

Section of BNSS

20(11)

No.1851162-2024-B-1-II.-

In exercise of the powers conferred by sub-section (11) of section 20 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (46 of 2023), the State Government, hereby, notifies the rights and responsibilities of the Director of Prosecution, Deputy Directors of Prosecution and Assistant Directors of Prosecution as follows, namely:-

1. Functions of the Director of Public Prosecution.-

- ____(a) Director of Public Prosecution, Madhya Pradesh shall be primarily responsible for ensuring responsible prosecution before all the criminal courts in criminal cases instituted on behalf of all the departments of the Government of Madhya Pradesh.
- (b) It shall be the responsibility of the Director of Public Prosecution to ensure the presence of the Public Prosecutor / Additional Public Prosecutor / Special Public Prosecutor / Assistant Public Prosecutor before every criminal court of the State.
- (c) The Director of Public Prosecution shall periodically review and evaluate the work of the Public Prosecutor/Additional Public Prosecutor/Special Public Prosecutor/Assistant Public Prosecutor appearing before all the subordinate criminal courts of the State and shall send a periodic report regarding the efficiency of the prosecutors to the Government.
- (d) The Director of Public Prosecution shall be responsible for ensuring the progress and speedy trial of criminal cases pending before all the criminal courts of the state.
- (e) He shall receive the proposal of criminal appeal etc. to be presented before the Hon'ble High Court through the District Magistrate and shall forward it to the Government along with recommendations after examination.

- (f) He shall ensure that the criminal appeals and revision petitions presented by the Government are presented before the court within the prescribed time period and shall ensure the advocacy on behalf of Government in such appeal and revision proceedings before the court.
- (g) He shall be responsible for improving the efficiency of the prosecutors appearing on behalf of the State and maintaining the quality of prosecution work.

2. For efficient discharge of the above functions, the Director of Public Prosecution shall have the following powers, namely:-

- (a) Director of Public Prosecution on behalf of the State, before the Hon'ble High Court shall be able to call necessary reports and information regarding work done by the Public Prosecutors/Additional Public Prosecutors appointed under sub-section (1) of section 18 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (46 of 2023) and the Special Public Prosecutors (except the Advocate General/Additional Advocate General) appointed under sub-section (8) of section 18 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (46 of 2023).
- (b) The Director of Public Prosecution may control and supervise the prosecution work of the Public Prosecutor/Additional Public Prosecutor/Special Public Prosecutor/Assistant Public Prosecutor who conducts prosecution before all criminal courts of the State.
- (c) He shall be able to call periodic reports and such information through the Deputy Director of Prosecution regarding the work of the Public Prosecutors, Additional Public Prosecutors, Special Public Prosecutors conducting the prosecution before the Sessions Courts/ Magistrate Courts which is necessary to maintain the quality of the prosecution proceedings.

- (d) He shall be able to call reports of daily work from all the prosecutors through digital software which shall also includes Interoperable Criminal Justice System software.
- (e) He shall be able to issue necessary guidelines to ensure the presence of prosecutors before the criminal courts.
- (f) He shall evaluate the work of the prosecutors and send reports with recommendations to the Government, from time to time regarding their efficiency and quality.
- (g) He shall be able to evaluate the workload of the prosecutors and submit a report to the State Government for the development of organizational and internal resources for smooth functioning.
- (h) He shall be able to appoint any of his subordinate officers with the prior permission of the Government to coordinate with the Advocate General/ Additional Advocate General in the Office of Advocate General in serious criminal cases pending before the Hon'ble Supreme Court and Hon'ble High Court.
- (i) The Director shall expect necessary cooperation and coordination from other departments like Police, Excise Department, Forest Department, Weights and Measures Department, Forensic Science Laboratory etc. for smooth conduction of the proceedings under the Public Prosecution Authority.
- (j) In the capacity of the Head of the Department, he shall be able to exercise all the administrative and financial powers provided to the Head of the Department by the State Government.
- (k) He shall also exercise such other powers as may be provided by the Government, from time to time through general or special orders.
- (l) He may delegate the above powers or any of them to any officer sub ordinate to him.

3. Responsibilities and powers of the Deputy Director of Prosecution posted in the District Directorate.-

- (a) The Deputy Director of Public Prosecution, Madhya Pradesh shall be primarily responsible for ensuring responsible prosecution in all the criminal cases of the District Criminal Courts instituted on behalf of all the departments of the Government.
- (b) It shall be the responsibility of the Deputy Director to ensure the presence of the Public Prosecutor/Additional Public Prosecutor/ Special Public Prosecutor/ Assistant Public Prosecutor before the District Criminal Court.
- (c) The Deputy Director of Public Prosecution shall periodically review the work of the Public Prosecutor/Additional Public Prosecutor/ Special Public Prosecutor/ Assistant Public Prosecutor and evaluate the work of the Public Prosecutor appearing before all the sub-ordinate Criminal Courts of the District and shall send a periodic report regarding the efficiency of the Prosecutor to the Director of Public Prosecution.
- (d) The Deputy Director of Public Prosecution shall be responsible for ensuring the progress and speedy trial of criminal cases pending before all the Criminal Courts of the District.
- (e) He shall ensure that the criminal appeals and revision petitions presented by the Government are presented before the court within the prescribed time period and ensure advocacy in such appeal and revision proceedings before the court.
- (f) He shall be responsible for improving the efficiency of the prosecutors appearing on behalf of the State and maintaining the quality of prosecution work.

(g) He shall perform all such other responsibilities which may be assigned by the State Government or the Director of Public Prosecution or the District Magistrate through general or special order.

4. Rights and responsibilities of the Assistant Director of Prosecution posted in the District Directorate.-

(a) The Assistant Director of Prosecution shall firstly be responsible for ensuring responsible prosecution in criminal cases instituted by all the departments of the Government before the Magistrate Courts of the District.

(b) He shall ensure timely execution of all proceedings required under the Code in cases of offences punishable with imprisonment up to seven years which are triable by the Magistrate Court.

(c) The Assistant Director of Public Prosecution shall be sub-ordinate to the Deputy Director of Prosecution under the general control of the Director of Public Prosecution and shall discharge all such responsibilities, as may be assigned to him by general or special order by the State Government or the Director of Public Prosecution or the Deputy Director of Prosecution.

5. This notification shall come into force from the date of enactment of Bharatiya Nagarik Suraksha Sanhita, 2023 (46 of 2023).

No.1851162-2024-B-1-II.-

In exercise of the powers conferred by section 64 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (46 of 2023), the Government of Madhya Pradesh, hereby, prescribes to maintain a register (whether in physical or electronic format) at every police station, wherein following entries shall be made in respect of persons, who are summoned at the police station, namely:-

- (1) Full name and address of the person summoned:
- (2) Father/Husband's name of the person summoned;
- (3) Present address of the person summoned and also permanent address, if any:
- (4) Mobile number and WhatsApp number of the person summoned:
- (5) E-mail address of the person summoned:
- (6) Name of the district:
- (7) Name of the police station:
- (8) Criminal Case Number:
- (9) Provisions of Law:
- (10) Name of the Court of Law:
- (11) Court Case Number:

2. This notification shall come into force from the date of enactment of the Bharatiya Nagarik Suraksha Sanhita, 2023 (46 of 2023).

No.1851162-2024-B-1-II.-

In exercise of the powers conferred by section 37 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (46 of 2023), the Government of Madhya Pradesh, hereby, notifies the following, namely:-

- (1) The Police Control Room situated at every District Headquarters of the State is hereby declared as the Police Control Room for carrying out the purpose of section 37.
- (2) The Police Control Room situated at Police Headquarters, Bhopal is also hereby declared as Police Control Room for the purpose of section 37.
- (3) —The Superintendent of Police shall designate a police officer not below the rank of Assistant Sub Inspector for the Police Control Room, situated at every District Headquarters.
- (4) For the purpose of section 37, the Superintendent of Police shall designate a police officer not below the rank of Assistant Sub-Inspector, for every Police Station under his jurisdiction.
- (5) The police officer of a police station, so designated by the Superintendent of Police under the provisions of section 37 shall be responsible for maintaining the information about the names and addresses of the persons arrested, nature of the offence with which he is charged and shall also be responsible for displaying this information in any manner including in digital mode at the police station.
- (6) The designated police officer of a police station shall provide names and addresses of the persons arrested everyday and gives detail of the cases under which they are arrested, to the Police Control Room situated at District Headquarters.
- (7) The designated police officer of the Police Control Room of District Headquarters shall be responsible for maintaining the information about the names and addresses of the persons arrested in the District, nature of the offence with which charged and shall also be responsible for displaying this information in any manner including in digital mode.

2. This notification shall come into force from the date of enactment of the Bharatiya Nagarik Suraksha Sanhita, 2023 (46 of 2023).

क्र.-1851162-2024-बी-1-दो.-

मध्यप्रदेश सरकार, राज्य शासन, भारतीय नागरिक सुरक्षा संहिता, 2023 (क्र. 46 सन् 2023) की धारा 265 (3) के द्वितीय परंतुक के अंतर्गत प्रदत्त शक्तियों का प्रयोग करते हुए, मध्यप्रदेश सरकार, मध्यप्रदेश उच्च न्यायालय द्वारा जिला एवं तहसील स्तर पर श्रव्य दृश्य इलेक्ट्रानिक साधनों से साक्षी की परीक्षा के लिए समय-समय पर स्थापित वीडियो कॉन्फ्रेंसिंग (वीसी) रूप को, एतद्वारा साक्षी की परीक्षा के लिए, अभिहित स्थान के रूप में, अधिसूचित करती है।

2. यह अधिसूचना भारतीय नागरिक सुरक्षा संहिता, 2023 (46 सन् 2023) के प्रवर्तन के दिनांक से लागू होगी।

No.1851162-2024-B-1-II.-

In exercise of the powers conferred by second proviso of sub-section (3) of section 265 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (46 of 2023), the Government of Madhya Pradesh, hereby, notifies the Video-Conferencing (VC) Rooms, established from time to time, by the Madhya Pradesh High Court at District and Tehsil levels, for recording of statements of witnesses through audio-video means of communications, as designated place for examination of witnesses.

2. This notification shall come into force from the date of enactment of the Bharatiya Nagarik Suraksha Sanhita, 2023 (46 of 2023).

मध्यप्रदेश के राज्यपाल के नाम से तथा आदेशानुसार,
गौरव राजपूत, सचिव.