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GOVERNMENT OF ARUNACHAL PRADESH
DEPARTMENT OF HOME
ITANAGAR

ORDER

The 20th August, 2025

No. HOME-12041/1/2022/470.— In suppression of this office's earlier order of even number dated 26th June, 2025, the Governor of Arunachal Pradesh hereby prescribes the following guidelines to streamline the process of engaging Special Public Prosecutors (NDPS, POCSO, SIT and Human Rights) in the Home Department, Government of Arunachal Pradesh:

1. Procedure for Engagement:

The procedure for the engagement of Special Public Prosecutors (SPPs), including qualifications and terms of their engagement, shall be as follows:

1.1 Qualifications of Special Public Prosecutors:

- Advocates with a minimum of ten years of experience shall be eligible to apply, in accordance with Section 18 (8) of the Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023.
- Adequate experience in handling NDPS, POCSO, SIT and Human Rights cases is desirable.

1.2 Engagement Procedure:

- The Police Headquarters, Itanagar, shall assess the requirement for SPPs (NDPS, POCSO, SIT and Human Rights) in each District based on the case load and will communicate the same to the Home Department.
- Applications shall be invited through advertisements published in leading newspapers. No individual application, whether submitted directly by the applicant or through referral, shall be accepted.
- A Selection Committee comprising the Principal Secretary (Home), Commissioner (Law) and Director of Prosecution shall be constituted for the purpose of evaluating the applications and recommend the engagement of advocates possessing the requisite qualifications stated in Sl. 1.1. Based on the recommendation of the Selection Committee, the Home Department shall obtain the approval of the Minister In-Charge, Home, for the engagement of the recommended advocate as SPP (NDPS, POCSO, SIT and Human Rights).
- Preference shall be given to advocates whose names appear on the panel list of advocates maintained by the Department of Law and Justice, Government of Arunachal Pradesh.
- The term of engagement shall be for a period of eleven (11) months.

1.3 Documents Required:

- CV/Bio-Data by the applicant, duly typed, along with a passport-sized colour photograph- **Proforma-A**, along with supporting documents.
- Details of important criminal cases, including NDPS, POCSO, SIT and Human Rights cases in **Proforma-B**.
- Self-attested Certificate of Enrollment from the concerned Bar Council showing that the applicant has been in practice as an Advocate for not less than 10 years.
- Recommendation certificate from the concerned District and Sessions Judge in **Proforma-C**.

2. Term of Engagement:

- The initial term of engagement shall be for eleven (11) months from the date of issue of order.
- Term of engagement may be extended based on satisfactory performance as evaluated by the Home Department.

3. Performance Review:

The performance of SPPs will be reviewed/monitored by the Home Department.

4. Termination/Resignation:

- (a) The Home Department reserves the right to terminate the services of an SPP even before the completion of the term, if deemed necessary.
- (b) SPPs may resign by giving one month's written notice to the Home Department.

5. Duties of SPPs:

- (a) To represent the State Government effectively in all court proceedings/cases as per the engagement order issued by the Home Department.
- (b) To oppose bail in a timely manner and prepare draft affidavits/counter affidavits accordingly, without any delay.
- (c) To furnish para-wise draft replies/counter replies in cases, enclosing therewith the relevant annexures.
- (d) To provide regular case updates (including date of next hearing and any pending action on behalf of the Home Department) and certified copies of judgments to the Home Department/Police without delay.
- (e) To assist the prosecution witnesses of the Home Department before their evidence and guide them in facing cross-examinations. The SPPs should prepare each witness and the statement of each witness in such a manner that there is consistency in the stand of the Home Department.
- (f) To intimate the Home Department of any case decided against the State Government immediately after the pronouncement of the judgment/order by court (along with certified copy thereof), and to furnish an opinion about filing an appeal in such cases immediately.
- (g) To submit an annual case performance report in **Proforma-D**.
- (h) To perform any other duties of a legal nature assigned by the Home Department.

7. Right to Private Practice:

SPPs shall have the right to undertake private practice, however, they shall not appear in prosecution matters against the Department (including NDPS, POCSO, SIT or Human Rights matters, as applicable to their specific engagement) in any court.

8. Fees and remunerations:

- (a) The SPPs engaged by the Home Department shall be entitled to professional fees as per the rates decided by the Department of Law, Legislative and Justice, Government of Arunachal Pradesh from time to time.
- (b) In the case of SPP (NDPS/POCSO/Human Rights), certified bills must be submitted to, or through the Deputy Commissioner of the concerned District.
- (c) For the payment of SPP (SIT) bills, certified bills in triplicate must be submitted to, or through the Superintendent of Police (SIT), PHQ, Itanagar.

Principal Secretary (Home),
Government of Arunachal Pradesh,
Itanagar.