

REGISTERED No. M - 302  
L.-7646

# The Gazette of Pakistan

EXTRAORDINARY  
PUBLISHED BY AUTHORITY

---

---

ISLAMABAD, MONDAY, FEBRUARY 20, 2023

---

---

## PART II

### Statutory Notifications (S. R. O.)

GOVERNMENT OF PAKISTAN  
MINISTRY OF LAW AND JUSTICE

### NOTIFICATION

*Islamabad, the 14th February, 2023*

**S. R. O. 185(I)/2023.**—In exercise of the powers conferred by sub-section (1) of section 19 of the Anti-Rape (Investigation and Trial) Act, 2021 (XXX of 2021), the Ministry of Law and Justice, upon the recommendations of the Special Committee, is pleased to make the following rules, namely:—

### CHAPTER-I

#### Preliminary

1. **Short title and commencement.**—(1) These rules shall be called the Anti-Rape (Investigation) Rules 2022.

(2) These rules shall come into force at once.

445(1—5)

Price : Rs. 10.00

[320 (2023)/Ex. Gaz.]

2. **Definitions.**—In these rules, unless there is anything repugnant in the subject or context,—

- (a) “Act” means the Anti-Rape (Investigation and Trial) Act, 2021 (No. XXX of 2021);
- (b) “first information report (FIR)” means information recorded under section 154 of the Code;
- (c) “investigation officer” means an officer of a law enforcement agency empowered to investigate scheduled offences; and
- (d) “SSOIU” means the special sexual offences investigation unit established under section 9 of the Act.

## CHAPTER-II

### Duties of Officer-in-Charge and Investigation Officer

3. **Officer-in-charge.**—(1) The officer-in-charge shall be the head of the special sexual offences investigation unit (SSOIU) for the purposes of investigation under the Act and shall be a police officer so appointed in this behalf.

- (2) The duties of the officer-in-charge shall include:
  - (a) to ensure FIR to be registered immediately and without unnecessary delay;
  - (b) liaison between police investigation, prosecution, anti rape crisis cell (ARCC) and forensic department from the beginning till the end of the case;
  - (c) to designate a female police officer, where appointed, who shall assist the investigation till its conclusion;
  - (d) to ensure female police officer, where appointed, is present during statements taken from the victim, at the ARCC for medico-legal examination (MLE) and forensic laboratory for DNA reference sample submission;
  - (e) cordoning off the crime scene and ensuring the safety and security of the evidence;
  - (f) to ensure timely and correct collection of evidence for each case and occasion;

- (g) to ensure timely submission of blood and urine samples, duly signed and sealed by the medico-legal officer (MLO), of the victim to the relevant forensic laboratory along with MLO's request letter by the investigation officer; and
- (h) to ensure that recording of statement of the survivor shall be allowed to be taken at the ARCC; and
- (i) to maintain the chain of custody of evidence.

(3) Strict measures shall be taken against a officer-in-charge if his failure is proved to conduct proper investigation in respect of offences mentioned under the Act.

4. **Registration of FIR.**—(1) If and where appointed, a lady police officer shall be informed immediately who shall become available when a rape victim arrives at the police station for the registration of FIR or a lady police officer will be required to go to the relevant ARCC immediately upon being informed of the victim's presence there.

(2) The statement of victim shall be recorded in private and in the presence of person of victim's choice and such recording of statement may be permitted only if prior consent is taken from the victim.

(3) The police officer shall ask questions in clear and precise language or manner and shall not at any point, deviate from the relevant questions.

5. **Investigation officer.**—(1) The investigation officer shall seal crime scene and collect/coordinate collection of all potential evidence including but not limited to recording, taking photographs, CCTV footage, samples, fiber or trace evidence.

(2) After filing of FIR, the investigation officer shall escort the victim for MLE.

(3) A family member of the victim or person of his or her choice may be present at the time of MLE.

(4) Upon collection of evidence, the investigation officer shall ensure that evidence and samples taken during MLE are secured, documented and sent to the nearest government forensic agency.

(5) The investigation officer shall ensure that recorded statements are read out to the victim before being finalised.

## CHAPTER-III

## Collection of Evidence

6. **Collection of evidence.**—(1) The investigation officer shall ensure that the relevant evidence is collected from the scene of occurrence immediately and without unnecessary delay in accordance with the standardized SOPs and guidelines for the time being in force on the subject. Due care and caution must be exercised while dealing with the evidence and attention must be given including but not limited to the following:

- (a) location of crime: exterior or interior;
- (b) type of evidence: fragile or stable;
- (c) scene management deliberations which can alter or cause contamination of the crime scene;
- (d) weather conditions which can deteriorate or damage evidence; and
- (e) need, for specialized personnel for processing of additional technical process.

(2) It is mandatory that all necessary precautions shall be duly observed to avoid the evidence from getting contaminated and all equipments used for the crime scene management are sterile/ disinfected.

7. **Marking, packaging and documenting other evidence.**—(1) Evidence collected or sent for any purpose under the Act and rules shall be inventoried and packaged prior to being released and leaving the crime scene. All evidence collected shall be marked, and the evidence markers should be used for this purpose. Direct marking on the items shall include the following, namely:-

- (a) case number;
- (b) item number;
- (c) description; and
- (d) date of recovery or receiving.

8. **Chain of Custody.**—(1) The investigation officer and all other persons under the Act and rules involved in the process of collection, transmission, examination or otherwise of the evidence in any way shall maintain a safe chain of custody for the evidence.

(2) Every document shall mention the following details, namely:—

- (a) where evidence was received or collected;
- (b) name of investigating officer;
- (c) time and date of recovering or receiving;
- (d) list of evidence;
- (e) item number along with brief description of the item;
- (f) condition;
- (g) any unusual marking; and
- (h) alterations noticed.

(2) For collection, preserving and marking the evidence received, all transfers shall specify date and time of transfer from one authority or agency to another.

[File No. 2(1)/2022-AC(R).]

J. R. SULTAN,  
*Section Officer (AR).*