



सरकारी गजट, उत्तराखण्ड

उत्तराखण्ड सरकार द्वारा प्रकाशित

असाधारण

देहरादून, सोमवार, 30 जून, 2025 ई०

आषाढ़ 09, 1947 शक सम्वत्

Government of Uttarakhand

Home Section-05

No. 937/XX-5-2025-03(04)2024-TC

Dehradun, Dated 30 June 2025

NOTIFICATION

In exercise of the powers conferred by under sub-section (1) of section 64 and section 530 and other enabling provisions of the Bharatiya Nagarik Suraksha Sanhita, 2023 (Act No. 46 of 2023), in its application to the State of Uttarakhand, the Governor, in consultation with the High Court of Uttarakhand is pleased to allow to make the following rules, namely: -

The Uttarakhand e-Shakshya Management Rules, 2025

Short title and
commencement

1. (1) These rules may be called the Uttarakhand e-Sakshya Management Rules, 2025.
- (2) It shall come into force from the date of publication in the official Gazette of the State of Uttarakhand.

Definitions

2. (1) In these rules, unless the context otherwise requires-
(a) "CCTNS" (Crime and Criminal Tracking Network and Systems) or "any similar application" means system software used by the Police for the collection of data and execution of instructions;

(b) "CIS" (Case Information System) means system software used by the District Courts and to such modality, as prescribed, used by the High Court of Uttarakhand for the Management of data and execution of instructions;

(c) "e-Sakshya" means any evidence collected/recorded as a document through e-Sakshya Mobile Application. e-Sakshya consists of audio-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 system or packet of the event (hereinafter referred to as "e-Sakshya Packet) with SID with opening, closing time stamp and geo-location. Each SID and its contents will have unique hash value to ensure integrity. e-Sakshya will be stored in immutable storage;

(d) "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 (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;

(e) "High Court" means the High Court of Uttarakhand;

(f) "ICJS" (Inter-operable Criminal Justice System) shall mean a software presently in operation for exchange of information among various pillars of criminal justice system, which includes investigating agencies, courts, prisons, correctional homes, forensic laboratories, prosecution; and any other stakeholder as notified by the central government;

(g) "Investigating Officer" means any police officer or any other person authorized by a competent authority or empowered by law to undertake investigation for any offence;

(h) "Sanhita" means the Bharatiya Nagarik Suraksha Sanhita, 2023 (Act No. 46 of 2023);

(i) "SID" means a 16 digit unique identifier assigned to individual for collection and management of e-sakshya;

(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 (Act No. 46 of 2023); the Bharatiya Nyaya Sanhita, 2023 (Act No. 45 of 2023); the Bharatiya Sakshya Adhinyam, 2023, (Act No. 47 of 2023) and the Information Technology Act, 2000 (Act No. 21 of 2000).

3. Every Investigating Officer shall record all audio-video and photo evidence as required under section 105, 173, 176, 180, 185, and 497 of the Sanhita through the e-Sakshya Mobile Application.
4. Investigating Officer shall generate a certificate 63 (4) (c) Part A of the Bharatiya Sakshya Adhinyam, 2023 (Act No. 47 of 2023) through the e-Sakshya Mobile Application. All Certificates will be e-Signed.
5. Investigating Officer shall link SID with the concerned FIR number/GD number generated through CCTNS.
6. The e-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 e-Sakshya concerning to their jurisdiction in the CIS application or in e-Sakshya portal on ICJS.
8. The court may permit sharing of e-Sakshya with accused and the victim (if represented by an advocate) as per the provisions under section 230 of the Sanhita.
9. e-Sakshya packet will be archived after completion of trial and will be moved to Archival mode that may be accessed by Appellate Court or High Court.
10. Nothing in these rules shall be deemed to limit the power of the Courts to view the e-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 e-Sakshya by the Court in terms of the provisions of Bharatiya Sakshya Adhinyam, 2023 (Act No. 47 of 2023).
12. The State Government in consultation with High Court may relax or modify any provisions of these rules in case of exigencies.

By Order,

SHAILESH BAGAUJI,

Secretary.