

राजस्थान सरकार
चिकित्सा शिक्षा (गुप-१) विभाग

क्र. प. १६(११)/एम.ई./गुप-१/२०१६

दिनांक:

27

APR

2016

2/5/16

आदेश

राज्य के अस्पतालों /चिकित्सालयों /डिस्पेंसरी आदि के पुराने मेडिकल रिकॉर्ड के निस्तारण के लिए पूर्व में जारी किये गए आदेशों के अतिक्रमण में तथा भारत सरकार के स्वास्थ्य महानिदेशालय द्वारा जारी दिशा निर्देशों दिनांक: १०/२/२०१४ के क्रम में सभी चिकित्सा इकाईयों के प्रमुख/विभागाध्यक्षों को निर्देशित किया जाता है की वे अस्पतालों के रिकॉर्ड का निस्तारण संलग्न शेड्यूल के अनुसार करेंगे। शेड्यूल में वर्णित अवधि की गणना सम्बन्धित पत्रावली/रजिस्ट्रार में हुये अन्तिम पत्र-व्यवहार/इन्द्राज एन्ट्री की तिथि से की जावेगी।

जिन मामलों में किसी न्यायालय में वाद/प्रकरण विचाराधीन हो उसका निस्तारण न्यायालय के निर्णय के पश्चात ही किया जा सकेगा।

रिकॉर्ड के निस्तारण से पूर्व सम्बन्धित अस्पताल अधीक्षक/इन्चार्ज/प्रशासनिक अधिकारी जो भी सक्षम हो, का अनुमोदन प्राप्त करना आवश्यक होगा।
संलग्न:- उपरोक्तानुसार।

आज्ञा से,

(डी.एल.तंवर)

शासन उप सचिव

प्रतिलिपि सूचनार्थ एवं आवश्यक कार्यवाही हेतु प्रेषित है:-

1. विशिष्ट सचिव, माननीय मंत्री महोदय, चिकित्सा शिक्षा।
2. निजी सचिव, प्रमुख शासन सचिव, चिकित्सा शिक्षा विभाग।
3. निजी सचिव, विशिष्ट शासन सचिव, चिकित्सा शिक्षा विभाग।
4. विशेषाधिकारी, चिकित्सा शिक्षा विभाग।
5. समस्त प्रधानाचार्य, मेडिकल कॉलेज, राजस्थान।
6. समस्त निदेशक, चिकित्सा एवं स्वास्थ्य सेवार्थ, राजस्थान।
7. समस्त अधीक्षक, समस्त शैक्षणिक चिकित्सालय, राजस्थान।
8. समस्त प्रमुख/मुख्य चिकित्सा एवं स्वास्थ्य अधिकारी।
9. चिकित्सा एवं स्वास्थ्य गुप-2, 3 एवं 5 विभाग।
10. रक्षित पत्रावली।

शासन उप सचिव

कार्यालय प्रधानाचार्य सवाई मानसिंह चिकित्सा महाविद्यालय एवं नियंत्रक संलग्न
चिकित्सालय, जयपुर

क्रमांक: एफ.1 ()/एमसी/मु.चि.अ.वि./2016/

12364

दिनांक : 6/05/2016

प्रतिलिपि निम्नलिखित को सूचनार्थ एवं आवश्यक कार्यवाही हेतु प्रेषित है:-

1. चिकित्सा अधीक्षक, समस्त संबद्ध चिकित्सालय, एस0एम0एस0 मेडिकल कॉलेज, जयपुर।
2. समस्त आचार्य एवं विभागाध्यक्ष / नियंत्रण अधिकारी समस्त शाखायें महाविद्यालय।
3. उप विधि परामर्शी महा0/ चिकित्सा अभिलेख अधिकारी, समस्त संबद्ध चिकित्सालय, जयपुर।
4. निजी सचिव, प्र0 एवं नि0/अति0 प्र0 / रक्षित पत्रावली।

नोट:- संस्थापन एवं लेखा संबंधित रिकॉर्ड का निस्तारण इस नियम के अधीन नहीं होकर जी. एफ. एण्ड आर / वित्त विभाग के अन्य नियम अथवा कार्मिक विभाग इत्यादि के नियमानुसार होगा।

प्रधानाचार्य एवं नियंत्रक

प्रधानाचार्य एवं नियंत्रक

सवाई मानसिंह चिकित्सा महाविद्यालय
एवं संलग्न चिकित्सालय, जयपुर

Appendix- A

S.No.	Name of record	Period for which to be Preserved
A)	In-patient's Medical Records (i.e. case sheets etc.	3 years
b)	OPD Records (OPD Registers and Duplicate OPD record, if any)	3 Years
c)	Medico Legal Registers	10 Years or (till the disposal of ongoing cases in any of the courts related to these registers.)
A)	Office records- Correspondence file, Inspection book, Visitors book, Receipt and dispatch Register, Office copies of charge list, Peon books, Parcel register, Inspector Register for school boys, Ledger Drugs, Indents, Orders & Circulars, Letter from police and courts, summons etc. Doctors Duty Register, Copies of Medical Re-imbursement bills of Govt. Servant.	3 Years
B)	Medical certificate book, Epidemic Registers, Outdoor patients Registers, In patients Admission, Register, Daily abstract Register, Operation Register Ward discharge Register, Office copies of monthly & annual returns Vaccination Register (for ARV & TT), Diet Register, Treatment Register,. In patient ward Death Register, Register & reports of various clinical procedures done in different departments.	3 Years
C)	Epidemic Records Register	5 Years
D)	Patients Statistics records Labour Room Register, Yearly abstract Register	10 Years
E)	Laboratory and X-ray Records Bloods donation register, blood grouping and cross matching register	5 Years
F)	Laboratory and M-ray Records Routine laboratory records, Histo Pathology, cytology and other specific reports, Register for various investigation done in laboratories and other department, m-ray reports and plates except for M.L.C. Cases, Sonography, C.T. Scan plates and reports except for M.L.C. cases.	3 Years
G)	Laboratory and X-ray Records Antimortum autopsy sample	2 Years

H)	Medicolegal Records Post mortem register, Medicolegal register, Death of Re-employment, Medico legal m-ray reports and plats, C.T. Scan & Sonography plate and reports, Post Mortum (MLC) autopsy samples	10 Years
I)	Medicolegal Records Health Certificate, Certificate of Age & Fitness certificate	1 Year

क्रमांक प. 11(57) गृह-10/2014

राजस्थान सरकार
गृह (युप-10) विभाग

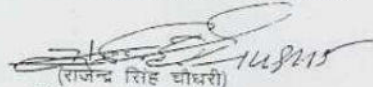
जयपुर, दिनांक 14.9.2015

परिपत्र

राज्य सरकार के ध्यान में आया है कि अपराधिक मामलों में न्यायालयों में कार्यवाही के दौरान कई बार मुलजिम व गवाह की पहचान के सम्बन्ध में कई परेशानियों का सामना करना पड़ता है, जिसके कारण न्यायिक कार्यवाहियों में कठिनाई आती है। साथ ही गलत व्यक्ति का गवाह व मुलजिम के रूप में प्रतिरूपण कर उपस्थित हो जाने से न्याय के विफल होने की संभावना हो जाती है।

इस सम्बन्ध में इस विभाग द्वारा जारी पूर्व समसंख्यक परिपत्र दिनांक 8.1.2015 के क्रम में निम्न निर्देश जारी किये जाते हैं:-

1. पुलिस अनुसंधान के उपरान्त न्यायालय में प्रस्तुत अतिरिक्त रिपोर्ट / आरोप पत्र में परिचायी एवं गवाहों की रंगीन फोटो एवं पहचान पत्र, स्थायी पता, वर्तमान पता, मोबाइल नं., लैण्डलाइन नम्बर, ईमेल पते (यदि हो तो) की प्रति सलग्न करे।
2. पुलिस अनुसंधान के उपरान्त पुलिस आरोप पत्र में मुलजिमान का भी रंगीन फोटो एवं पहचान पत्र, स्थायी पता, वर्तमान पता, मोबाइल नं., लैण्डलाइन नम्बर, ईमेल पते (यदि हो तो) की प्रति सलग्न करे। फर्द गिरफ्तारी पर मुलजिम की जाती लगाकर थानाधिकारी लरदीक करे।
3. लोक अभियोजक, अपर लोक अभियोजक / विशेष लोक अभियोजक एवं अभियोजन अधिकारी अभियोजन साक्षियों को न्यायालय में पेश करते समय आरोप पत्र के साथ लगी फोटो व पहचान पत्र से मिलान करे।
4. उक्त पहचान पत्र में पासपोर्ट, ड्राइविंग लाइसेन्स, पैन कार्ड, राशन आइडेंटी कार्ड, बैंक / डाकघर पास बुक, अनुसूचित जाति, अनुसूचित जनजाति, अन्य पिछड़ा वर्ग का प्रमाण पत्र, पेंशन डीकोमेन्ट, स्वतंत्रता सेनानी पहचान पत्र, आवुध लाइसेंस, विशेष-योग्यजन प्रमाण पत्र, ईलथ इन्स्योरेन्स का प्रमाण पत्र, जॉब कार्ड, प्रोपर्टी के दस्तावेजों में से कोई दस्तावेज, जिस पर उस व्यक्ति की फोटो लगी हुई हो, का उपयोग किया जा सकेगा।


(राजेंद्र सिंह चौधरी)
विशिष्ट शासन सचिव गृह
एवं संयुक्त विधि परामर्शी

प्रतिलिपि निम्नांकित को सूचनार्थ एवं आवश्यक कार्यवाही हेतु प्रेषित है:-

C-B

1. निजी सचिव, अतिरिक्त मुख्य सचिव गृह।
2. निजी सचिव, प्रमुख शासन सचिव विधि को प्रेषित कर निवेदन है कि श्रीमान राजिस्ट्रार जनरल को उक्त परिपत्र प्रेषित कर परिपत्र की प्रति सभी न्यायालयों में पेश किये जाने की व्यवस्था हेतु निवेदन करे।
3. निजी सचिव, शासन सचिव गृह।
4. निजी सचिव, महानिदेशक पुलिस राजस्थान, जयपुर।
5. निजी सचिव, अतिरिक्त महानिदेशक पुलिस (अपराध) राजस्थान, जयपुर।
6. समस्त जिला मजिस्ट्रेट, राजस्थान।
7. पुलिस आयुक्त जयपुर / जोधपुर।
8. समस्त जिला पुलिस अधीक्षक, राजस्थान।
9. समस्त अधीक्षक केन्द्रीय जेल / जिला कारागृह।
10. समस्त उप निदेशक अभियोजन / सहायक निदेशक अभियोजन, लोक अभियोजक, अपर लोक अभियोजक / विशेष लोक अभियोजक।

न्यायालय सहायक निदेशक अभियोजन

जयपुर बेहत, जयपुर दिनांक 6-10-15

अनुभागाधिकारी 1419115

जिला अधिकारी / महानिदेशक अभियोजन अधिकारी

अभियोजन कोटयुक्तरी 2014

लेख है कि उक्त परिपत्र की पाठना किमा जाना सुनिश्चित करें।
सहायक निदेशक अभियोजन

RAJASTHAN HIGH COURT

NOTIFICATION

No. 06 /SRO / 2021

Dated: 02/8/21

In pursuance to rule 1(i) of Rajasthan High Court Rules for Video Conferencing for Courts 2020 it is notified that "Rajasthan High Court Rules for Video Conferencing for Courts 2020" shall be applicable to the proceeding of the High Court of Judicature for Rajasthan and all the Subordinate Courts of the Rajasthan with immediate effect.

By Order

(Signature)
 (NIRMAL SINGH MERATWAL)
 REGISTRAR GENERAL

No. : Gen/XV/44/2015/3478

Date : 02-08-2021

Copy forwarded to the :-

1. The Principal Secretary to Government, Law Department-Cum-Legal Remembrance, Rajasthan, Jaipur.
2. The Superintendent, Government Central Press Rajasthan Jaipur for publication in the next issue of the Rajasthan Rajpatra.
3. Registrar-cum-Principal Secretary to Hon'ble the Chief Justice, Rajasthan High Court.
4. P.S. to All the Hon'ble Mr. Judges, Rajasthan High Court, Jodhpur/ Jaipur Bench, Jaipur.
5. Registrar(Admn.), Rajasthan High Court, Jodhpur/Jaipur Bench Jaipur.
6. All Registrars/O.S.D., Rajasthan High Court, Jodhpur/Jaipur Bench Jaipur
7. Registrar, Rajasthan High Court, HQR Delhi, Bikaner House, Shahjhan Road New Delhi-110011.
8. Director, Rajasthan State Judicial Academy, Jodhpur.
9. All Joint Registrars/ Deputy Registrars, Rajasthan High Court, Jodhpur/ Jaipur Bench Jaipur.
10. Chief Accounts Officer, Rajasthan High Court, Jodhpur.
11. All Assistant Registrars/ Court Officers, Rajasthan High Court Jodhpur/ Jaipur Bench Jaipur.
12. Senior Librarian, Rajasthan High Court, Jodhpur/ Jaipur Bench Jaipur with direction to update the Rajasthan High Court Staff Service Rules, 2002 and upload the same on the official website of Rajasthan High Court.
13. All Assistant Account Officer/ All Administrative Officer Judicial, Rajasthan High Court, Jodhpur/Jaipur Bench, Jaipur.

For information and necessary action.

(Signature)
 REGISTRAR GENERAL

alongwith copy of GSR 311 dt 13.05.2021

 सत्यमेव जयते	राजस्थान राजपत्र विशेषांक	RAJASTHAN GAZETTE Extraordinary
	साधिकार प्रकाशित	Published by Authority
	श्रावण 8, शुक्रवार, शाके 1943-जुलाई 30, 2021 <i>Sravana 8, Friday, Saka 1943- July 30, 2021</i>	

भाग 4 (ग)

उप-खण्ड (I)

राज्य सरकार तथा अन्य राज्य-प्राधिकारियों द्वारा जारी किये गये (सामान्य आदेशों, उप-विधियों आदि को सम्मिलित करते हुए) सामान्य कानूनी नियम।

RAJASTHAN HIGH COURT**NOTIFICATION****Jaipur, May 13, 2021****VIDEO CONFERENCING RULES****Preface**

G.S.R.311 .-Whereas it is expedient to consolidate, unify and streamline the procedure relating to use of video conferencing for Courts; and
In exercise of its powers under Articles 225 and 227 of the Constitution of India, the Rajasthan High Court makes the following Rules.

Chapter I – Preliminary

- These Rules shall be called the "Rajasthan High Court Rules for Video Conferencing for Courts 2020".

- These Rules shall apply to such courts or proceedings or classes of courts or proceedings and on and from such date as the High Court may notify in this behalf.

2. Definitions

In these Rules, unless the context otherwise requires:

- "Advocate" means and includes an advocate entered in any roll maintained under the provisions of the Advocates Act, 1961 and shall also include government pleaders/advocates and officers of the department of prosecution.
- "Commissioner" means a person appointed as commissioner under the provisions of Code of Civil Procedure, 1908 (CPC), or the Code of Criminal Procedure, 1973 (CrPC), or any other law in force.
- "Coordinator" means a person nominated as coordinator under Rule 5.
- "Court" includes a physical Court and a virtual Court or tribunal.
- "Court Point" means the Courtroom or one or more places where the Court is physically convened, or the place where a Commissioner or an inquiring officer holds proceedings under the directions of the Court.
- "Court User" means a user participating in Court proceedings

- through video conferencing at a Court Point.
- (vii) "Designated Video Conferencing Software" means software provided by the High Court from time to time to conduct video conferencing.
 - (viii) "Exceptional circumstances" include illustratively a pandemic, natural calamities, circumstances implicating law and order and matters relating to the safety of the accused and witnesses.
 - (ix) "Live Link" means and includes a live television link, audio-video electronic means or other arrangements whereby a witness, a required person or any other person permitted to remain present, while physically absent from the Courtroom is nevertheless virtually present in the Courtroom by remote communication using technology to give evidence and be cross-examined.
 - (x) "Remote Point" is a place where any person or persons are required to be present or appear through a video link.
 - (xi) "Remote User" means a user participating in Court proceedings through video conferencing at a Remote Point.
 - (xii) "Required Person" includes:
 - a. the person who is to be examined; or
 - b. the person in whose presence certain proceedings are to be recorded or conducted; or
 - c. an Advocate or a party in person who intends to examine a witness; or
 - d. any person who is required to make submissions before the Court; or
 - e. any other person who is permitted by the Court to appear through video conferencing.
 - (xiii) "Rules" shall mean these Rules for Video Conferencing for Courts and any reference to a Rule, Sub-Rule or Schedule shall be a reference to a Rule, Sub-Rule or Schedule of these Rules.

Chapter II - General Principles

3. General Principles Governing Video Conferencing

- (i) Video conferencing facilities may be used at all stages of judicial proceedings and proceedings conducted by the Court.
- (ii) All proceedings conducted by a Court via video conferencing shall be judicial proceedings and all the courtesies and protocols applicable to a physical Court shall apply to these virtual proceedings. The protocol provided in Schedule I shall be adhered to for proceedings conducted by way of video conferencing.

- (iii) All relevant statutory provisions applicable to judicial proceedings including provisions of the CPC, CrPC, Contempt of Courts Act, 1971, Indian Evidence Act, 1872 (abbreviated hereafter as the Evidence Act), and Information Technology Act, 2000 (abbreviated hereafter as the IT Act), shall apply to proceedings conducted by video conferencing.
 - (iv) Subject to maintaining independence, impartiality and credibility of judicial proceedings, and subject to such directions as the High Court may issue, Courts may adopt such technological advances as may become available from time to time.
 - (v) The Rules as applicable to a Court shall mutatis mutandis apply to a Commissioner appointed by the Court to record evidence and to an inquiry officer conducting an inquiry.
 - (vi) There shall be no unauthorised recording of the proceedings by any person or entity.
 - (vii) The person defined in Rule 2(xii) shall provide identity proof as recognised by the Government of India/State Government/Union Territory to the Court point coordinator via personal email. In case of identity proof not being readily available the person concerned shall furnish the following personal details: name, parentage and permanent address, as also, temporary address if any.
4. Facilities recommended for Video Conferencing. The following equipment is recommended for conducting proceedings by video conferencing at the Court Point and the Remote Point:
- (i) Desktop, Laptop, mobile devices with internet connectivity and printer;
 - (ii) Device ensuring uninterrupted power supply;
 - (iii) Camera;
 - (iv) Microphones and speakers;
 - (v) Display unit;
 - (vi) Document visualizer;
 - (vii) Provision of a firewall;
 - (viii) Adequate seating arrangements ensuring privacy;
 - (ix) Adequate lighting; and
 - (x) Availability of a quiet and secure space

5. Preparatory Arrangements

- 5.1 There shall be a Coordinator both at the Court Point and at the Remote Point from which any Required Person is to be examined or heard. However, Coordinator may be required at the Remote Point only when a witness or a person accused of an offence is to be examined.

5.2 In the civil and criminal Courts falling within the purview of the district judiciary, persons nominated by the High Court or the concerned District Judge, shall perform the functions of Coordinators at the Court Point as well as the Remote Point as provided in Rule 5.3.

5.3 The Coordinator at the Remote Point may be any of the following:

Sub Rule	Where the Advocate or Required Person is at the following Remote Point:	The Remote Point Coordinator shall be:
5.3.1	Overseas	An official of an Indian Consulate / the relevant Indian Embassy / the relevant High Commission of India.
5.3.2	Court location within the State	Any authorized official nominated by the concerned District Judge.
5.3.3	Court of another state or union territory of India	Any authorized official nominated by the concerned District Judge.
5.3.4	Mediation Centre or office of District Legal Services Authority (including Taluka Legal Services Committee)	Any authorized person official nominated by the Chairperson or Secretary of the concerned District Legal Services Authority.
5.3.5	Jail or prison	The concerned Jail Superintendent or Officer-in charge of the prison.
5.3.6	Hospitals administered by the Central Government, the State Government or local bodies	Medical Superintendent or an official authorized by them or the person-in-charge of the said hospital
5.3.7	Observation Home, Special Home, Children's Home, Shelter Home, or any institution referred to as a child facility (collectively referred to as child facilities) and where the Required Person is a juvenile or a child or a person who is an inmate of such child facility.	The Superintendent or Officer-in-charge of that child facility or an official authorized by them.

5.3.8	Women's Rescue Homes, Protection Homes, Shelter Homes, Nari Niketans or any institution referred to as a women's facility (collectively referred to as women's facilities).	The Superintendent or Officer-in-charge of the women's facility or an official authorized by them.
5.3.9	In custody, care or employment of any other government office, organization or institution (collectively referred to as institutional facilities).	The Superintendent or Officer-in-charge of the institutional facility or an official authorized by them.
5.3.10	Forensic Science Lab	The Administrative officer-in-charge or their nominee.
5.3.11	In case of any other location	The concerned Court may appoint any person deemed fit and proper who is ready and willing to render their services as a Coordinator to ensure that the proceedings are conducted in a fair, impartial and independent manner and according to the directions issued by the Court in that behalf.

5.4 When a Required Person is at any of the Remote Points mentioned in Sub Rule 5.3 and video conferencing facilities are not available at any of these places the concerned Court will formally request the District Judge, in whose jurisdiction the Remote Point is situated to appoint a Coordinator for and to provide a video conferencing facility from proximate and suitable Court premises.

5.5 The Coordinators at both the Court Point and Remote Point shall ensure that the recommended requirements set out in Rule 4 are complied with, so that the proceedings are conducted seamlessly.

5.6 The Coordinator at the Remote Point shall ensure that:

5.6.1 All Advocates and/or Required Persons scheduled to appear in a particular proceeding are ready at the Remote Point designated for video conferencing at least 30 minutes before the scheduled time.

5.6.2 No unauthorised recording device is used.

5.6.3 No unauthorised person enters the video conference room when the video conference is in progress.

- 5.6.4 The person being examined is not prompted, tutored, coaxed, induced or coerced in any manner by any person and that the person being examined does not refer to any document, script or device without the permission of the concerned Court during the course of examination.
- 5.7 Where the witness to be examined through video conferencing requires or if it is otherwise expedient to do so, the Court shall give sufficient notice in advance, setting out the schedule of video conferencing and, in appropriate cases may transmit non-editable digital scanned copies of all or any part of the record of the proceedings to the official email account of the Coordinator of the concerned Remote Point designated under Rule 5.3.
- 5.8 Before the scheduled video conferencing date, the Coordinator at the Court Point shall ensure that the Coordinator at the Remote Point receives certified copies, printouts or a soft copy of the non-editable scanned copies of all or any part of the record of proceedings which may be required for recording statements or evidence, or for reference. However, these shall be permitted to be used by the Required Person only with the permission of the Court.
- 5.9 Whenever required the Court shall order the Coordinator at the Remote Point or at the Court Point to provide –
- 5.9.1 A translator in case the person to be examined is not conversant with the official language of the Court.
- 5.9.2 An expert in sign languages in case the person to be examined is impaired in speech and/or hearing.
- 5.9.3 An interpreter or a special educator, as the case may be, in case a person to be examined is differently-abled, either temporarily or permanently.

Chapter III - Procedure for Video Conferencing

6. Application for Appearance, Evidence and Submission by Video Conferencing:

- 6.1 Any party to the proceeding or witness, save and except where proceedings are initiated at the instance of the Court, may move a request for video conferencing. A party or witness seeking a video conferencing proceeding shall do so by making a request in the form prescribed in Schedule II.

- 6.2 Any proposal to move a request for video conferencing should first be discussed with the other party or parties to the proceeding, except where it is not possible or inappropriate, for example in cases such as urgent applications.
- 6.3 On receipt of such a request and upon hearing all concerned persons, the Court will pass an appropriate order after ascertaining that the application is not filed to impede a fair trial or to delay the proceedings.
- 6.4 While allowing a request for video conferencing, the Court may also fix the schedule for convening the video conferencing.
- 6.5 In case the video conferencing event is convened for making oral submissions, the order may require the Advocate or party in person to submit written arguments and precedents, if any, in advance on the official email ID of the concerned Court.
- 6.6 Costs, if directed to be paid, shall be deposited within the prescribed time, commencing from the date on which the order convening proceedings through video conferencing is received.

7. Service of Summons

Summons issued to a witness who is to be examined through video conferencing, shall mention the date, time and venue of the concerned Remote Point and shall direct the witness to attend in person along with proof of identity or an affidavit to that effect. The existing rules regarding service of summons and the consequences for non-attendance, as provided in the CPC and CrPC shall apply to service of summons for proceedings conducted by video conferencing.

8. Examination of persons

- 8.1 Any person being examined, including a witness shall, before being examined through video conferencing, produce and file proof of identity by submitting an identity document issued or duly recognized by the Government of India, State Government, Union Territory, or in the absence of such a document, an affidavit attested by any of the authorities referred to in Section 139 of the CPC or Section 297 of the CrPC, as the case may be. The affidavit will inter alia state that the person, who is shown to be the party to the proceedings or as a witness, is the same person, who is to depose at the virtual hearing. A copy of the proof of identity or affidavit, as the case may be, will be made available to the opposite party.

- 8.2 The person being examined will ordinarily be examined during the working hours of the concerned Court or at such time as the Court may deem fit. The oath will be administered to the person being examined by the Coordinator at the Court Point.
- 8.3 Where the person being examined, or the accused to be tried, is in custody, the statement or, as the case may be, the testimony, may be recorded through video conferencing. The Court shall provide adequate opportunity to the under-trial prisoner to consult in privacy with their counsel before, during and after the video conferencing.
- 8.4 Subject to the provisions for examination of witnesses contained in the Evidence Act, before the examination of the witness, the documents, if any, sought to be relied upon shall be transmitted by the applicant to the witness, so that the witness acquires familiarity with the said documents. The applicant will file an acknowledgement with the Court in this behalf.
- 8.5 If a person is examined concerning a particular document then the summons to witness must be accompanied by a duly certified photocopy of the document. The original document should be exhibited at the Court Point in accordance with the deposition of the concerned person being examined.
- 8.6 The Court would be at liberty to record the demeanour of the person being examined.
- 8.7 The Court will note the objections raised during the deposition of the person being examined and rule on them.
- 8.8 The Court shall obtain the signature of the person being examined on the transcript once the examination is concluded. The signed transcript will form part of the record of the judicial proceedings. The signature on the transcript of the person being examined shall be obtained in either of the following ways:
- 8.8.1 If digital signatures are available at both the concerned Court Point and Remote Point, the soft copy of the transcript digitally signed by the presiding Judge at the Court Point shall be sent by the official e-mail to the Remote Point where a print out of the same will be taken and signed by the person being examined. A scanned copy of the transcript digitally signed by the Coordinator at the Remote Point would be transmitted by official email to the Court Point. The hard copy of the signed transcript will be dispatched after the testimony is over,

preferably within three days by the Coordinator at the Remote Point to the Court Point by recognised courier/registered speed post.

8.8.2 If digital signatures are not available, the printout of the transcript shall be signed by the presiding Judge and the representative of the parties, if any, at the Court Point and shall be sent in non-editable scanned format to the official email account of the Remote Point, where a printout of the same will be taken and signed by the person examined and countersigned by the Coordinator at the Remote Point. A non-editable scanned format of the transcript so signed shall be sent by the Coordinator of the Remote Point to the official email account of the Court Point, where a print out of the same will be taken and shall be made a part of the judicial record. The hard copy would also be dispatched preferably within three days by the Coordinator at the Remote Point to the Court Point by recognised courier/registered speed post.

8.9 An audio-visual recording of the examination of person examined shall be preserved. An encrypted master copy with hash value shall be retained as a part of the record.

8.10 The Court may, at the request of a person to be examined, or on its own motion, taking into account the best interests of the person to be examined, direct appropriate measures to protect the privacy of the person examined bearing in mind aspects such as age, gender, physical condition and recognized customs and practices.

8.11 The Coordinator at the Remote Point shall ensure that no person is present at the Remote Point, save and except the person being examined and those whose presence is deemed administratively necessary by the Coordinator for the proceedings to continue.

8.12 The Court may also impose such other conditions as are necessary for a given set of facts for effective recording of the examination (especially to ensure compliance with Rule 5.6.4).

8.13 The examination shall, as far as practicable, proceed without interruption or the grant of unnecessary adjournments. However, the Court or the Commissioner as the case may be will be at liberty to determine whether an adjournment should be granted, and if so, on what terms.

- 8.14 The Court shall be guided by the provisions of the CPC and Chapter XXIII, Part B of the CrPC, the Evidence Act and the IT Act while examining a person through video conferencing.
- 8.15 Where a Required Person is not capable of reaching the Court Point or the Remote Point due to sickness or physical infirmity, or presence of the required person cannot be secured without undue delay or expense, the Court may authorize the conduct of video conferencing from the place at which such person is located. In such circumstances, the Court may direct the use of portable video conferencing systems. Authority in this behalf may be given to the concerned Coordinator and/or any person deemed fit by the Court.
- 8.16 Subject to such orders as the Court may pass, in case any party or person authorized by the party is desirous of being physically present at the Remote Point at the time of recording of the testimony, such a party shall make its arrangement for appearance /representation at the Remote Point.

9. Exhibiting or Showing Documents to Witness or Accused at a Remote Point

If in the course of examination of a person at a Remote Point by video conferencing, it is necessary to show a document to the person, the Court may permit the document to be shown in the following manner:

- 9.1 If the document is at the Court Point, by transmitting a copy or image of the document to the Remote Point electronically, including through a document visualizer; or
- 9.2 If the document is at the Remote Point, by putting it to the person and transmitting a copy/image of the same to the Court Point electronically including through a document visualizer. The hard copy of the document countersigned by the witness and the Coordinator at the Remote Point shall be dispatched thereafter to the Court Point via authorized courier/registered speed post.

10. Ensuring seamless video conferencing

- 10.1 The Advocate or Required Person shall address the Court by video conferencing from a specified Remote Point on the date and time specified in the order issued by the Court. The presence of the coordinator will not be necessary at the Remote point where arguments are to be addressed by an advocate or party in person before the Court.
- 10.2 If the proceedings are carried out from any of the Remote Point(s) (in

situations described in Rules 5.3.1 to 5.3.10) the Coordinator at such Remote Point shall ensure compliance of all technical requirements. However, if the proceedings are conducted from a Remote Point falling in the situation contemplated under Rule 5.3.11, such as an Advocate's office, the Coordinator at the Court Point shall ensure compliance of all technical requirements for conducting video conferencing at both the Court Point and the Remote Point.

- 10.3 The Coordinator at the Court Point shall be in contact with the concerned Advocate or the Required Person and guide them regarding the fulfillment of technical and other requirements for executing a successful hearing through video conferencing. Any problems faced by such Remote Users shall be resolved by the Court Point Coordinator. The Court Point Coordinator shall inter alia share the link of the video conferencing hearing with such Remote Users.
- 10.4 The Coordinator at the Court Point shall ensure that any document or audio-visual files, emailed by the Remote User, are duly received at the Court Point.
- 10.5 The Coordinator at the Court Point shall also conduct a trial video conferencing, preferably 30 minutes prior to scheduled video conferencing in order to ensure that all the technical systems are in working condition at both the Court Point and the Remote Point.
- 10.6 At the scheduled time, the Coordinator at the Court Point shall connect the Remote User to the Court.
- 10.7 On completion of the video conferencing proceeding, the Court shall mention in the order sheet the time and duration of the proceeding, the software used (in case the software used is not the Designated Video Conferencing Software), the issue(s) on which the Court was addressed and the documents if any that were produced and transmitted online. In case a digital recording is tendered, the Court shall record its duration in the order sheet along with all other requisite details.
- 10.8 The Court shall also record its satisfaction as to clarity, sound and connectivity for both Court Users and Remote Users.
- 10.9 On the completion of video conferencing, if a Remote User believes that he/she were prejudiced due to poor video and/or audio quality, the Remote User shall immediately inform the Coordinator at the Court Point, who shall, in turn, communicate this information to the Court without any delay. The Court shall consider the grievance and if it finds

substance in the grievance may declare the hearing to be incomplete and the parties may be asked to re-connect or make a physical appearance in Court.

11. Judicial remand, framing of charge, examination of accused and Proceedings under Section 164 of the CrPC

- 11.1 The Court may, at its discretion, authorize detention of an accused, frame charges in a criminal trial under the CrPC by video conferencing. However, ordinarily judicial remand in the first instance or police remand shall not be granted through video conferencing save and except in exceptional circumstances for reasons to be recorded in writing.
- 11.2 The Court may, in exceptional circumstances, for reasons to be recorded in writing, examine a witness or an accused under Section 164 of the CrPC or record the statement of the accused under Section 313 CrPC through video conferencing, while observing all due precautions to ensure that the witness or the accused as the case may be is free of any form of coercion, threat or undue influence. The Court shall ensure compliance with Section 26 of the Evidence Act.

Chapter IV - General Procedure

12. General procedure

- 12.1 The procedure set out hereafter in this chapter is without prejudice to the procedure indicated elsewhere in these Rules qua specific instances in which proceedings are conducted via video conferencing.
- 12.2 The Coordinator at the Court Point shall ensure that video conferencing is conducted only through a Designated Video Conferencing Software. However, in the event of a technical glitch during a given proceeding, the concerned Court may for reasons to be recorded permit the use of software other than the Designated Video Conferencing Software for video conferencing in that particular proceeding.
- 12.3 The identity of the person to be examined shall be confirmed by the Court with the assistance of the Coordinator at the Remote Point as per Rule 8.1, at the time of recording of the evidence and the same must be reflected in the order sheet of the Court.
- 12.4 In civil cases, parties requesting for recording statements of the person to be examined by video conferencing shall confirm to the Court, the location of the person, the willingness of such person to be examined through video conferencing and the availability of technical facilities for video conferencing at the agreed-upon time and place.

- 12.5 In criminal cases, where the person to be examined is a prosecution witness or a Court witness, or where a person to be examined is a defence witness, the counsel for the prosecution or defence counsel, as the case may be, shall confirm to the Court the location of the person, willingness to be examined by video conferencing and the time, place and technical facility for such video conferencing.
- 12.6 In case the person to be examined is an accused, the prosecution will confirm the location of the accused at the Remote Point.
- 12.7 Video conferencing shall ordinarily take place during the Court hours. However, the Court may pass suitable directions concerning the timing and schedule of video conferencing as the circumstances may warrant.
- 12.8 If the accused is in custody and not present at the Court Point, the Court will order a multi-point video conference between itself, the witness and the accused in custody to facilitate the recording of the statement of the witness (including medical or other experts). The Court shall ensure that the defence of the accused is not prejudiced in any manner and that the safeguards contained in Rule 8.3 are observed.
- 12.9 The Coordinator at the Remote Point shall be paid such amount as honorarium as may be directed by the Court in consultation with the parties.

13. Costs of Video Conferencing

In the absence of rules prescribed by the concerned Court, the Court may take into consideration following circumstances when determining and/or apportioning the costs of video conferencing:

- 13.1 In criminal cases, the expenses of the video conferencing facility including expenses involved in preparing soft copies / certified copies of the Court record and transmitting the same to the Coordinator at the Remote Point, and the fee payable to translator / interpreter / special educator, as the case may be, as also the fee payable to the Coordinator at the Remote Point, shall be borne by such party as directed by the Court.
- 13.2 In civil cases, generally, the party making the request for recording evidence through video conferencing shall bear the expenses.
- 13.3 Besides the above, the Court may also make an order as to expenses as it considers appropriate, taking into account rules / instructions regarding payment of expenses to the complainant and witnesses, as

may be prevalent from time to time.

- 13.4 It shall be open to the Court to waive the costs as warranted in a given situation.

14. Conduct of Proceedings

- 14.1 All Advocates, Required Persons, the party in person and/or any other person permitted by the Court to remain physically or virtually present (hereinafter collectively referred to as participants) shall abide by the requirements set out in Schedule I.
- 14.2 Before the commencement of video conferencing all participants, shall have their presence recorded. However, in case a participant is desirous that their face or name be masked, information to that effect will be furnished to the Court Point Coordinator before the commencement of the proceeding.
- 14.3 The Court Point Coordinator shall send the link / Meeting ID / Room Details via the email Id / mobile number furnished by the Advocate or Required Person or other participant permitted to be virtually present by the Court. Once the proceedings have commenced, no other persons will be permitted to participate in the virtual hearing, save and except with the permission of the Court.
- 14.4 The participants, after joining the hearing shall remain in the virtual lobby if available, until they are admitted to virtual hearing by the Coordinator at the Court Point.
- 14.5 Participation in the proceedings shall constitute consent by the participants to the proceedings being recorded by video conferencing.
- 14.6 Establishment and disconnection of links between the Court Point and the Remote Point would be regulated by orders of the Court.
- 14.7 The Court shall satisfy itself that the Advocate, Required Person or any other participant that the Court deems necessary at the Remote Point or the Court Point can be seen and heard clearly and can see and hear the Court.
- 14.8 To ensure that video conferencing is conducted seamlessly, the difficulties, if any, experienced in connectivity must be brought to the notice of the Court at the earliest on the official email address and mobile number of the Court Point Coordinator which has been furnished to the participant before the commencement of the virtual hearing. No complaint shall subsequently be entertained.
- 14.9 Wherever any proceeding is carried out by the Court under these Rules by taking recourse to video conferencing, this shall specifically be mentioned in the order sheet.

15. Access to Legal Aid Clinics/Camps/Lok Adalats/Jail Adalats

- 15.1 In conformity with the provisions of the Legal Services Authorities Act, 1987 and the laws in force, in proceedings related to Legal Aid Clinics, Camps, Lok Adalats or Jail Adalats, any person who at the Remote Point is in Jail or Prison shall be examined by the Chairman / Secretary of the District Legal Service Authority or Taluka Legal Service Committee or Members of Lok Adalats before passing any award or orders as per law.
- 15.2 Such award or order shall have the same force as if it was passed by the regular Lok Adalat or Jail Adalat.
- 15.3 Copy of the award or order and the record of proceedings shall be sent to the Remote Point.

16. Allowing persons who are not parties to the case to view the proceedings

- 16.1 In order to observe the requirement of an open Court proceeding, members of the public will be allowed to view Court hearings conducted through video conferencing, except proceedings ordered for reasons recorded in writing to be conducted in-camera. The Court shall endeavour to make available sufficient links (consistent with available bandwidth) for accessing the proceedings.
- 16.2 Where, for any reason, a person unconnected with the case is present at the Remote Point, that person shall be identified by the Coordinator at the Remote Point at the start of the proceedings and the purpose of the presence of that person shall be conveyed to the Court. Such a person shall continue to remain present only if ordered so by the Court.

Chapter V – Miscellaneous**17. Reference to Words and Expressions**

Words and expressions used and not defined in these Rules shall have the same meaning as assigned to them in the CPC, the CrPC, Evidence Act, IT Act, and the General Clauses Act, 1897.

18. Power to Relax

The High Court may if satisfied that the operation of any Rule is causing undue hardship, by order dispense with or relax the requirements of that Rule to such extent and subject to such conditions, as may be stipulated to deal with the case in a just and equitable manner.

19. Residual Provisions

Matters concerning which no express provision has been made in these Rules shall be decided by the Court consistent with the principle of furthering the interests of justice.

SCHEDULE I

- 1 All participants shall wear sober attire consistent with the dignity of the proceedings. Advocates shall be appropriately dressed in professional attire prescribed under the Advocates Act, 1961. Police officials shall appear in the uniform prescribed for police officials under the relevant statute or orders. The attire for judicial officers and court staff will be as specified in the relevant rules prescribed in that behalf by the High Court. The decision of the Presiding Judge or officer as to the dress code will be final.
- 2 Proceedings shall be conducted at the appointed date and time. Punctuality shall be scrupulously observed.
- 3 The case will be called out and appearances shall be recorded on the direction of the Court.
- 4 Every participant shall adhere to the courtesies and protocol that are followed in a physical Court. Judges will be addressed as "Madam/Sir" or "Your Honour". Officers will be addressed by their designation such as "Bench Officer/Court Master". Advocates will be addressed as "Learned Counsel/Senior Counsel"
- 5 Advocates, Required Persons, parties in person and other participants shall keep their microphones muted till they are called upon to make submissions.
- 6 Remote Users shall ensure that their devices are free from malware.
- 7 Remote Users and the Coordinator at the Remote Point shall ensure that the Remote Point is situated in a quiet location, is properly secured and has sufficient internet coverage. Any unwarranted disturbance caused during video conferencing may if the Presiding Judge so directs render the proceedings non-est.
- 8 All participants' cell phones shall remain switched off or in aeroplane mode during the proceedings.
- 9 All participants should endeavour to look into the camera, remain attentive and not engage in any other activity during the course of the proceedings.

SCHEDULE II**Request Form for Video Conference**

- 1 Case Number / CNR Number (if any)
- 2 Cause Title
- 3 Proposed Date of conference (DD/MM/YYYY):
- 4 Location of the Court Point(s):
- 5 Location of the Remote Point(s):
- 6 Names & Designation of the Participants at the Remote Point:
- 7 Reasons for Video Conferencing: In the matter of:

भाग 4 (ग)

राजस्थान राज-पत्र, जुलाई 30, 2021

1575

8 Nature of Proceedings: Final Hearing ☐ Motion Hearing ☐ Others ☐

I have read and understood the provisions of Rules for Video Conferencing for Courts (hyperlink). I undertake to remain bound by the same to the extent applicable to me. I agree to pay video conferencing charges if so, directed by the Court.

Signature of the applicant/authorised signatory:

Date:

A) Bench assigned:

B) Hearing:

Held on (DD/MM/YYYY):

Commencement Time:

End time:

Number of hours:

C) Costs:

Overseas transmission charges if any:

To be Incurred by Applicant /Respondent:

To be shared equally:

Waived; as ordered by the Court:

Signature of the authorised officer:

Date:

[No.02/SRO/2021]

By Order,

NIRMAL SINGH MERATWAL,
REGISTRAR GENERAL.

राज्य केन्द्रीय मुद्रणालय, जयपुर।

राजस्थान सरकार
गृह (ग्रुप-10) विभाग

क्रमांक:—प.14(60)गृह-10/2021

जयपुर दिनांक:— 30.12.2021

—परिपत्र:—

यतः राज्य सरकार के ध्यान में आया है कि लोककर्तव्यों के निर्वहन के दौरान किये गये कृत्यों के संबंध में होने वाले वादकरण के संबंध में राज्य के प्रशासनिक अधिकारी/पुलिस अधिकारी/कर्मचारीगण न्यायालयों में विचाराधीन प्रकरणों में साक्षी होते हैं। लोक सेवकों को वर्तमान में पदस्थापित स्थान से अन्यत्र स्थान पर न्यायालय में साक्ष्य हेतु जाना पड़ता है, इससे राजकीय कार्य प्रभावित होता है एवं अनावश्यक व्यय भार भी राज्य सरकार पर आता है।

राजस्थान उच्च न्यायालय, जोधपुर ने दिनांक 30 जुलाई, 2021 को अधिसूचना जारी कर वीडियो कॉन्फ्रेंस के माफ़त साक्ष्य लिये जाने के सम्बन्ध में Rajasthan High Court Rules for Video Conferencing for Courts, 2020 प्रकाशित किये हैं एवं उक्त नियम दिनांक 02.08.2021 को प्रभावी हुये हैं।

अतः राज्य के लोक सेवक न्यायालय में वादकरण (प्रकरणों) में Rajasthan High Court Rules for Video Conferencing for Courts, 2020 में निर्धारित प्रक्रिया का उपयोग कर साक्ष्य दें।

(निरंजन आर्य)
मुख्य सचिव

प्रतिलिपि सूचनार्थ एवं आवश्यक कार्यवाही हेतु:—

1. अतिरिक्त मुख्य सचिव/प्रमुख शासन सचिव/शासन सचिव।
2. महानिदेशक पुलिस राजस्थान/महानिदेशक, भ्रष्टाचार निरोधक ब्यूरो/महानिदेशक (जेल)।
3. निदेशक वादकरण/निदेशक अभियोजन को प्रेषित कर अनुरोध है कि लोक अभियोजक/विशिष्ट लोक अभियोजक/अपर लोक अभियोजक/अभियोजन अधिकारी/सहायक अभियोजन अधिकारी को आवश्यक निर्देश प्रदान करें कि साक्ष्य देने वाले अधिकारियों द्वारा निर्धारित प्रपत्र में वीडियो कॉन्फ्रेंस द्वारा साक्ष्य देने हेतु, संबंधित न्यायालय में आवेदन किये जाने की स्थिति में, सुसंगत दस्तावेज स्कैन कर संबंधित अधिकारी को ई-मेल/वाट्सएप द्वारा उपलब्ध करवाये।।
4. अतिरिक्त महानिदेशक पुलिस (अपराध)/ अतिरिक्त महानिदेशक पुलिस (सिविल राईट्स)।
5. पुलिस आयुक्त जयपुर/जोधपुर।
6. समस्त जिला कलेक्टर एवं जिला मजिस्ट्रेट।
7. समस्त पुलिस अधीक्षक/उपायुक्त जयपुर/जोधपुर।

(चंचल मिश्रा)
शासन सचिव गृह (विधि)

RAJASTHAN HIGH COURT, JODHPUR**CIRCULAR**

No. 06/P.I./2023

Date : 14.07.2023

For Optimum use of Video Conferencing for recording of evidence. it is hereby enjoined upon all concerned to ensure that the evidence etc. of the experts/Judicial Officers and other officials be recorded only through video conference as far as possible, except in exceptional circumstances.

All concerned also directed to incorporate, all necessary details in the summons issued by the Courts to the expert witnesses/Judicial Officers/other officials who is to be examined through video conferencing in compliance of Rule 7 of Rajasthan High Court Rules for Video Conferencing for Courts 2020 and Circular No. 17/P.1./2021, dated 06.08.2021.

By Order

C.P. Sharma

REGISTRAR GENERAL

14/7/2023

No. Gen./XV/3/2023/SC-1/1534

Date : 14.07.2023

Copy forwarded to the following for information and necessary action:-

1. The Registrar cum Principal Private Secretary to Hon'ble the Chief Justice, Rajasthan High Court
2. The Private Secretaries to All the Hon'ble Judges, Rajasthan High Court, Jodhpur/Jaipur Bench.
3. All Registrars and OSD Rajasthan High Court, Jodhpur/Jaipur Bench.
4. All the District & Sessions Judges for compliance with the request to circulate amongst all the courts of judgeship including Special Courts.
5. A.O.J., General Section, Rajasthan High Court, Jodhpur

C.P. Sharma

REGISTRAR GENERAL

14/7/2023

राजस्थान सरकार

निदेशालय, चिकित्सा एवं स्वास्थ्य सेवाएँ, राजस्थान जयपुर

क्रमांक: प.5 निचिस्वा/विधि/अपील/2024/323

दिनांक: 01/10/2024

समस्त सयुक्त निदेशक चिकित्सा एवं स्वास्थ्य सेवाएँ, जोन, राजस्थान।
 समस्त प्रमुख चिकित्सा अधिकारी, राजस्थान।
 समस्त मुख्य चिकित्सा एवं स्वास्थ्य अधिकारी, राजस्थान।
 समस्त अतिरिक्त मुख्य चिकित्सा एवं स्वास्थ्य अधिकारी, एफडब्ल्यू, राजस्थान।
 समस्त जिला प्रजनन एवं शिशु स्वास्थ्य अधिकारी, राजस्थान।
 समस्त जिला क्षय रोग अधिकारी, राजस्थान।
 समस्त चिकित्सा अधिकारी प्रभारी अधिकारी, सामु0स्वा0केन्द्र राजस्थान।
 समस्त चिकित्सा अधिकारी प्रभारी अधिकारी, प्राथ0स्वा0केन्द्र राजस्थान।

विषय:- विडियो कॉन्फ्रेंसिंग के माध्यम से न्यायालय में साक्ष्य दिये जाने के सम्बन्ध में।

उपरोक्त विषयान्तर्गत लेख है कि चिकित्सा विभाग में पदस्थापित चिकित्सा अधिकारीयो को अपने कार्यकाल के दौरान विभिन्न पदस्थापन स्थानों पर राजकीय कर्तव्य निर्वहन के दौरान चोट प्रतिवेदन/पोस्टमार्टम रिपोर्ट तैयार करने पर विभिन्न न्यायालयों में साक्ष्य हेतु उपस्थित होना पड़ता है, कई बार चिकित्सा अधिकारीयो के अन्य स्थानों पर पदस्थापन हो जाने एवं मौसमी बिमारियों के इलाज में व्यस्त होने से चिकित्सा अधिकारीयो के न्यायालय में साक्ष्य हेतु निर्धारित तिथी को उपस्थित नहीं हो सकने से न्यायिक कार्यवाही में अनावश्यक विलम्ब होता है।

माननीय उच्च न्यायालय द्वारा न्यायालयों में विडियो कॉन्फ्रेंसिंग के माध्यम से साक्ष्य दिये जाने हेतु **Rajasthan High Court Rules For Video Conferencing For Courts, 2020** बनाये गये हैं जो कि दिनांक 02.08.2021 से प्रभावी हुये हैं। उक्त नियमों में न्यायिक कार्यवाही और न्यायालयों द्वारा संचालित कार्यवाही के सभी चरणों में विडियो कॉन्फ्रेंसिंग सुविधा का उपयोग किये जाने एवं विडियो कॉन्फ्रेंसिंग के माध्यम से न्यायालय में साक्ष्य दिये जाने के प्रावधान भी निहित हैं।

अतः आप अपने जिले में पदस्थापित समस्त चिकित्सा अधिकारीयो को निर्देशित करें कि माननीय न्यायालय से साक्ष्य हेतु सम्मन/ वारंट प्राप्त होते ही सम्बन्धित न्यायालय में लोक अभियोजक के मार्फत जरिये ई-मेल वीडियो कॉन्फ्रेंसिंग से साक्ष्य हेतु आवेदन प्रस्तुत कर न्यायालय की अनुमति से अनिवार्य रूप से जिले में स्थापित वीसी रिमोट पोइंट पर उपस्थित होकर जरिये वीसी साक्ष्य दिया जाना सुनिश्चित करावे, इस प्रक्रिया से राजकीय धन एवं समय के अपव्यय के साथ-साथ न्यायिक प्रक्रिया में होने वाले अनावश्यक विलम्ब को रोका जा सकता है, एवं राजकार्य भी सुचारु रूप से संचालित किया जा सकता है।

निदेशक जन स्वास्थ्य
 चिकित्सा एवं स्वास्थ्य सेवाएँ,
 राजस्थान, जयपुर

क्रमांक: प.निचिस्वा/विधि/2024/323
 प्रतिलिपि:-

दिनांक: 01/10/2024

1. निजी सचिव, प्रमुख शासन सचिव, चिकित्सा एवं स्वास्थ्य विभाग राजस्थान, जयपुर।
2. सयुक्त शासन सचिव ग्रुप-2/ ग्रुप-3 चिकित्सा एवं स्वास्थ्य विभाग राजस्थान, जयपुर।
3. रक्षित पत्रावली।

निदेशक (जन स्वास्थ्य)
 चिकित्सा एवं स्वास्थ्य सेवाएँ,
 राजस्थान, जयपुर।
 Document certified by RAVI
 PRAKASH MATHUR
 Original 2804@vaidikaav.in>
 PRAKASH MATHUR
 Designation: Director
 Date :30-09-2024 05:45:25

SCHEDULE II
Request Form for Video Conference

Annexure 77

1. Case Number / CNR Number (if any) _____
2. Cause Title _____
3. Proposed Date of conference (DD/MM/YYYY): _____
4. Location of the Court Point(s): _____
5. Location of the Remote Point(s): _____
6. Names & Designation of the Participants at the Remote Point: _____
7. Reasons for Video Conferencing: In the matter of: _____
8. Nature of Proceedings: Final Hearing ☐ Motion Hearing ☐ Others ☐

I have read and understood the provisions of [Rules for Video Conferencing for Courts \(hyperlink\)](#).
I undertake to remain bound by the same to the extent applicable to me. I agree to pay video conferencing charges if so, directed by the Court.
Signature of the applicant/authorised signatory: _____
Date: _____

For use of the Registry / Court Point Coordinator

A) Bench assigned:

B) Hearing:

Held on (DD/MM/YYYY): _____

Commencement Time: _____

End time: _____

Number of hours: _____

C) Costs:

Overseas transmission charges if any: _____

To be incurred by Applicant /Respondent: _____

To be shared equally: _____

Waived; as ordered by the Court: _____

Signature of the authorized officer: _____

Date: _____

राजस्थान सरकार
चिकित्सा शिक्षा (ग्रुप-1) विभाग

क्रमांक: प. 1(2)एम.ई. / ग्रुप-1 / 2015

जयपुर, दिनांक:

31 MAR 2017

परिपत्र

विषय:- फोरेन्सिक मेडिसिन विषयक के चिकित्सक शिक्षकों को निजी प्रेक्टिस करने की अनुमति दिये जाने बाबत।

राज्य में समस्त राजकीय चिकित्सा महाविद्यालयों में कार्यरत फोरेन्सिक मेडिसिन विषयक के चिकित्सक शिक्षकों को कार्यालय समय के अतिरिक्त निजी प्रेक्टिस करने की एतद् द्वारा प्रशासनिक अनुमति प्रदान की जाती है। यह अनुमति निम्न शर्तों के अध्यधीन होगी :-

1. चिकित्सक शिक्षक निजी प्रेक्टिस हेतु कार्यस्थल से 25 किलोमीटर से अधिक दूर नहीं जायेंगे।
2. चिकित्सक शिक्षक प्रत्येक वित्तीय वर्ष प्रारम्भ होने से पूर्व निजी प्रेक्टिस करने हेतु विकल्प का शपथ पत्र प्रस्तुत करेगा।
3. चिकित्सक शिक्षक जो निजी प्रेक्टिस का विकल्प प्रस्तुत करेंगे/चुनेगे उन्हें नियमानुसार एनपीए/एनसीए देय नहीं होगा।
4. चिकित्सक शिक्षक द्वारा दिन प्रतिदिन के राजकीय कार्य को निष्ठापूर्वक सम्पन्न करने का उत्तरदायित्व का निर्वहन करना होगा अन्यथा राज्यादेश की अवहेलना समझी जायेगी एवं नियमानुसार अनुशासनात्मक कार्यवाही की जायेगी।

भवदीय

(डी.एल. तंवर)

शासन उप सचिव

प्रतिलिपि- निम्न को सूचनार्थ एवं आवश्यक कार्यवाही हेतु प्रेषित है :-

1. विशिष्ट सहायक, माननीय मंत्री महोदय, चिकित्सा शिक्षा विभाग जयपुर।
2. निजी सचिव, शासन सचिव, चिकित्सा शिक्षा विभाग जयपुर।
3. अतिरिक्त निदेशक निदेशालय चिकित्सा शिक्षा जयपुर (प्रशासन/शैक्षणिक)।
4. वित्तीय सलाहकार, चिकित्सा शिक्षा।
5. रजिस्ट्रार, राजस्थान स्वास्थ्य विज्ञान विश्वविद्यालय, जयपुर।
6. समस्त प्रधानाचार्य/मुख्य लेखाधिकारी, मेडिकल कालेज।
7. रक्षित पत्रावली।

(महेश व्यास)

शासन सहायक सचिव

राजस्थान सरकार
निदेशालय चिकित्सा, स्वास्थ्य एवं परिवार कल्याण विभाग, राजस्थान
स्वास्थ्य भवन, जयपुर

क्रमांक एफ.1(5)/चिप्र/ऑनलाईन एमएलसी/मेडलिपर/2025/22 दिनांक 11/3/2025

समस्त मुख्य चिकित्सा एवं स्वास्थ्य अधिकारी,
समस्त प्रमुख चिकित्सा अधिकारी,
राजस्थान।

विषय - मेडलिपर सॉफ्टवेयर पर एमएलसी एवं पोस्टमार्टम रिपोर्ट ऑनलाईन करने बाबत।

उपरोक्त विषयान्तर्गत लेख है कि पूर्व में निदेशालय स्तर से दिये गये निर्देश के क्रम में नवीन अपराधिक विधिया तथा भारतीय न्याय संहिता 2023, भारतीय साक्ष्य अधिनियम 2023 एवं भारतीय नगरीय सुरक्षा संहिता 2023 की प्रभावी क्रियान्वयन के संबंध में चिकित्सा संस्थानों पर की जाने वाली मेडिको लीगल एवं पोस्टमार्टम रिपोर्ट मेडलिपर सॉफ्टवेयर पर किया जाना सुनिश्चित करें।

मेडलिपर सॉफ्टवेयर पर ऑनलाईन मेडिको लीगल एवं पोस्टमार्टम रिपोर्ट बनाने हेतु मेडिकल ज्यूरिस्ट को एक कम्प्यूटर, नेट व्यवस्था सुनिश्चित करें, साथ ही इसके लिए कम्प्यूटर मय कम्प्यूटर ऑपरेटर, प्रिंटर स्कैनर, हार्ड स्पीड इन्टरनेट सुविधा एवं पावर सप्लाय बैकअप की आवश्यकतानुसार मांग निदेशालय की निदेशालय की ई-मेल आईडी adhadmhs@gmail.com पर तीन दिवस के अन्तर्गत भिजवाना सुनिश्चित करें। विलम्ब के लिए आप स्वयं उत्तरदायी होंगे।

(डॉ. रवि प्रकाश शर्मा)
निदेशक (जन स्वा.)

चिकित्सा एवं स्वास्थ्य सेवाएँ, जयपुर

क्रमांक एफ.1(5)/चिप्र/ऑनलाईन एमएलसी/मेडलिपर/2025/22 दिनांक 11/3/2025
प्रतिलिपि: निम्न को सूचनार्थ एवं आवश्यक कार्यवाही हेतु प्रेषित है:-

1. निजी सचिव, प्रमुख शासन सचिव महोदया, चिकित्सा एवं स्वास्थ्य विभाग, जयपुर।
2. निजी सहायक, निदेशक, जन स्वास्थ्य, चिकित्सा एवं स्वास्थ्य सेवाएँ, जयपुर।
3. समस्त संयुक्त निदेशक, जोन (चिकित्सा एवं स्वास्थ्य सेवाएँ) राजस्थान।
4. प्रभारी, सर्वर रूम, मुख्यालय को भेजकर निर्देशित है कि उक्त पत्र को विभागीय वेब साईट पर अपलोड करें।
5. कार्यालय प्रति।

(निदेशक (जन स्वा.)
चिकित्सा एवं स्वास्थ्य सेवाएँ, जयपुर

राजस्थान सरकार
चिकित्सा शिक्षा (ग्रुप-1) विभाग

F. 16 (53)/ DME/ IT Section/ MedLeaPR/ 2024-07365

जयपुर, दिनांक:

1. प्रधानाचार्य एवं नियंत्रक,
मेडिकल कॉलेज , अजमेर/ बीकानेर/ जोधपुर/
कोटा/ जयपुर / उदयपुर ।
2. रजिस्ट्रार, आरयूएचएस जयपुर ।
3. रजिस्ट्रार, मारवाड मेडिकल युनिवर्सिटी जोधपुर ।
4. समस्त प्रधानाचार्य, राजमेस मेडिकल कॉलेज ।
5. प्रधानाचार्य, आर.यू.एच.एस कॉलेज ऑफ मेडिकल साइन्स/ कॉलेज ऑफ डेंटल साइन्स ।

विषय:—MedLeaPR सॉफ्टवेयर पर एमएलसी एवं पोस्टमार्टम रिपोर्ट ऑनलाइन अपलोड करने के
क्रम में।

संदर्भ:— मुख्य सचिव महोदय द्वारा गृह विभाग द्वारा आयोजित बैठक दिनांक 04.03.2025 में दिये गये
निर्देशों के क्रम में।

उपरोक्त विषयान्तर्गत लेख है कि दिनांक 04.03.2025 को मुख्य सचिव महोदय की अध्यक्षता में आयोजित
बैठक नवीन अपराधिक विधियां तथा भारतीय न्याय संहिता 2023 भारतीय साक्ष्य अधिनियम 2023 एवं भारतीय
नागरिक सुरक्षा संहिता 2023 की प्रभावी क्रियान्वयन के संबंध में चिकित्सा संस्थानों पर की जाने वाली मेडिकों
लिगल केसेस एवं पोस्टमार्टम की रिपोर्ट MedLeaPR सॉफ्टवेयर पर अपलोड करने के निर्देश प्रदान किये गये
है।

अतः आपको निर्देशित किया जाता है कि आपकी संस्था पर होने वाली समस्त मेडिकों लीगल केसेज की
रिपोर्ट प्रतिदिन MedLeaPR सॉफ्टवेयर पर स्कैन करते हुए अपलोड करवाया जाना सुनिश्चित करें। विलम्ब
के लिए आप स्वयं उत्तरदायी होंगे।

(शिवशंकर अग्रवाल)
शासन उप सचिव

प्रतिलिपि निम्नलिखित को सूचनार्थ एवं आवश्यक कार्यवाही हेतु प्रेषित है:—

1. उप सचिव, शासन सचिव, चिकित्सा शिक्षा, जयपुर।
2. निजी सचिव, आयुक्त, चिकित्सा शिक्षा, जयपुर।
3. निजी सहायक, निदेशक, राजमेस जयपुर।
4. रजिस्ट्रार आरयूएचएस, जयपुर।
5. रजिस्ट्रार मारवाड मेडिकल युनिवर्सिटी।
6. प्रधानाचार्य एवं नियंत्रक मेडिकल कॉलेज, अजमेर, बीकानेर, जोधपुर, कोटा, जयपुर एवं उदयपुर।
7. राजमेस के अधीन समस्त प्राचार्य एवं नियंत्रक, मेडिकल कॉलेज।
8. प्राचार्य, चिकित्सा महाविद्यालय आरयूएचएस सीएमएस।
9. एनालिस्ट-कम-प्रोग्रामर (उप-निदेशक), चिकित्सा शिक्षा/ राजमेस, जयपुर।
10. रक्षित पत्रावली।

Signature valid

Digitally signed by Shiv Shankar
Agrawal
Designation : Deputy Secretary
Date: 2025.03.12 16:58:41 IST
Reason: Approved



राजस्थान सरकार

निदेशालय, चिकित्सा एवं स्वास्थ्य सेवायें, राजस्थान, जयपुर

क्रमांक: चि.प्र./ऑनलाईन एमएलसी/2025/188

जयपुर, दिनांक 30/10/2025

—: परिपत्र :—

माननीय उच्च न्यायालय, राजस्थान, जोधपुर बेंच में दायर याचिका एस.बी. क्रिमिनिल. मिस. बेल एप्लीकेशन नम्बर 173/2025 मुकेश कुमार @ मंगेज बनाम राजस्थान राज्य में माननीय न्यायालय द्वारा दिनांक 17.10.2025 को दिये गये निर्देशों की अनुपालना में निम्न विवरणानुसार दिशा निर्देश प्रदान किये जाते हैं:—

1. समस्त मेडिको लीगल कार्य ऑनलाईन **MedLEaPR Portal** पर ही जारी किये जायें।
2. यदि किसी कारण से मेडिको लीगल कार्य ऑनलाईन, **MedLEaPR Portal** पर नहीं किया जाता है, तो संबंधित चिकित्सक द्वारा इस कारण का रिकार्ड संधारित रखा जाये तथा उनके द्वारा जारी एमएलसी व पोस्टमार्टम रिपोर्ट स्पष्ट, सुपठनीय एवं केपीटल लेटर में तैयार की जावे। यदि एमएलसी रिपोर्ट प्रपत्र में रिपोर्ट तैयार करने हेतु स्थान कम है तो अतिरिक्त पृष्ठ (पेज) का उपयोग करें। कोई भी एमएलसी एवं पोस्टमार्टम रिपोर्ट अपठनीय जारी नहीं की जावे।
3. दिनांक 31.12.2025 के उपरान्त किसी भी परिस्थिति में मेडिको लीगल कार्य ऑफलाईन नहीं किया जाये।

नियन्त्रण अधिकारी, प्रधानाचार्य एवं नियन्त्रक/अधीक्षक/मुख्य चिकित्सा एवं स्वास्थ्य अधिकारी/प्रमुख चिकित्सा अधिकारी/विभागाध्यक्ष या प्रभारी मेडिकल ज्यूरिस्ट के निम्न दायित्व हैं:—

1. उनके अधीन समस्त संस्था एवं संस्था पर मेडिको लीगल कार्य करने वाले समस्त चिकित्सक **MedLEaPR Portal** पर रजिस्टर्ड हों।
2. **MedLEaPR Portal** पर ऑनलाईन एमएलसी एवं पोस्टमार्टम रिपोर्ट तैयार करने हेतु कम्प्यूटर, प्रिन्टर, नेट एवं आवश्यक मानव संसाधन की व्यवस्था सुनिश्चित करें।
3. विभागाध्यक्ष, फोरेन्सिक मेडिसिन, मेडिकल कॉलेज, संलग्न चिकित्सालय एवं मुख्य चिकित्सा एवं स्वास्थ्य अधिकारी आपसी समन्वय से जिले के समस्त चिकित्सकों को ऑनलाईन एमएलसी कार्य हेतु **MedLEaPR Portal** से संबंधित समस्त प्रशिक्षण दिनांक 10.11.2025 तक करवाया जाना सुनिश्चित करें।
4. मेडिको लीगल कार्य **MedLEaPR Portal** पर ऑनलाईन ही किया जावे, इस हेतु नियमित मॉनिटरिंग एवं सुपरविजन किया जावे।

अतः समस्त नियन्त्रण अधिकारी, प्रधानाचार्य एवं नियन्त्रक/अधीक्षक/मुख्य चिकित्सा एवं स्वास्थ्य अधिकारी/प्रमुख चिकित्सा अधिकारी/विभागाध्यक्ष या प्रभारी मेडिकल ज्यूरिस्ट को निर्देशित उक्त दिशा निर्देशों की पालना सुनिश्चित की जावे। यदि किसी भी मेडिकल ज्यूरिस्ट/चिकित्सकों द्वारा मेडिको लीगल कार्य के समय दिशा निर्देशों की अवहेलना की जाती है तो संबंधित अधिकारी के साथ-साथ नियन्त्रण अधिकारी की भी जवाबदेही नियत करते हुए अनुशासनात्मक कार्यवाही की जायेगी।



(गायत्री राठौड़)

प्रमुख शासन सचिव
चिकित्सा एवं स्वास्थ्य विभाग
राजस्थान, जयपुर

क्रमांक: चि.प्र./ऑनलाईन एमएलसी/2025/188

जयपुर, दिनांक 30/10/2025

प्रतिलिपि: निम्नांकित को सूचनार्थ एवं आवश्यक कार्यवाही हेतु प्रेषित है:-

1. निजी सचिव, प्रमुख शासन सचिव महोदया, चिकित्सा एवं स्वास्थ्य विभाग, राजस्थान जयपुर।
2. निजी सचिव, शासन सचिव, चिकित्सा शिक्षा विभाग, राजस्थान जयपुर।
3. आयुक्त, चिकित्सा शिक्षा विभाग, राजस्थान, जयपुर।
4. निदेशक, जन स्वास्थ्य, चिकित्सा एवं स्वास्थ्य सेवाएँ, राजस्थान।
5. समस्त प्रधानाचार्य एवं नियन्त्रक, मेडिकल कॉलेज, राजस्थान।
6. समस्त चिकित्सा अधीक्षक, मेडिकल कॉलेज, संलग्न चिकित्सालय, राजस्थान।
7. समस्त संयुक्त निदेशक, जोन, चिकित्सा एवं स्वास्थ्य सेवाएँ, राजस्थान।
8. समस्त मुख्य चिकित्सा एवं स्वास्थ्य अधिकारी, राजस्थान
9. समस्त प्रमुख चिकित्सा अधिकारी, राजस्थान
10. समस्त विभागाध्यक्ष या प्रभारी मेडिकल ज्यूरिस्ट
11. कार्यालय प्रति।

निदेशक (जन स्वास्थ्य)
चिकित्सा एवं स्वास्थ्य सेवाएँ
राजस्थान जयपुर

राजस्थान सरकार
निदेशालय चिकित्सा एवं स्वास्थ्य सेवाएँ, राजस्थान, जयपुर

क्रमांक: चि.प्र./MLC/2024/ 209

दिनांक 18/12/2025

1. समस्त संयुक्त निदेशक, चिकित्सा एवं स्वास्थ्य सेवाएँ,
2. समस्त मुख्य चिकित्सा एवं स्वास्थ्य अधिकारी,
3. समस्त प्रमुख चिकित्सा अधिकारी
राजस्थान

विषय— MedLEaPR Portal के माध्यम से ऑनलाईन एमएलसी एवं पोस्टमार्टम रिपोर्ट जारी करने एवं उसके संबंध में प्रमाण पत्र प्रेषित करने बाबत।

सन्दर्भ— माननीय उच्च न्यायालय, राजस्थान, जोधपुर बेंच में दायर याचिका एस.बी.क्रिम.मिस.बैल एप्ली. नम्बर 173/2025 में दिनांक 17.10.2025 को दिये गये आदेश की पालना के संबंध में।

उपरोक्त सन्दर्भित विषयान्तर्गत लेख है कि माननीय उच्च न्यायालय, राजस्थान, जोधपुर बेंच में दायर याचिका एस.बी.क्रिम.मिस.बैल एप्ली. नम्बर 173/2025 में दिनांक 17.10.2025 को दिये गये आदेश के पालना के क्रम में 01 जनवरी 2026 से समस्त चिकित्सा संस्थानों में समस्त एमएलसी एवं पोस्टमार्टम रिपोर्ट का कार्य ऑनलाईन MedLEaPR Portal के माध्यम से जारी करने के निर्देश प्रदान किये गये थे।

अतः आपको पुनः निर्देशित किया जाता है कि दिनांक 01 जनवरी 2026 से आपके अधीन समस्त चिकित्सा संस्थानों में समस्त एमएलसी एवं पोस्टमार्टम रिपोर्ट का कार्य ऑनलाईन MedLEaPR Portal के माध्यम से किया जाना सुनिश्चित करें। समस्त चिकित्सा संस्था प्रभारी एवं एमएलसी एवं पोस्टमार्टम रिपोर्ट का कार्य करने वाले मेडिकल ज्यूरिस्ट/चिकित्सक से संलग्न प्रपत्र में प्रमाण पत्र लेते हुए आपके द्वारा उक्त प्रमाण पत्र में हस्ताक्षर कर निदेशालय के ई-मेल आई.डी. <adhadmhs@gmail.com> पर दिनांक 10.01.2026 तक भिजवाना सुनिश्चित करें।

यदि 01 जनवरी 2026 के उपरान्त किसी भी मेडिकल ज्यूरिस्ट/चिकित्सक द्वारा एमएलसी एवं पोस्टमार्टम रिपोर्ट का कार्य ऑफलाईन किया गया तो माननीय न्यायालय के आदेश की अट्टेनना के साथ-साथ उच्चाधिकारियों की आदेशों की अट्टेनना मानते हुए संबंधित चिकित्सक के साथ-साथ उस चिकित्सा संस्था के नियन्त्रण अधिकारी एवं आपके विरुद्ध राजस्थान सेवा नियम के अन्तर्गत अनुशासनात्मक कार्यवाही की जावेगी, जिसके लिए आप व्यक्तिशः जिम्मेदार होंगे।

सलग्न—उपरोक्तानुसार

(डॉ. रवि प्रकाश शर्मा)
निदेशक (जन स्वास्थ्य)
चिकित्सा एवं स्वास्थ्य सेवाएँ
राजस्थान जयपुर।

क्रमांक: चि.प्र./MLC/2024/ 209

दिनांक 18/12/2025

प्रतिलिपि: निम्न को सूचनार्थ एवं आवश्यक कार्यवाही हेतु प्रेषित है:-

1. निजी सचिव, प्रमुख शासन सचिव महोदया, चिकित्सा एवं स्वास्थ्य विभाग, जयपुर।
2. निजी सहायक, निदेशक, जन स्वास्थ्य, चिकित्सा एवं स्वास्थ्य सेवाएँ, जयपुर।
3. आयुक्त, चिकित्सा शिक्षा विभाग को भेजकर लेख है कि उक्त प्रमाण पत्र आपके अधीन समस्त चिकित्सा अधीक्षक से लिया जाने का श्रम करावे।
4. प्रभारी सर्वर रूम को भेजकर निर्देशित है कि उक्त पत्र को विभागीय वेबसाइट पर अपलोड करना सुनिश्चित करें।
5. कार्यालय प्रति।

(निदेशक (जन स्वास्थ्य))
चिकित्सा एवं स्वास्थ्य सेवाएँ
राजस्थान जयपुर।



[2025:RJ-JD:46368]



HIGH COURT OF JUDICATURE FOR RAJASTHAN AT
JODHPUR

S.B. Criminal Miscellaneous Bail Application No. 173/2025

Mukesh Kumar @ Mangej S/o Shri Ranjeet Ram, Aged About 24
Years, R/o Village Dolatpura, Tehsil And Dist Sri Ganganagar, Raj
(At Present Lodged In Central Jail, Sri Ganganagar)

-----Petitioner

Versus

State of Rajasthan, Through PP

-----Respondent



For Petitioner(s) : Mr. S.R. Godara
For Respondent(s) : Mr. Deepak Choudhary, Addl.
Advocate General cum GA
Mr. Urja Ram Kalbi, Public Prosecutor
Mr. Vineet Jain, Sr. Advocate, assisted
by Mr. Pravin Vyas
Mr. Dharendra Singh Champawat, Sr.
Advocate assisted by Mr. Jagdish
Singh
Ms. Gayatri Rathore, Principal
Secretary to Government, Medical &
Health & Family Welfare, through VC
Mr. Ambrish Kumar, Principal
Secretary, Medical Education
Department, through VC

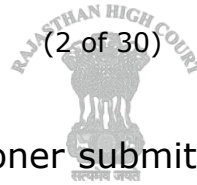
HON'BLE MR.JUSTICE RAVI CHIRANIA

Order

Order Reserved on : 17.10.2025

Order Pronounced on : 17.11.2025

1. The instant bail application under Section 483 BNSS. has
been filed by accused-applicant **Mukesh Kumar @ Mangej** in
connection with FIR No.121/2024 registered at P.S. Mathili Rathan,
District Sri Ganganagar for offence under Sections 103(1), 61(2)
of BNS, 2023 and Section 27 & 5/25 of Arms Act, against the
rejection order dated 06.12.2024 passed by learned Sessions
Judge, Sri Ganganagar in Criminal Misc. Case No.716/2024.



2. Counsel for the petitioner submitted that he has been falsely implicated in the murder of his real brother Pradeep Kumar, whereas he has not committed any such offence. Counsel submits that it is the petitioner himself, who lodged the report in the Police Station on 05.8.2024, on which, impugned FIR was registered, bearing FIR No.121/2024 against unknown persons.

3. Counsel further submitted that without any motive and justified reason, the petitioner was arrested by the police and implicated in the case.

4. Counsel for the petitioner further submitted that the police conducted investigation and collected various articles, which were sent to the FSL by letter dated 06.09.2024 and Acknowledgment Receipt of the FSL was issued on 09.09.2024.

5. Counsel submits that though the articles were collected on 05.08.2024, 11.08.2024 and 13.08.2024, however, the articles remained in the Police Station for unjustified reason for long and, therefore, possibility of planting of evidence cannot be ruled out.

6. Counsel further submits that on filing of charge-sheet statements of material witnesses were recorded by the learned trial court. Learned trial court recorded statement of one Sunil Kumar (cousin brother of the petitioner and deceased, both) and PW-4 Sharda W/o. Ranjeet Ram (mother of the petitioner and deceased). By referring to the statement of material witnesses i.e. PW-1 and PW-4 counsel submitted that both these important witnesses, who are family members, did not support the story of the prosecution and were declared hostile.



7. Counsel further submitted that both the witnesses clearly stated that there was no enmity or dispute between the two brothers, which leads to a definite conclusion that in the present case, which is based on circumstantial evidence so there is no eye-witness, no motive, no enmity etc. therefore, the petitioner has been falsely implicated. In view of this, learned counsel prayed that the petitioner may be enlarged on bail.

8. Learned Public Prosecutor strongly opposed the bail application and stated that the recovery of the alleged weapon was made at the instance of the petitioner and he only killed his real brother, therefore, present case is not fit so as to enlarge the present petitioner on bail.

9. Heard learned counsel for the parties.

10. This Court while hearing the bail application tried to read the Post-Mortem Report as prepared in this case of deceased Pradeep Kumar S/o. Ranjeet Ram by Government Civil Hospital, Sri Gangangar dated 05.8.2024

11. This Court with great efforts tried to read and understand the Post-Mortem Report prepared by Dr. Vishnu Kumar Gahlot, Assistant Professor, General Surgery and Dr. Navdeep Singh, Assistant Professor & H.O.D., Forensic Medicine, Government Medical College, Sri Ganganagar, whose respective seals and signatures are visible on the document.

12. As this Court faced serious difficulty in understanding the Post-Mortem Report, therefore, by orders dated 06.10.2025, 09.10.2025 and 17.10.2025 the Principal Secretary, Medical Education; Principal Secretary, Medical & Health and the learned



Additional Advocate General cum GA Mr. Deepak Choudhary, were called regarding the issue of preparation of Post-Mortem Report and other Injury Reports by-hand, which are illegible and unreadable. The Court shall deal with this issue in the later part of this order.

13. This Court, as far as this bail application is concerned, noted that the petitioner himself lodged FIR against unknown persons, however, he himself was implicated in the case and charge-sheet was filed against him by the police. The Court noted that the police made recovery of fire-arm weapon and other articles on 05.8.2024, 11.8.2024 & 13.8.2024, however, for almost a month these articles remained at the Police Station and were not immediately deposited in FSL. After keeping the articles for a long period, the articles were deposited in the Lab by letter dated 06.09.2024 on which the acknowledgment was issued on 09.09.2024.

14. This Court also considered statement of material witnesses, namely, PW-1 Sunil Kumar (cousin brother of the petitioner and deceased) and PW-4 Sharda W/o. Ranjeet Kumar (mother of the petitioner and deceased) and noted that both witnesses have not levelled any allegations against the petitioner, rather the mother (PW-4) fairly stated that the relationship between both the brothers i.e. petitioner and the deceased were cordial and there was no dispute or enmity between them. She fairly denied that the petitioner killed his own brother by causing fire-arm injury.

15. As the present case is based on circumstantial evidence and there are no eye-witnesses and further the material witnesses



PW-1 & PW-4 have been declared hostile by the prosecution, as they did not support the story of the prosecution rather, they have stated in favour of the petitioner therefore in view of the above, this Court is inclined to enlarge the petitioner on bail, considering the over all facts and circumstances of the case.

16. Consequently, this bail application filed by the petitioner under Section 483 B.N.S.S. is allowed and it is directed that petitioner **Mukesh Kumar @ Mangej S/o. Ranjeet Ram** shall be released on bail in connection with FIR No.121/2024 registered at P.S. Mathili Rathan, District Sri Ganganagar provided he executes a personal bond in a sum of Rs.1,00,000/- with two sound and solvent sureties of Rs.50,000/- each to the satisfaction of learned trial court for his appearance before that court on each and every date of hearing and whenever called upon to do so till the completion of the trial.

ISSUE OF PREPARATION OF MEDICO LEGAL REPORTS, POST-MORTEM REPORT etc. BY HAND

17. This Court while considering post-mortem report (PMR) noted that the report as prepared in this case by Doctors of Government Civil Hospital, Sri Ganganagar, is in a pathetic form and manner as if the document had been prepared for their own understanding and use. In criminal matters, post-mortem report (PMR), all Medico Legal Reports etc., are very crucial documents not only for the prosecution and the defence but also for courts, various agencies and authorities. The manner and method in which the Doctors/ Medical Jurist are preparing these reports is really shocking and surprising.



18. Today, the country has a robust digital system in place. Despite this, the Doctors are preparing medical reports in a casual and negligent manner by hand which are illegible and incomprehensible. The three pages of the post-mortem report, as prepared in the present case, are reproduced as under **after scanning from the charge sheet, as filed:-**



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MEDICAL AND HEALTH DEPARTMENT, RAJASTHAN
GOVT. CIVIL HOSPITAL, SIKHANGANAGAR
POST-MORTEM REPORT
पॉस्ट मोर्टम रिपोर्ट

PMR No. 326
14/08/24

District SIKHANGANAGAR पुलिस थाना मदीली राठान Date 5.1.2024

Body Brought by Subash Bishnoi SI PS मदीली राठान
नाम जिसम लाने वाले का

Body Identified by as above police person
शनाख्त करने वाले का मंगेन (माँ)

Name, Age, Sex and Caste (deceased)
नाम, उम्र, लिंग और जाति (मृतक) मृतक से जेपी उमा 5/0 रणजीत राम उमा

Whence brought Village, Thane
कहाँ से लाया गाँव, थाना 21/0 जेपी लख 12/0 दौलतपुर

DATE AND HOUR OF तारीख और वक्त

Death मौत	Examination of body मुआयना किसम	Despatch of matter to Chemical Examiner भेजने केमिकल एग्जामिनेर जाहिर होना	Appearance of symptoms of poison or disease असाभाव जहर या बीमारी
within 24 hr फिर 24 घंटे में	5/8/24 6:00 PM	metallic fragments with plastic web. part of Cartridge two in number	

Symptoms observed before death
असामात जो मौत से पहले देखा गया Brought dead.

Information furnished by police
जानकारी जो पुलिस ने दी as per police pochina.

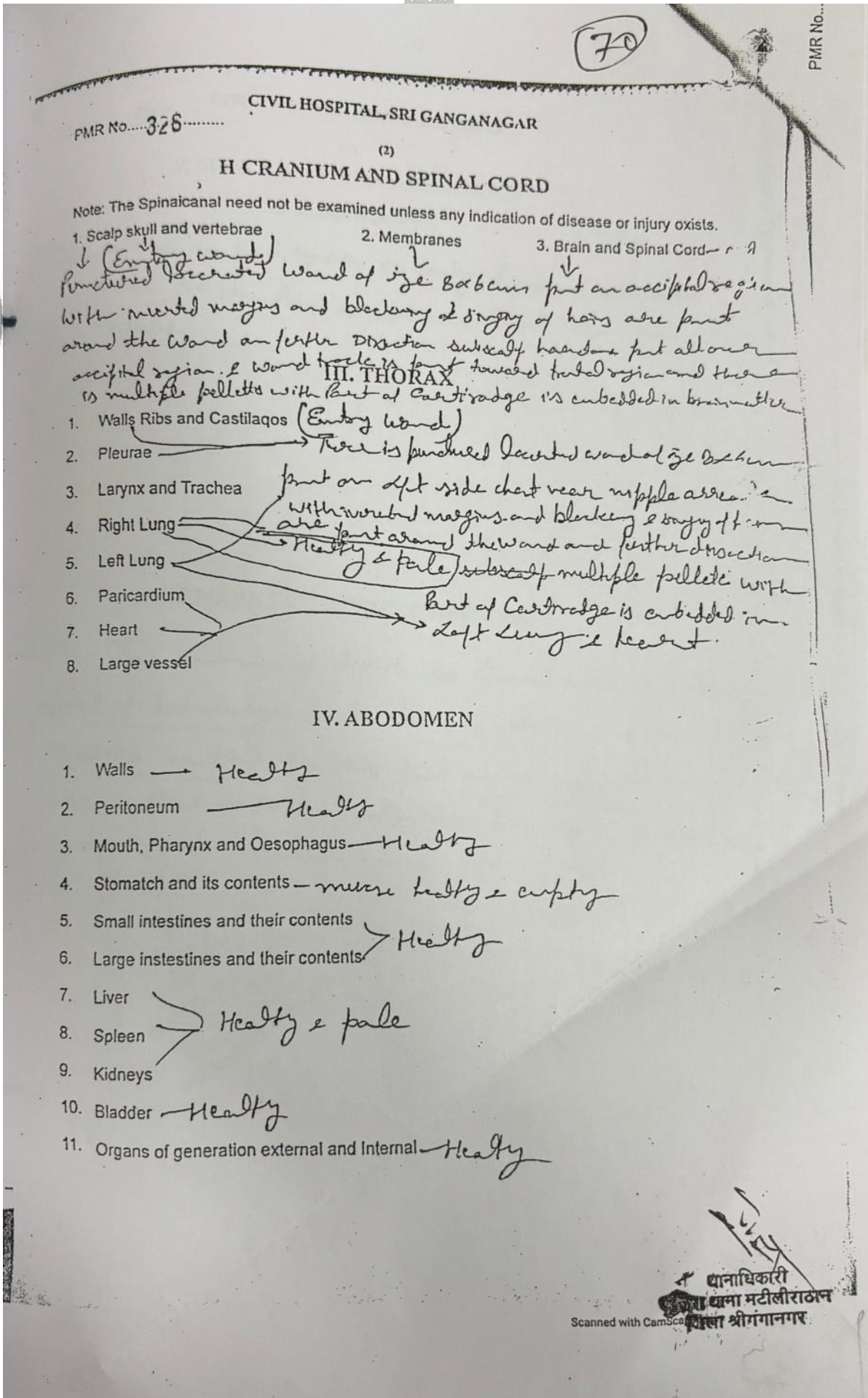
N.B.- The Medical Officer will observe the state of all the organs and when he finds no disease or injury, he should write in the apporapiatge place the word "Healthy"
नोट: मेडिकल ऑफिसर को तमाम अंगों की हालत देखनी चाहिए अगर उसे कोई बीमारी या चोट मालूम नही हों तो सही जगह वाक्य "तन्दुरुस्त" लिखना चाहिये।

EXTERNAL APPEARANCE

- Condition of subject-stout, emaciated, decomposed etc. Subject was averagly built & comical
- Wounds position, size nature wounds P.M. story part on back & right
- Bruises position, size, nature marks part on all over body mouth & eyes closed all other natural orifices
- Mark of ligature or neck, dissection, etc. are normal.
- Condition of pupils. Dilated

Scanned with CamScanner

थानाधिकारी
पुलिस थाना मदीली राठान





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CIVIL HOSPITAL, SRI GANGANAGAR

PMR No. 326

(3)

V. MUSCLES, BONES AND JOINTS

1. Injury

2. Disease of Deformity

3. Fracture

notes: above mentioned injuries caused by firearm & came with serious lacerations to death and order in nature

REMARKS BY MEDICAL OFFICER

opinion: The Cause of death is Cornea with cumulative effect of haemorrhagic shock due to above mentioned injuries mentioned in this post mortem report which are sufficient to cause death in ordinary course of nature

Vishnu

Dr. Vishnu Kumar Gahlot

Assistant Professor

General Surgery

Govt. Medical College, Sri Ganganagar-335001

Dr. Navdeep Singh

Assistant Professor & H.O.D.

Forensic Medicine

Govt. Medical College, SGNP

Dr. Navdeep Singh

Assistant Professor & H.O.D.

Forensic Medicine

Govt. Medical College, SGNP

MEDICAL JURIST

Govt. Civil Hospital, Sri Ganganagar

Scanned with CamScanner

थानाधिकारी

जिला थाना मटीलीराठा



19. The above scanned document, for reference, shows the casual and negligent attitude of Doctors/ Medical Jurists in preparing important documents like the post-mortem report, medico Legal Report etc. The above report is just an example and this Court has seen reports even worse than this in many bail applications and D.B. Criminal Appeals.

20. After noticing above, this Court by order dated 06.10.2025 called Mr. Deepak Choudhary, learned AAG cum GA and raised a specific query as to why these medical reports are prepared by-hand and not by using computers and digital technology. Learned AAG was directed to ensure presence of the Principal Secretary Medical and Health and the Principal Secretary Medical Education.

The order dated 06.10.2025 is reproduced as under:-

"1. This Court while hearing the present bail application noticed that the post-mortem report as filed with charge-sheet is not readable and further such handwritten documents are not readable not only for the Court but also for the counsels assisting the Court who are required to understand and explain its content. With a digital system in place for long, these kinds of documents being prepared in such a manner create hurdles in the administration of justice not only for the prosecution but also for the Court.

2. This Court called the learned AAG cum GA, Mr. Deepak Choudhary, in this regard and sought his assistance. The learned AAG informed that almost all documents which are prepared in criminal cases are duly prepared in a proper typed format, however, medical reports which include injury report, x-ray report, age determination report, sexual assault report, pregnancy report, different medical opinions, post-mortem report (PMR) are still prepared by the concerned doctors and medical jurists by hands, due to which these documents are not readable. He also, while assisting the Court submitted that in case these documents are prepared in duly typed manner similar to the manner in which FIR and other documents are prepared, then the same would be of great assistance only to the prosecution but also for the counsel for the accused as well as the Court hearing the cases. It is in the knowledge of this Court that this problem is not uncommon and almost all Courts in the country are facing the problem of not able





to understand the medical reports, post mortem reports etc. for the common reason that they are pen down by the doctors in writing which is illegible in almost all cases.

3. Having faced the similar problem, the Punjab and Haryana High Court issued directions to the NIC-Haryana to facilitate computerization of MLR's and PMR's. In pursuance to the same, NIC-Haryana prepared a software which is in place for long and this software was brought to the notice of all State and Union Territories, Judicial Academy, State Judicial Academy through respective NIC-State/Union Territory Centres. Despite the system in place for long and having information about the abovementioned software the doctors in the State of Rajasthan are still preparing MLR and PMR by hand as mentioned above as the State Government has not made such software in State.

4. Before issuing directions in this regard to State of Rajasthan, this Court deems it appropriate to hear Principal Secretary, Medical Education, State of Rajasthan and the learned Advocate General to have assistance in the matter before issuing any directions. Copy of this order be served on Principal Secretary, Medical Education, State of Rajasthan for appearing before this Court through video conferencing as well as to learned Advocate General. List this case on 09.10.2025 at 10:30 a.m. at a first case.

5. For necessary order on the bail application, list this matter on 13.10.2025.

(RAVI CHIRANIA), J"

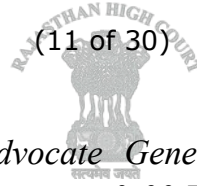
21. In pursuance of order dated 06.10.2025, the matter was listed before this Court again on 09.10.2025.

22. On 09.10.2025, the Principal Secretary, Medical Education could not appear and on his behalf Ms. Chanchal Verma (RAS) appeared and tried to assist this Court and answered certain queries regarding the preparation of post-mortem report and other medico legal reports by-hand. The order dated 09.10.2025 is reproduced as under:-

"1. This matter was last listed before this Court on 06.10.2025 and the presence of the Principal Secretary, Medical Education, Government of Rajasthan was ordered.

2. Today, this matter was taken up at 10.30 AM, however, due to the non-availability of the learned Advocate General as he is occupied with some other urgent cases and the Principal Secretary, Medical Education, Government of Rajasthan, who, as informed this Court, is also stuck in another pre-scheduled meeting, a request was made by





the learned Additional Advocate General cum GA Mr. Deepak Choudhary to take up this matter at 3:00 PM.

3. At 3 PM, the matter was taken up again, however, this Court was again informed that the concerned Secretary is busy continuously in a pre-scheduled meeting and, therefore, she could not appear through Video Conferencing (VC). However, on behalf of the concerned Principal Secretary, Ms. Chanchal Verma, RAS, appeared and assisted this Court by stating that a process has been initiated to implement a system across the State of Rajasthan which commenced in January, 2025. This Court noted that though in the State of Punjab and Haryana the Medico Legal Examination and Post Mortem Reporting (MedLEaPR) software was started in year 2011-12, however, the State of Rajasthan has, even after more than 14 years, failed to implement the same completely. The medical reports in respect of criminal cases of injuries, post-mortem, sexual assault cases, age determination report etc. are required to be prepared in a clean, legible and systematic manner. There cannot be any justified reason for not fully implementing the software in Rajasthan even after 14 years. Although some effort appears to have been made by the State but it does not appear to be sufficient. It appears that the State has been very slow in implementing it when many States & UTs are already using from last many years.

4. Ms. Chanchal Verma, RAS is directed to further inform the concerned Principal Secretary to be ready with all the relevant information and the complete schedule for the implementation of the MedLEaPR across the State so that after total implementation, no reports are prepared in a handwritten manner rather they are prepared strictly as per the MedLEaPR, as implemented in the other State.

5. This Court wish to hear the concerned Principal Secretary and learned Advocate General on the next date of hearing, in this regard list this case on 15.10.2025 at 3:00 PM. 6. This Court requests Mr. Vineet Jain, Sr. Adv. and Mr. Dharendra Singh to assist this Court on this issue.

(RAVI CHIRANIA), J''

23. After hearing Ms. Chanchal Verma for some time, this Court for further queries, directed her to appear again before this Court through VC on 15.10.2025 and thereafter on 17.10.2025. On 17.10.2025, the Principal Secretary Medical & Health, Ms. Gayatri Rathore appeared through VC and informed this Court that the State of Rajasthan has started the process of preparing medical reports through the **Medico Legal Examination and Post**





Mortem Reporting (MedLEaPR) software from January, 2025.

She further informed that only those hospitals which are requested by the Investigating Officers of the respective case, through online mode (CCTNS) for preparation of the report, prepares the report through MedLEaPR software, while the rest prepare by hand.

24. She further stated that the State Government has started the process of training the doctors for MedLEaPR software and is in the process of providing all required infrastructure so as to have a complete system in place for preparation of all medico legal reports, PMR etc., through MedLEaPR software only in the state.

25. She also informed and further assured that in next 15-20 days, the complete system would be in place and thereafter all the reports would be mandatorily prepared through MedLEaPR software only.

26. The issue involved in the present case is important not only for the courts but also for the lawyers appearing for the respective sides, investigating and prosecution agencies, various other Authorities etc., in understanding and taking necessary judicial, administrative and other action on that basis. If such reports are not readable and legible, then the very purpose of their preparation loses its significance and cause serious hindrance in the administration of Justice and doing other legal and administrative functions.

27. This Court by order dated 09.10.2025 requested Mr. Vineet Jain, Sr. Advocate and Mr. Dharendra Singh Champawat, Sr. Advocate to assist this Court on the issue.



28. On 17.10.2025 learned Senior Counsel Mr. Vineet Jain provided valuable assistance to this Court in the form of written submissions in regard to the issue as involved. Learned Senior Counsel informed this Court that the Medical Council of India (now **National Medical Commission**) (hereinafter referred to as **"NMC"**, for short) issued a Notification dated 21.09.2016 in exercise of powers conferred by Section 33 of the Indian Medical Council Act, 1956 titled as Regulations to amend the Indian Medical Council (Professional Conduct, Etiquette and Ethics) Regulations, 2002. The Notification provides that **every physician should prescribe drugs with generic names legibly and preferably in capital letters**. The notification dated 26.09.2016 is reproduced as under:-

**"MEDICAL COUNCIL OF INDIA NOTIFICATION
New Delhi, the 21st September, 2016**

No.MCI-211(2)/2016(Ethics)/131118 .- In exercise of the powers conferred by Section 33 of the Indian Medical Council Act, 1956 (102 of 1956), the Medical Council of India with the previous sanction of the Central Government, hereby makes the following Regulations to amend the "Indian Medical Council (Professional Conduct, Etiquette and Ethics) Regulations, 2002: - Short Title and Commencement:-

1. (i) These Regulations may be called the "Indian Medical Council (Professional Conduct, Etiquette and Ethics) (Amendment) Regulations, 2016 – Part – I".
(ii) They shall come into force from the date of their publication in the Office Gazette.
2. In the "Indian Medical Council (Professional Conduct, Etiquette and Ethics) Regulations, 2002", the following additions/modifications/deletions/substitutions, shall be, as indicated therein:-





3. In Chapter 1-B-Duties and responsibilities of the Physician in general, Clause – 1.5 under the heading – **Use of Generic names of drugs**, the following shall be substituted : -

“Every physician should prescribe drugs with generic names legibly and preferably in capital letters and he/she shall ensure that there is a rational prescription and use of drugs”.

DR. REENA NAYYAR, Secy. I/c
[ADVT.-III/4/Exty./253(100)]”

29. Learned Senior Counsel Mr. Vineet Jain further submitted that the NMC (earlier MCI) issued National Medical Commission Registered Medical Practitioner (Professional Conduct) Regulations, 2023 by Notification No.R-12013/01/2022/Ethics dated 03.08.2023. In the said Notification, specific and clear guidelines were issued to all Registered Medical Practitioners to **write prescriptions in legible and preferably in full CAPITALS letters to avoid misinterpretation.** It is further provided that the prescriptions should be typed and printed to avoid errors.

30. Learned Senior Counsel, in the written submissions, referred to the judgment passed by the High Court of Orissa in **Krishna Pad Mandal @ Krushna Pada Mandal Vs. State of Odisha, I.A. No. 447 of 2020 (Arising out of BLAPL No. 3541 of 2020).** The relevant part of the order dated 10.8.2020 passed in the case of **Krishna Pad Mandal @ Krushna Pada Mandal** (supra) reads as under :-

“Before parting with the present application, one issue which this court is constrained to articulate is that considerable time and frustration associated with detective work in so far as medical reports/doctors’ prescriptions are concerned. Such illegible scrawls composed by doctors creates unnecessary nuisance at the end of the patients, pharmacists, Police, prosecutors, judges who are bound to



deal with such medical reports. Prescriptions of physicians, OPD slips, post-mortem report, injury report etc. written, perforce, are required to be legible and fully comprehensible. A medical prescription oughtn't to leave any room for ambiguity or interpretation.

This Court has highest regard for the professionalism of doctors and records its appreciation for them for their exemplary and untiring service during COVID19 pandemic at different levels. The entire nation salutes their professionalism and supreme sacrifice during the current pandemic of unrelenting ferocity. This Court is also not suggesting that there is a responsibility gap at the end of the medical professionals like the Doctors, who are unquestionably valuable assets to our society. It is also equally trite that legible hand writing is a valuable asset to an educated man.

The illegible or significantly lower legibility than average handwriting impedes understanding the prescriptions and stand as a barrier to proper comprehension leading to, among others, innumerable medical complication. If we consider the issue from patient's perspective, illegible handwriting can delay treatment and lead to unnecessary tests and inappropriate doses which, in turn, can result in, at times, fatal consequences. On many occasions, the pharmacists find it difficult to decipher what is written in the prescription. Sometimes, even some physicians fail to read their own handwriting. The physician working in Government or private or other medical set-ups are suggested to write the name of drugs in CAPITAL LETTERS or in a legible manner. The CAPITAL LETTERS could perhaps ensure a proper visibility to the prescriptions and will remove the guess work and related inconveniences completely. Better handwriting will help in easily deciphering the names of the drugs, doses, strength, frequency etc. with much ease. There could be some good justifications for such sloppy handwriting and the prominent one could be the relative heavy work pressure, long working hours, symptoms like writer's cramp etc. due to adverse patient-doctor ratio in the country, more especially, in the State like Odisha. In this new age of consumerism and the looming threat of allegations of medical negligence, it is imminent that the professionals protect themselves by exercising this basic care and caution.

This court feels, it is imperative that the entire physician community need to go an extra mile and make conscious efforts to write prescriptions in good handwriting preferably in CAPITAL LETTERS. The digital era could also throw open several options to make prescriptions and the diagnosis more patient friendly.

Looking at the magnitude of the issue, the Medical Council of India (MCI) also issued its notification dated 21st September, 2016, under Section 33 of the Medical Council Act, 1956, with a previous sanction of the Union Government, called "Indian Medical Council (Professional Conduct, Etiquette, and Ethics) (Amendment)





Regulations, 2016". Regulation 1.5 of the said Regulation, in particular, mandates that:

"Every physician should prescribe drugs with generic names and preferably in capital letters and he/she shall ensure that there is a rational prescription and use of drugs"

The said notification prescribes that the doctors to write legible prescriptions preferably in CAPITAL LETTERS. The underlined objective of such notification is that writing names of medicine in capital letters ensures that doctors who have poor running handwriting can compensate for their deficiency by writing in capital letters. Some efforts in this direction has also come from the States like Maharashtra and Jharkhand, in the form of special circulars, consistent with the aforesaid notification issued by MCI.

In view of the growing concerns in this regard, especially in view of the fact that illegible handwriting could have life threatening consequences, this Court deems it fit to request the Chief Secretary, Government of Odisha to examine the feasibility of issuing appropriate circulars, in consultation with the Medical Council of India and the Central Government, to implement the abovementioned directions, as per the Notifications dated 21.09.2016 issued by the Medical Council of India, with respect to prescription of drugs by doctors. Further, appropriate steps may also be taken to create awareness among the medical professionals, involved in medico-legal cases, to record their observations and comments in a legible manner."

31. Learned Senior Counsel further cited the order passed by the High Court of Punjab & Haryana in anticipatory bail application of XXXXX Vs. State of Haryana and Another (CRM-M-30302-2024), where the High Court took Suo Moto cognizance in respect of wide spread issue of illegible hand-writing in medical documents declaring the right to a legible medical prescription as an integral part of fundamental right to life as provided under Article 21 of the Constitution of India. The directions as issued by the High Court of Punjab & Haryana are as under :-

"72. Consequently, this Court deems it fit to issue the following directions:

(i) Considering the Affidavits and instructions issued by States of Haryana, Punjab and Union Territory of Chandigarh as reproduced above, that advisory/directions have been issued to all the doctors of their respective State/UT that in case of handwritten prescription



slips and diagnosis, all medical prescriptions/diagnosis shall be written in CAPITAL letters by all doctors till the time computerized/typed prescriptions are adopted, the three States (Haryana, Punjab and UT Chandigarh) are directed to meticulously comply with their own instructions and affidavits submitted in this Court and ensure that the same are complied with in letter and spirit. In furtherance of the same, the States of Punjab, Haryana and the Union Territory, Chandigarh shall in coordination with the State Medical Commission, if any, make endeavours to inform and sensitize all the doctors within their respective jurisdictions by holding periodic meetings at district level under the supervision of Civil Surgeon.

(ii) The Union of India shall comply with the inputs enclosed with the letter dated 28.05.2025 (Mark-'X') issued by the Under Secretary to the Government of India as reproduced above for issuing appropriate Notification for Minimum Standards in the Gazette of India as expeditiously as possible.

(iii) PGIMER is already under the process of implementation of a medical software HIS-II wherein Medical e-prescription is a part of the Doctor Desk Module. In view of the same, PGI shall ensure its implementation as expeditiously as possible and preferably within two years.

(iv) Considering the stand taken by the States of Punjab and Haryana that the doctors will be required to write the medical prescription and diagnosis in Capital Letters till the time computerization of the same is done, it is directed that in order to achieve the objective of computerization/typed prescriptions, sincere efforts be made for framing a comprehensive policy in this regard with due emphasis on providing financial assistance, if so required by Clinical Establishments/doctors. The aforesaid exercise be completed within two years.

(v) U.T Chandigarh shall also make sincere efforts to frame policy on similar lines as aforesaid.

(vi) National Medical Commission is requested to take effective steps to introduce and inculcate the importance of legible and clear handwriting in medical prescription as a part of curriculum in all the Medical Colleges/Institutions in India in view of the fact that Right to legible Medical Prescription /Diagnosis/Medical documents and Treatment is an integral part of Right to Health which is a Fundamental Right vested under Article 21 of the Constitution of India."

32. Counsel further referred to the similar directions issued by the Division Bench of the Uttarakhand High Court in Review Application No.1240/2018 in WPIL No. 120 of 2016. The directions as issued by the Uttarakhand High Court are as under :-

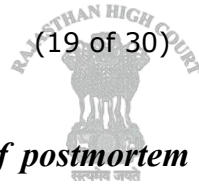




“Accordingly, the Review Application is dismissed; but, in the larger public interest, we direct all the doctors throughout the State of Uttarakhand in Government Sector, Public Sector and Private Clinic establishments that all the prescriptions / medical reports should be computer-generated in order to enable the ordinary patients and their attendants to read the same. As far as the Government Doctors are concerned, the State Government is requested to provide necessary infrastructure to the doctors and, in the meantime, Government Doctors shall prescribe the medicines in legible bold letters”.

33. In the written submissions, as submitted, learned Senior Counsel for assistance of this Court, gave following suggestions, which are reproduced as under :-

- “1. **The draft of Postmortem Report (PMR) and Injury Report (IR) should be filed as far as possible in capital letters** to ease the process of reading and deciphering the contents of the same both for the investigative agencies and so also for the concerned courts.*
- 2. The PMR and IR should be written precisely and definitively i.e. the nature of injuries and details thereof should always be mentioned like margins being clear cut or irregular, inverted or everted, stab wound with shape and size. The attending Doctors may also use local language and words to ease the process for people in the rural areas.*
- 3. **Figures should be used to denote exact place of injuries** for this purpose the Doctors maybe directed to use set performa as as provided in MedLEaPR software. Exact place of injury should also be mentioned in in the injury report and so also in the postmortem report, apart from using medical terms, words in common parlance, be also mentioned so as to **show the exact site of injury.***
- 4. Presence and extent of rigor mortis be specified, further time of death should be mentioned in the closest possible estimate as far as possible by using scientific method. **A note with respect to the scientific method used may also be mentioned at the end of every post report.***



5. *After preparation of postmortem report and injury report, typed copy may be attached with the original report, the said type copy, can be duly verified by the Author/Doctor, who prepared the said report.*

6. *Bed Head tickets and other medical treatment records, namely prescriptions, opinions, etcetera, when supplied be also appended with typed copies, duly verified by the author/doctor as far as possible.*

7. *The postmortem reports and injury reports should be given unique number so to track the same in future and further to ensure that no confusion is created. In case there are two patients with the same name. The report should be stored in a dedicated database with the state department, so that crime categorization can be done by the state authorities if needed.*

8. *Access to these records be given only to medical practitioners, investigating officers & with the due permission of the court, to parties concerned so that it does not land with third parties & strangers to prevent misuse and further to ensure privacy of the parties is maintained.”*

34. After hearing the Principal Secretary, Medical & Health; Principal Secretary, Medical Education; learned AAG cum GA Mr. Deepak Choudhary and learned Senior Counsel Mr. Vineet Jain assisted by Pravin Vyas, Advocate, this Court noted that the serious need of preparation of legible medical reports by MedLEaPR, which include Post-Mortem Report, Injury Report, Age Determination Report and Sexual Assault Report etc., which are presently prepared by doctors almost in every part of the country, except few States by-hand including medical prescriptions which are majorly illegible, unreadable and incomprehensible.

35. This issue was first taken up by the High Court of Punjab & Haryana in the year 2011 in the case of **Rajpal @ Labh Singh & Anr. Vs. State of Haryana**. The High Court of Punjab & Haryana





in **Rajpal @ Labh Singh & Anr** (supra) directed the NIC, Haryana, to prepare a comprehensive software so that all the medical reports could be prepared through a software.

36. In pursuance of directions of the High Court of Punjab & Haryana, NIC, Haryana prepared **“Medico Legal Examination and Post-mortem Reports System (MedLEaPR)”**.

37. This exercise was the first of its kind in the country and, therefore, the High Court of Punjab & Haryana directed NIC, Haryana to appraise all the States, Union Territories, National Judicial Academy and State Judicial Academy through the respective NICs of State/UT about the availability of MedLEaPR software for the preparation of post-mortem report/medico legal reports for the use in the respective areas. Important features of the MedLEaPR software as prepared by NIC, Haryana were pointed out to this Court from a document downloaded from internet are as under:-

“OVERVIEW OF MEDLEAPR SYSTEM *The software is a web based system, as per legally approved forms related to MLRs and PMRs. The domain inputs were provided by the designated doctors from the states of Haryana, Punjab, UT Chandigarh, PGIMER Chandigarh & Rohtak and ESI Hospital Chandigarh.*

BASIC WORKFLOW OF THE SYSTEM

A. Registration of a Case – *When a victim/accused is brought to a Health Institute, his/her registration process is completed. Details of persons, including police, accompanying the victim/accused are also captured.*

B. Doctor’s Examination Reporting Process – *Thereafter, the victim/accused is examined and the opinion and observations are fed online by the doctor, in the relevant prescribed format.*



C. On-line Graphical/Pictorial Representation Module – These modules takes care of the cases where some injury is found on the body of the person, including burns etc. This needs to be clearly illustrated on the sketch of the human body. The requirement was given by a core team of doctors handling domain specific requirements. The NIC Haryana team, spent days with doctors at Hospitals in Panchkula, Mohali, Chandigarh and PGIMER to understand the requirements and explored the requirements. The required sketches of human body (Male & Female) were obtained from Directorate of Health Services Haryana and stored in the software. The access was provided to the concerned doctor, with a facility to mark injuries at the exact location on the sketch, along with the facility to enter the injury details.

D. Subsequent Opinion Process - Often samples of body parts, viscera, clothes etc are sent to various specialist forensic/chemical laboratories for examination. Based on the reports received from these laboratories, doctor opinion is sought by law enforcement agencies, which becomes the base for the final opinion on the case. After receiving the laboratory reports, the doctor enters his/her final opinion in the system, using his credentials.

SALIENT FEATURES

- (a) Data entry by doctor in stages (keeping in mind, typing speed of doctor and speed of Internet connectivity).
- (b) Centralized web enabled solution, hosted at the State Data Centre. Only a system with Internet connectivity required by the doctor.
- (c) In case of some problem with the system, blank formats available for offline entry, which can be entered subsequently when the system is working.
- (d) Complete audit trail in Admin module for maintaining User Log and Status details.
- (e) The mandatory consent form has been provided in Hindi, English and Punjabi languages.
- (f) Since the role of doctors is very crucial in the whole working of the system and transfer of doctors is a regular event, a mechanism has been incorporated in the system in which there is no intervention of System Administrator to accomplish this. A user can make required transfer request in the system and HOD of the





transferee institute accepts the request at the time of joining of the doctor in the institute.

SECURE ACCESS CONTROL TO ENSURE PRIVACY OF VICTIM, ACCUSED & DOCTOR

(a) There is restricted access to the system and only authorised users can gain entry into the system based on the login User-ID and Password issued to them.

(b) Passwords are generated using strong password policy. Users are forced to change their passwords, on the first login and passwords are stored in encrypted form.

(c) The doctor conducting the examination and entering/uploading data of a particular MLR / PMR is able to enter, edit and update the complete record, till it is converted into a read only, view-only format.

(d) The access to the system is role-based only.

It is informed to this Court that after the acceptance of software by the designated doctors & hospitals in the states of Haryana, Punjab and UT Chandigarh, High Court made it **mandatory for the above states to implement the MedLEaPR software w.e.f. 03/12/2012. The software implementation progress is regularly monitored by the High Court and the system is now being used by the doctors in Government Health Institutes and Private Nursing Homes/Hospitals in these States.**

38. Though, NIC Haryana circulated this information to all Judicial Academies, State government etc., however, the State of Rajasthan, even after more than 13 years has failed to implement this software and put the system in place completely, therefore, all PMRs, MLRs etc. are still prepared by hand only in few case by software is used as noted above.

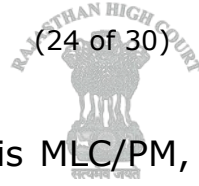




39. On 06.10.2025, when this Court took cognizance of the issue and posted the matter on 09.10.2025, then it was informed by learned AAG Mr. Deepak Choudhary that coincidentally the Chief Secretary, State of Rajasthan had called a specific meeting regarding the complete and proper implementation of the MedLEaPR software in the State of Rajasthan.

40. This Court interacted with the Principal Secretary, Medical & Health, Ms. Gayatri Rathore, who informed that from January, 2025 State has started using MedLEaPR software, however, it is not fully operational up till now due to various factors. She stated that the doctors require in depth training for preparation of PMR and MLR etc. of the respective cases. She also informed that I.Os, as on today, only in the cases where police agencies makes online request through CCTNS for preparation of MLC and/or PMR etc., reports are prepared through the software otherwise in all other cases the reports are prepared by hand only. The practice, according to her, which is in place as on date for using the MedLEaPR software in the State is as under :-

1. Police agency generates the request for MLC or PM through CCTNS.
2. The generated requests is transferred online to the concerned doctor/forensic expert or concerned lab through MedLEaPR platform.
3. The concerned doctor/forensic expert login into his account and he may view the pending request by the police and proceed accordingly.



4. After performing his MLC/PM, the doctor feeds the report data online on MedLEaPR platform. The report shall be e-signed for authenticity and after that the report gets forwarded to CCTNS where the police agencies can view the same reports.

41. She further stated that in the cases where police do not make any request, the reports are prepared only by-hand i.e. manually.

42. The above statement is highly shocking and surprising. Leaving option with the police officials/Investigating Officers of the respective cases for preparation of the report through the software is highly unacceptable. The purpose for which software was first time prepared by NIC, Haryana under the order of the High Court of Punjab & Haryana has been frustrated by the State by leaving the option with the police officials including the Investigating Officers in preparation of reports.

43. After considering the detailed written submission including the suggestions given by learned Senior Counsel Mr. Vineet Jain assisted by Pravin Vyas, Advocate, the orders passed by various High Courts in respect of the same issue; the facts noted from interaction with the Principal Secretary, Ms. Gayatri Rathore and after hearing learned AAG-cum-GA Mr. Deepak Choudhary, this Court noticing the fact that the State has already started using the MedLEaPR software from January 2025, therefore, that there is no need for any direction in respect of preparation of any new software, however, deems it appropriate to issue the following



directions to the State Government, for the issue as discussed above:-

(i) The State through Principal Secretary Medical Education and Principal Secretary Medical and Health shall jointly/ independently issue a detailed notification or circular within 15 days from the date of this order for preparation of all MLR, PMR, age determination test, sex determination test, all other medico legal reports etc. through MedLEaPR software by all doctors of Government and private establishment etc. strictly without any fail **w.e.f.**

01.02.2026.

(ii) The Additional Chief Secretary, Home is directed to issue circular to all police officials, Investigating Agencies and Investigating officers of all cases to generate request for preparation of all MLR, PMR etc., in all cases through CCTNS compulsorily. In no case the medical reports shall be prepared by hand after 01.02.2026. In any case, if MLR, PMR etc. are prepared by hand or without use of MedLEaPR software, after 01.02.2026, then the investigating officer, concerned SHO, the Superintendent of Police of the respect of districts and Commissioners of the respective Jaipur and Jodhpur Commissionerate would be personally responsible.

(iii) The State Government is directed that, **till the system is completely put in place**, all MLR, PMR etc. would be prepared in capital letters with clean and legible handwriting and would be accompanied by a typed copy of the document, which includes PMR, MLR, age determination test, sex



determination test etc., but also all medical reports, prescriptions of physicians, OPD slips, written medical opinion etc., and must be in fully comprehensible after 08.12.2025.

(iv) As the present format for preparing PMR, MLR etc. have insufficient space for preparation of reports, therefore, both Principal Secretaries are directed to ensure issuance of new formats having sufficient space and extra columns for preparation of reports of PMR and all MLRs so that there is no overlapping or criss-crossing. These formats must be available to all PHCs, CHCs, SDHs and district hospitals etc. within 10 days from the passing of this order.

(v) The Additional Chief Secretary Home; Principal Secretary Medical Health; Principal Secretary, Medical Education and DGP Rajasthan would ensure proper circulation and wide publicity of their respective notification/circulars, which would be issued independent/common for compliance of above-mentioned directions in the State of Rajasthan to strictly follow the timelines and the directions.

(vi) The directions of this Court and notification/circular shall also be brought to the knowledge of all doctors, police officials, Investigating Officers etc., and also government and private establishments, by putting an information in a form of notice to be published in English and Hindi newspaper of the State.



(vii) All medical reports after 08.12.2025 must be prepared in capital letters up to 31.01.2026 and from 01.02.2026 only through MedLEaPR software.

(viii) The State shall also ensure that all reports are uploaded with a proper QR Code to check its authenticity and details of the case for which it was prepared along with other relevant details.

(ix) All medical reports prepared by various government and private medical labs, in respect of tests as conducted for various medical ailments etc., must contain specific opinion and conclusion of the pathologist etc., with physical signature (not digital) about the conclusion of the test as conducted.

(x) For fair and timely investigation and for administration of justice, the State shall ensure that all samples collected during investigation of the cases by police and other investigation agencies must be deposited for forensic report in FSL, maximum within five days from the date of collection and should not remain in the police station thereafter except for extraordinary reasons and circumstances to be mentioned in the letter submitted along with sample.

(xi) Sending or receiving of sample in FSL must be communicated with self generated E-mails and SMS on the designated e-mails, mobile number of the concerned IO/authorised person.

(xii) The reports, on preparation and uploading must be e-accessible to IO, doctors concerned or the person authorised.





(xiii) In the MedLEaPR software IO/authorised person must be able to track the status of sample submitted for forensic report in FSL.

(xiv) The State shall also ensure that while preparing and storing the reports in MedLEaPR software, no data is shared with any unauthorized person. For any unauthorized disclosure of information, the person responsible would be held liable and necessary administrative action be taken against him. The data must be secured and protected from any unauthorized access, leakage, sharing etc., through digital or other means.

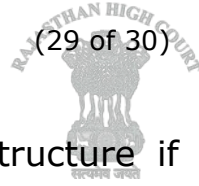
(xv) The State shall allow access to the medical reports, as prepared in respective cases, to the Authorities, Agencies etc., which are related or interested or concerned with the report for necessary administrative and/or legal action at their end. The access shall be provided only on the request of the authority etc., after due permission of Principal Secretary concerned or authorized person.

(xvi) For implementation of the above directions, for use of MedLEaPR software, the Principal Secretary Medical and Health and the Principal Secretary Medical Education are directed to provide the following infrastructure to all PHCs, CHCs, SDHs and district hospitals:-

I. Computer with required specifications, printer, scanner and UPS

II. High speed internet connectivity, 24/7





and any other infrastructure if required, at the respective hospital/health center etc., within a period of 30 days from the date of passing of this order and make them fully operational before 31.01.2026.

(xviii) The above Principal Secretaries shall also ensure that all required doctors/Medical Jurists are registered on MedLEaPR within 20 days from the date of this order.

44. For compliance with the above directions, Additional Chief Secretary, Home, Director General of Police, Principal Secretary Medical and Health and Principal Secretary Medical Education shall submit a compliance report on the above directions within 45 days from the date of passing of this order informing the details of the notification/circular as issued, number of doctors/Medical Jurist registered and trained, information circulated in newspaper and required infrastructure as provided and new form of PMR, MLR and injury report etc., as issued. The compliance report must also contain the affidavit of all CMHOs, Head/Superintendent of all Government Hospitals, authorised person/Head of all private hospitals, clinics, other establishment etc. regarding knowledge of the directions as issued above and steps, if required, taken for compliance.

45. The notification or circular must also contain the specific order that in case of preparation of the above-mentioned reports by hand and not by MedLEaPR software is noted in any case **(where Reports are prepared after 01.02.2026)**, then the same would lead to initiation of disciplinary action under Rajasthan Civil Services (Classification, Control and Appeal) Rules,



1958 and other applicable rules and regulations against the responsible Government doctor and other responsible Government officials and authorized persons of private establishment.

46. Any violation of the directions as issued in this case would also amount to contempt of order of this Court and the proceedings under the Contempt of Court Act, 1971 would be initiated suo moto against responsible officials/persons.

47. This Court appreciate the efforts and valuable assistance provided to by the Senior Advocate Mr. Vineet Jain in the matter.

48. Copy of this order to be forwarded to Additional Chief Secretary Home; Director General of Police; Principal Secretary, Medical and Health and Principal Secretary, Medical Education for compliance.

(RAVI CHIRANIA),J

Sanjay Singh/-