

C-31012/9/2025-HM-Part(1)
GOVERNMENT OF MIZORAM
HOME DEPARTMENT

Dated Aizawl, the 1st July, 2025

NOTIFICATION

The Government of Mizoram in consultation with the Gauhati High Court hereby makes the following rules to provide a framework for managing digital evidence in the context of new criminal laws, namely: -

1. Short title and commencement.

- 1) These rules may be called the **e-Sakshya Management Rules, 2025**.
- 2) They shall come into force from the date of the publication in the Mizoram Gazette.

2. Definitions.

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

- a) "Crime and Criminal Tracking Network and Systems (CCTNS)" means a system software used by the Police for the collection of data and execution of instructions;
- b) "Case Information System" (CIS)" means a system software used by the District Judiciary and High Courts for the collection of data and execution of instructions;
- c) "eSign means authentication of any electronic record by a subscriber or court, by means of the electronic technique specified in the Second Schedule of the Information Technology Act, 2000 (21 of 2000) and includes digital signature. Also, when a process or report generated in the 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.
- d) "High Court" means the Gauhati High Court.
- e) "Inter-operable Criminal Justice System (ICJS)" means a software presently in operation for transfer of information among various pillars of criminal justice system, which included investigating agencies, courts, correctional homes, forensic laboratories, prosecution; and any other stakeholder as notified by the central government.
- f) "Investigating Officer" means any police officer or any other person authorized by a competent authority or empowered to undertake investigation for any offence.

- g) "Sakshya" means any evidence collected or recorded as a document through eSakshya Mobile Application. Sakshya consist of video recording(s), photograph(s), photograph(s) of witness(s) and photograph of the investigating or recording officer. All evidence recorded through eSakshya mobile application shall generate a secure packet of the event(hereinafter referred to as "eSakshya Packet") with a unique identity called Sixteen digit ID, a unique Sixteen digit ID (SID) with opening, closing time stamps and geo-location. Each sixteen digit ID (SID) and its contents will have unique hash value to ensure integrity. Sakshya will be stored in immutable storage.
- h) "Sanhita" meansthe Bharatiya Nagarik Suraksha Sanhita, 2023 (46 of 2023).
- 2) Words and expressions used, but not defined in these rules shall have the same meaning as assigned to them in the Bharatiya Nagarik Suraksha Sanhita, 2023 (46 of 2023); the Bharatiya Nyaya Sanhita, 2023 (45 of 2023); the Bharatiya sakshya Ashiniyam, 2023, (47 of 2023) and the Information Technology Act, 200 (21 of 2000)
- 3. **Duty of Investigating Officer, -**
 - 1) Every Investigating Officer shall record all video and photo evidence as required under section 105, 173, 176, 180, 185 and 497 of the Sanhita through the eSakshya Mobile Application.
 - 2) Investigating Officer shall generate a certificate as required under sub-section (4) of Section 63 of the Bharatiya Sakshya Adhiniyam, 2023 (47 of 2023) through the eSakshya Mobile Application. All Certificates will be eSigned.
 - 3) Investigating Officer shall link sixteen-digit ID (SID) with the concerned First Information Report number or General Diary number generated through CCTNS.
- 4. **The Sakshya uploaded to Immutable Storage, -**
 - 1) The Sakshya uploaded to immutable storage shall be construed to be forwarded to Magistrate as required under section 105 and 185 of the Sanhita.
 - 2) The courts can view and manage all Sakshya concerning to their jurisdiction in the Case Information System application or Sakshya portal on ICJS.
 - 3) The court may permit sharing of Sakshya with accused and the victim (if represented by an advocate) as per the provisions under section 230 of the Sanhita.
- 5. **Procedure on completion of trial, -**
 - 1) eSakshya packet will be archived after completion of trial and will be moved to Archival mode

6. Rules not to limit the power of the court, -

- 1) Nothing in these rules shall be deemed to limit the power of the Courts to view the Sakshya by the Court.

7. Rules not in derogation of any other law or rules in force, -

- 1) These rules shall be in addition to, not in derogation of any other law or rules for time being in force for accepting and managing Sakshya by the Court in terms of the provisions of Bharatiya Sakshya Ashiniyam, 2023 (47 of 2023)

Sd/- VANLALMAWIA

Secretary to the Government of Mizoram
Home Department

Memo.No. C-31012/9/2025-HM-Part(1) : Dated Aizawl, the 1st July, 2025

Copy to,

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2. Secretary to Chief Minister, Mizoram.
3. P.S. to Speaker/Ministers/Leader of Opposition/Minister of State/Deputy Speaker/Deputy Chief Whip, Mizoram.
4. Sr. P.P.S to Chief Secretary, Govt. of Mizoram.
5. P.P.S. to Director General of Police, Mizoram.
6. PPS/PS to Principal Secretaries/Commissioners/Secretaries/Special Secretaries, Mizoram
7. Chief Executive Member, CADC/LADC/MADC
8. Secretary, MPSC/SEC/Lokayukta/MIC, Mizoram
9. All Heads of Department, Government of Mizoram.
10. All Deputy Commissioner, Mizoram.
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13. Officers concerned.
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(C. LALFAKMAWIA)

OSD-cum-Under Secretary to the Govt. of Mizoram
Home Department.