

Section of BNSS

303

**GOVERNMENT OF MEGHALAYA
HOME (POLICE) DEPARTMENT**

**ORDER BY THE GOVERNOR
NOTIFICATION**

Dated Shillong, 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:

- 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:

- 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:

- 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:

- 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:

- 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:

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

Sd/-

(R.Rapthap, IAS)

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

Memo No.HPL 52/2024/Pt.IV/101 -A

Dated Shillong, the 17th April, 2025

Copy to:

1. The Principal Secretary to the Governor of Meghalaya, Shillong.
2. The Private Secretary to the Chief Minister, Meghalaya, Shillong for information of the Hon'ble Chief Minister.

3. The Private Secretary to the Deputy Chief Minister I/C Home (Police) for kind information of the Hon'ble Minister.
4. The Private Secretary to Chief Secretary, Meghalaya, Shillong for information of the Chief Secretary.
5. The Private Secretary to Addl Chief Secretary, Meghalaya, Shillong, i/c Home (Police) Department.
6. The Director General of Police, Meghalaya, Shillong.
7. All Principal Secretary / Commissioner and Secretary / Secretary to the Government of Meghalaya for kind information.
8. The Director Inspector General of Police (ER), Meghalaya, Shillong.
9. Shri. Davis N.R. Marak, IPS, Deputy Inspector General of Police (ER), Meghalaya, Shillong
10. The Inspector General of Prisons & Correctional Services, Meghalaya, Shillong.
11. The Director, Directorate of Forensic Sciences, Meghalaya, Shillong.
12. The Director of Prosecution, Meghalaya, Shillong.
13. The Asstt. Inspector General of Police(L&O), Meghalaya, Shillong.
14. The Under Secretary to the Govt. Law (B) Department for information.
15. All Deputy Commissioners / Superintendents of Police for information and necessary action.
16. The Director, Printing & Stationery for publication the Meghalaya Gazette.

By order etc.,


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