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PART-IIA

GOVERNMENT OF MEGHALAYA

NOTIFICATIONS

The 11th April, 2025.

No.HPL.52/2024/162. - In exercise of the powers conferred under section 398 of the Bharatiya Nagarik Suraksha Sanhita,2023 (Act No. 46 of 2023), the Governor of Meghalaya is hereby pleased to make the follow scheme for the State of Meghalaya with a view to ensure protection of witnesses.

WHEREAS, it is expedient to provide the protection of witnesses in criminal trials, their relatives in relation to serious offences and for matters connected therewith or incidental thereto, the Scheme is hereby implemented as follows:-

Short title, extent and commencement.

1. (1) This Scheme shall be called the Meghalaya Witness Protection Scheme, 2025.
- (2) It shall extend to the whole of the State of Meghalaya.
- (3) It shall come into force on the date of its publication in the Official Gazette.

Definitions.

2. (a) "Act" means the Bharatiya Nagarik Suraksha Sanhita, 2023;
- (b) "Concealment of Identity of Witness" means and includes any condition prohibiting publication or revealing of in any manner, directly or indirectly, the name, address and other particulars which may lead to the identification of the witness during investigation, trial and post-trial stage;
- (c) "Competent Authority" means a Standing Committee in each District chaired by the District and Sessions Judge with the Head of Police in the District or any police officer not below the rank of Additional Superintendent of Police to be nominated by the Head of the Police as Member, an officer not below the rank of the Additional District Magistrate to be nominated by the District Magistrate as Member and The Head of the Prosecution in the District as the Member Secretary;

- (d) "Family Member" includes parents or guardian, spouse, siblings, children, grandchildren of the witness and the spouse of the siblings, children and grandchildren of the witness;
- (e) "Form" means the Witness Protection Application Forms appended to this Scheme;
- (f) "In Camera Proceedings" means proceedings wherein the Competent Authority or Court allows only those persons who are necessarily to be present while hearing and deciding the witness protection application or deposing in the court;
- (g) "Live Link" means and include a live video link or other such arrangement including any electronic communication through any audio - video electronic means;
- (h) "Witness Protection Measures" means the measures provided in clauses 7, 8, 9, 10 and 11 of the Scheme;
- (i) "Offence" means those offences which are punishable with death or life imprisonment or an imprisonment up to seven years and above and also offences punishable under sections 74, 75, 76, 77, 78 and 79 of the Bharatiya Nyaya Sanhita;
- (j) "Threat Analysis Report" means the detailed report to be submitted by the Head of the Police in the District, investigating the case with regard to the seriousness and credibility of the threat perception to the witness or his family members. It shall also categorize the threat perception apart from suggesting the specific witness protection measures which deserves to be taken in the matter. It shall contain specific details about the nature of threats faced by the witness or his family to their life, reputation or property apart from analyzing the extent, the person or persons making the threat who have the intent, motive and resources to implement the threats;
- (k) "Witness" means any person, who has given a statement or evidence or has agreed to give evidence or possesses any information or document related to any criminal proceeding and does not include the accused person;
- (l) "Witness Protection Application" means an application submitted by a witness before a Competent Authority for Witness Protection Order. It can be moved either in offline or online mode by the witness preferably in the prescribed format, his family member, his duly engaged counsel or any police officer under the direction of the Head of the Police in the District or the Superintendent of the District Prison and Correctional Services;
- (m) "Witness Protection Fund" means the fund created for bearing the expenses incurred during the implementation of Witness Protection

Order passed by the Competent Authority under this scheme to implement the witness protection measures;

- (n) "Witness Protection Order" means an order passed by the Competent Authority detailing with the witness protection measures to be taken;
- (o) "Witness Protection Cell" means a cell constituted at district level for implementation of the witness protection order, which shall be headed by the Head of the Police in the District. Other suitable person(s) may be co-opted by the head of the cell;
- (p) "State Witness Protection Authority" means an authority constituted at the state level for witness protection consisting of the Senior most Special DGP or Additional DGP of the Police Department be made the Chairperson with Secretary of Home and Political Department of Meghalaya be made the Member-Secretary of the State Witness Protection Authority. Any other members may be co-opted by the authority. This authority shall regulate its own procedure, meet at least once in every six months and shall take all the steps as deemed necessary by it for the effective implementation and monitoring of the scheme.

Categories of witness as per threat perception.

3. Category 'A':

Where the threat extends to the life of a witness or his family members, during investigation or trial or thereafter.

Category 'B':

Where the threat extends to safety, reputation or property of the witness or his family members, during the investigation or trial or thereafter.

Category 'C':

Where the threat is moderate and extends to harassment or intimidation of the witness or his family member's reputation or property during the investigation or trial or thereafter.

Meghalaya Witness Protection Fund.

- 4. (1) There shall be a Fund namely, the Meghalaya Witness Protection Fund for incurring expenses during the implementation of the Meghalaya witness protection measures as per the Witness Protection Order passed by the Competent Authority and other related expenditure.
- (2) The Meghalaya Witness Protection Fund shall comprise the following:
 - (i) Budgetary allocation made in the Annual Budget by the State Government;
 - (ii) Receipt of amount of costs imposed or ordered to be deposited by the Courts or Tribunals in the Witness Protection Fund;
 - (iii) Donations or contributions from Philanthropist or Charitable Institutions or Organizations and individuals permitted by the Government;
 - (iv) Funds contributed under the Corporate Social Responsibility.

- (3) The said Fund shall be operated by the Additional Director General of Police (CID), Meghalaya.
- (4) There shall be a separate bank account for the state Witness Protection Fund.
- (5) There should be a District Witness Protection Fund with Head of the Police in the District as DDO.

Filing of Applications before the competent authority.

5. The applicant shall file an application for seeking a protection order under this scheme in the Form-I before the Competent Authority of the concerned District where the offence is committed, through its Member Secretary along with supporting documents, if any. It can be filed in offline as well as online mode.

Procedure for processing the application.

6. (1) As and when an application is received by the Competent Authority, in Form-I, he shall forthwith pass an order immediately calling for the Threat Analysis Report from the Superintendent of Police of the concerned District.
- (2) Depending upon the urgency in the matter owing to imminent threat, the Competent Authority may pass orders for interim protection of the witness or his family members during the pendency of the application:

Provided that nothing shall preclude police from providing immediate protection in case of grave and imminent threat to the life of applicant and his family members.
- (3) On receipt of the order from the Competent Authority the Superintendent of Police of the concerned District shall prepare the Threat Analysis Report in Form-II appended to these Scheme expeditiously while maintaining full confidentiality and it shall reach the Competent Authority through electronic means within five working days from the date of receipt of the order from the Competent Authority.
- (4) The Threat Analysis Report shall categorise the threat perception and also include suggestive protection measures for providing adequate protection to the witness or his family.
- (5) While processing the application for witness protection, the Competent Authority shall also interact either in person or through electronic means or a live link with the witness and or his family members or employers or any other person deemed fit so as to ascertain the witness protection needs of the witness. The Competent Authority may also conduct its meeting through live link. The Competent Authority shall meet at least once in every two months including a live link for attending such application of witness protection.
- (6) All the hearings on Witness Protection Application shall be held in-camera by the Competent Authority while maintaining full confidentiality.

- (7) An application shall be disposed of by the Competent Authority within five working days from the date of receipt of the Threat Analysis Report from the Police Authorities.
- (8) The Witness Protection Order passed by the Competent Authority shall be implemented by the Witness Protection Cell or the Trial Court, as the case may be. The Competent Authority shall cause to send a copy of the Witness Protection Order to the Investigation Officer of the case and to the court which is empowered to take the cognizance of the concerned case or to the court in which the trial is pending and to the public prosecutor of the case concerned. Overall responsibility of implementation of all Witness Protection Orders passed by the Competent Authority shall lie on the Head of the Police in the District under the supervision of State Witness Protection Authority. In case of any change of address or relocation of witness, the Head of the Police in the District shall bring it to the notice of the competent authority of the District to which the said witness has relocated and the order shall be implemented by the Head of the Police of that District.
- (9) Upon passing of a Witness Protection Order, the Witness Protection Cell shall file a monthly follow-up report before the Competent Authority.
- (10) In case, the Competent Authority finds that there is a need to revise the Witness Protection Order or an application is moved in this regard and upon completion of trial, a fresh Threat Analysis Report shall be called from the Additional Commissioner of Police or Deputy Superintendent of Police in charge of the concerned Police Sub-Division.

Types of Protection measures.

7. The witness protection measures ordered shall be proportionate to the threat and shall be for a specific duration not exceeding three months at a time. These may include,-
 - (a) ensuring that witness and accused do not come face to face during investigation or trial;
 - (b) monitoring of mail and telephone calls;
 - (c) arrangement with the telephone company to change the witness's telephone number or assign him or her an unlisted telephone number;
 - (d) installation of security devices in the witness's home such as security doors, CCTV, alarms, fencing etc.;
 - (e) concealment of identity of the witness by referring to him or her with the changed name or alphabet;
 - (f) emergency contact persons for the witness;
 - (g) close protection, regular patrolling around the witness's house;
 - (h) temporary Change of residence to a relative's house or a nearby town;

- (i) escort to and from the court and provision of Government vehicle or a State funded conveyance for the date of hearing;
 - (j) Holding of in-camera trials;
 - (k) allowing a support person to remain present during recording of statement and deposition;
 - (l) usage of specially designed vulnerable witness court rooms which have special arrangements like live links, one way mirrors and screens apart from separate passages for witnesses and accused, with option to modify the image of face of the witness and to modify the audio feed of the witness' voice, so that he or she is not identifiable;
 - (m) ensuring expeditious recording of deposition during trial on a day to day basis without adjournments;
 - (n) awarding time to time periodical financial aids or grants to the witness from Witness Protection Fund for the purpose of re-location, sustenance or starting a new vocation or profession, as may be considered necessary;
 - (o) any other form of protection measures considered necessary.
 - (p) The witness protection measure may include "relocating the witness or family members to a safe house."
- Monitoring and Review.** 8. Once the protection order is passed, the Competent Authority shall monitor its implementation and can review the same in terms of follow-up reports received in the matter. However, the Competent Authority shall review the Witness Protection Order on a quarterly basis based on the monthly follow-up report submitted by the Witness Protection Cell.
- Protection of Identity.** 9. (1) During the course of investigation or trial of any offence or thereafter, an application for seeking identity protection can be filed in Form-I before the Competent Authority.
- Upon receipt of the application, the Member Secretary of the Competent Authority shall call for the Threat Analysis Report. The Competent Authority shall examine the witness or his family members or any other person it deems fit to ascertain whether there is necessity to pass an identity protection order.
- (2) During the course of hearing of the application, the identity of the witness shall not be revealed to another person, which is likely to lead to the witness identification. The Competent Authority can thereafter, dispose of the application as per material available on record.
- Once, an order for protection of identity of witness is passed by the Competent Authority, it shall be the responsibility of the Witness Protection Cell to ensure that identity of such witness or his or her family members including name or parentage or occupation or address or digital footprints are fully protected.

- (3) As long as the identity of any witness is protected under an order of the Competent Authority, the Witness Protection Cell shall provide details of persons who can be contacted by the witness in case of emergency.
- Change of Identity.** 10. In appropriate cases, where there is a request from the witness for change of identity and based on the Threat Analysis Report, a decision can be taken for conferring an identity to the witness by the Competent Authority.
- Conferring new identities includes new name, profession, parentage and providing supporting documents acceptable by the Government Agencies. The new identities shall not deprive the witness from existing educational professional and property rights.
- Relocation of Witness.** 11. In appropriate cases, where there is a request from the witness for relocation and based on the Threat Analysis Report, a decision can be taken for relocation of the witness by the Competent Authority.
- The Competent Authority may pass an order for witness relocation to a safer place within the State or territory of the Indian Union keeping in view the safety, welfare and wellbeing of the witness. The expenses shall be borne from the Witness Protection Fund.
- Witness to be apprised of the Scheme.** 12. The Investigating Officer and the Hon'ble Court shall inform the witnesses about the existence of Witness Protection Scheme and its salient features. State Witness Protection Authority shall give wide publicity to the scheme.
- Confidentiality and preservation of records.** 13. All stakeholders including the Police, the Prosecution Department, Court Staff, Lawyers from both sides shall maintain full confidentiality and shall ensure that under no circumstance, any record, document or information in relation to the proceedings under this scheme shall be shared with any person in any manner except with the approval of Trial Court or Appellate Court and that too, on a written order.
- All the records pertaining to proceedings under this scheme shall be preserved till such time the related trial or appeal thereof is pending before a Court of Law. After one year of disposal of the last Court proceedings, the hard copy of the records can be weeded out by the Competent Authority after preserving the scanned soft copies of the same.
- Recovery of expenses.** 14. In case the witness has lodged a false complaint, the Home Department of the concerned Government can initiate proceedings for recovery of the expenditure incurred from the Witness Protection Fund. These expenses shall be recovered as arrears in land revenue.
- Review.** 15. In case the witness or the police authorities are aggrieved by the decisions of the Competent Authority, a review application may be filed before the Competent Authority within 15 days of passing of the orders by the Competent Authority and the decision of Competent Authority on such review application shall be final and no appeal shall lie against such order before any authority.

C. V. D. DIENGDOH,
Commissioner & Secretary to the Govt. of Meghalaya,
Home (Police) Department.

FORM I

(See Clause - 5, 9)

**Meghalaya Witness Protection Scheme 2024
Witness Protection Application**

To

The Competent Authority

District

Application for (Tick)

 Witness protection Witness Identity Protection New Identity Witness Relocation

Particulars of the Witness (Fill in CAPITAL LETTERS)	
Name	
Date of Birth and Age	
Gender (Male/Female/Transgender)	
Father/Mother Name	
Residential Address	
Mobile Number	
Email ID	
Aadhar Card (attach a self attested copy)	
Any other Government ID (Voter ID/PAN/Driving License/Other) [attach a self attached copy]	
Name and details of the family member(s) of the victim who are facing threats	

(including self)	
Particulars of the case	
FIR number	
Police station	
Sections and Act(s) involved	
Year of the FIR	
GDE or daily diary number (if FIR not yet registered)	
CR case number (in complaint cases to magistrate)	
Particulars of the Accused (if known/available)	
Name	
Father/Mother name	
Address	
Mobile number	
Email ID	
Particulars of the person who is giving or suspected to be giving threats	
Name	
Father/Mother name	
Address	
Mobile number	
Email ID	
Other details known (if any)	
Threat Perception	
Nature of the perception. Please give a brief of the threat received in the matter with specific date, place, mode and words used	

Types of the witness protection measures prayed for by the witness	
Please give details of what kind of protection is prayed for	
Details of the urgent/ immediate witness protection measures required, if any	

Note : Witnesses can use extra sheets, if needed and attach with the application.

- (1) I shall fully cooperate with the competent authority, department of home and the witness protection cell.
- (2) I certify that the information provided by me is correct to the best of my knowledge and belief.
- (3) I understand that if the information filed by me is found to be false, competent authority reserves the right to recover expenses incurred on me from the witness protection fund.

Name of the Witness :

Signature :

Date :

Place :

FORM II

{Scheme Clause - 6(3)}

**The Threat Analysis Report to be submitted by the District Head of the Police
under the Meghalaya Witness Protection Scheme, 2024**

Particulars of the Witness (Fill in CAPITAL LETTERS)	
Name	
Date of Birth and Age	
Gender (Male/Female/Transgender)	
Father/Mother Name	
Residential Address	
Mobile Number	
Email ID	
Aadhar Card (attach a self attested copy)	
Any other Government ID (Voter ID/PAN/Driving License/Other) [attach a self attached copy]	
Name and details of the family member(s) of the victim who are facing threats (including self)	
Particulars of the case	
FIR number	
Police station	
Sections and Act(s) involved	
Year of the FIR	
GDE or daily diary number (if FIR not yet registered)	

CR case number (in complaint cases to magistrate)	
Particulars of the Accused (if known/available)	
Name	
Father/Mother name	
Address	
Mobile number	
Email ID	
Particulars of the person who is giving or suspected to be giving threats	
Name	
Father/Mother name	
Address	
Mobile number	
Other details known (if any)	
Threat Perception	
Nature of the perception. Please give a brief of the threat received in the matter with specific date, place, mode and words used	
History of enmity (if any)	
Details of injury causing death, greivous hurt, injury and threat of injury to property, reputation etc.	
Potential Vulnerabilities of the Witness	
Physical location of the Application	
Vulnerability with regard to gender issues i.e. threat of gender violence like acid attacks / physical /emotional / psychological abuse etc.	
Any social Vulnerability	

Possession of weapon by the threatening party	
Political patronage	
Socially dominate position of the threatening party	
Witness against gangsters or organized criminals	
Threat of contract killing or abduction	
Vulnerabilities on social media Extent of threat	
Categories of Witness as per Threat perception and Analysis	
Category 'A' : Where the threat extends to the life of a witness or his family members, during investigation /trial or thereafter.	
Category 'B': Where the threat extends to safety, reputation or property of the witness or his family members, during the investigation/ trial or thereafter.	
Category 'C': Where the threat is moderate and extends to harassment or intimidation of the witness or his family member's reputation or property, during the investigation/ trial or thereafter.	
Protection Measures Prayed or Recommended	
Please give details of what kind of protection is prayed for by the witness.	
Details of the Interim/ urgent / immediate witness protection measures required, if any	
Protection measures Suggested for the witness (please specify the approximate cost involved in each measure suggested) Note: The witness protection measures shall be proportionate to the threat analysis and shall be for a specific duration not exceeding 3 months at a time.)	
Ensuring that witness and accused do not	

come face to face during investigation or trial.	
Monitoring of mail and telephone calls	
Arrangement with the telephone company to change the witness's telephone number or assign him or her any unlisted telephone number	
Installation of security devices in the witness's home such as security doors, CCTV, alarms, fencing etc.	
Concealment of identity of the witness by referring to him/her with the changed name or alphabet.	
Emergency contact persons for the witness	
Close protection, regular patrolling around the witness's house	
Temporary Change of residence to a relative's house or a nearby town.	
Escort to and from the court and provision of Government vehicle or a state funded conveyance for the date of hearing	
Holding of in-camera trials	
Allowing a support person to remain present during recording of statement and deposition	
Usage of specially designed vulnerable witness court rooms which have special arrangements like live links, one way mirrors and screens apart from separate passages for witnesses and accused, with option to modify the image of face of the witness and to modify the audio feed of the witness' voice, so that he/she is not identifiable.	
Ensuring expeditious recording of deposition during trial on a day to day basis without adjournments.	

Awarding time to time periodical financial aids / grants to the witness from Witness Protection Fund for the purpose of re-location, sustenance or starting a new vocation / profession, as may be considered necessary.	
Protection of Identity	
Change of Identity	
Relocation of Witness	

Signature with Name:

Signature:

Date:

Place:

Mobile:

Email:

The 14th April, 2025.

No.HPL 52/2024/Pt.IV/82. - The Governor of Meghalaya is pleased to notify the format of Final Police Report Form (Charge Sheet/Final report) in compliance with the section 193 (3) (i) of the Bharatiya Nagarik Suraksha Sanhita, 2023 (hereinafter referred to as the "BNSS").

R. RAPHAP,
Commissioner & Secretary to the Govt. of Meghalaya,
Home (Police) Department.

FINAL. POLICE REPORT FORM
(CHARGE SHEET / FINAL REPORT)
(Referred to in Rule 217 and Rule 222 of APM, Part-V
(Under section 193 BNSS)

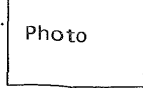
IN THE COURT OF

1. Name of the PS District FIR No Year ... Date
2. Final Report/Charge Sheet (tick the option) No. Date:
3. (i) Act Sections
- (ii) Act Sections
- (iii) Act Sections
- (iv) Other Acts & Sections
4. Type of Final Form/Report- Charge Sheeted/Not Charge Sheeted for want Of evidence/FR Undetected/FR Untraced/FR offence abated/FR Un-occurred.(tick applicable portion).
5. If Final Report Un-occurred - False/Mistake of Fact/Mistake of Law/Non cognizable/Civil Nature. (tick applicable portion).
6. If Charge sheeted: Original/ Supplementary (Tick applicable portion)
7. Name of the I.O. Rank
(if more than one 10, all to be mentioned)
8. (a) Name Of complainant/informant:
- (b) Father's/Husband's Name :
- (c) Address of the Complainant:
- (d) Contact Number Email id
- (e) Aadhar I PAN / Voter ID / Driving license / any other identity document issued by any Government agency

Details Of Properties/Articles/ documents including electronic and digital records recovered/ seized during the investigation (separate list can be attached, if necessary).

Sl. No.	Property description	Estimated value(in Rs.)	Property Register No.	From whom/ where recovered or seized	Disposal
1	2	3	4	5	6

9. Particulars of accused persons charge-sheeted (Use separate sheet for each accused):

- (i) Name: Whether verified: 
- (ii) Father's Name..... (iii) Date/Year of birth:
- (iv) Sex (v) Nationality:..... (vi) Passport No.....
Date of Issue Place of Issue
- (vii) Aadhar I PAN / Voter ID / Driving license / any Other identity document issued by any Government agency
- (viii) Contact Number:
- (ix) Email:
- (x) Religion: (xi) Whether SCIST/OBC:
- (xii) Occupation:
- (xiii) Address
(with landmark of the locality)
Whether verified
- (xiv) Provisional Criminal No.:
- (xv) Regular Criminal No. (if known):
- (xvi) Date of Arrest
- (xvii) Date of release on bail :.....
- (xviii) Date on which forwarded to Court:
- (xix) Under Acts & Sections:.....
- (xx) Name(s) of bailors/sureties and address :
- (xxi) Previous convictions with case reference :
- (xxii) Status of the accused
(Not Arrested/Arrested) (If Arrested — Bailed by Police/Bailed by Court/Judicial Custody)
or (Evading investigation/Proclaimed offender)

NB: If more than one accused charge-sheeted, details of all accused be given.

10. Particulars of accused persons - not charge-sheeted (use separate sheet for each accused):

- (i) Name: Whether verified:
- (ii) Father's Name..... (iii) Date/Year of birth:
- (iv) Sex (v) Nationality:..... (vi) Passport No.....
Date of Issue Place of Issue
- (vii) Aadhar I PAN / Voter ID / Driving license / any Other identity document issued by any Government agency
- (viii) Contact Number:
- (ix) Email: (x) Religion:
- (xi) Whether SCIST/OBC: (xii) Occupation:
- (xiii) Address
(with landmark of the locality)
Whether verified
- (xiv) Date of Arrest

- (xv) Date of release on bail :.....
 - (xvi) Date on which forwarded to Court:
 - (xvii) Under Acts & Sections:.....
 - (xviii) Name(s) of bailors/sureties and address :
 - (xix) Previous convictions with case reference :
 - (xx) Any special remarks including reasons for not charge sheeting.....
.....
 - (xxi) Status of the accused
- (Not Arrested/Arrested) (If Arrested — Bailed by Police/Bailed by Court/Judicial Custody) or (Evading investigation/Proclaimed offender)

NB: If more than one accused charge-sheeted, details of all accused be given.

11.(i) Particulars of witnesses cited/relied upon:-
(attached separate sheet, if required)

Sl. No	Name	Father's/ Husband's Name Date/Year of Birth	Occupation	Permanent Address with Number and Contact Number and Email id	Statement recorded or If yes, number of pages	Type of evidence to be tendered and serial numbers of documents to be marked by the witness, if any
	2	3	4	5	6	7

(ii) Particulars of Documents including electronic and digital records cited/relied upon (attach separate sheet if required)

Sl. No.	Details of the document	Number of pages	Brief of contents of the document	By whom the document will be marked during trial, serial numbers of witness
1	2	3	4	5

iii) List of Articles/ electronic device / Material Objects relied upon (Attach separate sheet, if required).

Sl. No.	Description of the Article/ electronic device/ Material Object	Perishable or permanent	Location of the Article/ electronic device/ Material object (In FSL/ with Expert/ Malkhana/ Deposited in court/ in Bank/ in Treasure/ Others (specify)	If disposed of, court order
1	2	3	4	5

Note: In case of electronic device. state the sequence of custody which may also include an electronic trail, if applicable or transaction trail, if applicable or any blockchain trail, if applicable (or by whatever name called). If needed, a separate chain - of - custody form may be included.

12. If FIR is false, indicate action taken or proposed to be taken UIS 217 / 248 BNS

.....
.....

13. Result of laboratory analysis/Expert Opinion/Medical Examination :

.....
.....

14. Whether the report of medical examination Of the woman has been attached where investigation relates to an offence under sections 64, 65, 66, 67, 68, 70 or section 71 of the Bharatiya Nyaya Sanhita, 2023 (Yes / No)

Note: The report shall be deemed to be so attached if it is transmitted or Sent to the concerned court in any manner including any form of electronic communication as per the procedure as may be prescribed by the state.

15. Whether Prosecution Sanction, if required. obtained or not, if yes, particulars thereof:

16. Brief facts of the case (add separate sheet, if necessary)

.....
.....

Charge
(add separate sheet, if necessary)

17. Notice served to complainant if Final Report :

Yes/No Date

18. Dispatched on :

19. No. of enclosures :

20. List Of enclosures : As annexed

Forwarded by Officer-in-Charge

.....
.....

Signature Of the Investigating Officer Name :

(Submitting the Final Report/Charge sheet) Rank:

Name :

Rank :

The 14th April, 2025.

No.HPL 52/2024/Pt.IV/83. - In exercise of the powers conferred under the Bharatiya Nagarik Suraksha Sanhita, 2023 (BNSS), and in compliance with the Section 497, it is hereby directed that the SOP for disposal of properties shall be as follows:-

1. Objective

This SOP outlines the procedure to be followed by police officers and the Magistrate/Court for the **production, custody, and disposal of property** seized, frozen, or attached during the course of investigation, inquiry, or trial, in compliance with **Section 497 of the Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023.**

2. Definition of "Property" under Section 497 BNSS

For the purpose of Section 497, "**property**" includes:

- (a) Property of any kind or document which is produced before the Court or which is in its custody;
- (b) Any property regarding which an offence appears to have been committed or which appears to have been used for the commission of any offence.

Interpretation: The definition is **comprehensive** and includes **movable, immovable, tangible, intangible** assets, documents, vehicles, electronic gadgets, currency, etc.

3. Authorized Production of Property

Stage of Production

- The property may be produced **at any stage**, during investigation, **inquiry, or trial.**

Place of Production

- The property must be produced before:
 - o **A Magistrate empowered** to take cognizance, or
 - o **Any Criminal Court** having jurisdiction over the case.

4. Powers of the Court/Magistrate Upon Production of Property

Upon receipt of the property, the Court or Magistrate may:

- Pass orders for **proper custody** of the property **pending conclusion** of the investigation, inquiry, or trial.
- If the property is:
 - o **Perishable**, or
 - o Otherwise **expedient to dispose**,

The Court may order its sale, disposal, destruction, or return, after recording necessary evidence.

5. Mandatory Actions by Court / Magistrate After Production

The Court/Magistrate **shall**, within stipulated timeframes:

Action	Timeline	Details
1. Prepare Statement	Within 14 days	Prepare a statement of the property , including description, in a form and manner prescribed by the State Government rules.
2. Photograph / Videograph Property	Concurrently with above	- Photographing the property is mandatory. - Videography is optional and subject to necessity and feasibility.
3. Pass Find Order	Within 30 days after the above	Order for disposal, destruction, confiscation, or delivery of property as per Sections 498-505 BNSS.

6. Evidentiary Value

- The statement prepared under Section 497(5) and the photograph or videography shall be treated as evidence in any proceeding under BNSS.
- This provision enables **swift disposal** of property without compromising evidentiary requirements.

7. Roles and Responsibilities**Police Officer**

- Secure and safely transport seized property to the Court/Magistrate.
- Ensure **timely production** with necessary documents.
- Assist the Magistrate in identification, photographing, and securing storage. **Magistrate/Court.**
- Maintain a **record of proceedings.**
- Adhere strictly to the **timelines** of 14 and 30 days.
- Ensure the **integrity of evidence** via photos/videos.
- Pass appropriate orders on disposal with reference to relevant sections.

8. Important Legal References

Section	Provision
497 BNSS	Custody and disposal of property
498-505 BNSS	Detailed procedures for delivery, destruction, confiscation, or restoration of property
State Govt. Rules	Prescribed form and manner for description statements

R. RAPTAP,

Commissioner & Secretary to the Govt. of Meghalaya,
Home (Police) Department.

The 14th April, 2025.

No.HPL 52/2024/Pt.IV/84. - Under section 6, 8, 9, 10 and 11 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (BNSS), the various classes of criminal courts are as follows:

- (i) Courts of Session;
- (ii) Judicial Magistrates of the first class;
- (iii) Judicial Magistrates of the second class; and
- (iv) Executive Magistrates.

R. RAPTAP,

Commissioner & Secretary to the Govt. of Meghalaya,
Home (Police) Department.

The 14th April, 2025.

No.HPL 52/2024/Pt.IV/85. - In exercise of the powers conferred under the Bharatiya Nagarik Suraksha Sanhita, 2023 (BNSS), and in compliance with the procedural mandates laid down in **Section 316**, it is hereby directed that:

1. Recording of Examination

Whenever an accused is examined by a Magistrate or a Court of Session:

- The **entire examination**, including **every question posed and every answer given**, shall be **recorded in full**:
 - o By the **Presiding Judge or Magistrate** personally, or
 - o Where the Judge or Magistrate is unable to do so due to physical or other incapacity, the examination shall be recorded **under his direction and supervision** by an officer appointed for this purpose.

2. Language of Record

- The record of examination shall, if practicable, be prepared in the **language in which the accused is examined**.
- If that is not feasible, the record shall be in the **language of the Court**.

3. Presentation to the Accused

- The recorded statement shall be **read out or shown to the accused**.
- If the accused does **not understand** the language used in the record, it shall be interpreted **to him** in a language he understands.
- The accused shall be given **full liberty** to explain or add to his responses.

4. Authentication of Record

- After verification, the record shall be **signed by the accused** and the **Magistrate or Presiding Judge**.
- The Magistrate or Judge shall **certify under his own hand** that:
 - o The examination was conducted **in his presence and hearing**, and
 - o The record contains a **full and true account** of the accused's statement.

5. Special Provision for Electronic Communication

- Where the accused is in **custody** and the examination is conducted through **electronic communication** (e.g., video conferencing), it is mandated that:
 - o The **signature of the accused** shall be obtained **within seventy-two (72) hours** of such examination.
 - o Proper documentation of the **mode, time, and medium** of communication shall be maintained.

6. Exception

- The provisions of this notification **shall not apply** to examinations conducted in the course of a **summary trial**.

This notification shall come into effect immediately and all concerned officers, judicial authorities, and court personnel are directed to ensure **strict compliance**.

R. RAPHAP,
Commissioner & Secretary to the Govt. of Meghalaya,
Home (Police) Department.

The 14th April, 2025.

No.HPL 52/2024/Pt.IV/86. - In exercise of the powers conferred under the **Bharatiya Nagarik Suraksha Sanhita, 2023 (BNSS)** and the **Criminal Procedure (Identification) Act, 2022**, the following guidelines are hereby issued regarding the collection of specimen samples and measurements for investigative and judicial purposes:

1. Powers under Section 349, BNSS

As per **Section 349 of the BNSS**, a **Magistrate of the First Class** may direct any person, including an accused person, to provide:

- Specimen **signatures**
- **Finger impressions**
- Specimen **handwriting**
- **Voice samples**

Conditions for Invocation:

- The Magistrate must be **satisfied that such direction is expedient** for the purposes of investigation or proceedings under the BNSS.
- **Such direction may be made only if:**
 - o The person has **at some point been arrested** in relation to the case, **or**
 - o In exceptional cases, the Magistrate may, **for reasons recorded in writing**, order such person to provide the specimen **without arrest**.

2. Clarification on Use and Scope

It is clarified that:

- These samples may be obtained even **from persons who are not accused**.
- Magistrates are empowered to issue such directions **even when the person is not under arrest**, provided written reasons are recorded.
- This provision does **not include biological or physical samples** such as DNA, blood, or retina scans, which are governed under separate legislation.

3. Additional Powers under the Criminal Procedure (Identification) Act, 2022.

As per the provisions of the **Criminal Procedure (Identification) Act, 2022**, and the accompanying **Rules, 2022**, police or prison officers may take the following "**measurements**" from certain classes of individuals:

Types of Measurements Include:

- Finger, palm, and footprint impressions
- Photographs
- Iris and retina scans
- Biological and physical samples (e.g., blood, DNA, etc.)

- Handwriting, signatures, voice samples, and other behavioural attributes

Who Can Be Required to Give Measurements:

- Persons **convicted** of an offence.
- Persons ordered to give **security for good behavior or peace** under Sections 107--110 CrPC.
- Persons **arrested or detained** under any law.

Note: In the case of an arrested person, no separate order from a Magistrate is required to collect these measurements unless the exception in the Act applies.

4. Special Note on Biological Samples

As per the **proviso to Section 3** of the Criminal Procedure (Identification) Act, biological samples cannot be taken without consent from:

- Persons **not accused** of offences against women or children, or
- Offences punishable with imprisonment less than seven years

In such cases, a **Magistrate's order under Section 5** of the Act is **mandatory** for lawful collection.

5. Summary of Legal Position

Category of Person	Type of Sample	Is Magistrate's Order Needed?
Arrested accused	Signature, handwriting, voice	Yes (under Section 349 BNSS)
Arrested accused	Biological or physical (DNA, etc.)	No (under Identification Act)
Not arrested/not accused	Any sample	Yes (Magistrate's order mandatory)
Accused, not arrested (under 349 BNSS)	Signature, handwriting, voice	Yes (Magistrate must record reasons)

6. Directions to All Investigating Officers and Magistrates

- Ensure **strict adherence** to statutory procedures while collecting any sample or measurement.
- Any sample collected **without proper legal authorization** may be deemed **inadmissible** and **legally invalid**.
- A **record of reasons** must be maintained in the case file where the Magistrate directs collection **without arrest** under Section 349.

This notification shall be circulated to all police departments, judicial officers, forensic units, and prosecution departments for compliance.

R. RAPTHAP,

Commissioner & Secretary to the Govt. of Meghalaya,
Home (Police) Department.

The 14th April, 2025.

No.HPL 52/2024/Pt.IV/87. - Audio-video electronic means under Section 2 (1) (a) & Section 2 (1) (i) shall include use of any communication device for the purposes of video conferencing, recording of processes of identification, search and seizure or evidence, transmission of electronic communication.

The relevant sections which will include the audio video recording are as follows:

1. Section 105 - Search and seizure
2. Section 176(3) - Mandatory Videography of the Process of Collection of Forensic Evidence
3. Section 251 (2) - Framing of charge
4. Section 254 - Evidence for prosecution
5. Section 265 & 266 - Examination of witness through audio video electronic means
6. Section 308 - Evidence to be taken in the presence of the accused
7. Section 336 - audio-video means for the deposition of a public servant.

R. RAPHAP,

Commissioner & Secretary to the Govt. of Meghalaya,
Home (Police) Department.

The 14th April, 2025.

No.HPL 52/2024/Pt.IV/88. - In exercise of the powers conferred under Section **187 (5) BNSS, 2023** the provisions of the **Bharatiya Nagarik Suraksha Sanhita, 2023**, it is hereby notified for the information of the public and all concerned that:

No person shall be detained otherwise than:

1. in a police station under police custody,
2. in a prison under judicial custody, or
3. in a place declared as a prison by the Central or State Government, in accordance with the law and the provisions laid down under the Constitution of India and other applicable statutes.

Any violation of this directive shall be deemed unlawful and will attract strict legal action.

R. RAPHAP,

Commissioner & Secretary to the Govt. of Meghalaya,
Home (Police) Department.

The 14th April, 2025.

No.HPL 52/2024/Pt.IV/89. - In exercise of the powers conferred under the provisions 218(1) of the **Bharatiya Nagarik Suraksha Sanhita, 2023**, it is hereby notified for the information of the public and all concerned that:

1. The Government shall take a decision within a period of 120 days from the date of receipt of a request for sanction for prosecution or other related matters.
2. If no decision is communicated within the said period of 120 days, the sanction shall be deemed to have been accorded by the Government upon the expiry of the said period.

This directive shall come into force with immediate effect.

R. RAPHAP,

Commissioner & Secretary to the Govt. of Meghalaya,
Home (Police) Department.

The 14th April, 2025.

No.HPL 52/2024/Pt.IV/90. - In pursuance of the provisions of **Section 286 of the Bharatiya Nagarik Suraksha Sanhita, 2023**, it is hereby notified that:

All Magistrates conducting **summary trials** under the said Sanhita shall ensure that a proper and complete record of each case is maintained, containing the following particulars:

1. Serial number of the case,
2. Date of the offence,
3. Name of the complainant (if any),
4. Name, parentage, and residence of the accused,
5. Offence complained of and the offence (if any) proved,
6. Plea of the accused and their examination (if any),
7. Finding of the court,
8. Sentence or other final order, and
9. Date on which proceedings terminated.

These records must be maintained **in a summary form** as prescribed, ensuring transparency, accountability, and adherence to due process.

All Judicial Officers and concerned authorities are directed to **strictly comply** with these provisions with immediate effect.

R. RAPHAP,

Commissioner & Secretary to the Govt. of Meghalaya,
Home (Police) Department.

The 14th April, 2025.

No.HPL 52/2024/Pt.IV/91. - In pursuance of the provisions of **Section 330 of the Bharatiya Nagarik Suraksha Sanhita, 2023**, it is hereby notified for the information of all courts, prosecution agencies, investigating officers, and legal practitioners that:

1. Whenever **any document is filed before a court** by the prosecution or the accused, the particulars of every such document shall be included in a separate list.
2. The **opposite party shall be required to admit or deny the genuineness** of each such document within the time prescribed by the court.
3. In the event of **failure to respond within the prescribed time**, the documents shall be **deemed to have been admitted**, and **no formal proof** of such documents shall be required during the proceedings.
4. Notwithstanding the above, the **court may, at its discretion**, direct formal proof of any document if deemed necessary in the interest of justice.

All departments and legal authorities concerned are directed to comply with the above procedure with immediate effect, in order to ensure the expeditious conduct of trials and reduce procedural delays.

R. RAPHAP,

Commissioner & Secretary to the Govt. of Meghalaya,
Home (Police) Department.

The 14th April, 2025.

No.HPL 52/2024/Pt.IV/92. - The Governor of Meghalaya is pleased to notify the following formats of Form-I, Form-II, Form-III, Form-IV, Form-V, Form-VI and Form-VII, as standard operating procedures, in compliance with the Section 329 (1) of the Bharatiya Nagarik Suraksha Sanhita, 2023 (hereinafter referred to as the "BNSS").

R. RAPHAP,

Commissioner & Secretary to the Govt. of Meghalaya,
Home (Police) Department.

FORM No. I
WORK SHEET
(Under section 329 (4) BNSS)

DIRECTORATE OF FORENSIC SCIENCES,
GOVERNMENT OF MEGHALAYA:

FORM No I

Official Serial No. : _____ Subject : _____
Sectional Serial No: _____ Date : _____

Forwarding Officer's Memo No:
.....
..... Dated

The parcel/parcels per messenger/post
was/were received in this office on
in connection with case No
under section
..... P.S.

MODE IN WHICH PARCEL/PARCELS WAS/WERE FOUND TO BE PACKED ON
RECEIPT

The parcel (s) containingexhibits wrapped
with a.....cover which was/were sealed with impression of a seal
corresponding with the seal impression forwarded.

DESCRIPTION OF THE SEAL:- It contained the seal of
.....
.....
.....

DESCRIPTION OF ARTICLES

Name of Scientific Expert
Signature of Scientific Expert

FORM-II
INTERNAL FORWARDING FORM.
(Under section 329 (4) BNSS)

**DIRECTORATE OF FORENSIC SCIENCES,
GOVERNMENT OF MEGHALAYA:**

Form No. II

From: _____
Directorate of Forensic Sciences
Meghalaya, Shillong

Reference: _____
P.S. _____
Case No: _____
U/S: _____

To: _____
Directorate of Forensic Sciences
Meghalaya, Shillong

DESCRIPTION OF EXHIBITS

NATURE OF EXAMINATION REQUIRED.

Name of Scientific Expert
Signature of Scientific Expert

FROM-III
INTERNAL EXPERT OPINION FORM.
(Under section 329 (4) BNSS)

DIRECTORATE OF FORENSIC SCIENCES,
GOVERNMENT OF MEGHALAYA:

FORM NO. III

From: _____ Ref: _____
Directorate of Forensic Sciences, P.S. Case No: _____
Meghalaya, Shillong. U/S: _____

To: _____ Division Your Ref: _____
Directorate of Forensic Sciences, P.S. Case No: _____
Meghalaya, Shillong.

DESCRIPTION OF EXHIBITS

RESULT OF EXAMINATION

Name of Scientific Expert
Signature of Scientific Expert

**FORM No IV
WORK SHEET (QUESTIONED DOCUMENTS)
(Under section 329 (4) BNSS)**

**DIRECTORATE OF FORENSIC SCIENCES,
GOVERNMENT OF MEGHALAYA:**

FORM No IV

Official Serial No. : _____ Subject : _____
Sectional Serial No: _____ Date : _____

Forwarding Officer's Memo No:
.....
..... Dated

The parcel/parcels per messenger/post
was/were received in this office on
in connection with case No
under section P.S.
.....

MODE IN WHICH PARCEL/PARCELS WAS/WERE FOUND TO BE PACKED ON RECEIPT

The parcel (s) containingexhibits wrapped
with a.....cover which was/were sealed with impression of a seal
corresponding with the seal impression forwarded.

DESCRIPTION OF THE SEAL:- It contained the seal of
.....
.....
....

DESCRIPTION OF QUESTIONED AND STANDARD ITEMS

Name of Scientific Expert
Signature of Scientific Expert

FORM No.V
EXPERT OPINION FORM (QUESTIONED DOCUMENTS)
(Under section 329 (4) BNSS)

DIRECTORATE OF FORENSIC SCIENCES,
GOVERNMENT OF MEGHALAYA:

FORM No.V

Report No.DFS/

Dated Shillong the

To,

Your Memo No _____ Dated _____
 advising the examination of _____ parcel per messenger/which was/were received in the
 office on _____ in connection with case No. _____
 _____ P.S. _____ u/s _____

MODE IN WHICH PARCEL (S) FOUND TO BE PACKED ON RECEIPT AND THE
 DESCRIPTION OF SEAL: - The parcel (s) consisted of _____ wrapped
 with _____ cover which was/were sealed with the impression of a seal corresponding with
 seal impression forwarded.

DESCRIPTION OF QUESTIONED AND STANDARD ITEMS

OPINION

Name of Scientific Expert

Signature of Scientific Expert

**FORM No. VI
EXPERT OPINION FORM
(Under section 329 (4) BNSS)**

**DIRECTORATE OF FORENSIC SCIENCES,
GOVERNMENT OF MEGHALAYA:**

FORM No. VI

Report No.DFS/

Dated Shillong the

To,

Your Memo No _____ Dated _____
advising the examination of _____ parcel per messenger/which was/were received in the
office on _____ in connection with case No.
_____ P.S. _____ u/s _____

MODE IN WHICH PARCEL (S) FOUND TO BE PACKED ON RECEIPT AND THE
DESCRIPTION OF SEAL: - The parcel (s) consisted of _____ wrapped
with _____ cover which was/were sealed with the impression of a seal corresponding with
seal impression forwarded.

DESCRIPTION OF ARTICLES

RESULT OF EXAMINATION

Name of Scientific Expert
Signature of Scientific Expert

FORM-VII
INTIMATION LETTER FORM
 (Under section 329 (4) BNSS)

DIRECTORATE OF FORENSIC SCIENCES,
GOVERNMENT OF MEGHALAYA:

Form No. VII

Letter No: DFS/

Dated Shillong the

From: The Director,
 Directorate of Forensic Sciences
 Meghalaya, Shillong.

To: _____

Sir,
 The examination of _____ P.S. Case No. _____ u/s
 _____ received with your memo No. _____
 dated _____ has been completed.

Please send messenger duly authorized by you to receive the exhibit(s) and the report of the above noted case. For all future correspondences report number and date may please be quoted.

_____ may be
 summoned for evidence if necessary.

Yours faithfully,

Director,
 Directorate of Forensic Sciences,
 Meghalaya, Shillong.

Memo No: DFS/

Dated Shillong the

Copy forwarded to:-

1. The Officer-in-Charge, _____ Police Station for information and necessary action.
2. Case file.
3. Office copy.

Director,
 Directorate of Forensic Sciences,
 Meghalaya, Shillong.

The 14th April, 2025.

No.HPL 52/2024/Pt.IV/93. - In exercise of powers conferred by Section 176 (3) of the Bharatiya Nagarik Suraksha Sanhita, 2023 (BNSS) making it mandatory for forensic experts to visit scene of crime for an offence punishable with seven years or more, the Governor of Meghalaya is pleased to notify the Mobile Forensic Vans as Emergency Service Vehicles in order to facilitate prompt response of the Mobile Forensic Crime Scene Unit of the Directorate of Forensic Sciences, Meghalaya.

R. RAPTHAP,

Commissioner & Secretary to the Govt. of Meghalaya,
Home (Police) Department.

The 15th April, 2025.

No.HPL 52/2024/Pt.IV/94. - The Governor of Meghalaya is pleased to notify the format of Notice to inform regarding Arrest to relative under section 48 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (hereinafter referred to as the "BNSS").

R. RAPTHAP,

Commissioner & Secretary to the Govt. of Meghalaya,
Home (Police) Department.

**OFFICE OF THE OFFICER IN CHARGE OF THE POLICE STATION
NOTICE TO INFORM REGARDING ARREST TO RELATIVE U/S 48 OF B.N.S.S**

Details of the Relative / friend / person Nominated or disclosed by the Arrested person	
Name including Alias	
Father's Name	
Mobile	
Email	
Address	
Aadhar / PAN / Voter ID / Other ID (specify)	
Relationship with the Arrested person	
Signature	
Details of case or the offence	
FIR / GDE Number (Tick whatever applicable)	
Acts and Sections	
Date and time of arrest	
Place where the arrested person is held	
Particulars of the arrested person	
Name including Alias	
Father's name	
Mobile	
Email	
Address	
Aadhar / PAN / Voter ID 1 other ID (specify)	
Signature	

(Signature of the officer making arrest)

The 15th April, 2025.

No.HPL 52/2024/Pt.IV/95. - The Governor of Meghalaya is pleased to notify the format regarding Arrest / Court Surrender under the Bharatiya Nagarik Suraksha Sanhita, 2023.

R. RAPHAP,
Commissioner & Secretary to the Govt. of Meghalaya,
Home (Police) Department.

FORM – IF3 – (Integrated Form)
ARREST/ COURT SURRENDER FORM
(Separate form for each accused)

1. District..... PS Year FIR No/Proceeding No... Date.....
Alphanumeric code of the accused. (Write A1 to A9 for the first 9 persons, B1 for 10th person & so on)
2. Date & Time of arrest/surrender: Date Time GD No
3. Name of the court (if surrendered): .
4. Acts and Sections: ..
5. Arrested and forwarded/ Arrested and released on bail or PR bond/ Arrested but released on anticipatory bail/ Arrested and remanded to police custody/ Surrendered in court and bailed out/ Surrendered in court and sent to judicial custody/ Surrendered in court and remanded to police custody. (tick ' ' applicable portion).
6. Particulars of the arrested person:
 - (i) Name
 - (ii) Father's / Husband's Name
 - (iii) First Alias
 - (iv) Second Alias
 - (v) Other Aliases
 - (vi) Nationality
 - (vii) (a) Passport No..... (b) Date of issue
 - (c) Place of issue.....
 - (viii) Religion (ix) Caste/Tribe.....
 - (x) SC/ST/OBC..... (xi) Occupation
 - (xii) Permanent Address
 - Distt..... P.S.....
 - (xii) Present Address . . . Distt ..
7. Injuries, cause of injuries and physical condition of the arrested person (Indicate if medically examined) :
.....
.....
8. The accused, after being informed of the grounds of arrest and his legal rights, was duly taken into custody on.. . (date) at ... at . . (place). The following article(s) was/were found on physical search, conducted on the person of the accused and was/were taken into possession, for which a receipt was given to the accused.

1.	2.
3.	4.
5.	6.

Necessary wearing apparels were left on the accused person for the sake of human dignity and body protection.

The accused was cautioned to keep himself/ herself covered for purpose of identification.

Intimation given to (relationship)

If no article found, 'NIL' may be indicated. In the blank space provided below

9. Physical features, deformities and other details of the accused:

Sex	Date/Year of Birth	Build	Height (cms.)	Complexion	Identification Marks(s)						
1	2	3	4	5	6						
Deformities/ peculiarities	Teeth	Hair	Eyes	Habit (s)	Dress Habit(s)	Language/ Dialect	PLACE OF				
							Burn mark	Leuco-derma	Mole	Scar	Tattoo
7	8		10	11	12	13	14	15	16	17	18

Other features (19)

10. Whether finger-prints taken or not :

11. Socio-economic profile of the arrested person :

(a) Living Status: Living alone / Living with family / with associate in pucca house / hotel / hostel / katcha house / thatched house / slum / homeless

(b) Educational qualification(s)

(c) Occupation

(d) Income Group:

(i) Lower income (Below Rs. 500/ PM)

(ii) Lower middle income (From Rs. 501 to Rs 1000)

(iii) Middle income (From Rs. 1001 to Rs. 2000)

(iv) Upper Middle income (From Rs. 2001 to Rs. 3000)

(v) Upper income (Above Rs.3000)

12. Whether the accused person, as per observation and known police records:

- (a) Is dangerous: Yes/No
- (b) Previously jumped any bail Yes/No
- (c) Is generally armed Yes/No
- (d) Operates with accomplices Yes/No
- (e) Has past criminal records Yes/No
- (f) Is recidivist Yes/No
- (g) Is likely to escape bail Yes/No
- (h) If released on bail, likely to commit another crime immediately or threaten victims/witnesses. Yes/No
- (i) Is wanted in any other case Yes/No

Signature of Investigating Officer

Name

Rank

Number is any

Date.....

Place

The 17th April, 2025.

No.HPL 52/2024/Pt.IV/99. - In light of the enactment of the Bharatiya Nagarik Suraksha Sanhita, 2023, and in particular Section 530, which permits and promotes the conduct of various criminal proceedings through electronic communication and audio-video electronic means, the following directions are issued for the effective, secure, and standardized implementation of such procedures across the State :

1. Scope of Section 530 BNSS

Section 530 authorizes the use of electronic mode for:

- Service of summons/warrants
- Examination of complainants, witnesses, and accused
- Recording of evidence
- Appellate hearings and other proceedings

2. Platforms and Technology

- All district courts and police units shall utilize government-approved secure video conferencing platforms.
- Proceedings must be conducted in a confidential and tamper-proof digital environment.
- Proceedings shall be recorded and stored.

R. RAPTHAP,

Commissioner & Secretary to the Govt. of Meghalaya,
Home (Police) Department.

The 17th April, 2025.

No.HPL 52/2024/Pt.IV/100. - In exercise of the powers conferred by **Section 179(2)** of the Bharatiya Nagarik Suraksha Sanhita, 2023, the Government of Meghalaya hereby notifies the following guidelines for the **payment of reasonable expenses** to individuals required to attend proceedings under Section 179(1) at locations other than their residence:

1. Eligibility for Reimbursement

Individuals summoned under Section 179(1) to attend proceedings at a place other than their residence are entitled to reimbursement of reasonable expenses incurred, including:

- **Travel expenses:** Actual fare for public transport or mileage allowance as per government rates.
- **Daily allowance:** To cover meals and incidental expenses, as per existing government norms.
- **Accommodation:** If overnight stay is necessary, reimbursement as per entitled class.

2. Procedure for Claiming Expenses

- The summoned individual shall submit a **claim form** detailing expenses incurred, along with supporting documents (e.g., tickets, receipts).
- The **investigating officer** shall verify the claim and forward it to the **concerned authority** for approval.
- Upon approval, the amount shall be disbursed to the claimants subject to availability of funds.

R. RAPTHAP,

Commissioner & Secretary to the Govt. of Meghalaya,
Home (Police) Department.

The 17th April, 2025.

No.HPL 52/2024/Pt.IV/101. - In exercise of the powers conferred by **Section 303** of the Bharatiya Nagarik Suraksha Sanhita, 2023, the Government of [State/UT Name] hereby issues the following guidelines:

1. Identification of Prisoners:

- o The **Inspector General of Prisons** shall, in consultation with the **Director General of Police**, identify individuals or classes of persons whose removal from prison for court attendance may pose a threat to public order or is not in the public interest.

2. Assessment Criteria:

- o The assessment shall consider:
 - The severity and nature of the offence committed.
 - The potential risk to public safety and order.
 - Any intelligence inputs regarding threats posed by the prisoner's movement.

3. Issuance of Exclusion Orders:

- o Upon identification, the **Home Department** shall issue a formal order excluding the specified individual(s) from the operation of Section 302, thereby preventing their removal from prison for court proceedings.

4. Communication to Relevant Authorities:

- o Copies of the exclusion order shall be sent to:
 - The concerned **Judicial Magistrate or Court**.
 - The **Superintendent of the respective prison**.
 - The **Director General of Police**.
 - The **Director of Prosecution**.

5. Alternative Arrangements:

- o Courts may be advised to utilize **video conferencing facilities** to conduct proceedings involving such prisoners, ensuring the judicial process is not hindered.

6. Review Mechanism:

- o The exclusion orders shall be reviewed every **six months** to assess the continued necessity of such restrictions.

R. RAPHAP,

Commissioner & Secretary to the Govt. of Meghalaya,
Home (Police) Department.

The 17th April, 2025.

No.HPL 52/2024/Pt.IV/102. - In supersession to this Department's Notification No.HPL 52/2024/Pt.IV/87, dated 14th April, 2025, the "**Audio-video** electronic means" under Section 2 (1) (a) & Section 2 (1)(i) of the Bharatiya Nagarik Suraksha Sabhita, 2023 shall include use of any communication device for the purposes of video conferencing, recording of processes of identification, search and seizure or evidence, transmission of electronic communication.

The relevant sections which will include the audio video recording under Bharatiya Nagarik Suraksha Sabhita, 2023 are as follows:

1. Section 105 - Search and seizure.
2. Section 176 (3) - Mandatory Videography of the Process of Collection of Forensic Evidence.
3. Section 185 - Search by Police Officer.
4. Section 251 (2) - Framing of charge.
5. Section 254 (2) - Evidence for prosecution.
6. Section 265 (3) & 266 (2) - Examination of witness through audio video electronic means.
7. Section 308 - Evidence to be taken in the presence of the accused.
8. Section 336 - Audio-video electronic means for the deposition of a public servant.

R. RAPHAP,

Commissioner & Secretary to the Govt. of Meghalaya,
Home (Police) Department.

The 17th April, 2025.

No.HPL 52/2024/213. - In view of the provisions contained in the Bharatiya Nagarik Suraksha Sanhita, 2023, and in exercise of powers vested under the said Sanhita, the Government of Meghalaya hereby issues the following directions for the uniform and effective implementation of Sections **265, 266, 308, and 356(8)**:

1. Section 265 - Evidence for Prosecution

- Prosecutors shall ensure timely and complete presentation of prosecution evidence.
- Evidence may be recorded through audio-video electronic means at places designated by the State Government.
- Proper documentation, certification, and digital preservation of such evidence is mandatory as per protocols laid down by the State Forensic Science Laboratory.

2. Section 266 - Evidence for Defence

- Accused persons are entitled to present defence evidence, including the right to submit written statements.
- Courts shall facilitate the issuance of summons to defence witnesses and allow virtual examination where feasible.
- Defence witnesses may appear via audio-video link, and the accused may be directed to deposit reasonable expenses for such witnesses.

3. Section 308 - Evidence to be Taken in Presence of Accused

- All evidence in a trial shall be recorded in the presence of the accused or their legal representative.
- Virtual presence through secure audio-video means is permissible at notified locations.
- In cases involving minor victims of sexual offences, courts must ensure protective mechanisms to avoid direct confrontation with the accused, while preserving the right to cross-examination.

4. Section 356(8) - Extension of In-Absentia Trial Provisions

- The provisions of Section 356, relating to trial in absentia, are hereby extended to persons who have absconded as per Section 84(1) of the BNSS.
- Courts and law enforcement agencies shall take necessary steps to conduct proceedings, including:
 - o Issuance of public notices,
 - o Appointment of defence counsel at State expense,
 - o Adherence to procedural safeguards during trial in the absence of the accused.

5. Designated places for examination of witnesses/accused persons by audio-video electronic means:

- i. **Any Court** situated within the territory of India, whether under the jurisdiction of a State or Union Territory.
- ii. **District Legal Services Authority (DLSA) Offices**, functioning under the National Legal Services Authority Act, 1987.
- iii. **Jails and Prisons**, including Central, District, and Sub-Jails.
- iv. **Hospitals** administered by the Central Government, State Government, or Local Authorities functioning under government control.
- v. **Child Care Institutions** as defined under Section 2(21) of the Juvenile Justice (Care and Protection of Children) Act, 2015.
- vi. **Women's Rescue Homes, Protection Homes, Shelter Homes**, or any institution designated as a women-centric facility.
- vii. **Directorate of Forensic Science** or any other government-recognized forensic facility.
- viii. **Police Stations** and associated facilities under the control of law enforcement agencies, specifically for recording the testimony of police personnel.
- ix. **Institutional Facilities of District Administration**, including the offices of the District Magistrate, District Collector, or any other revenue or executive authority.
- x. **Any Government-run or Government-affiliated Institutional Facility**, whether operated directly by a Government Department, Agency, or Public Sector Organization.
- xi. **Any Other Location** as may be specifically permitted by the Court for recording evidence in a particular proceeding.

R. RAPTHAP,

Commissioner & Secretary to the Govt. of Meghalaya,
Home (Police) Department.

The 17th April, 2025.

Ho.HPL 52/2024/215. - In exercise of the powers conferred by Section 5 of the Bharatiya Nyaya Sanhita, 2023, the Government of Meghalaya hereby notifies the following guidelines for the commutation of sentences:

1. **Authority:** The State Government may, at its discretion, commute the sentences of individuals convicted under the BNS, as per the provisions outlined in Section 5 of Bharatiya Nyaya Sanhita, 2023.
2. **Procedure:** Applications for commutation shall be submitted to the Home Department, accompanied by relevant documents, including the judgment of conviction, conduct reports, and any other pertinent information.
3. **Considerations:** In deciding on commutation, factors such as the nature of the offence, conduct of the convict, duration of imprisonment served, and recommendations from prison authorities shall be taken into account.
4. **Record Maintenance:** A register of all commutation applications and decisions shall be maintained by the Home Department for transparency and accountability.

This notification shall come into force with immediate effect.

R. RAPHAP,

Commissioner & Secretary to the Govt. of Meghalaya,
Home (Police) Department.

The 17th April, 2025.

No.HPL 52/2024/216. - In accordance with Section 112 of the Bharatiya Nyaya Sanhita, 2023, the Government of Meghalaya hereby issues the following directives for the effective enforcement of provisions related to petty organised crimes:

1. **Identification and Monitoring:**
 - o Law enforcement agencies shall identify and monitor organised criminal groups or gangs involved in petty organised crimes as defined under Section 112(1).
 - o Special attention shall be given to mobile organised crime groups that operate across regions.
2. **Investigation and Prosecution:**
 - o Offences under Section 112 are cognizable and non-bailable. Police officers are authorised to register FIRs and initiate investigations without prior approval.
 - o Prosecution shall be pursued diligently, ensuring that evidence is collected to establish the organised nature of the crime.
3. **Procedure**
 - 3.1 **Detection and Identification**
 - 3.1.1 Conduct local mapping of known offenders and groups.
 - 3.1.2 Set up community policing channels to report group-based minor crimes.
 - 3.1.3 Monitor recurring incidents with similar M.O. (modus operandi).
 - 3.2 **Investigation**
 - 3.2.1 Register FIR under Section 112 of BNS against accused person(s) having previously committed crime under section 112 BNS.
 - 3.2.2 Tag multiple related offences for pattern detection.

3.2.3 Use surveillance footage, mobile tracking, informants, and technical evidence.

3.2.4 Document links to any larger network (inter-district or inter-state).

3.3 Prosecution

3.3.1 Collect evidence proving group involvement or repeat offence pattern.

3.3.2 File charge sheet promptly with supporting digital and witness evidence.

3.3.3 Prosecute with appropriate charges to reflect the organised nature of the crimes.

3.4 Prevention and Community Coordination

3.4.1 Conduct public awareness drives, especially in theft-prone areas.

3.4.2 Educate businesses, commuters, and vulnerable populations about common tactics used in such crimes.

4. Monitoring and Review

- i. Monthly Review Meetings at district and state level.
- ii. Maintain a Petty Organised Crime Register at each police station.
- iii. Report quarterly to Home Department for consolidation of action taken and emerging trends.

R. RAPHAP,

Commissioner & Secretary to the Govt. of Meghalaya,
Home (Police) Department.

The 17th April, 2025.

No.HPL 52/2024/217. - In exercise of the powers conferred by sub-section (3) of Section 19 of the Bharatiya Nagarik Suraksha Sanhita, 2023, the Government of Meghalaya hereby notifies the following procedure:

1. Appointment in Absence of APPs:

- o In situations where no Assistant Public Prosecutor (APP) is available for a particular case, the District Magistrate may appoint another qualified person to act as the APP for that case.

2. Notification to State Government:

- o Such an appointment shall be made only after giving a fourteen-day notice to the State Government.

3. Eligibility Criteria:

- o The appointed individual must not be a police officer who:
 - Has participated in the investigation of the offence in question; or
 - Holds a rank below that of Inspector.

4. Documentation:

- o The District Magistrate shall maintain records of such appointments, including the rationale and qualifications of the appointee.

This notification shall come into force with immediate effect.

R. RAPHAP,

Commissioner & Secretary to the Govt. of Meghalaya,
Home (Police) Department.

The 17th April, 2025.

No.HPL 52/2024/218. - In accordance with sub-section (11) of Section 20 of the Bharatiya Nagarik Suraksha Sanhita, 2023, the Government of Meghalaya hereby specifies the following:

1. Director of Prosecution:

o **Additional Powers and Functions:**

- Oversee the implementation of prosecution policies across the state.
- Coordinate with law enforcement agencies to ensure effective prosecution.

2. Joint Directors/Deputy Directors of Prosecution:

o **Assigned Areas:**

- Oversee the implementation of prosecution policies in the districts.

o **Additional Powers and Functions:**

- Supervise the performance of Assistant Directors and APPs within their jurisdiction.
- Conduct periodic reviews of ongoing prosecutions.

3. Assistant Directors of Prosecution:

o **Assigned Areas:**

- Oversee the implementation of prosecution policies in the districts.

o **Additional Powers and Functions:**

- Provide training and guidance to APPs.
- Ensure timely submission of prosecution reports.

This notification shall come into force with immediate effect.

R. RAPHAP,

Commissioner & Secretary to the Govt. of Meghalaya,
Home (Police) Department.

The 17th April, 2025.

No.HPL 52/2024/219. - In exercise of the powers conferred by Section 15 of the Bharatiya Nagarik Suraksha Sanhita, 2023, the Government of Meghalaya hereby appoints the following police officers as Special Executive Magistrates within their respective jurisdictions, for the purposes and duration specified below:

1. Superintendents of Police (SPs):

- o All officers of the rank of Superintendent of Police of Meghalaya, are appointed as Special Executive Magistrates for their respective districts.

2. Deputy Inspectors General of Police (DIGs):

- o All officers of the rank of Dy. Inspectors General of Police of Meghalaya, are appointed as Special Executive Magistrates for their respective ranges.

3. Inspectors General of Police (IGs):

- o All officers of the rank of Inspectors General of Police of Meghalaya, are appointed as Special Executive Magistrates for their respective jurisdictions.

Powers Conferred:

The appointed Special Executive Magistrates shall exercise powers under the following sections of the Bharatiya Nagarik Suraksha Sanhita, 2023:

- **Section 126:** Preventive arrests to maintain public peace and order.
- **Section 127:** Seeking bonds from individuals for good behavior.
- **Section 128:** Action against persons suspected of planning to commit cognizable offenses.
- **Section 129:** Demanding security bonds from habitual offenders.
- **Section 148:** Dispersal of assembly by use of civil force.
- **Section 152:** Conditional order for removal of nuisance.
- **Section 163:** Imposing prohibitory orders to prevent potential disturbances.

R. RAPHAP,

Commissioner & Secretary to the Govt. of Meghalaya,
Home (Police) Department.

The 17th April, 2025.

No.HPL 52/2024/220. - In accordance with Section 103 (2) of the Bharatiya Nyaya Sanhita, 2023, the Government of Meghalaya hereby issues the following directives for the effective enforcement of provisions related to petty organised crimes:

1. Legal Provision:

Section 103(2): When a group of five or more persons acting in concert commits murder on the ground of race, caste or community, sex, place of birth, language, personal belief, or any other similar ground, each member of such group shall be punished with death or imprisonment for life, and shall also be liable to fine.

2. Procedure for Investigation

1. Immediate Response:

- o Upon receiving information about a suspected murder, the concerned police station shall register a First Information Report (FIR) under Section 101/103 of the BNS, 2023.

2. Scene of Crime:

- o Secure the crime scene to prevent contamination.
- o Document the scene through photographs and sketches.
- o Collect physical evidence, including weapons, blood samples, and any other relevant items.

3. Autopsy:

- o Ensure that a post-mortem examination is conducted by a qualified medical officer.
- o Obtain the autopsy report detailing the cause of death.

4. Witnesses:

- o Identify and record statements from witnesses.
- o Ensure that statements are taken in accordance with legal provisions.

5. Suspects:

- o Identify potential suspects based on evidence and witness statements.
- o Conduct interrogations in compliance with legal safeguards.

6. Forensic Analysis:

- o Submit collected evidence to forensic laboratories for analysis.
- o Incorporate forensic findings into the investigation report.

3. Prosecution

1. Charge Sheet:

- o Prepare a comprehensive charge sheet incorporating all evidence, witness statements, and forensic reports.

- o File the charge sheet within the stipulated time frame as per the Bharatiya Nagarik Suraksha Sanhita, 2023.

2. Court Proceedings:

- o Ensure that the case is presented before a Sessions Court, as murder cases are triable in such courts.
- o Present all evidence and witness testimonies effectively.

3. Legal Representation:

- o Provide legal assistance to the accused, ensuring a fair trial.
- o Ensure that the prosecution adheres to ethical standards and legal obligations.

4. Sentencing:

- o Upon conviction, ensure that the sentencing aligns with the provisions of Section 103 of the Bharatiya Nyaya Sanhita, 2023.

5. Monitoring and Review

- Review the progress of murder cases under Section 103 on a monthly basis.
- Conduct periodic audits to ensure adherence to this SOP.
- Implement corrective measures in case of deviations from established procedures.

R. RAPHAP,

Commissioner & Secretary to the Govt. of Meghalaya,
Home (Police) Department.

The 5th March, 2025.

No.HPL 60/2025/62. - In pursuance of the directives of the Hon'ble Supreme Court of India dated 9th of December, 2024, in **Criminal Appeal Nos. 2831 and 2832 of 2023 (State of Maharashtra & Ors. vs. Pradeep Yashwant Kokade & Anr.)**, the following directives are hereby issued for immediate implementation by the Home (Police) Department, Government of Meghalaya:

1. Constitution of Dedicated Mercy Petition Cell (MPC):

- (i) A Dedicated Mercy Petition Cell (MPC) is hereby established under the Home (Police) Department, Government of Meghalaya, with immediate effect.
- (ii) **Officer-in-Charge (OIC):** Smti. D. D. Syngai, MCS, Deputy Secretary to the Govt. of Meghalaya, Home (Police) Department, is designated as the nodal officer and Officer-in-Charge. Their responsibilities include:-
 - a. Prompt processing of mercy petitions under Articles 72/161 of the Constitution.
 - b. Coordination with prisons, police stations, and constitutional authorities.

- (iii) **Legal Member:** Smti. L. A. Lyndem, Deputy Secretary to the Govt. of Meghalaya, Law Department, is designated as the member attached to the Mercy Petition Cell (MPC) for legal vetting and counsel.

2. Communication Protocol :

- (i) All District Prisons & Correctional Home in Meghalaya (Shillong, Tura, Jowai, Nongpoh and Williamnagar) shall be notified of the contact details of the Officer-In-Charge which is stated below :
- > Address: Room No. 506, Additional Secretariat Building (Top - Floor), Shillong.
 - > Email: dd.syngai@meghalaya.gov.in
- (ii) Correspondence shall be via email unless confidentiality necessitates physical communication.

3. Procedure for Handling Mercy Petitions (As per Para 43(ii)(D)-(H) of the Judgment):

- (i) On receipt of a mercy petition, the Superintendent of the District Prisons & Correctional Home shall:
- > Forward copies to the Dedicated Cell within 24 hours.
 - > Request the following from the concerned Police Station:
 - a. Criminal antecedents of the convict.
 - b. Information about family members of the convict;
 - c. Economic condition of the convict and his/her family;
 - d. The Date of arrest of the Convict and the period of incarceration as an undertrial; and,
 - e. The date of filing of Charge-sheet and a copy of the Committal Order, if any.
- (ii) **Police Station Obligation:** The Officer-in-Charge of the Police Station shall furnish the above details immediately to the jail authorities.
- (iv) On receipt of the said information, without any delay, the jail authorities shall forward the following documents to the officer-in-charge of the dedicated cell and the Secretary of Home (Police) Department of the State Government:
- a. Information furnished as aforesaid by the concerned Police Station with its English translation (if in Khasi/Garo);
 - b. Copy of the First Information Report with its English translation;
 - c. Details, such as date of arrest of the convict, date of filing of chargesheet and actual period of incarceration undergone by the convict;
 - d. A copy of the committal order, if any, passed by the learned Judicial Magistrate;
 - e. A copy of charge-sheet with its English translation;
 - f. Report about the conduct of the convict in prison;
 - g. Copies of the notes of evidence, all exhibited documents in the trial and copies of statements of convicts under Section 313 of the CrPC with its English translation;

- h. Copies of the judgments of the Sessions Court (with its English translation, if it is in vernacular language), High Court and the Supreme Court.
- v. Immediately upon receipt by the Mercy Petition Cell (MPC), copies of the mercy petition along with the complete dossier of supporting documents shall be forwarded to the appropriate Secretariat, namely:
 - (a) The Secretariat of the Hon'ble Governor of the State for matters invoking Article 161; or
 - (b) The Secretariat of the Hon'ble President of India for matters invoking Article 72.

All correspondence related to the transmission of these documents shall be conducted primarily via email, except where confidentiality is warranted.

- (vi) All concerned personnel and Departments are to ensure strict compliance to these directives as *mandated* by the Hon'ble Supreme Court of India.

This notification shall come into force with immediate effect.

C. V. D. DIENGDOH,

Commissioner & Secretary to the Govt. of Meghalaya,
Home (Police) Department.

The 25th April, 2025.

No.HPL. 52/2024/Pt.IV/107. - In accordance with Section 111 and 304 of the Bharatiya Nyaya Sanhita, 2023, the Government of Meghalaya hereby issues the following directives for the effective enforcement of provisions related to organised crimes:

1. Legal References.

- i. **Section 111 - Organised Crime:** Defines criminal acts committed by syndicates, including:
 - a) Contract killings, extortion, drug/human trafficking, land grabbing, cybercrime, kidnapping.
 - d) **Punishment:** Min. 5 years to life imprisonment or death (depending on consequence).
- ii. **Section 304-Snatching:** Defines snatching as the sudden taking of movable property from a person's body,
 - a) **Punishment:** Upto 3 years; **upto 7 years** with injury.

2. Initial Response.

- i. General Diary Entry
- ii. Register **FIR** immediately upon receiving complaint or credible input,
- iii. For **Section 304 cases**, verify if it is:
 - a. A **standalone snatching**,
 - b. A **series of snatching** or
 - c. Possibly linked to an **organized network**.
- iv. For **Section 111** :
 - a. Report immediately to senior officers.
 - b. Add related sections as needed (NDPS, Arms Act, IT Act, etc.).

3. Crime Scene Management

- i. Secure the scene,
- ii. Crime scene documentation and video recording.

4. Victim Support

- i. Record statement of victims
- ii. Arrange **medical examination** if injuries are present,
- iii. Provide psychological support if victim is vulnerable (elderly, minors, women).

5. Evidence Collection

- i. For **snatching**:
 - a. Recover phones, bags, chains via tracking or seizures.
- ii. For **organised crime**:
 - a. Forensic analysis of digital devices.
 - b. Financial transactions
 - c. Link snatching cases if multiple FIRs show same modus operandi.

6. Arrests & Custody

- Arrest suspects promptly.
- For organised syndicates, prioritize **leaders** and **repeat offenders**.
- Seek **custodial remand** where necessary.
- Record **Section 164 statements** before magistrate.

7. Witness Protection

- If witnesses are at risk:
 - o Apply for protection under state/national witness protection scheme.
 - o Use audio-visual recording during evidence collection.

8. Documentation

- i. Prepare and maintain:
 - a. FIR copies, seizure memos, medical reports etc.,
 - b. Victim/witness statements,
 - c. Scene documentation.
 - d. Maintain **chain of custody** for all evidence.

9. Monitoring & Review

- i. Gazetted Officers to conduct reviews for syndicate-level investigations.
- ii. Maintain progress charts and timelines.

R. RAPHAP,

Commissioner & Secretary to the Govt. of Meghalaya,
Home (Police) Department.

The 25th April, 2025.

No.HPL. 52/2024/Pt.IV/109. - In accordance with Section 113 of the Bharatiya Nyaya Sanhita, 2023, the Government of Meghalaya hereby issues the following directives for the effective enforcement of provisions related to Terrorist act:

1. Legal Background

- i. Section 113 of BNS provides a detailed and broad definition of a **terrorist act**, including threats to national integrity, use of explosives, abduction, damage to key infrastructure, etc.
- ii. Simultaneously, the **UAPA Act** also covers terrorist offences with special procedural and investigative powers.
- iii. **Crucially**, it is mandated that the **Officer-in-Charge (OC) must obtain permission from the Superintendent of Police (SP)** before registering a case **either under Section 113 BNS or UAPA.**

2. Initial Receipt of Information

- i. On receipt of any complaint, input, or intelligence report that indicates a suspected terrorist act:
 - a. Immediately record in the General Diary.
 - b. Alert the senior officers and relevant specialised units (ATS, Intelligence, etc.).
 - c. Secure the location (if applicable) and ensure the safety of the public.

3. Preliminary Assessment

- The **OC shall assess:**
 - o Nature of the act: Explosives, weapons, cyber tools, kidnapping, targeted killing, etc.
 - o Motivation: Whether aimed at **terror**, disturbing **sovereignty, public functionaries, or economic security.**
 - o Likely applicable law: BNS Section 113 vs. UAPA.

4. Mandatory Approval from Superintendent of Police (SP)

- i. The **OC shall prepare a brief report** summarising:
 - a. Facts and evidence
 - b. Suspected motivation
 - c. Preliminary legal opinion (Section 113 BNS vs. UAPA)
- ii. The report shall be **submitted to the SP.**
- iii. **No FIR shall be registered before receiving a decision from the SP.**

5. Decision by Superintendent of Police

- i. The **SP shall examine:**
 - a. The seriousness, scope, and national implications.
 - b. Whether specialised UAPA provisions are warranted.

- c. Past records of the accused/organisation.
 - ii. The SP shall then decide:
 - a. Register **under Section 113 BNS**, or
 - b. **Register under UAPA**, or
 - iii. The **SP's written approval/order** must be attached to the FIR file.
- 6. FIR Registration**
 - i. General Diary Entry of the written approval/order.
 - ii. Register the FIR in the appropriate section(s), based on SP's order.
 - iii. Ensure entry in Crime and Criminal Tracking Network and Systems (CCTNS).
- 7. Investigation Protocol**
 - i. Appoint an **Investigating Officer (IO)** not below the rank of Sub-Inspector.
 - ii. Follow due process for.
 - a. Evidence collection (forensic, digital, electronic devices).
 - b. Arrests and remands.
 - c. Recording statements and crime scene video recording.
 - d. Asset tracking and freezing (in case of financial terrorism).
- 8. Special Measures**
 - i. Provide **witness protection** if there is risk to victims/witnesses.
 - ii. Coordinate with **intelligence and counter-terrorism agencies** for information sharing and deeper analysis.
- 9. Documentation & Reporting**
 - i. Maintain a **case diary** updated daily.
 - ii. SP to conduct periodic reviews (every 15 days or earlier if required).
 - iii. Forward a monthly summary report to Police Headquarters and ATS.

R. RAPHAP,
Commissioner & Secretary to the Govt. of Meghalaya,
Home (Police) Department.

The 2nd May, 2025.

No.CDH.13/2008/71. - In exercise of the powers conferred by the *proviso* of the Article 309 of the Constitution of India, the Governor of Meghalaya is pleased to make the following rules further to amend the Meghalaya Civil Defence & Home Guards Service Rules, 1989, namely:-

1. **Short title and Commencement:-** (1) These Rules may be called the Meghalaya Civil Defence & Home Guards Service (Amendment) Rules, 2025.

(2) It shall come into force from the date of notification in the Official Gazette.

2. **Amendment of Rule 7:** (1) In Rule 7 of the Principal Rules, the following rule shall be inserted, namely:-

"(1). For the purpose of promotion to the post of Director of Civil Defence, the same shall be made by promotion from amongst the members of service holding the rank of Joint Director of Civil Defence or Joint Commandant General of Home Guards and who has served in this corresponding rank for a period of not less than 3 (three) years."

(2) In Rule 7 of the Principle Rules, the sub rule (1) and (2) shall be numbered as sub rule (2) and (3) respectively.

3. **Amendment of the Schedule-I:-** In the Schedule-I to the Principal Rules, before the 1st row, the following row shall be inserted:

1	Director of Civil Defence	Level - 21	1	-	1
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Consequently, the serial numbers to be renumbered.

4. **Amendment of the Schedule-II:-** In the Schedule-II to the Principal Rules, before the 1st row, the following row shall be inserted:

1	Director of Civil Defence	Promotion				By promotion from Joint Director of Civil Defence or Joint Commandant General of Home Guards	Served as Joint Director of Civil Defence or Joint Commandant General of Home Guards for not less than 3 (three) years	
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Consequently, the serial numbers to be renumbered.

Commissioner & Secretary to the Government of Meghalaya,
Civil Defence & Home Guards Department.