

No.F.55(8)-PD/2024/1177
GOVERNMENT OF TRIPURA
HOME DEPARTMENT



Agartala, Dated 10th April, 2025

NOTIFICATION

In exercise of the powers conferred by sub-section (1) of section 64 read with clause(i) of section 530 and other enabling provisions of the Bharatiya Nagarik Suraksha Sanhita, 2023 (Act No.46 of 2023), in its application to the State of Tripura, the Government of Tripura, hereby, makes the following rules, namely: -

RULES

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State portal

1. Short title and commencement-

- 1) These rules may be called the Tripura Electronic Processes (Issuance, Service and Execution) Rules, 2025.
- 2) They shall come into force from the date of their publication in the Tripura Gazette,

2. Definitions-

(1) In these rules, unless the context otherwise requires-

- a) "CCTNS" means Crime and Criminal Tracking Network and Systems, a system software used by the Police for the collection of data and execution of instructions;
- b) "CIS" means and stands for "Case Information System", an application software developed under the initiative and guidance of the e-committee of the Supreme Court of India through the National Informatics Centre (NIC), Pune, and put to use in the District Courts and the High Courts for the collection and management of case related data transparency and litigant friendliness, allowing stakeholders to access case information online;
- c) "Disclosed Electronic Mail Address" means the e-mail account of a person or organization that is used by the person or organization to send and receive messages over Internet, and is shown to be admitted, or provided by such person or organization either personally or on a website or portal;

- d) "Electronic Communication" as defined in Section 2(1)(i) of the Sanhita;
 - e) "eSign" means authentication of any electronic record by a subscriber or court, by means of the electronic technique specified in the Second Schedule of the Information Technology Act, 2000 (Act No. 21 of 2000) and includes digital signature. Also, when a process or report generated in electronic form is authenticated by means of electronic signature, it shall be deemed to be authenticated by signature of the person who affixed the electronic signature;
 - f) "High Court" means the High Court of Tripura;
 - g) "Process" includes summons, warrant or any other forms set forth in the Second Schedule of the Sanhita, with such variations as the circumstances of each case may require, issued for the respective purposes as mentioned in the Sanhita;
 - h) "Rules and Orders" means the High Court of Tripura Criminal Rules & Orders 2021 & shall also include The Gauhati High Court Criminal Rules and Orders as adopted by the High Court of Tripura;
 - i) "Sanhita" means the Bharatiya Nagarik Suraksha Sanhita, 2023 (Act No. 46 of 2023);
 - j) "Seal" means image of the seal of the Court;
 - k) "State" means the State of Tripura;
 - l) "Summons" means any summons issued by the Courts under the Sanhita;
 - m) "Warrant" means a warrant issued by the Courts under the Sanhita and includes bailable warrant and non-bailable warrant.
- 2) Words and expressions used but not defined in these rules shall have the same meaning as assigned to them in the Bharatiya Nagarik Suraksha Sanhita, 2023 (Act No. 46 of 2023); the Bharatiya Nyaya Sanhita, 2023 (Act No. 45 of 2023); the Bharatiya Sakshya Adhiniyam, 2023 (Act No. 47 of 2023) and the Information Technology Act, 2000 (Act No. 21 of 2000).
- 3) The Court may generate and issue process in electronic mode as to be prescribed by the High Court or through CIS when so

moduled, in such forms as set forth in the Second Schedule of the Sanhita, with such variations as the circumstances of each case may require and the same may be directed to be served by a Police Officer or other public servant.

- 4) When the Court does not possess required electronic address/contact details of the person to whom such process is intended to be served or when the process issued as per rule 3 is not served, it shall direct the same to be served by a police officer or other public servant by causing personal service.
- 5) Every process issued in form of electronic communication under the Sanhita must ordinarily be written in the language of the court and shall be in an encrypted form of electronic communication and shall bear the image of the seal of the Court and eSign.
- 6) Every process issued electronically shall contain eSign in such a manner that the name of the Court and the capacity in which the signatory or subscriber acts, should be clearly mentioned. The summons generated in electronic form shall bear image of the seal of the court and eSign of the appropriate officer of the Court or the Reader or any person authorized in writing in this regard as the case may be. Every warrant of arrest in electronic form shall be issued by eSign of the Presiding Officer of the Court and shall also bear the seal of the Court.
- 7) Where the processes generated in electronic form are received on CCTNS through a secured system, in an encrypted or any other form of electronic communication, it shall be presumed to be issued by the Court. Further, any printout of such process shall have the same effect as issued in original for the purpose of its execution.
- 8) The Officer-in-charge of the Police Station shall ensure that the verified details relating to address, disclosed electronic mail address, phone number and messaging application used by the accused or witnesses, as the case may be, are recorded during arrest, investigation or inquiry and entered in CCTNS. Such details shall also be entered in the Register maintained at the Police Station in compliance with sub-section (1) of section 64 of the Sanhita. If any of such details is not available, the Officer-in-charge of the Police Station shall make an endorsement to that effect in the Register:

Provided that any such details may be amended on the basis of further verification or on the basis of an application by such person.

- 9) Where a case is filed on the basis of a private complaint, the complainant shall provide the details relating to address, disclosed electronic mail address, phone number and messaging application of the accused and witnesses along with the complaint. If any of such information is not available, the complainant shall make an endorsement to that effect.
- 10) The details relating to address, disclosed electronic mail address, phone number and messaging application shall be transmitted in electronic form when charge sheet is submitted electronically and the same shall be maintained in CIS when so moduled which may be used for issuance of process. Such digital information shall form part of the register in the form prescribed in the "**Annexure - A**" appended to these rules.
- 11) The details relating to recognized electronic mail address, phone number and messaging application of the informant, victim and witnesses shall not be provided to the accused while supplying copies under section 230 and 231 of the Sanhita. The Officer In-Charge of the Police Station shall ensure that such details do not form part of the copies prepared under Sub-section (3) and (8) of section 193 of the Sanhita.
- 12) The Officer -in-charge of the Police Station or any Sub-ordinate Officer deputed by him upon receipt of summons issued in pursuance of rule 4 may forward the summons on the disclosed electronic mail address, phone number or messaging application of the person summoned.
- 13) (1) Where summons are served by way of electronic mail, service shall be deemed to have been made if the system generates acknowledgement of the delivery of process.

2) When any summon is sent to a person or organization on disclosed electronic mail address, unless the delivery of the electronic mail is "disrupted" or "bounced back" for any reasons whatsoever, the delivery shall be deemed to

be effected; and unless the contrary is proved, be deemed to have been effected at the time at which the electronic mail would be delivered.

14. (1) Where summons/processes are served by way of electronic communication including messaging application, the acknowledgment shall form part of the report of the service and the report shall contain details including mobile number, e-mail address, messaging application and screenshot/photo of the application reflecting delivery of the summons/processes.

(2) Such delivery may be deemed to be due service of summons/process and a copy of such summons/process along with report of service shall be kept in record as a proof of service of summons/process.

Explanation- Acknowledgement under this rule or under rule 13 includes an acknowledgement given by-

- a) any communication by the addressee, automated or otherwise; or
- b) any conduct of the addressee, sufficient to indicate to the originator that the electronic record has been received.

15) In case, verified details of the email address, phone number or messaging application relating to the person summoned are not available, the Officer-In-charge of the police station or any police officer deputed shall make an entry in that regard and after taking printout in duplicate of the summons issued in electronic mode, shall serve the same in accordance with procedure prescribed under the Sanhita for personal service.

16) When summons are not served by an electronic mail or other mode of electronic communication, or delivery is "disrupted" or "undelivered" or "bounced back" for any other reason, the concerned officer shall prepare a report in that regard containing all details including mobile number, messaging application and screenshot/ photo of the application confirmation of delivery and may proceed as per applicable procedure for personal service.

17) In case of warrant or any other process required to be executed in person is issued in electronic mode, the Officer-in-Charge of the police station or any police officer deputed by him shall take a printout of the warrant or process and execute the same in accordance with the Sanhita and rules made therein.

- 18) Where any process is served or executed other than through electronic mode, the Police Officer while making service or executing the process shall take acknowledgement of the Recipient which shall form part of the report of the service/execution.
- 19) Upon due execution or non-execution of the warrant, the executing officer of the concerned Police Station shall transmit the report along with relevant documents including bail bonds, photographs, acknowledgment, if any, to the concerned Court in electronic form through CCTNS.
- 20) The Court, upon receiving the report in electronic form under rule 19, may act upon such report as deemed appropriate. Such report or printout of such report shall be deemed to be original for the purpose of satisfaction as to the execution of the process.
- 21) Where any process is issued in cases relating to offences under sections 64 to 71 of The Bharatiya Nyaya Sanhita (Act No.45 of 2023) or offences against woman or child or offences under The Protection of Children from Sexual Offences Act, 2012 and Juvenile Justice (Care and Protection of Children) Act, 2015, the concerned officer shall ensure that the identity of the victim is not revealed in any manner in course of service or execution.
- 22) These rules shall be in addition to and not in derogation of, any other rules made by the High Court to specify for the time being in force for issuance, service and execution of process by the Courts.

By order of the Governor,

**Signed by Samarendra
Debbarma**

Date: 10-04-2025 17:12:18
Under Secretary to the
Government of Tripura

Copy to:-

- 1) The Secretary to the Governor, Raj Bhavan, Agartala.
- 2) The Secretary to the Hon'ble Chief Minister (Minister -In-Charge of Law), Tripura.

- 3) Director General of Police, Government of Tripura. He is requested to upload the Notification in the website of the Tripura Police.
- 4) The PS to the Chief Secretary, Tripura.
- 5) The LR & Secretary, Law Department, Government of Tripura.
- 6) The Manager, Tripura Government Press, Agartala with a request for publication in the extra-ordinary issue of Tripura Gazette

Also Copy to:-

- 1) The Registrar General, High Court of Tripura, Agartala with request to circulate it amongst all Courts in the District Judiciary of the State.
- 2) The Director, Tripura Judicial Academy, Narshingarh.
- 3) The Director, Tripura Law Training Institute and Research Centre, Agartala.
- ✓ 4) The Director, IT Department with a request to upload the notification in the website.
- 5) The Principal, KTDS Police Training Academy, Narsingarh, Tripura.

Annexure – A
FORM OF REGISTER
(See Section 64 and Rule 10)

Sl. No.	PS Case Number/Cou rt Case Number	Name & Address of person concerned	Ph. No(s)	Disclosed e-mail Address	Disclosed Messagin g applicatio n	Other details if any