

**GOVERNMENT OF INDIA
MINISTRY OF HOME AFFAIRS**

**RAJYA SABHA
UNSTARRED QUESTION NO. 245**

TO BE ANSWERED ON THE 24TH JULY, 2024/ SRAVANA 2, 1946 (SAKA)

DIFFICULTIES UNDER NEW CRIMINAL LAWS

245 # SHRI NEERAJ DANGI:

Will the Minister of HOME AFFAIRS be pleased to state:

- (a) the problems being faced under the recently enacted new criminal laws in the country;**
- (b) the details of training imparted by Government to the police to follow the said criminal laws, State-wise;**
- (c) the new changes done under these laws; and**
- (d) the details of campaigns and programmes launched by Government to make the public aware of the new criminal laws?**

ANSWER

**MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS
(SHRI BANDI SANJAY KUMAR)**

(a) & (b): The provisions of the Bharatiya Nyaya Sanhita, 2023 (BNS), except the provision of sub-section (2) of section 106, the Bharatiya Nagarik Suraksha Sanhita, 2023 (BNSS), except the provisions of the entry relating to section 106(2) of BNS in the first schedule, and the Bharatiya Sakshya Adhiniyam, 2023 (BSA), have come into force from 1st July, 2024. The Government has taken various initiatives immediately after the notification of three laws on 25th December 2023, to ensure the effective implementation

and generating awareness amongst all stakeholders including police, prison, prosecutors, judicial, forensic personnel as well as public.

Following steps have been taken for imparting training of stakeholders for the implementation of BNS, BNSS and BSA:

- i. Bureau of Police Research & Development (BPR&D) has developed and shared 13 training modules for capacity building of the stakeholders viz., police, prison, prosecutors, judicial officers, forensic experts and Central Police Organisations. It has adopted 'Training of Trainers' model to train Master Trainers from all States/ Union Territories through Central Academy for Police Training(CAPT), Bhopal and Central Detective Training Institutes (CDTIs) at Kolkata, Hyderabad, Chandigarh, Jaipur, Ghaziabad and Bengaluru. It has also conducted 274 training courses/webinars/seminars and imparted training to 43150 officers/personnel so far including Master Trainers. It has setup Control Room with a team of law & police officers to address queries and resolve issues raised by field functionaries in the implementation of new Criminal Laws. States/ Union Territories have also imparted training to 8,40,465 officials, including 8,16,146 police officers and personnel from prison, forensics, judicial and prosecution, in coordination with BPR&D.**

ii. **iGOT- Karmayogi Bharat portal is running three courses [Introduction to BNS, BNSS and BSA] for training of officials on the new criminal laws since 21st February, 2024. Overall status of these courses is as under:**

- **Officials who have completed at least one course : 2,19,829,**
- **Officials who have completed all three courses : 1,72,970**

iii. **Further, BPR&D has also uploaded 3 new courses on iGOT- Karmayogi Bharat portal [Overview on BNS, BNSS and BSA] for field practioners.**

(c) **The details of the provisions under BNS, BNSS & BSA alongwith the corresponding provisions of IPC, CrPC & Indian Evidence Act (IEA) are available on NCRB Sankalan web application (<https://ncrb.gov.in/uploads/SankalanPortal/Index.html>). Some of the important highlights of the new criminal laws are at Annexure.**

(d) **The details of awareness programmes organised by the Government to make the public aware of the new criminal laws are as follows:**

- i. **The Press Information Bureau (PIB) has taken extensive publicity measures on social media platforms through publishing of advisories, press releases, infographics etc. related to the new criminal laws. PIB has also conducted Vartalap workshops, primarily for regional media,**

in 27 State Capitals to discuss the main features of the new criminal laws.

- ii. All India Radio and Doordarshan have organized events/activities on the new criminal laws through news bulletins, programmes & discussions and through social media platforms. Discussions with subject experts were also organized. Explainer videos on the new criminal laws were also run between programs.**
- iii. MyGov uploaded Informative Flyers on the Transforming India website and through all the MyGov social media handles. An emailer for citizen awareness was sent out to about 7+ crore persons on 19th February 2024. MyGov also hosted a quiz on its platform on 14th March and 12th June, 2024 to create awareness and citizen engagement.**
- iv. In order to ensure that citizens are aware about the transformative reforms and the positive impact it will have on the citizens, particularly women and children, the Ministry of Women & Child Development, Ministry of Rural Development and the Ministry of Panchayati Raj jointly held webinar on new criminal laws in Hindi on 21st June, 2024 in which nearly 40 lakh grass root level functionaries participated. Another webinar in English was held on 25th June, 2024 in which nearly 50 lakh grass root level functionaries participated.**

- v. **University Grants Commission (UGC) has circulated informative flyers to 1,200 Universities and 40,000 colleges and All India Council for Technical Education (AICTE) wrote to approximately 9,000 Institutions for sensitization amongst faculties and students about the new criminal laws. Higher Education Institutions have also organized day long activities on 1st July, 2024 including focused group discussions, workshops, seminars and quizzes on various provisions of new criminal laws, highlighting the major transformation intended with wide participation of students, faculties and other staff.**
- vi. **Department of Legal Affairs has organized five Conferences in New Delhi, Guwahati, Kolkata, Chennai & Mumbai comprising delegates from police, judiciary, prosecution, prison and experts from various States.**
- vii. **An awareness programme at all Police Stations in the country was organized on 1st July, 2024 wherein a bilingual booklet highlighting the key features of the new criminal laws was exhibited for the stakeholders and public.**

ANNEXURE

Highlights of New Criminal Laws

The new criminal laws mark a significant step towards empowering Indian citizens. These laws aim to create a more accessible, supportive, and efficient justice system for everyone. The following are key provisions of the new criminal laws, highlighting the impact on individual rights and protections:

- i. **Report Incidents Online:** A person may now report incidents by electronic communication, without the need to physically visit a police station. This allows for easier and quicker reporting, facilitating prompt action by the police.
- ii. **File FIR at Any Police Station:** With the introduction of Zero FIR, a person can file a First Information Report (FIR) at any police station, regardless of jurisdiction. This eliminates delays in initiating legal proceedings and ensures immediate reporting of the offence.
- iii. **Free Copy of FIR:** Victims will receive a free copy of the FIR, ensuring their participation in the legal process.
- iv. **Right to Inform Upon Arrest:** In the event of an arrest, the individual has the right to inform a person of his choice about their situation. This will ensure immediate support and assistance to the arrested individual.

- v. **Display of Arrest Information:** Arrest details will now be prominently displayed within police stations and district headquarters, allowing families and friends of the arrested person easy access to important information.
- vi. **Forensic Evidence Collection and videography:** To strengthen the case and investigations, it has become mandatory for forensic experts to visit crime scenes for serious offences and collect evidence. Additionally, the process of evidence collection at the crime scene will be mandatorily videographed to prevent tampering of evidence. This dual approach significantly enhances the quality and reliability of investigations and contributes to a fair administration of justice.
- vii. **Fast-Track Investigations:** The new laws prioritized the investigations for offences against women and children, ensuring timely completion within two months of recording information.
- viii. **Progress Updates to Victims:** Victims are entitled to get update on the progress of their case within 90 days. This provision keeps victims informed and involved in the legal process, enhancing transparency and trust.
- ix. **Free Medical Treatment for Victims:** The new laws guarantee free first-aid or medical treatment to victims of crimes against women and children at all hospitals. This provision ensures immediate access to

essential medical care, prioritizing the well-being and recovery of victims during challenging times.

- x. Electronic Summons: Summons can now be served electronically, expediting legal processes, reducing paperwork, and ensuring efficient communication between all parties involved.**
- xi. Statements by Woman Magistrate: For certain offences against woman, statements of the victim are to be recorded, as far as practicable, by a woman Magistrate and in her absence, by a male Magistrate in the presence of a woman to ensure sensitivity and fairness, creating a supportive environment for victims.**
- xii. Supply of police report and other documents: Both the accused and the victim are entitled to receive copies of the FIR, police report/chargesheet, statements, confessions, and other documents within 14 days.**
- xiii. Limited Adjournments: Courts grant a maximum of two adjournments to avoid unnecessary delays in case hearings, ensuring timely justice delivery.**
- xiv. Witness Protection Scheme: The new laws mandates all State Government to implement Witness Protection Scheme to ensure the safety and cooperation of witnesses, enhancing the credibility and effectiveness of legal proceedings.**

- xv. **Gender Inclusivity:** The definition of “gender” now includes transgender individuals, promoting inclusivity and equality.
- xvi. **All proceedings in Electronic Mode:** By conducting all legal proceedings electronically, the new laws offer convenience to victims, witnesses, and accused, thereby streamlining and expediting the entire legal process.
- xvii. **Audio-Video Recording of Statements:** In order to provide more protection to the victim and enforce transparency in investigation related to an offence of rape, the statement of the victim shall be recorded through audio video means by police.
- xviii. **Exemption from going to police station:** Women, persons below 15 years, persons above 60 years, and those with disabilities or acute illness are exempt from attending police stations.
- xix. **Offences Against Women and Children:** A new chapter has been added in BNS specifically to address offences against women and children, ensuring focused protection and justice.
- xx. **Gender-Neutral Offences:** Various offences against women and children have been made gender-neutral in BNS, covering all victims and perpetrators regardless of gender.

- xxi. **Community service:** The new laws introduce community service for minor offences promoting personal growth and social responsibility of an individual. Under community service, the offenders get the chance to positively contribute to society, learn from their mistakes, and build stronger community bonds.
- xxii. **Aligned Fines for Offences:** Under new laws, the fines imposed for certain crimes have been aligned with the severity of the offences, ensuring fair and proportional punishment, deterring future offences, and maintaining public trust in the legal system.
- xxiii. **Simplified Legal Processes:** The legal processes have been simplified to make them easier to understand and follow, ensuring fair and accessible justice.
- xxiv. **Faster and Fair Resolution:** The new laws promises a faster and fair resolution of cases, instilling confidence in the legal system.
