



THE ASSAM GAZETTE

অসাধাৰণ

EXTRAORDINARY

প্ৰাপ্ত কৰ্তৃত্ব দ্বাৰা প্ৰকাশিত

PUBLISHED BY THE AUTHORITY

নং 365 দিশপুৰ, শনিবাৰ, 31 মে', 2025, 10 জ্যৈষ্ঠ, 1947 (শক)

No. 365 Dispur, Saturday, 31st May, 2025, 10th Jaistha, 1947 (S. E.)

GOVERNMENT OF ASSAM

ORDERS BY THE GOVERNOR

HOME AND POLITICAL DEPARTMENT ::: DISPUR

NOTIFICATION

The 27th May, 2025

eCF No.392018/113.-In exercise of the powers conferred by Section 20(11) of the Bharatiya Nagarik Suraksha Sanhita, 2023 (BNSS 2023) and in continuation of this Department's Office Memorandum No. HMA.669/95/Pt.I/54 dated 25th June 2001, the Governor of Assam is pleased to notify the following powers and functions of the Director of Prosecution, Assam, with immediate effect:

1. The Director shall exercise all powers and perform all functions *as explicitly* conferred upon him under the provisions of Section 20(7) & 20(10) of BNSS 2023. The Director shall also monitor serious cases and offences under special laws such as (*but not limited to*) the Prevention of Corruption Act, 1988 and the Protection of Children from Sexual Offences Act, 2012. He shall guide the conduct of trials, appeals and revisions and oversee prosecutions across the State to ensure uniform and effective implementation of the law.
2. The Director is empowered to specify the jurisdiction (Judicial Districts) within which each Deputy Director of Prosecution shall discharge his or her functions. In addition to the duties prescribed under Section 20(8) of the BNSS, 2023, the Director may assign such further powers and functions to the Deputy Directors as necessary in the interest of effective prosecution, efficiency, and institutional integrity.
3. As Head of the Department, the Director shall have full administrative, functional, and supervisory control over all prosecuting officers in the State of Assam. For the purpose of this Notification, "prosecuting officers" include all categories of Prosecutors, by whatever name called, working under the State Government's remit & appointed by the Notification of the Government; and include Deputy Directors of Prosecution, Assistant Directors of Prosecution, Public Prosecutors, Additional Public Prosecutors, Assistant Public Prosecutors, and Special Public Prosecutors. The Director's supervisory authority extends to all such officers to secure efficiency and accountability in prosecutions throughout the State.

4. The Director is empowered to organize and conduct training programmes, workshops, technical/ skill development programmes, etc. for all categories of prosecuting officers to enhance their skills and knowledge. Such training shall be arranged by the Directorate itself or in coordination with relevant institutions, including (but not limited to) the Assam Judicial Academy, the Criminal Investigation Department (CID), Assam, the Lachit Barphukan Police Academy, and other appropriate training institutes. These programmes will ensure that “prosecuting officers” remain well-trained and updated on legal and procedural developments.
5. The Director is authorized to recommend the appointment of Special Public Prosecutors for special, sensitive or serious cases to the District Commissioner/ Superintendent of Police concerned. In making these recommendations, the Director shall consider the nature of the case, the need for specialized legal expertise, and public interest, ensuring that justice is administered effectively and impartially.
6. The Director is authorized to recommend to the police authorities, cases in which appeals are to be filed before the next higher Court. In this regard, all police agencies and district authorities will move the Director of Prosecution for advice.
7. These functions are complementary to the powers notified under Section 20 of the Bharatiya Nagarik Suraksha Sanhita, 2023, unless modified or superseded by future notifications.

The Directorate of Prosecution, Assam shall function under the administrative control of the Home & Political Department, Government of Assam.

AJAY TEWARI,

Additional Chief Secretary to the Government of Assam,
Home & Political Department, Dispur.