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भाग 4 (ग)

उप-खण्ड(II)

राज्य सरकार तथा अन्य राज्य प्राधिकारियों द्वारा जारी किये गये कानूनी आदेश तथा अधिसूचनाएं।

HOME DEPARTMENT
NOTIFICATION

Jaipur, September 10, 2025

S.O.22 .-In exercise of the powers conferred under the Bharatiya Nagarik Suraksha Sanhita, 2023 (Central Act No. 46 of 2023), the State Government, in consultation with the Rajasthan High Court, hereby makes the following rules, namely:-

1. Short title and commencement.- (1) These rules may be called the Rajasthan e-Sakshya Management Rules, 2025.

(2) They shall come into force on the date of their publication in the Official Gazette.

2. Definitions.-(1) In these rules, unless the context otherwise requires,-

- (a) **“Crime and Criminal Tracking Network and Systems (CCTNS)”** means a software/web portal used by the Police for the data collection and execution of instructions;
- (b) **“Case Information System (CIS)”** means a system software used by the District Judiciary and the High Courts for the collection of data and execution of instructions;
- (c) **“Electronic Signature (e-Sign)”** 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 (Central Act 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 Rajasthan High Court;
- (e) **“Inter-operable Criminal Justice System (ICJS)”** means 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 e-Sakshya 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 e-Sakshya Mobile Application shall generate a secure packet of the event (hereinafter referred to as “e-Sakshya Packet”) with a unique 16 digit ID called SID with opening, closing time stamp and geo-location. Each SID and its contents shall have unique hash value to ensure integrity. Sakshya shall be stored in immutable storage; and

(h) “**Sanhita**” means the BharatiyaNagarikSurakshaSanhita, 2023 (Central Act No. 46 of 2023).

(2) Words and expressions used, but not specifically defined in these rules shall have the same meaning as assigned to them in the BharatiyaNagarikSurakshaSanhita, 2023 (Central Act No. 46 of 2023); the BharatiyaNyayaSanhita, 2023 (Central Act No. 45 of 2023), the BharatiyaSakshyaAdhiniyam, 2023, (Central Act No. 47 of 2023) and the Information Technology Act, 2000 (Central Act No. 21 of 2000).

3. Recording of Evidence.- 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 e-Sakshya Mobile Application or similar application developed by the State Government.

4. Generation of Certificate.- The Investigating Officer shall generate a certificate as prescribed in section 63(4)(C) Part A of schedule of the BharatiyaSakshyaAdhiniyam, 2023 (Central Act No. 47 of 2023) through the e-Sakshya Mobile Application or similar application developed by the State Government. All Certificates shall be e-Signed.

5. Linking of SID with FIR/GD numbers through CCTNS.-The Investigating Officer shall link SID with the concerned FIR number/GD number generated through CCTNS and shall upload the Sakshya to immutable storage.

6. Forwarding Sakshya to Magistrate via Immutable Storage.-The Sakshya uploaded to immutable storage shall be construed to be forwarded to the Magistrate as required under section 105 and 185 of the Sanhita.

7. Courts Access and Management of Sakshya.- The courts can view and manage all Sakshya concerning their jurisdiction in the CIS application/Sakshya portal on ICJS.

8. Sharing of Sakshya with Accused and Victim.- 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. Archiving of e-Sakshya Packet Post-Trial.-The e-Sakshya packet will be archived after completion of the trial and shall be moved to Archival mode.

10. Court's power to view Sakshya.-Nothing in these rules shall be deemed to limit the power of the Courts to view the Sakshya by the Court.

11. Application of other laws not barred.- These rules shall be in addition to and 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 the BharatiyaSakshyaAdhiniyam, 2023 (Central Act No. 47 of 2023).

[No.F.12(8)Home-1/2024]

By order of the Governor,

Ravi Sharma,
Secretary to the Government.

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