



सरकारी गजट, उत्तराखण्ड

उत्तराखण्ड सरकार द्वारा प्रकाशित

असाधारण

देहरादून, सोमवार, 30 जून, 2025 ई०

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Government of Uttarakhand

Home Section-05

No. 938/XX-2025-03(04)2024-TC

Dehradun, Dated 30 June 2025

NOTIFICATION

In exercise of the powers conferred under sub-section (i) of section 64 and of clause (i) of 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 Electronic Processes (Issuance, Service and Execution in Criminal Cases) Rules, 2025

Short title and commencement

- (1) These rules may be called the Uttarakhand Electronic Processes (Issuance, Service and Execution in Criminal Cases) Rules, 2025.
- (2) It shall come into force from the date of publication in the Official Gazette.

Definitions

- (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) "Disclosed Electronic Mail Address" means the email account of a person or organization that is used by the person or organization for composing, sending, storing, forwarding and receiving messages over internet, and is shown to be admitted, or provided by such person or organization either personally or on a website or portal;
- (d) "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 (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) "NSTEP" (National Service and Tracking of Electronic Processes) or "any other similar application" means technology enabled process for serving and issuing of Processes;
- (g) "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 may require, issued for the respective purposes as mentioned in the Sanhita;
- (h) "Rules and Orders" means the Uttarakhand Bharatiya Nagrik Suraksha Rules, 2024 and the

General Rules (Criminal), 1977 as applicable in State of Uttarakhand including the orders made therein exercising the power under both these Rules;
 (i) "Sanhita" means the Bharatiya Nagarik Suraksha Sanhita, 2023 (Act No. 46 of 2023);
 (j) "Seal" means image of the seal of the Court including QR Code or any similar Code generated by the CIS Software for authentication;
 (k) "State" means the State of Uttarakhand;

(l) "Summons" means any summons issued under the Sanhita;

(m) "Warrant" means a warrant issued under the Sanhita 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 (46 of 2023); the Bharatiya Nyaya Sanhita, 2023 (45 of 2023); the Bharatiya Sakshya Adhinyam, 2023 (47 of 2023) and the Information Technology Act, 2000 (21 of 2000).

Issuance of summons in 3. electronic mode

The Courts shall generate and issue Summons in electronic mode through CIS in such forms as set forth in the Second Schedule of the Sanhita, with such variations as the circumstances of each case may require. The same shall be served electronically by an officer of the Court issuing it.

Service of summons where 4. email address, phone no. etc is not known/available

When the Court does not possess required Electronic Mail Address, phone number or messaging application of the person to whom such process is intended to be served or when the summons issued as per rule 3 is not served, it may direct the same to be served by a police officer or other public servant.

Language of the summons

5. 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 form of electronic communication and shall bear the image of the seal of the Court and eSign.

- esign and seal of the court
6. Every summons issued electronically shall contain esign or CIS generated QR Code in such a manner that the name of the Court and 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 and eSign of the appropriate officer of the Court or the Reader or any person authorized in writing in this regard or with CIS generated QR Code as the case may be. Every warrant of arrest in electronic form shall be issued by eSign of the Presiding Officer of the Court and shall also bear the seal of the Court.
- Presumption of process generated in electronic form.
7. Where the processes generated in electronic form are received on CCTNS through a secured system, in an encrypted or with CIS generated QR Code 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.
- Entering details of accused/ witness in CCTNS and Register
8. The Officer-in-charge of the Police Station shall ensure that the verified details relating to address, disclosed 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 further verification or on the basis of an application by such person.

Affidavit by complainant stating the correct email, phone number etc of the accused/witness	9. Where a case is filed on the basis of a private complaint, the complainant shall provide the details relating to address, electronic mail address, phone number and messaging application of the accused and witnesses along with the complaint with an affidavit in Court stating that the disclosed electronic mail address, phone number and messaging application of self, and all other party(ies) given by him, is correct to the best of his knowledge. If the same is not available/known to him, the party shall state so in the affidavit.
Maintenance of the details of address, email etc in CIS	10. The details relating to address, disclosed 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. Provided that such Information may be fetched automatically from ICJS-CIS through interoperability.
Details of email, address, phone no. of witness, victim not be disclosed	11. The details relating to disclosed electronic mail address, phone number and messaging application of the victim and witnesses shall not be disclosed to the accused.
Service of summons	12. The Officer-in-charge of the Police Station or any Sub-ordinate Officer deputed by him upon receipt of summons issued in pursuance of rule 4 may forward the summons on the disclosed electronic mail address, phone number or messaging application of the person summoned.
Acknowledgement deemed to be service of summons	13. (1) Where summons are served by way of electronic mail, service shall be deemed to have been made if the service provider generates acknowledgement of the delivery. (2) When any summon is sent to a person or organization on disclosed electronic mail address, unless the delivery of the electronic mail is disrupted

or bounced back for any reason whatsoever, the delivery shall be deemed to be effected; and unless the contrary is proved, be deemed to have been effected at the time at which the electronic mail would be delivered.

Acknowledgement shall form part of the report regarding service

14. (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 or under 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.

Procedure where verified details of email address, phone no. etc is not available

15. In case verified details of the email 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 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 the Sanhita.

Proof of service where summon can not be served by electronic mode due to disrupted or bouncing back

16. When summons are not served by an electronic mail or other mode of electronic communication, or delivery is disrupted and undelivered or bounced back for any other reason, the concerned officer shall

- prepare a report in that regard containing all details including mobile number, messaging application and screenshot/ photo of the application confirmation of delivery and may proceed as per applicable process: Provided that the photograph of the party served/refused the process along with the geo-tagged photo of the location captured by the process server through ICJS-NSTEP-CIS interoperability shall be sufficient proof of service of summons within the meaning of this rule.
- Service of warrant or other process in person 17. In case of warrant or any other process required to be served in person 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.
- Acknowledgement and photograph of the recipient when process is served physically 18. Where any process is served or executed other than 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.
- Transmission of service/non service of warrant with relevant document to the court 19. Upon due service or non-service of the warrant, the serving officer of the concerned Police Station shall transmit the service report along with relevant documents including bail bonds, photographs, acknowledgment, if any, to the concerned Court in electronic form through CCTNS-NSTEP-CIS interoperability.
- Report electronic form deemed to be original 20. The Court, upon receiving the report in electronic form under rule 19, may act upon such report as deemed appropriate. Such report or printout of such report shall be deemed to be original for the purpose of satisfaction as to the service/execution of the process.
- Identity of victim not to be revealed in certain cases 21. Where any process is issued in cases relating to offences under sections 64 to 71 of The Bharatiya Nyaya Sanhita (45 of 2023) or offences against

woman or child or offences under The Protection of Children from Sexual Offences Act, 2012 and Juvenile Justice (Care and Protection of Children) Act, 2015, the concerned officer shall ensure that the identity of the victim is not revealed in any manner in course of service or execution.

Validation clause

22. Any rule made in this behalf shall be in addition to, not in derogation of, any other law or rules made by the High Court to specify for the time being in force for issuance, service and execution of process by the Court.

Amendment of rules

23. The State Government in consultation with High Court may relax or modify any provisions of these rules in case of exigencies.

By Order,

SHAILESH BAGALI,
Secretary.