधित आयुक्त/बीडीओ अथवा नामांकित अधिकारी	—"	—"
9	सड़क के किनारे से खरपतवार हटाना	निगम/नगर पालिका/पंचायत	संबंधित आयुक्त/बीडीओ अथवा नामांकित अधिकारी	—"	—"
10	पुलिस थाना सहित कोई भी शासकीय भवन की सफाई व रख रखाव	शासकीय कार्यालय	संबंधित अधिकारी	—"	—"
11	यातायात नियंत्रण, भीड़ नियंत्रण, परिसर/थाने की सफाई, सार्वजनिक स्थानों का रख रखाव	पुलिस थाना	थाना प्रभारी/नामांकित अधिकारी	—"	—"
12	सफाई/रख रखाव	सार्वजनिक पार्क	संबंधित आयुक्त/बीडीओ अथवा नामांकित अधिकारी	—"	—"
13	सफाई/रख रखाव	वृद्धाश्रम/मानसिक स्वास्थ्य संस्थान/छात्रावास/समाज कल्याण विभाग के भवन	वार्डन/प्रभारी अधिकारी अथवा नामांकित अधिकारी	—"	—"
14	वृक्षारोपण, सिंचाई, खरपतवार को हटाना एवं रख रखाव का कार्य	वन विभाग	वनपाल/प्रभारी अधिकारी/नामांकित अधिकारी	—"	—"
15	सफाई/रख रखाव अथवा लिपिकीय सहायता	चिड़ियाघर/संग्रहालय	क्यूरेटर/प्रभारी अधिकारी/नामांकित अधिकारी	—"	—"
16	अनाथालय अथवा पशु आश्रय (गृह) में स्वयं सेवा	समाज कल्याण विभाग, महिला एवं बाल विकास विभाग, पशुधन विकास विभाग	प्रभारी/नामांकित अधिकारी	—"	—"
17	सामुदायिक सेवा के भाग के रूप में कोई अन्य कर्तव्य, जिसे न्यायालय प्रकरण में उचित समझे	संबंधित विभाग	संबंधित अधिकारी	—"	—"

छत्तीसगढ़ के राज्यपाल के नाम से तथा आदेशानुसार,
अभिषेक अग्रवाल, उप-सचिव.

Nava Raipur Atal Nagar, the 19th April 2025

NOTIFICATION

No. ESTB/927/2025-HOME SECTION. — In exercise of the power conferred by clause (f) of Section 4 of the Bhartiya Nyaya Sanhita, 2023 (No. 45 of 2023) and relevant Section of Bharatiya Nagarik Suraksha Sanhita, 2023 (No. 46 of 2023), the State Government, after consultation with the High Court of Chhattisgarh, hereby, makes the following guidelines for award of Community Service as punishment:-

GUIDELINES FOR COMMUNITY SERVICES

sl. No.	Community Services	Place/Office of service	Authorizing officer	Monitoring Authority	Duration of Community Service
(1)	(2)	(3)	(4)	(5)	(6)
1.	Cleaning/maintenance of wards and peripherals	Government Hospital/Government Dispensaries	RMO/Dean or Designated Officer	District Probation Officer or any other appointed or Designated Officer by the State Government for the purpose	One day to Thirty-one days OR Forty hours to Two hundred forty hours.
2.	Casualty/OP Management	Government Hospital	RMO/Dean or Designated Officer	-do-	-do-
3.	Trolley/Movement assistance	Government Hospital	RMO/Dean or Designated Officer	-do-	-do-
4.	Any other duties identified by RMO/Dean which requires more special /medical knowledge	Government Hospital	RMO/Dean or Designated Officer	-do-	-do-
5.	Cleaning/maintenance of study area, stock area, and peripherals	District/Sub Division Office /Legal Aid Clinics Any Govt Library	Secretary DLSA/Librarian/ Incharge Officer	-do-	-do-
6.	Arranging of Books/Listing of Books or any clerical assistance or Binding	DLSA Office District/Sub Division Office / Any Govt Library	Secretary DLSA/Librarian/ Incharge Officer	-do-	-do-
7.	Cleaning of classrooms, library, labs, grounds and peripherals.	Govt. Educational Institutions	HM/Principal or Designated Officer	-do-	-do-
8.	Cleaning/maintenance along with Municipal/ Corporation cleaning staff	Corporation /Municipality/ Panchayat	Respective Commissioner/ BDO or Designated officer	-do-	-do-
9.	Removal of weeds from roadsides	Corporation/ Municipality/Panchayat	Respective Commissioner/ BDO or Designated officer	-do-	-do-
10.	Any Cleaning or maintenance of public buildings, including police stations.	Public Offices	Concerned Officers	-do-	-do-
11.	Traffic regulation, crowd regulation, premises/station	Police Station	SHO/Designated Officer	-do-	-do-

	cleaning, common areas maintenance				
12.	Cleaning/Maintenance	Public Parks	Respective Commissioner/ BDO or Designated officer	-do-	-do-
13.	Cleaning/Maintenance	Old Age Homes/ Mental Health Institutes/Hostels/Social Welfare Department Buildings	Warden / In charge officer or Designated Officer	-do-	-do-
14.	Tree Planting, watering, weed removal and maintenance work	Forest Department	Ranger / Incharge Officer /Designated Officer	-do-	-do-
15.	Cleaning/Maintenance or clerical assistance	Zoo/Museums	Curator/Incharge officer/Designated Officer	-do-	-do-
16.	Volunteering at Orphanages or Animal shelters	Social Welfare Department, Department of Woman & Child Development, Animal Husbandry Development Department	Incharge /Designated officer	-do-	-do-
17.	Any other duty as part of community service which the court deems fit in the given case	Concerned Department	Concerned Officer	-do-	-do-

By order and in the name of the Governor of Chhattisgarh,
ABHISHEK AGRAWAL, Deputy Secretary.

“बिजनेस पोस्ट के अन्तर्गत डाक शुल्क के नगद भुगतान (बिना डाक टिकट) के प्रेषण हेतु अनुमत. क्रमांक जी.2-22-छत्तीसगढ़ गजट / 38 सि. से. भिलाई. दिनांक 30-05-2001.”



पंजीयन क्रमांक
“छत्तीसगढ़/वुर्न/09/2013-2015.”

छत्तीसगढ़ राजपत्र

(असाधारण)
प्राधिकार से प्रकाशित

क्रमांक 358]

नवा रायपुर, सोमवार, दिनांक 21 अप्रैल 2025 — वैशाख 1, शक 1947

LAW & LEGISLATIVE AFFAIRS DEPARTMENT
Mantralaya, Mahanadi Bhawan, Nava Raipur Atal Nagar

Nava Raipur Atal Nagar, the 21st April 2025

NOTIFICATION

No. / 1690 / 1255 / 21-ब/छ.ग./2025. - In exercise of the powers conferred by Article 227 of the Constitution of India and all other enabling Sections of the Bharatiya Nagarik Suraksha Sanhita, 2023 (No. 46 of 2023), audio-video electronic communication for The High Court of Chhattisgarh and District Judiciary of the State of Chhattisgarh, hereby, makes the following rules, namely:-

RULES CHAPTER-I PRELIMINARY

1. **Short title, Application and Commencement.**- (1) These rules shall be called "The High Court and District Judiciary of the State of Chhattisgarh for the use of Electronic Communication and Audio-Video Electronic Means Rules (Nyaya Shruti), 2025."
(2) They shall apply to the High Court and District Judiciary of the State of Chhattisgarh and to all Judicial, departmental and mediation proceedings in pending cases.
(3) They shall come into force from the date of their publication in the Official Gazette.
2. **Definitions.**- (1) In these Rules, unless the context otherwise requires,-
 - (a) "Advocate" means and include an advocate entered in any roll maintained under the provisions of the Advocates Act, 1961 and shall for the purpose of these rules, include prosecuting officers and Government pleaders;
 - (b) "Advocate's remote point" means a place from where an advocate or advocates may appear through a live link and shall include advocate's chamber or office or a place notified by the Bar for video conferencing;
 - (c) "Commissioner" means a person appointed as commissioner under the provisions of the Bharatiya Nagarik Suraksha Sanhita, 2023 (No. 46 of 2023) or any other law for the time being in force;
 - (d) "Coordinator" means a person nominated as coordinator under rule 5;
 - (e) "Court" includes a physical court and a virtual court or a tribunal;
 - (f) "Court point" means the court room or the place where the court is physically Convened, or the place where a commissioner or an inquiry officer holds proceedings pursuant to the directions of the court;
 - (g) "Court room" means the place or room or enclosed space in which court proceedings are held;

- (h) **"Designated Place"** means any one or more places specified where the facilities are made available for use of electronic communication or use of audio-video electronic means with courts points and shall include Vulnerable Witness Deposition Centre from where evidence of such witnesses may be recorded;
 - (i) **"Designated Video Conferencing Software"** means software approved by the High Court for the use of video conferencing or other audio-video electronic communication;
 - (j) **"High Court"** means the High Court of the Chhattisgarh;
 - (k) **"Live link"** means and includes a live link for audio-video electronic communication or other arrangements whereby a witness, an accused, party, advocate or any other person is required by Court to remain present virtually in the court room by use of electronic communication or use of audio-video electronic means;
 - (l) **"Remote Point"** means a place where any person is required to be present or appear through a live link and includes designated place from where submissions may be made before the Court but does not include Advocate's remote point;
 - (m) **"Remote User"** means a user participating in court proceedings through video conferencing at a designated place or advocates remote point;
 - (n) **"Required Person"** includes:-
 - (i) a person who is to be examined as a witness, complainant or otherwise; or
 - (ii) Person in whose presence certain proceedings are to be recorded or conducted including an accused; or
 - (iii) An advocate or a party in person; or
 - (iv) Any person including victim who is required to make submissions before the Court; or
 - (v) any other person who is permitted by the Court to appear through video conferencing or other modes of audio visual electronic communication;
 - (o) **"Rules"** shall mean these rules and any reference to a rule or sub-rule shall be a reference to a rule or sub-rule of these rules.
- (2) The words and phrases used but not defined herein shall bear the same meaning as assigned to them in the concerned High Court Rules; the Bharatiya Nagarik Suraksha Sanhita, 2023 (BNSS); Bharatiya Sakshya Adhiniyam, 2023 (BSA); Information the Technology Act, 2000 (IT Act) and the General Clauses Act, 1897.
3. **Construction of references.-** (1) Unless the context otherwise requires, any reference to the Bharatiya Nagarik Suraksha Sanhita, 2023 in these Rules shall include reference to Code of Criminal Procedure, 1973 under the corresponding provisions.

CHAPTER-II

GENERAL PRINCIPLES-1

Implementation of Video Conferencing under BNSS Provisions:

4.1. Electronic Hearings (BNSS Section 530)

All trials, inquiries, and proceedings may be conducted electronically, including:
Examination of complainants and witnesses

Recording of evidence

Appellate and other judicial proceedings

4.2. Appearance via Video Conferencing (BNSS Section 154, 355)

Persons required appearing before the court may do so via video conferencing, including cases where the accused is absent.

4.3. Accused in Judicial Custody (BNSS Section 187)

Accused person's may be presented before the court via video conferencing, except for the first appearance, which requires physical presence.

4.4. Framing of Charges (BNSS Section 251)

Charges may be read and explained to the accused through video conferencing, with their plea recorded electronically.

4.5. Evidence of Witnesses (BNSS Section 254, 265, 266, 310, 356)

Witness testimonies and depositions may be recorded via audio-video means in designated locations.

4.6. Deposition of evidence of any police officer or public servants (BNSS Section 254)

Testimonies of public servants may be recorded electronically to expedite legal Proceedings.

4.7. Discharge of Accused (BNSS Section 262)

Courts may examine the accused via electronic means before granting discharge.

4.8. Examination of Accused in Custody (BNSS Section 316)

Accused persons in custody may be examined electronically, with signature verification required within 72 hours.

4.9. Evidence from Public Servants, Experts and police officers (BNSS Section 336)

Public officials, forensic experts, and police officers may provide evidence via video conferencing.

4.10. Judgment Pronouncement (BNSS Section 392)

Accused persons in custody may hear their judgment via video conferencing.

4.11. Presence of Accused during Evidence Recording (BNSS Section 308)

Accused persons must be present, either physically or via video conferencing, during the recording of evidence.

CHAPTER-III

GENERALPRINCIPLES - 2

5. General Principles Governing Video Conferencing and other modes of Audio-video electronic communication.- Subject to the provisions hereinafter contained, video conferencing and other modes of audio-visual electronic communication may be used at all stages of judicial proceedings and proceedings conducted by the Court, where a person is required to be present or appear is not physically present in court room:

- (i) All proceedings conducted by a Court via video conferencing and the Other modes of audio-visual electronic communication shall be judicial proceedings and all parties, decorum and protocols applicable to these proceedings;
- (ii) All relevant statutory provisions applicable to judicial proceedings including provisions of BNSS, Contempt of Courts Act, 1971, BSA and IT Act, shall apply to proceedings conducted by video conferencing;
- (iii) Subject to maintaining independence, impartiality and credibility of judicial proceedings, and subject to such directions as the High Court may issue, Courts may adopt such technological advances as may become available from time to time;
- (iv) Courts shall use only High Court/Government approved and secure video conferencing platforms equipped with end-to-end encryption to protect data and privacy;
- (v) Any unauthorized access, hacking attempts, or security breaches must be reported immediately and addressed in accordance with the law;
- (vi) The rules as applicable to a Court shall *mutatis mutandis* apply to a Commissioner appointed by the Court to record evidence and to an inquiry officer conducting an inquiry;
- (vii) Unless expressly permitted by Court, no person, either at Court Point or at designated place or at Remote Point or Advocate's Remote Point, shall record or publish the proceedings conducted by video conferencing or other modes of audio-visual electronic communication;
- (viii) There shall be no unauthorized recording of the proceedings by any person or entity;

6. Identification of person appearing through video conferencing or other modes of audio-visual electronic communication.- The person defined in rule 2 (1) (n) shall provide an identity proof as recognized by the Government of India or State Government to the court point coordinator by electronic communication. In case, identity proof is not readily available, the Court may, upon satisfaction allow such person to participate in proceedings without production of identity proof.

7. Facilities recommended for Video Conferencing.-

- (i) Each court room should be equipped with a video conferencing facility to enable seamless connectivity with stakeholders. This integration will eliminate the need to move to a separate dedicated room for virtual hearings, ensuring efficiency, saving time, and enhancing judicial proceedings.
- (ii) A dedicated and exclusive video conferencing center should be established promptly at each district and Tahsil level.
- (iii) A dedicated space for video conferencing within police stations, prisons, prosecution offices, forensic departments, and other designated places.

The following equipments are recommended for conducting proceedings by video conferencing at the Court Point and the Remote Point:-

Computer	Desktop and Laptop
Network and Internet Connectivity	High-Speed Internet Connection (Minimum 50 Mbps) — Ensures seamless video transmission without lag; Backup Internet Connection — A secondary connection to prevent disruptions; Dedicated LAN/Wi-Fi Setup — Ensures stable and secure connectivity;
Video Equipment	High-Resolution Cameras (Full HD/4K) -To capture clear video feeds of participants; Adjustable and Multiple Camera Angles — Enables focusing on the judge, lawyers, accused, or witnesses;
Audio Equipment	Noise-Canceling Microphones — Reduces background noise and ensures clear audio transmission; High-Quality Speakers—Provides clear sound output for participants. Echo-Cancellation and Acoustic Treatment—Enhances Audio clarity by minimizing reverberation;

Display and Projection Equipment	Large Display Screens (LED/Projectors) - For clear visibility of remote participants; Multiple Screen Setup (Optional)- Allows simultaneous viewing of different participants;
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Software and Encryption Standards	End-to-End Encrypted Video Conferencing Software – Ensures secure communication; Firewall and VPN Protection-Prevents unauthorized access; Multi-Factor Authentication (MFA) for Users-Ensures identity verification; Secure Login Credentials for each Session-Limits access to authorized personnel;
Recording and Documentation	Court-Approved Recording Mechanism - Allows secure documentation of hearings; Transcription Services-Automated/manual transcription of court proceedings; Cloud or Local Storage Options-Secure storage for recorded sessions;
IT Support and Maintenance	On-Site Technical Team - Ensures quick resolution of technical issues; 24/7 Remote IT Support - Provides assistance for troubleshooting; Regular Equipment Maintenance - Ensures uninterrupted functionality;
Power Backup	Uninterruptible Power Supply (UPS) System - Prevents power outages from disrupting proceedings; Backup Generators-For prolonged power failures, etc.

8. The designated video conferencing software to be procured by High Court shall facilitate following minimum requirements:-

- (i) An on line, real-time collaboration software with features like video, voice, screen sharing, document sharing, presentation, recording etc;
- (ii) The solution should have a whiteboard for flashing messages and recording meetings or sessions;
- (iii) the complete access log of the different users with extended reports, including IP/Device details Application details, should be provided with each meeting room;
- (iv) The platform should be hosted on an India-based data centre with a 100% Disaster recovery site;

- (v) The platform must offer cross-platform functionality, ensuring seamless operation across various operating systems, including Windows, Linux, macOS, iOS etc., to accommodate diverse technology ecosystems of all participants and guarantee a consistent user experience regardless of the operating system used;
 - (vi) the platform must be scalable to multi point connectivity with 500 user logins at a time;
 - (vii) The platform must provide private and confidential Breakout rooms between multiple users;
 - (viii) The platform must be capable of synchronizing and scheduling with cause list of cases by advocates with waiting lobby and automatic pulling according to the cause list;
 - (ix) The platform must provide master control facility at Court's end, recording and archiving facility at court point, server or cloud;
 - (x) the platform must provide audit trail facility of the proceedings and also provision of a firewall.
- 9. Appointment of Coordinators.-** (1) There shall be a Coordinator both at the Court Point and at the designated place from where any required person is to be examined or heard or is directed to remain present. However, coordinator may be required at the remote point only when a witness or a person accused of an offence is to be examined;
- (2) In all the Courts, one or more persons nominated by the High Court or the Principal District and Sessions Judge concerned within whose jurisdiction the respective Court is present, shall perform the functions of the coordinators at the designated place.
- (3) The Court may appoint any court official as a coordinator at the Court Point.
- (4) The coordinator at the designated place may be any of the following:-

Sub-Rule	Where the Advocate or Required Person is at the following Point:-	The Remote Point Coordinator shall be:-
9.(4).1	Overseas	An official of an Indian Consulate / the relevant Indian Embassy/the relevant High Commission of India;

9.(4).2	Court of another state or union territory of India	Any authorized official nominated by the concerned District Judge;
9.(4).3	Mediation Centre or office of District Legal Services Authority	Any authorized person/ official nominated by the Chairperson or Secretary of the concerned District Legal Services Authority;
9.(4).4	Jail or prison	The concerned Jail Superintendent or Officer-in-charge of the prison;
9.(4).5	Hospitals administered by the Central Government, the State Government or local bodies	Medical Superintendent or an official authorized by them or the person in charge of the said hospital;
9.(4).6	Observation Home, Special Home, Children's Home, Shelter Home, or any institution referred to as a Child Care Institution and where the Required Person is a juvenile or a child or a person who is an inmate of such Child Care Institution.	The Superintendent or Officer in charge of that Child Care Institution or an official authorized by them;
9.(4).7	Women's Rescue Homes, Protection Homes, Shelter Homes, Nari Niketans or any institution referred to as a women's facility (collectively referred to as women's facilities).	The Superintendent or Officer-in-charge of the women's facility or an official authorized by them;
9.(4).8	In custody, care or employment of any other Government Office, Organization or institution (collectively referred to as Institutional facilities).	The Superintendent or Officer-in-charge of the institutional facility or an official authorized by them;
9.(4).9	Forensic Science Lab	The Administrator Officer-in-charge or their nominee;
9.(4).10	In case of any other location	The concerned Court may nominate any public servant or public official of the concerned department to render services as a coordinator to ensure that the proceedings are conducted in a fair, impartial and independent manner and according to the directions issued by Court on that behalf.

(5) Notwithstanding the provisions of Clause 3.4.1, where witness examination is to take place in a criminal case of a person located outside the country, the provisions of the BNSS, 2023 (Section 110 & Chapter 8) and "Comprehensive Guidelines for investigation abroad and issue of Letters Rogatory (LRs) / Mutual Legal Assistance (MLA) Request and Service of Summons / Notices / Judicial documents in respect of Criminal Matters prevailing at that time" will be followed to the extent they comport with the provisions of the BNSS and BSA.

10. Preparatory arrangements.- (1) The coordinator at the designated place/remote point shall ensure that;

- (a) The required persons scheduled to appear in a particular proceeding are ready at the remote point/designated place for video conferencing well before the scheduled time;
 - (b) No unauthorized recording device is used;
 - (c) No unauthorized person enters the remote point or designated place when the video conference is in progress;
 - (d) The person being examined is not prompted, tutored, coaxed, induced or coerced in any manner by any person and that the person being examined does not refer to any document, script or device without the permission of the Court concerned during the course of examination.
- (2) Where the witness to be examined through video conferencing or other audio-visual electronic communication requires or if it is otherwise expedient to do so, the Court shall give sufficient notice in advance, setting out the schedule of video conferencing and in appropriate cases may provide the copies of all or any part of the relevant documents in electronic form to the coordinator of the concerned remote point.
- (3) Before the scheduled video conferencing, the Court shall ensure that the coordinator at the designated place or remote point receives in electronic form, copies of any part of the documents which may be required for recording of evidence, or for reference of the witness. However,

coordinator shall allow such documents in electronic form to be used by the required person only with the permission of the Court.

- (4) Whenever required, the Court shall order the coordinator at the remote point or at the court point to provide:-
- (a) a translator in case the person to be examined is not conversant with the official language of the court;
 - (b) an expert in sign languages in case the person to be examined is impaired in speech and/or hearing;
 - (c) an interpreter or a special educator, as the case may be, in case a person to be examined is differently abled, either temporarily or permanently;
 - (d) a person for reading of documents in case the person to be examined is visually challenged.

CHAPTER-IV**PROCEDURE FOR VIDEOCONFERENCING**

- 11. Appearance through video conferencing and other modes of audio-visual electronic communication.-** (1) In criminal cases, any party to the proceedings or witness, save and except where proceedings are initiated at the instance of the Court or on request of public prosecutor, may move a request for presence and proceedings through video conferencing. (SCHEDULE-II)
- (2) In civil cases, the court may, as its discretion or on request of any of the parties, initiate process for hearing of any case through video conferencing and other modes of audio-visual electronic communication.
- (3) While allowing a request for video conferencing the court may also fix the schedule for convening the video conferencing.
- (4) All advocate may appear from advocate's remote point for making submissions or for examination of witnesses.
- (5) Where video conferencing proceedings are conducted for making oral submissions, the order may require the advocate or party in person to submit written arguments and precedents, if any, in advance.
- 12. Service of processes.-** Processes issued to a witness who is to be examined through video conferencing, shall mention the date, time and venue of the concerned designated place and shall direct the witness to attend in person alongwith proof of identity. If a person is examined with reference to a particular document then the process to witness must be accompanied by a copy of the document:
- Provided that nothing in this rule shall preclude a court from conducting trials, inquires and proceedings in electronic mode, by use of electronic communication or use of audio-video electronic means.
- 13. Examination of persons and witnesses through video conferencing and other modes of audio-visual electronic communication.-** (1) The person being examined through video conferencing and other modes of audio-visual electronic communication shall ordinarily be

examined during the working hours of the court concerned or at such time as the court may deem fit.

(2) Where the person being examined is an accused, the court shall provide adequate opportunity to consult with his advocate before and after the video conferencing.

(3) The Court shall read over and explain the evidence recorded to the witness and obtain the signature of the person being examined on the transcript immediately after the examination is concluded. The signed transcript shall form part of the record of the judicial proceedings. The signature on the transcript of the person being examined shall be obtained in either of the following ways.-

- (a) If digital signatures are available at both the concerned Court Point and remote point, the copy of the transcript digitally signed by the presiding officer at the Court Point shall be sent by the designated video conferencing software or official e-mail to the coordinator at remote point where a print out of the same shall be taken and signed by the person being examined. A scanned copy of the transcript digitally signed by the coordinator at the remote point shall be transmitted by the designated video conferencing software or official e-mail of the Court Point;
- (b) If digital signatures are not available, the printout of the transcript shall be signed by the presiding Judge, at the Court Point and shall be sent in non- editable scanned format by the designated video conferencing software or official e-mail account of the designated place or e-mail of the coordinator at remote point where a print out of the same shall be taken and signed by the person examined and counter signed by the coordinator at the remote point. A non-editable scanned formal of the transcript so signed shall be sent by the coordinator at the remote point by the designated video conferencing software or official e-mail to the Court Point where a print out of the same shall be taken and shall be made a part of the judicial record.

(4) The court may, at the request of a person to be examined, or on its own motion, taking into account the best interest of the person to be examined, direct appropriate measures to protect the privacy of the person examined bearing in mind aspects such as age, gender, physical condition and recognized customs and practices.

(5) The coordinator at the designated place shall ensure that no person is present at the remote point, save and except the person being examined and those whose presence is deemed administratively necessary by the coordinator for the proceedings.

(6) The court may also impose such other conditions as are necessary in for effective hearing of cases through video conferencing and other modes of audio-video electronic communication.

(7) If the court thinks fit, the required person may be permitted to connect through video conferencing or other modes of audio-visual electronic communication from the place of his residence or work:

Provided that evidence of a witness shall be recorded only from the designated place, except in situation here in after provided.

(8) Where a required person is not capable of reaching the Court Point or the designated place due to sickness or physical infirmity, or whose presence cannot be secured without undue delay or expense, the Court may authorize conduct of video conferencing from the place at which such person is located. In such circumstances the court may direct the use of portable video conferencing systems and ensure presence as it may deem fit.

(9) Where the court is of opinion, for the reasons recorded in writing that, evidence of the witness cannot be effectively recorded, may decline to examine such witness through video conferencing.

14. Exhibiting or showing documents to witness or accused at a remote point.- If in the course of examination of a person at a remote point by video conferencing, it is necessary to show a document to the person, the Court may permit the document to be shown in the following manner:-

- (a) if the document is at Court Point, by transmitting the document through document visualize;

- (b) if the document is at Court Point, but document visualize is not available, by transmitting a copy or image of the document to the remote point electronically through the designated videoconferencing software or official e-mail;
 - (c) if the document is at the remote point, by transmitting a copy or image of the document to the Court Point electronically through the designated video conferencing software or official e-mail. The hard copy of the document counter signed by the witness and the coordinator at the designated place shall also be dispatched to the Court Point.
15. **Ensuring seamless video conferencing.-** (I) The coordinator at Court Point shall provide the live link of the video conferencing hearing with advocates or the required person.
- (2) If the proceedings are carried out from any place other than a remote point, the coordinator, if any, at such remote point shall ensure compliance of all technical requirements.
 - (3) The coordinator at the Court Point shall be in contact with the concerned advocate or the required person and guide them in regard to the fulfillment of technical and other requirements for executing a successful hearing through video conferencing. Any problem faced by such advocate or the required person shall be resolved by the coordinator at Court Point.
 - (4) The coordinator at the Court Point shall ensure that any document or audio-visual files, emailed by the advocate or the required person, are duly received at the court Point.
16. **Remand.-** The court may authorize detention in judicial custody, of any person accused of an offence, by videoconferencing or other modes of audio-visual electronic communication as per the provisions of section 187 of BNSS:

Provided that if the accused is already in judicial custody. Whether of same Court or some other Court or is undergoing sentence, the Court may further remand him during inquiry or trial under section 346(2) of the BNSS through video conferencing or other modes of audio-visual electronic communication.

17. **Plea bargaining.-** The Court may also use the modes of audio-visual electronic communication for the purpose of plea bargaining under Chapter-XXIII of the BNSS.
18. **Record of proceedings through audio-visual electronic communication.-** Wherever any proceeding is carried out by the Court under these rules by taking recourse to the modes of audio visual electronic communication, the Court shall mention in the order sheet, that the bearing is conducted through video conferencing.

CHAPTER-V

GENERAL PROCEDURE

19. **General Procedure.-** (1) The procedure set out hereinafter in this chapter is without prejudice to the procedure indicated elsewhere in these rules where proceedings are conducted through video conferencing or other modes of audio visual electronic communication.
- (2) The coordinator at the Court Point shall ensure that video conferencing is conducted only through a designated video conferencing software:

Provided that in the event of a technical fault or for any other sufficient cause, the Court may for reasons to be recorded in writing, permit the use of a software other than the designated video conferencing software for video conferencing in that particular proceeding:

Provided further that nothing contained in these rules shall prevent a Court, after recording its reasons in writing, from using any software other than the designated video conferencing software or other modes of audio visual electronic communication, to facilitate the hearing of cases in electronic mode.

- (3) In criminal cases, where the person to be examined is a prosecution witness, or a court witness, or a defence witness, or a person is to make submission for prosecution, or a person is to make submission for defence, the advocate for the prosecution or defence or the accused, as the case may be, shall confirm to the Court the location of the person, and the time, place and technical facilities available for such video conferencing.

- (4) If the accused is in custody and not present at the Court Point, the Court shall order a multi-point video conference between Court Point, the witness and the accused in custody to facilitate recording of the statement of the witness including medical or other experts.

20. Conduct of Proceedings.- (1) All advocates, required persons, the party in person or any other person permitted by the Court to remain physically or virtually present (here in after collectively referred to as participants), shall have their presence recorded. However, in case participants are desirous that their face or name be masked, information to that effect shall be furnished to the Court Point coordinator prior to the commencement of proceedings for the approval of the court.

(2) All Advocates, Required Persons, the party in person and/or any other person Permitted by the Court to 'remain physically or virtually present (here in after collectively referred to' as participants) shall abide by the requirements set out in Schedule-I .

(3) The Court Point coordinator shall send the live link on mobile number furnished by the participants permitted to be virtually present in the Court. Once the proceedings have commenced, no other person shall be permitted to 'participate in the virtual hearing, except with the permission of Court.

(4) Participation in the proceedings through video conferencing shall constitute Consent by the participants to the proceedings being recorded,

(5) Establishment and disconnection of links between the Court Point and the remote point shall be regulated by orders of the Court.

(6) The court shall satisfy itself that the advocate, required person or any other participant that the court deems necessary at the remote point or the Court Point can be seen and heard clearly and can clearly see and hear the court.

(7) To ensure that video conferencing is conducted seamlessly, the difficulties, if any, experienced in connectivity must be brought to 'the notice of the Court at the earliest on the mobile number of the Court Point coordinator which has been furnished to' the participant before the commencement of the video conferencing. No complaint shall be entertained subsequently.

21. Third parties to the case.- (1) Third parties may be allowed to 'remain present during video conferencing only upon a specific order of the Court, However, they shall be passive participants and shall not be allowed to make any submission without permission of the Court.

(2) Where, for any reason, a person unconnected with the case is present at the remote point, that person shall be identified by the coordinator at the remote point at the beginning of the proceedings and the purpose of the presence of that person shall be conveyed to the Court. Such person shall continue to remain present only with the permission of the Court.

22. Costs of Video Conferencing.- In the absence of rules prescribed by the concerned Court, the Court may take into consideration the following circumstances when determining and/or apportioning the costs of video conferencing:-

- a. In criminal cases, the expenses of the video conferencing facility including expenses involved in preparing soft copies/certified copies of the Court record and transmitting the same to the Coordinator at the Remote Point, and the fee payable to the translator/ interpreter /special educator, as the case may be, as also the fee payable to the Coordinator at the Remote Point, shall be borne by such party as directed by the Court.
- b. Besides the above, the Court may also make an order as to expenses as it considers appropriate, taking into account the rules / instructions regarding payment of expenses to the complainant and witnesses, as may be prevalent from time to time.
- c. It shall be open to the Court to waive the costs as warranted in a given situation.

23. Access to Legal Aid Clinics/Camps/Lok Adalats/Jail Adalats.-

- a. In conformity with the provisions of the Legal Services Authorities Act, 1987 and the laws in force, in proceedings related to Legal Aid Clinics, Camps, Lok Adalats or Jail Adalats, any person who at the Remote Point is in Jailor Prison shall be examined by the Chairman/Secretary of the District Legal Service Authority or Members of Lok Adalats before passing any award or orders as per law.

- b. Such award or order. shall have the same force as if it was passed by the regular Lok Adalat or Jail Adalat.
 - c. Copy of the award or order and the record of proceedings shall be sent to the Remote Point.
24. **Allowing persons who are not parties to the case to view the proceedings.-** To observe the requirement of an open Court proceeding, members of the public will be allowed to view Court hearings conducted through video conferencing, except proceedings ordered for reasons recorded in writing to be conducted in-camera. The Court shall endeavor to make available sufficient links (consistent with available band width) for accessing the proceedings.

CHAPTER-VI MISCELLANEOUS

25. **Reference to Words and Expressions.-** Words and expressions used and not defined in these Rules shall have the same meaning as assigned to them in the BNSS, the BSA, the IT Act, and the General Clauses Act, 1897.
26. **Power to Relax.-** The High court may if satisfied that the operation of any Rule is causing undue hardship, by order dispense with or relax the requirements of that Rule to such extent and subject to such conditions, as may be stipulated to deal with the case in a just and equitable manner.
27. **Residual Provisions.-** Matters concerning which no express provision has been made in these Rules shall be decided by the Court consistent with the principle of furthering the interests of justice.
28. **Repeal and Savings.-** (1) rules for Video Conferencing for Courts of the Chhattisgarh State is hereby repealed.
- (2) Any Order resolution, direction, notification if any, is in force immediately before the commencement of this rules are hereby also repealed.

SCHEDULE-I

1. All participants shall wear sober attire consistent with the dignity of the proceedings. Advocates shall be appropriately dressed in professional attire prescribed under the Advocates Act, 1961. Police officials shall appear in the uniform prescribed for police officials under the relevant statute or orders. The attire for judicial officers and court staff will be as specified in the relevant roles prescribed in that behalf by the High Court. The decision of the Presiding Judge or officer as to the dress code will be final.
2. Proceedings shall be conducted at the appointed date and time. Punctuality shall be scrupulously observed.
3. The case will be called out and appearances shall be recorded on the direction of the Court.
4. Every participant shall adhere to the courtesies and protocol that are followed in a physical Court. Judges will be addressed as "Madam/Sir" or "Your Honors". Officers will be addressed by their designation such as "Bench Officer/Court Master". Advocates will be addressed as "Learned Counsel/ Senior Counsel".
5. Advocates, Required Persons, parties in person and other participants shall keep their microphones muted till they are called upon to make submissions.
6. Remote Users shall ensure that their devices are free from malware,
7. Remote Users and the Coordinator at the Remote Point shall ensure that the Remote Point is situated in a quiet location, is properly secured and has sufficient internet coverage. Any unwarranted disturbance caused during video conferencing may if the Presiding Judge so directs render the proceedings non-est.
8. All participants' cell phones shall remain switched off or in airplane mode during the proceedings.
9. All participants should endeavor to look into the camera, remain attentive and not engage in any other activity during the proceedings.
10. Background noise, unnecessary movements, and interruptions must be minimized to maintain the decorum of judicial proceedings.

11. The use of offensive language, disrespectful behavior, or non-compliance with judicial instructions may lead to immediate removal from the session and potential legal consequences.
12. Only court have the discretion to mute or remove any participant violating these conduct rules.

SCHEDULE-II**Request Form for Video Conference**

1. Case Number/ CNR Number (if any) :-----
2. Cause Title :-----
3. Proposed Date of conference (DD/MM/YYYY) :-----
4. Location of the Court Point (s) :-----
5. Location of the Remote Point (s) :-----
6. Names & Designation of the Participants at the Remote Point:-----
7. Reasons for Video Conferencing :-----
In the matter of. :-----
8. Nature of Proceedings : Final Hearing ☐ Motion Hearing ☐ Others ☐

I have read and under stood the provisions of Rules for Video Conferencing for Courts (hyper link). I undertake to remain bound by the same to the extent applicable to me. I agree to pay videoconferencing charges if so, directed by the Court.

Signature of the applicant/ authorised signatory:

Date:

A) Bench assigned:

B) Hearing:

Held on (DD/MM/YYYY):

Commencement Time:

End time:

Number of hours:

C) Costs:

Overseas transmission charges if any:

To be Incurred by Applicant/Respondent : To be

Shared equally:

Waived; as ordered by the Court:

Signature of the authorized officer:

Date:

For use of the Registry/Court Point Coordinator

By order of Hon'ble the High Court

(K. Vinod Kujur)

Registrar General

Sd/-

(Bhupendra Kumar Vasnika)

Additional Secretary.

