

Peace, Security and Prosperity

# Vigilant India

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## India's Criminal Justice System

Poised to be the most  
**MODERN GLOBALLY**

### Freedom From

**VESTIGES** OF COLONIALISM



### New Criminal Laws

**JUSTICE OVER PUNISHMENT**



**MORE ACCESSIBLE, FAIR & TRANSPARENT**



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# From the Editor



**Balaji Srivastava**  
Director General, BPR&D

“

The ultimate aim of the Government is to have a criminal justice system that not only protects the rights of its citizens, but also firmly upholds the Rule of Law. These laws have been curated to encourage an accountable police system.

”

Our Parliament has taken a timely step in the interest of the country by creating three new laws for much-needed value addition to the criminal justice system. These laws – Bharatiya Nyaya Sanhita (BNS) 2023, Bharatiya Nagarik Suraksha Sanhita (BNSS) 2023, and Bharatiya Sakshya Adhinyam (BSA) 2023, are based on the unique Indian ethos of justice (nyaya) and not punishment, thus matching the demands of the time. These laws will respectively replace the colonial-era Indian Penal Code, the Code of Criminal Procedure, and the Indian Evidence Act. The earlier laws were primarily aimed at the protection of the British rulers. Now, a new era has begun which is firmly grounded in the principles of ‘Citizen First-Justice First-Dignity First’.

The Union Home Minister and Minister of Cooperation, Shri Amit Shah, while replying to questions in both Houses of Parliament, highlighted the merits of the three new laws. Mentioning the example of the erstwhile law on sedition, he emphasised that it has been removed to make sure that the largest democracy in the world guarantees freedom of expression, and does not penalise those who share their views.

The new laws have several notable inclusions such as special prominence on tackling crime against women and children. They also streamline procedures for investigating and prosecuting various crimes and introduce new penal sections addressing terrorism and organised crime. The inclusion of Zero-FIR and e-FIR ensuring easy police access and setting a specific timeline for the journey of a case from recording an FIR to filing a chargesheet, manifest abundantly a commitment to delivery of justice in a time-bound manner.

The ultimate aim of the Government is to have a criminal justice system that not only protects the rights of the citizens, but also firmly upholds the Rule of Law. These laws have been curated to encourage an accountable police system by adopting modern communication tools for investigation. They are also aligned with the principle of ‘Minimum Government, Maximum Governance’ in the context of the Hon’ble Prime Minister Shri Narendra Modi’s steadfast commitment to this canon.

This issue of Vigilant India sheds light on the three new criminal laws and their likely impact. As your involvement with our endeavour is important, please send your feedback and suggestions to [sajag-bharat@bprd.nic.in](mailto:sajag-bharat@bprd.nic.in)

**Jai Hind!**



आज हम देश के छोटे शहरों के विकास पर भी निरंतर बल दे रहे हैं, जो विकसित भारत की भव्य ईमारत को सशक्त करने वाले हैं।



**श्री नरेन्द्र मोदी, प्रधानमंत्री**



मोदी जी ने देश की आपराधिक न्याय प्रणाली को गुलामी की जंजीरों से मुक्ति दिलाई है और आने वाले इन नए कानूनों की आत्मा, सोच, शरीर सब भारतीय है।



**श्री अमित शाह  
केंद्रीय गृह एवं सहकारिता मंत्री**



फॉरेंसिक टेक्नोलॉजी के माध्यम से और सरल होगी हमारी न्यायिक व्यवस्था।



**श्री नितीश प्रमाणिक  
केंद्रीय गृह राज्य मंत्री**



छोटे किसानों के कल्याण के लिए आज पूरे देश में कई अभियान चलाए जा रहे हैं। जब अधिक से अधिक किसान भाई-बहन इनसे जुड़ेंगे तो उनकी ताकत और बढ़ेगी। आज देशभर में सेल्फ हेल्प ग्रुप से जुड़ी लखपति दीदियों की संख्या तेजी से बढ़ रही है। विकसित भारत संकल्प यात्रा इस मुहिम को और मजबूती दे रही है।



**श्री नित्यानंद राय  
केंद्रीय गृह राज्य मंत्री**



विकसित भारत संकल्प यात्रा, ऐसे लोगों तक पहुंचने का बहुत बड़ा माध्यम बनी है, जो अब तक सरकार की योजनाओं से नहीं जुड़ पाए।



**श्री अजय मिश्रा  
केंद्रीय गृह राज्य मंत्री**



केंद्रीय गृह मंत्री श्री अमित शाह ने लोक सभा में भारतीय न्याय (द्वितीय) संहिता 2023, भारतीय नागरिक सुरक्षा (द्वितीय) संहिता, 2023 और भारतीय साक्ष्य (द्वितीय) विधेयक, 2023 पर चर्चा का जवाब दिया।



**गृह मंत्रालय  
भारत सरकार**

## India's Criminal Justice System

# Freedom from Shackles of Colonialism



The Union Government has abolished the old criminal laws. The intention behind this move is to provide convenience to people. It was essential for us to break the shackles of colonialism by removing the regressive colonial laws.

**Shri Narendra Modi**  
Prime Minister

Bureau

**W**hile addressing the nation from the ramparts of the Red Fort on August 15, Prime Minister Shri Narendra Modi said that a nation burdened by a colonial legacy must commit itself to the 'Panch Pran' (five pledges). One of these pledges was the elimination of all remnants of colonial servitude.

Keeping the Prime Minister's vision in mind during the 'Amrit Kaal' of Independence, the country



## Speedy Justice

- Maximum three years timeframe for dispensing justice, eliminating prolonged waiting for justice.
- Timeline has been added in 45 sections.
- If a complaint is given electronically, the e-FIR is to be registered within three days.
- The medical examination report for rape cases must be submitted within seven days.
- Charges to be framed within 60 days from the commencement of the first hearing on charge.
- Prosecution proceedings against declared offenders in absentia should be initiated after completion of 90 days from the date of framing of the charge.
- Judgments required to be delivered within 45 days after the conclusion of the trial.
- Sanction for prosecution, supply of documents, committal proceeding, filing of discharge petitions, framing of charges, pronouncement of judgment and filing of mercy petitions has been mandated to be completed within stipulated timelines.
- No more than two adjournments are allowed to be given in criminal proceeding.
- Use of technology for issuance and service of summons and deposition of evidence before court removes unnecessary delay and cost attached to court proceedings.

## Focus on Justice, not Punishment

Provision of community service as a mode of punishment for six offences.

In accordance with Indian philosophy of justice.

Provision of community services for theft of property worth less than ₹5,000.

Built upon the inherent concept of justice deeply rooted in our civilisation and culture, the new laws aim to deliver justice to the citizens of the country.

In contrast to the earlier focus of solely punishing the guilty, the term 'justice' is now approached with a broader perspective, encompassing both the victim and the culprit.

Enhance the accessibility, availability, and convenience of the criminal justice system.

A more transparent process, reinforcing the commitment to justice.

Victim rights are expanded throughout the process and the definition of victim has been detached from accused centric approach.

Witness Protection has been explicitly enunciated in the new law to bolster justice delivery by protecting the witness to depose evidence without any fear, threat, favour or inducement.

took a golden step. Three laws governing the country's criminal justice system were repealed and three new laws were enacted by the Parliament in December 2023.

Breaking the psychological shackles of colonialism, the Bharatiya Nyaya Sanhita (BNS) 2023, the Bharatiya Nagarik Suraksha Sanhita (BNSS) 2023 and the Bharatiya Sakshya Adhinyam (BSA) 2023 replaced the Indian Penal Code (IPC), the Code of Criminal Procedure (CrPC) and the Indian Evidence Act (IEA) respectively. The purpose of the new laws is to protect and reinforce the concept of justice rooted in our civilisation.

Prime Minister Shri Modi, during his speech on Independence Day, also said that the country stood at a

Now, a new era will begin in India's criminal justice system, which will be entirely indigenous. It will operate according to laws made by India, for India and by the Indian Parliament.

**Shri Amit Shah**  
Union Home Minister and  
Minister of Cooperation



## Addressing Offences against Women & Children

- There are 37 sections addressing crimes against women and children, including 4 new provisions and various amendments.
- The offence against woman and child have been consolidated under a new Chapter-V of the Bharatiya Nyaya Sanhita, 2023.
- Gang-rape with girl under 18 years of age is made punishable with life imprisonment or death.
- Engaging in sexual activity under false promise or disguised identity is now considered a criminal act.
- Voyeurism and assault in order to disrobe a woman have been made gender neutral from the accused's perspective to include person of any gender.
- An adult female family member can now be served summons in place of the person summoned who cannot be traced.
- Medical practitioners are mandated to send the medical report of a victim of rape to the investigating officer within seven days.
- For sexual offences, a woman Magistrate shall record the statement of the victim, and where a woman Magistrate is not available, the statement shall be recorded in the presence of a woman.
- Hiring, employing or engaging child for committing any crime is made punishable.
- Offence of kidnapping, buying and selling of child introduces uniform age for both girl and boy.
- The offence of procurement of minor girl and the offence of importation of girl from foreign country have been made gender neutral to include both girl and boy child.

juncture between a thousand years of slavery and a thousand years of a new and energised nation. "Now, we neither have to pause nor live in doubt", he said. The three laws are a fulfilment of the Prime Minister's resolution.

The laws made by the British before Independence, reflected a punitive mindset. Now, the new laws reflect a sense of justice by eliminating the imprints of the dark patches of colonial mindset.

The purpose of the three laws is not to punish, but to deliver justice. In our Indian thought system, justice is essentially an umbrella term. The word 'justice' encapsulates a comprehensive idea that includes both the victim, who has suffered the harm as well as the perpetrator.

The new laws mark the culmination of 'Azadi ka Amrit Mahotsav' and signify the dawn of 'Amrit Kaal', a time to forge a truly Independent India. After discussions in

## Directorate of Prosecution

Decisions were made in alignment with Prime Minister Shri Narendra Modi's vision to eradicate corruption from the justice system.

The provision of a Director of Prosecution is now essential at both State and district levels.

BNSS Section 20 establishes the Directorate of Prosecution, outlining the eligibility, functions, and powers of various authorities.

Prescribed duties and responsibilities for prosecution officers at different levels aim to ensure optimal coordination.

The provision allows for the potential establishment of a District Directorate of Prosecution, subject to the State Government's discretion, accompanied by revised criteria for appointing the Director of Prosecution, Deputy Director of Prosecution and Assistant Director of Prosecution.

The authorities at the district level of prosecution are assigned the duty to expedite the investigation process and decide on the feasibility of filing of appeals.

## Trial in Absentia

The court will commence trial in absentia against proclaimed offenders after 90 days from the framing of charges to expedite the legal proceedings.

Trial in absentia has been introduced to address the cases of persons declared as proclaimed offenders.

The trial in absentia framework encompasses the entire judicial process—extending from the presentation of evidence to the final judgment and determination of appropriate punishment.

Fair trial is ensured by providing legal representation to the proclaimed offender at the State expense as well as by allowing the absconding individual to examine the evidence in case he appears during the trial.

## Use of Technology

- A justice system of unparalleled modernity is envisioned, incorporating all emerging technologies of the next 100 years.
- Comprehensive digitalisation of all stages to be implemented, spanning from e-FIR to police investigations to court proceedings.
- Digitalisation to include e-records, zero- FIR, e-FIR, summons, notices, and submission of documents and trials.
- Victims to receive information within 90 days through electronic means.
- Forensic procedures mandatory in cases with a punishment of seven years or more.
- Mandatory audio-video recording to cover the entire process of search and seizure.
- e-Bayan will be introduced for the electronic statement of rape victims, and e-Appearance will facilitate the presence of witnesses, accused, experts and victims through electronic means.
- Audio-video recordings of processes and proceedings will be presented in court as evidence.

the Rajya Sabha on the proposed laws, the Union Home Minister and Minister of Cooperation, Shri Amit Shah, said that discussions, consultations and deliberations for changes in these laws had been underway since August 2019. "It is not just the names of the laws that have been changed, but there has been a fundamental transformation in their objectives," he said.

Responding to queries that many are questioning





## Boosting Forensics

Promotion of scientific methods in investigation.

Infrastructure in States/UTs to be ready in five years.

Building labs at various places to strengthen the forensic infrastructure.

In all offences carrying a punishment of seven years or more, the new laws mandate collection of forensic evidence.

The target of achieving 90% conviction rate has been set.

## Provisions Related to Reclassification of Courts

Uniform justice system throughout the country.

Speedy delivery of justice as well as coordination in the justice system, with introduction of timelines.

Decision within 45 days after completion of arguments.

The elimination of positions such as third class Judicial Magistrate, Metropolitan Magistrate and Assistant Sessions Judge has led to reclassification, resulting in four distinct categories of judges.

The revised classifications include Judicial Magistrate of the first class (inclusive of Chief Judicial Magistrate or Additional Chief Judicial Magistrate), Judicial Magistrate of the second class, Sessions Judge, which includes Additional Sessions Judge, and Executive Magistrate.

The limit of imposing fine by a Magistrate has been increased to maximum of ₹50,000.

These two classes of Magistrates have also been empowered to impose community service as a form of sentence.

Police report can be accepted without the accused person being arrested and presented in Court.

Magistrates are empowered to direct any person to give their handwriting, fingerprints and voice samples without necessitating their arrest.

the need for the new laws, Shri Shah said that such people do not understand the meaning of 'Swaraj'. "Swaraj does not only mean 'self-governance'. The word 'Swa' is not just connected to 'governance'. Swaraj also means advancing 'Swadharma' and 'Swabhasha', by promoting 'Sanskriti' and establishing 'Swashasan'. Mahatma Gandhi did not fight only to free us from British rule", he said.

The Home Minister further said, "Since 2014, Prime Minister Modi Ji has worked to awaken the great soul of this country that has become the reason for India's monumental rise in every field."

Earlier, while introducing the three bills in the Lok Sabha on August 11, Shri Shah said that from 1860 to 2023, the criminal justice system of India continued to be operated on the basis of laws made by the British Parliament, but now those three laws would be replaced by imbuing the Indian soul, which would bring about a major change in our criminal justice system.

Shri Shah said that a total of 313 changes have been made in the old laws, which would bring a widespread change in the criminal justice system. For instance, he pointed out that now victims would be able to get justice within a stipulated time of three years. He informed that special care has been taken for provisions dealing with crimes against women and

## Mob-lynching

- Mob-lynching has been defined for the first time.
- Murder/serious injury motivated by race, caste, community, gender, place of birth, language etc. under mob-lynching.
- Provision of seven years of imprisonment for causing serious injury.
- Life imprisonment/death for causing mob-lynching.

children to ensure that criminals in such cases are punished properly. Provisions have also been made to prevent the police from misusing their powers.

"On one hand, the law on sedition has been repealed, and on the other, provisions have been made to punish heinous crimes such as deceiving woman,

mob-lynching, organised crimes and terrorism”, Shri Shah said. He added, “Now, these three laws will be established in place of the old ones, embodying the Indian spirit, which will bring a significant change in our criminal justice system”.

It is worth mentioning that the process behind the creation of these laws has been quite extensive. In order to customise the laws for the present times, the Union Government wrote letters in August 2019 to all the judges of the Supreme Court, chief justices of High Courts and law universities across the country. In 2020, letters were sent to Members of Parliament, Chief Ministers, Governors, Lieutenant Governors and Administrators of Union Territories. Furthermore, 18 States, 6 Union Territories, the Supreme Court, 16 High Courts, 5 judicial academies, 22 law universities, around 270 MLAs and the public have given their suggestions on these new laws. The Union Home Minister himself was present in as many as 158 consultation meetings.

Speaking about the new laws, Union Home Minister Shri Shah said that everyone was familiar with the menace of terrorism, but there was no definition of terrorism as such. “Now, the situation is bound to change. For the first time, crimes such as armed rebellion, destructive activities, secessionism and challenges to India’s unity, sovereignty and integrity

## Organised Crime

- Eliminate inter-state gangs, and inter-state gangs associated with terrorists.
- An additional provision addressing organised crime is incorporated into the new laws, marking the first definition of organised crime in Bharatiya Nyaya Sanhita.
- The law now penalises illegal activities conducted by syndicates, encompassing offences such as land grabbing, contract killing, economic offences, cyber crimes, trafficking in human, drugs, weapons.
- Various aspects of organised crime have also been penalised such as abetment, conspiracy, attempt, membership, harbouring or concealing an offender and possessing property derived from organised criminal activity.
- The newly introduced offence of ‘petty organised crime’ encompasses activities of theft, snatching, cheating, unauthorised selling of tickets and public examination question papers, unauthorised gambling and betting, etc. by any gang or group.
- Cross-border crimes.
  - Defrauding public at large or banking/ financial institutions are punishable.
  - Possession of property derived or obtained from organised crime is an offence.

## Victim-centric

Victim gets a chance to express his/her views.

Right to Information and Right to Compensation for loss.

Zero-FIR has been institutionalised, now an FIR can be filed anywhere.

Victim entitled to a copy of the FIR and possess the right to be informed about the progress of the investigation within 90 days.

The accused-centric approach in defining the term ‘victim’ has been removed in the new law.

Victim entitled to receive police documents.

Victim's right to participation has been recognised at the stage of withdrawal of prosecution.

have been defined. There is also a provision to confiscate properties of people who resort to such crimes”, he said.

Notably, a historic decision has been made regarding trials in absentia. A trial can now be conducted to pronounce a sentence in the absence of the fugitive, no matter wherever in the world he/she has absconded to. Such persons would have to come to the refuge of Indian laws and courts to



appeal against the sentence. The provision of using advanced technologies has also been incorporated in the new laws. The definition of documents has been expanded to include electronic or digital records, e-mails, server logs, computers, smartphones, laptops, text messages, websites, locational evidence, mails and messages available on devices, which can be used in the courts. A provision has also been made to digitise the entire process from FIR to case diary, case diary to chargesheet and from chargesheet to judgement. Earlier, video conferencing was allowed for the accused in place of physical appearance in the court. But now the entire trial, including cross examination, may be done through video conferencing. The examination of complainant and witnesses, investigation and recording of evidence in trials and entire appellate proceedings will now be possible digitally.

Similarly, audio-visual recording has been made mandatory at the time of search and seizure, which will be part of the case,

## Sedition Decriminalised

- The offence of sedition, considered one of the most potent tools of colonial suppression, has been abolished.
- Stringent penalties have been introduced for anti-national activities.
- Activities against the sovereignty and integrity of India can now result in imprisonment for up to seven years or life.
- The IPC did not mention 'intent or purpose', but the new law includes 'intent' in the definition of treason, providing safeguards for freedom of speech and expression.
- Mere showing disaffection to the Government or contempt/hatred towards the Government is no longer a criminal act under the new law.

## Accountability of the Police

Mandatory videography during search and seizure.

Provision for maintaining records of arrested persons at every police station-level has been introduced.

For imprisonment less than three years, and if the arrested person is above 60 years or infirm, prior permission of an officer of Dy SP rank or above is mandatory.

Over 20 sections have been introduced to enhance police accountability in arrest, search, seizure and investigation.

The provision for a preliminary inquiry has been introduced for the first time.

In non-cognisable cases, the daily diary report of all such cases to be forwarded to the Magistrate fortnightly.

thereby saving innocent citizens from being implicated. No chargesheet will be valid without such recordings by the police, Shri Shah added.

Noting that the conviction rate is often quite low due to the absence of proper evidence, provisions have been introduced to mandatorily use forensic science tools. An important provision has been made where the forensic team needs to visit the scene of crime compulsorily for offences that are punishable for seven years of imprisonment or more. This move will enable the police to gather scientific evidence, after which the chances of acquittal of culprits in courts will be significantly reduced. The Union Home Minister also said that there would be three mobile forensic science laboratories in every district.

In cases of sexual violence, radical changes have been incorporated in the new laws. Recording the



## Terrorism

For the first time, a terrorist act has been defined clearly and made a punishable offence.

A terrorist act is punishable with death sentence or life imprisonment.

Activities such as damage or destruction of property, disruption of supply of essential services, damage to monetary stability of India, and destruction of any property in India or abroad used for defence of India are covered in terrorist act.

Acts such as organising camps for imparting training in terrorist act, recruiting any person for commission of terrorist act, and being member of terrorist organisation made punishable.

Possessing property derived or obtained from terrorist act is made punishable.

## A New Approach to Appreciation of Evidence

The Bharatiya Sakshya Adhiniyam, 2023, has expanded the definition of documents to include electronic or digital records, emails, server logs, and documents available on computers, messages and locations on smartphones or laptops, websites as evidence.

Considering electronic and digital records as primary evidence, emphasising proper custody, storage, transmission, and broadcast.

More types of secondary evidence, including oral and written confessions and expert testimony, have been added for documents that cannot be easily verified by the court.

The legal acceptability, validity, and enforceability of electronic or digital records as evidence have been established.

Electronic record being presented in court as secondary evidence now requires an additional certificate of an expert to establish its veracity.

The scope of primary evidence has been significantly expanded to include various forms of stored, transmitted, transferred or broadcast electronic records.



## Expediting the Judicial Process



- Mandatory summary trials are now required for minor and less serious cases.
- Magistrates are empowered to conduct summary trials in cases that involve imprisonment up to three years.
- Decisions regarding sanction for prosecution against civil servants must be made within 120 days.
- A timeline has been set for initiating criminal proceedings, proceedings before a magistrate, framing of charges, plea bargaining, appointment of public prosecutors, trial, bail, judgment, sentencing, and mercy petitions, etc.
- As many as 45 sections have been added with timelines to enable speedy delivery of justice.
- e-FIR must be placed on record within three days by a person filing a complaint through electronic communication.
- After the conclusion of a trial in any criminal court, the pronouncement of the judgment will not take more than 45 days.
- Discharge provision has been introduced in summon cases.
- Timeline has been prescribed for making discharge application, charge framing, etc.

statement of the victim in cases of sexual violence has been made mandatory.

For the first time, a provision has been made to criminalise sexual intercourse on the basis of false promises of marriage, employment and promotion. In all cases of gang-rape, a provision of 20 years of life imprisonment has been made. In the case of gang-rape of girls below 18 years of age, the provision of death penalty has also been included. Statements of rape victims are, as far as possible, to be recorded by a lady Judicial Magistrate.

The police will be required to provide the status of the investigation within 90 days at the initial stage to the victim. Without hearing the victim, no case by the Prosecutor can be withdrawn, thus protecting the rights of the victims.

For the first time, community service is being introduced as a form of punishment under the new laws. The scope of summary trials has also been expanded for minor cases. Now, crimes carrying a sentence of up to three years imprisonment will be included in summary trials. This single provision will result in resolving over 40% of cases in the courts itself.

Courts will now be obligated to issue a notice to the accused and frame charges within 60 days. The judge will have to deliver the verdict within 45 days of completing the arguments, ensuring that decisions are not kept pending for years. Further, the verdict must be made available online within seven days.

Under the new laws, while conducting trials against Government employees or police officers, the Government must decide on giving sanction for prosecution within 120 days; otherwise, it will be deemed as permitted and the trial will commence.

The appearance of the former officials in the court will not be required and the successor-in-office may appear before the court.

## Undertrial Prisoners

- The maximum period of detention for a first-time offender has been reduced.
- A person who has committed a crime for the first time and has served 'one-third of the maximum imprisonment' will be released on bail by the court.
- In such cases, the Jail Superintendent must immediately apply in writing to the court, for bail.
- Release on bail will not be available for undertrial prisoners in cases carrying life imprisonment or death sentence.

## Witness Protection

- Provisions of witness protection have been included in the new laws.
- The core of the new laws is the protection of Constitutional rights of citizens as well as their human rights.
- Mandates the preparation and notification of a witness protection scheme by every State.
- A Witness Protection Scheme serves as a safeguarding mechanism, fostering an environment where witnesses can contribute to the legal process devoid of fear or duress.
- The duly approved Witness Protection Scheme 2018 by the hon'ble Supreme Court in Mahendra Chawla vs Union of India provides a comprehensive framework for the States.
- State Governments to prepare and notify Witness Protection Scheme to ensure safety of witnesses.

## Community Service as Punishment

- Community punishment for minor crimes in accordance with Indian philosophy of justice.
- Community services included in six crimes.
- Provision of community services for thefts of property worth less than ₹5,000.

## Measures against Declared Criminals

In instances involving imprisonment of 10 years or more, life imprisonment, or the death penalty, the absconder can be declared as a proclaimed offender.

The recent legislation introduces a new provision allowing the attachment and confiscation of assets located outside India in cases involving proclaimed offenders.

In-absentia trial is introduced to proceed against proclaimed offenders.

laws have provision for punishment in mobile phone or chain-snatching cases.

The Union Home Minister said that in the old laws, there was provision for punishment of seven years imprisonment in both the cases of grave injury and minor injury. Under the new laws, provision has been made for punishment of 10 years or life imprisonment in cases of permanent disability or if the victim is left in a vegetative state. The punishment for offences against children has been increased from seven years to 10 years. There were many cases where sentences were pardoned for various reasons, but under the new laws, death penalty can only be changed to life imprisonment, life imprisonment to a minimum of seven years jail and sentences carrying seven years imprisonment to a minimum of three years in jail, but no culprit will be spared.

It is noteworthy that on October 15, Prime Minister Shri Modi, while addressing the inaugural session of the All India Conference of Law Ministers and Law Secretaries, had highlighted the importance of a reliable and swift justice system to create a healthy and confident society in a developing country such as India. The justice system and various processes and traditions within every society are evolving according to the needs of the time. When justice is seen to be served, the trust of the citizens in constitutional institutions is strengthened and when justice is delivered, that trust is solidified. ■

In addition, a new provision of attachment of properties of proclaimed offenders has been added. A new provision of different types of harsh punishments against inter-state gangs and organised crimes has also been included in the new laws.

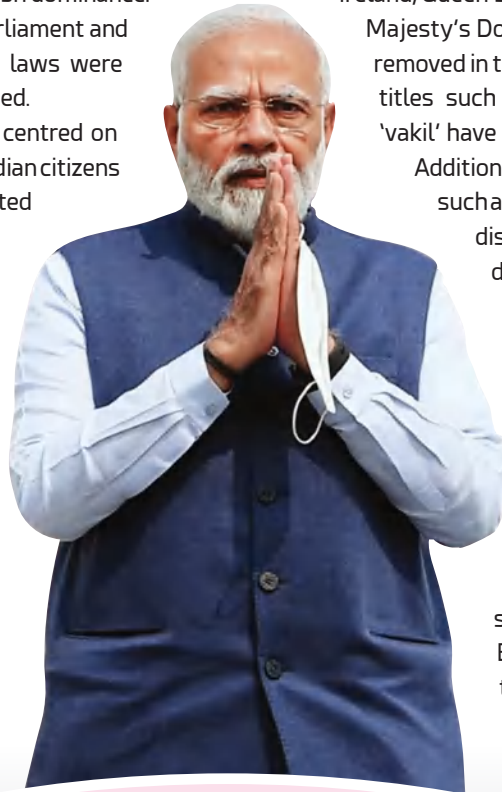
For mob lynching cases, life imprisonment and death penalty have been included. Also, the new

## Removing Colonial Imprints

**F**ramed in the 19<sup>th</sup> Century, the old laws were enacted to fortify and uphold British dominance. They were debated in the British Parliament and not in India. When the old criminal laws were made no Indian leaders were consulted.

The essence of the new laws is centred on safeguarding the rights granted to Indian citizens by the Constitution of India. Crafted with the spirit of Indian ethos, these three laws are poised to bring about a significant transformation in our criminal justice system. The three old laws, tainted by the spectre of colonialism, were originally imposed by the British Parliament and were merely adopted by India after Independence.

The old criminal laws used terms such as Parliament of the United Kingdom, Notification by the Crown Representative, London Gazette, Possession of His Majesty, Jury, Her Majesty, Privy Council, Court



of Justice, United Kingdom of Great Britain and Ireland, Queen's Printer, Commonwealth, Her Majesty's Dominions, etc. They have been removed in the new laws. Traditional legal titles such as 'barrister', 'pleader' and 'vakil' have been updated to 'advocate'.

Additionally, outdated terminologies such as 'metropolitan area' has been discarded. Terms considered derogatory or demeaning such as 'idiot', 'lunatic' and 'mental retardation', have been updated to more respectful terms such as 'intellectual disability' and 'unsound mind', aligning with the Mental Healthcare Act, 2017. These changes signify the shedding of the British legacy, removing the symbols of colonial subjugation.

## Promoting Technology

The new laws promote digitalisation and emphasise e-FIRs.

Police officers must provide information to victims through digital means within 90 days.

Promoting forensics, mandatory visits to crime scenes, and mandatory videography for collecting evidence in cases with sentences of seven years or more.

The entire process of police search or seizure of any property must be videographed through electronic devices.

Statements of rape victims to be recorded in audio-video mode.

Appearance before court can be done by the use of audio-video electronic means.

Audio-video recording of all search and seizure processes.

Use of audio-video conferencing modes for deposition of evidence by the accused, victim, and witnesses.

Leveraging technology for service of summons and electronic supply of documents.

## Search & Seizure

The procedure of search and seizure by the police will rely on technology. The entire process of searching or acquiring evidence will be videographed through electronic devices. The records will be sent to the magistrate without any delay.

## Disposal of Property

Since a large number of case properties are lying in police stations, new provisions have been made for their swift disposal. After creating a description of the property by the court or magistrate and photographing/videographing of such property, they can be used as evidence in any investigation, inquiry, trial, or other proceedings. Orders will be given for the disposal, destruction, confiscation or delivery of the said property within 30 days of taking photographs/videos.

## Books Throw Light on New Criminal Laws

A few publication groups took initiative to disseminate information about the three new criminal laws to the public in a short span of time. Union Home Minister and Minister of Cooperation, Shri Amit Shah, praised the publication firms for presenting books on the three new criminal laws to him. On social media platform X (formerly Twitter), he said that the books threw light on the new laws in clear and lucid language. The books highlight the Union Government's approach and focus on fair and quick justice delivery system. The books include user-friendly comparative references for easy understanding of the new provisions in comparison to the old laws. There was a concern that understanding the new laws would take a lot of time after their enactment, but that is not the case. The new laws have been drafted in simple and easy language so that they can be understood without difficulty.





## New Criminal Laws: Salient Features



- The Bharatiya Nyaya Sanhita (BNS) 2023, replacing IPC, has 358 sections instead of the earlier 511 sections, 175 sections have been changed, 10 new sections have been added and 19 sections repealed.
- The Bharatiya Nagarik Suraksha Sanhita (BNSS) 2023, which replaced CrPC, has 531 sections, 177 sections have been modified, 9 provisions added and 11 sections have been deleted.
- The Bharatiya Sakshya Adhinyam (BSA) 2023, which replaced the Indian Evidence Act, 1872, has 170 sections instead of the earlier 167. As many as 23 sections have been changed, 2 new section has been added and 11 sections have been repealed.
- The entire process—from first information report to case diary, from case diary to chargesheet, and from chargesheet to the delivery of justice—will be digitised.
- The presence of a forensic team at the crime scene for offences with a punishment of seven years imprisonment or more has been made mandatory, providing the police with scientific evidence that will greatly reduce the likelihood of the accused being acquitted in court.
- In cases of sexual violence, video recording of the victim's statement is now required.
- Police will give the status of the investigation within 90 days to the victim.
- A time limit of 90 days is fixed for filing supplementary chargesheet during trial and depending on the situation, the court can further give permission for 90 more days.
- The scope of summary trials in minor cases has been expanded, it now includes offences with up to three years of imprisonment. This provision alone will eliminate over 40% of cases in the courts.
- Provision of the death penalty has been included in cases involving gang-rape of girls under 18 years of age, and provisions for life imprisonment and death penalty have been made for mob-lynching cases.

# India's Criminal Justice System to Outshine Global Standards



**Prior to the formulation of the new criminal laws, the Union Government had successfully connected 16,733 police stations through online platforms, all managed by a unified software.**

## Bureau

**T**he Union Home Minister and Minister of Cooperation, Shri Amit Shah, spoke about the new criminal laws at the Cyber Operation and Security Centre in Chandigarh on December 22.

Shri Shah emphasised that under the leadership of Prime Minister Shri Narendra Modi, the country's Parliament has passed three significant bills poised to bring about transformative changes in the nation's

criminal justice system. He underscored the need for the justice system to align with the spirit of the Constitution of India and adapt to contemporary technology. He stressed the importance of creating essential infrastructure to facilitate this adaptation, ensuring that the entire country's justice system, from connectivity to hardware, is well-equipped.

According to the Union Home Minister, these laws establish the foundation for a comprehensive and foolproof judicial system, interconnecting key

components such as police stations, courts, jails, forensic laboratories, prosecutors' offices and secretariats. He asserted that the full implementation of these laws would streamline the resolution of criminal cases across the country, ensuring that the whole process does not exceed three years.

Shri Shah highlighted that extensive consultations were conducted with various stakeholders, followed by the submission of the proposed legislation to the Home Ministry committee. Subsequently, incorporating the suggested amendments, comprehensive laws were formulated and presented in the Parliament.

The Union Home Minister said that under the leadership of Prime Minister Shri Modi, India is dedicated to steer its criminal justice system based on indigenous principles. He emphasised the readiness of India's criminal justice system to make a leap from the 19<sup>th</sup> Century directly into the 21<sup>st</sup> Century.

Shri Shah asserted that upon the enactment of these laws, India's criminal justice system would emerge as the most modern in the world. He outlined plans for infrastructure, software development, human resources training and complete computerisation of courts by December 2024 in all the Union Territories for the implementation of the three laws. He mentioned that the Modi Government had already initiated this process through Crime and Criminal Tracking Network and System (CCTNS) and Interoperable Criminal Justice System (ICJS). He announced the development of a detailed time-bound programme to prepare the Union Territory (UT) Chandigarh as a pilot, for the full implementation of these laws.

The Union Home Minister specified a time-bound programme for the elimination of terrorism and organised crime, the establishment of the Directorate of Prosecution and addressing loopholes in CCTNS and ICJS. He further indicated that meetings would be held in all the Union Territories before January 31, 2024, and by December 22, 2024, all Union Territories would be fully prepared for the



Before the end of December 2024, there will be the establishment of infrastructure, software deployment, human resources training and the comprehensive computerisation of courts to facilitate the implementation of these three laws across all UTs.

**Shri Amit Shah**, Union Home Minister and Minister of Cooperation

implementation of the three new laws.

Shri Shah noted that prior to the formulation of these laws, the Modi Government had successfully connected 16,733 police stations through online platforms, all managed by a unified software. He highlighted that 22,000 courts across the nation had transitioned into e-courts, managing data of two crore prisoners through e-prison, over one crore prosecutions through e-prosecution and processing 17 cases via e-forensic. ■

***The Union Home Minister and Minister of Cooperation, Shri Amit Shah, said that under the leadership of Prime Minister Shri Narendra Modi, India is committed to running its criminal justice system with Indian ideas and ethos. India's criminal justice system is also ready to take a leap from the 19<sup>th</sup> Century to the 21<sup>st</sup> Century. He said that after the implementation of these laws, our criminal justice system will become the most modern in the world.***

UTTARAKH

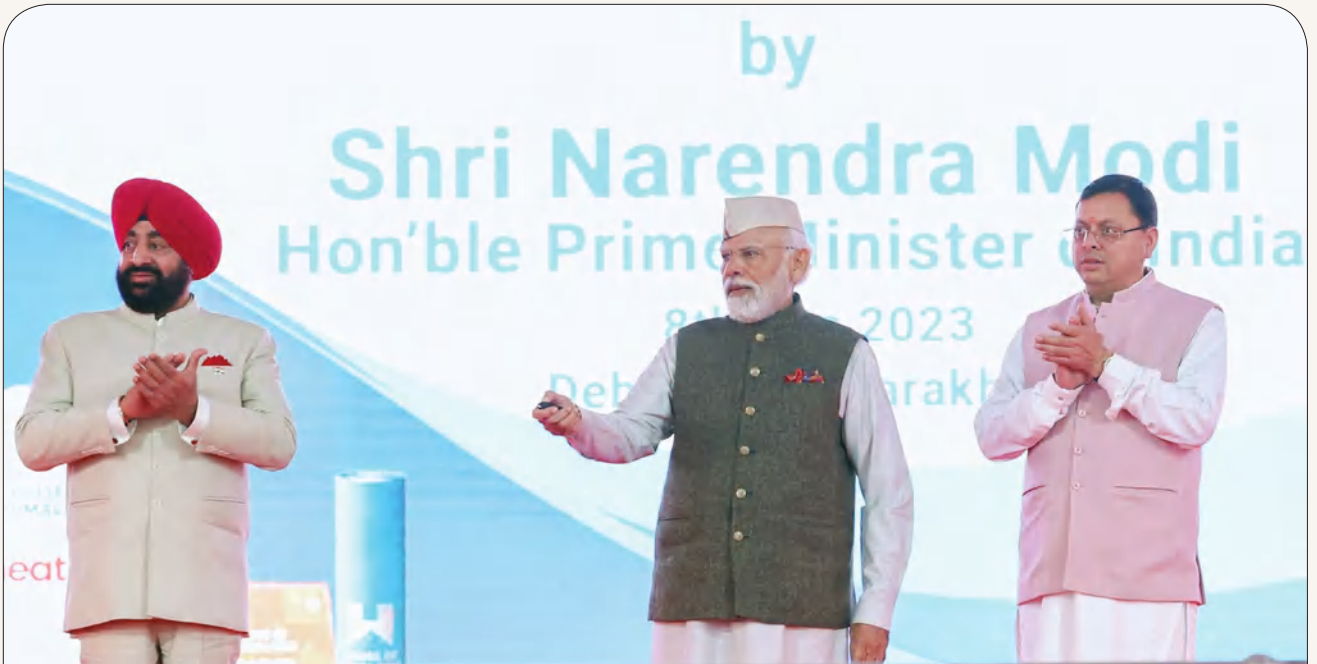
# PM Appeals to Youth to Wed in India

Bureau

**P** rime Minister Shri Narendra Modi inaugurated the Uttarakhand Global Investors Summit 2023 at the Forest Research Institute (FRI) in Dehradun on December 8. The summit aimed to position the hill state as a prominent investment hub.

Prime Minister Shri Modi appealed to the rich, the affluent and the youth to initiate the movement 'Wed in India' along the lines of 'Make in India'. He requested them to perform and organise at least one marriage ceremony in Uttarakhand in the next five years. "Even if 5,000 weddings take place in one year in Uttarakhand, a new infrastructure will come into place and transform the State into a wedding destination for the world", he said, highlighting the potential of the State.

The Prime Minister also visited an exhibition, launched a book titled 'Strong Uttarakhand' and introduced the local brand 'House of Himalayas'. Expressing his deep connection with Uttarakhand, Shri Modi said the unique blend of spirituality and development has ushered in an atmosphere of well-being across the hill State. In his address, he also announced the launch of the 'Lakshpati Didi' campaign, aiming to empower two crore rural women and help



them become 'lakhpatis'.

The Prime Minister highlighted the swift progress and developmental works that are taking place in Uttarakhand. He expressed confidence that India would soon ascend to the third-largest economy globally.

The Prime Minister criticised past strategies that limited access to the border areas. He lauded the efforts of the Government to transform the entire region and elaborated on the Aspirational Districts and Aspirational Block programmes, focusing on villages and areas that lag behind in development.

Prime Minister Modi also talked about the untapped potential of Uttarakhand, urging investors to capitalise on the opportunity. He highlighted the collaborative efforts of the State Government, which is addressing local realities. He also spoke about the Union Government's unprecedented investments in the State.

The Prime Minister spoke on the improved accessibility to Char Dham from rural areas, envisioning a future where the travel time between Delhi and Dehradun would be reduced to 2.5 hours.

The expansion of Dehradun and Pantnagar airports is set to enhance air connectivity, complemented by the growth of heli-taxi services and strengthened rail connectivity. These developments are generating new opportunities, the Prime Minister said.

Concluding his speech, the Prime Minister



In the past one decade, an aspirational India has taken shape. A substantial segment of the population, previously deprived and grappling with various challenges, is now accessing new opportunities.

**Shri Narendra Modi**  
Prime Minister



remarked that the current era is unparalleled for the country, its businesses and its investors. ■

DUBAI 2023

# A Clarion Call

Developed nations told to eliminate  
their carbon emissions by 2050



## Bureau

**T**he COP28 UAE Leaders' Declaration on the Global Climate Framework recognised the imperative to enhance the resilience of the international financial system against the severe impact of climate change. Endorsed by 13 nations, including

the United States, Great Britain, Germany, India and the United Arab Emirates, the framework advocates for climate-resilient debt provisions, exploration of climate debt swaps and increased utilisation of sustainability-linked bonds as strategies to address these shocks.

On December 1, Prime Minister Shri Narendra Modi took part in the COP28 presidency session on

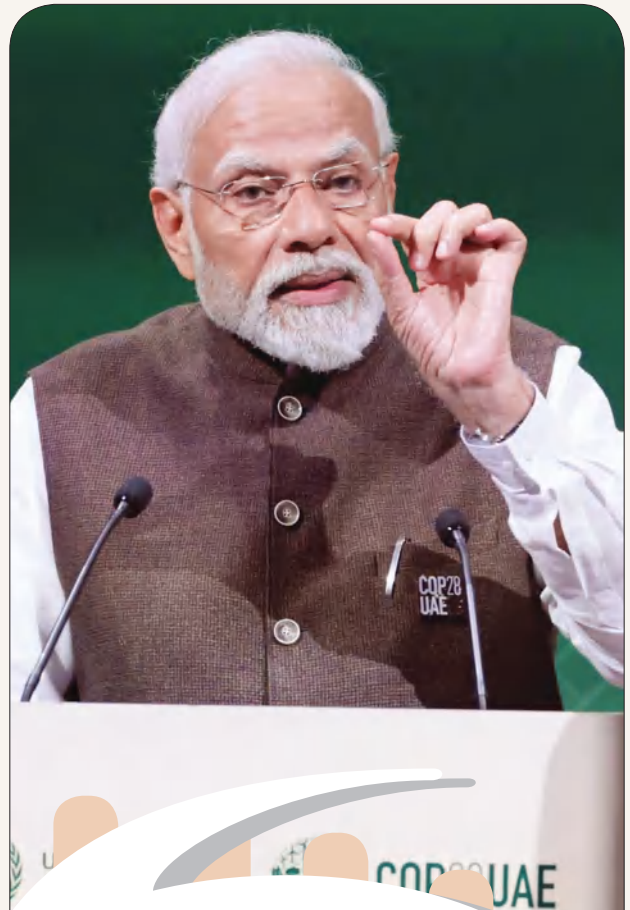
“Transforming Climate Finance” held in Dubai, United Arab Emirates. The primary aim of this initiative was to enhance the accessibility, availability and affordability of climate finance for developing nations. Presently, regional climate foundations have been established across various regions, including the United States, Europe, China, India, Indonesia, Africa, Brazil, Australia, and Mexico, significantly contributing to the global discourse on climate.

The substantial involvement of civil society organisations from the Global South at COP28 endorsed the role of regional climate foundations in enhancing the capabilities of climate-focused civil societies within their respective regions. Worldwide, climate change has evolved into an urgent focal point for cooperation, extending beyond climate science, encompassing financial matters and global trade.

During his address, the Prime Minister advocated for active discussions on issues pertaining to climate finance. He highlighted the progress made in the new collective quantified target for climate finance, the replenishment of the Green Climate Fund and Adaptation Fund and the facilitation of affordable finance by Multilateral Development Banks (MDBs) for climate action. Additionally, Shri Modi emphasised on the imperative for developed countries to eliminate their carbon emissions before the year 2050.

The significance of climate change negotiations was apparent during the COP28, which was held from November 30 to December 12. This major global event drew the participation of heads of state and senior government leaders from 140 countries, along with over 80,000 attendees and more than 5,000 media representatives. The event witnessed the adoption of the ‘United Arab Emirates Declaration on a New Global Climate Finance Framework’ by global leaders. The declaration encompasses commitments to fulfil, achieve ambitious outcomes and expand concessional finance sources for climate action.

In his address, Prime Minister Shri Modi voiced the concerns of the Global South and underscored the urgency of providing implementation tools, particularly climate finance, to developing countries to meet their climate goals and implement their Nationally Determined Contributions (NDCs). He also welcomed the operationalisation of the Loss and Damage Fund and the establishment of the UAE Climate Investment Fund. The total pledged amount spanning areas such as finance, energy, lives and livelihoods and the Green



We have to take a solemn pledge and make sure that every country fulfils its climate targets. We have to work together to meet the targets.

**Shri Narendra Modi**  
Prime Minister

Climate Fund, stood at approximately US\$85 billion.

The Green Credits scheme has been crafted as a mechanism to incentivise voluntary actions aligned with the well-being of the Earth, presenting an effective response to the challenge of climate change. It envisions the issuance of green credits for afforestation on barren lands and in river catchment areas to rejuvenate and restore natural ecosystems. Simultaneously, an online platform (<https://ggci-world.in>) was introduced during the event, serving as a repository of policies and best practices aimed at promoting environmentally friendly actions. ■



# Kashi Tamil Sangamam Connecting Cultures

## Bureau

**T**he Kashi Tamil Sangamam 2.0, held on the sacred banks of the Ganga river in Varanasi, showcased the vibrant hues of two ancient cultures of India and imparted a profound message to the global community. Prime Minister Shri Narendra Modi, emphasised the motto of 'Vasudhaiva Kutumbakam', and presented a vision of a developed and prosperous India to the world. The cultural confluence was vividly displayed and comprehended through cultural events and dialogue for a fortnight from December 17 to 30.

Prime Minister Shri Modi visited the Namoo Ghat in Varanasi, while inaugurating the second edition of the Kashi Tamil Sangamam on December 17. He said, "Seekers found solace by taking a dip in the faith-laden waters of the Ganga here."

Drawing inspiration from Tamil poet and reformer

Subramania Bharati, the Prime Minister remarked that the essence of Kashi Tamil Sangamam is transcending boundaries, spreading its influence across the nation and the globe.

Emphasising on the significance of the Kashi Tamil Sangamam, the Prime Minister highlighted the ethos of 'Ek Bharat Shreshtha Bharat'. He noted that a similar sentiment guided the hosting of the Kashi Telugu Sangamam and the Saurashtra Tamil Sangamam. The emerging tradition of commemorating statehood days of different states in the Raj Bhavans nationwide further fortifies the spirit of 'Ek Bharat Shreshtha Bharat'.

In line with the theme of 'Ek Bharat Shreshtha Bharat', Prime Minister Shri Modi also referred to the installation of the Holy Sengol in the new Parliament House. He said that the sentiment of 'Ek Bharat Shreshtha Bharat' is deeply influencing the soul of our nation today.

The Prime Minister recognised that India's



The Kashi Tamil Sangamam carries forward the spirit of 'Ek Bharat Shreshtha Bharat'. The same sentiment was behind organising the Kashi Telugu Sangamam and Saurashtra Tamil Sangamam. The relation between Kashi and Tamil Nadu is both emotional and creative. India's identity as a nation is rooted in spiritual beliefs.

**Shri Narendra Modi**  
Prime Minister



diversity is ingrained in its spiritual fabric, invoking the words of the great Pandyan king Parakrama Pandyan, who asserted that every water in India is akin to the Ganga and every corner of the country is equivalent to Kashi. Reflecting on a historical period when religious places in North India faced continuous attacks from foreign invaders, the Prime Minister highlighted King Parakrama's efforts to preserve Kashi's heritage through the construction of temples in Tenkasi and Sivakasi in Tamil Nadu. The Prime Minister also inaugurated the Kashi Tamil Sangamam Express train (Kanyakumari to Kashi) and unveiled multilingual as well as Braille translations of revered Tamil literary works such as the Thirukkural and Manimekalai.

Prime Minister Shri Modi acknowledged that the primary objective of the event was to rejuvenate the ancient ties between Tamil Nadu and Kashi. Various groups of classical and folk artistes, writers, entrepreneurs, farmers and religious leaders from Tamil Nadu attended the event, witnessing the cultural consciousness and social harmony of Varanasi dedicated to 'Adidev Mahadev'.

The guests praised Tamil Nadu's rich culture, societal cohesion and devotion to Shiva. The event sparked discussions on the millennia-old relationship between Tamils and the world's oldest living city.

Renowned for its shared heritage, the country consistently mirrors the traits of contemporary Indian

society through advancements in commerce, travel, and science. This ongoing evolution has been a continual feature of Kashi throughout the ages. An intriguing facet of this is the centuries-old connection between Varanasi and Tamil Nadu, a bond that becomes more apparent in the Kashi Tamil Sangamam. ■

# Khadi: Promoting a Hand-woven Wonder



## Bureau

**K**hadi is a multidimensional and multipurpose concept. The Khadi Mati Kala Mahotsav is an innovative idea promoted by Prime Minister Shri Narendra Modi to popularise Khadi. The concept of Khadi was first introduced by Mahatma Gandhi, who connected it with the Independence movement. Through Khadi, Gandhiji sought to promote self-reliance and provide employment to all those living in poverty. He also gave a nationwide call to boycott foreign clothes to awaken the spirit of 'Swadeshi' and ignite the urge for 'Swaraj' (self-rule) by spreading it to every village.

Prime Minister Shri Modi has not only revitalised the idea of Khadi but also popularised it among the common people. To promote the idea of Khadi, he further articulated the notion of Swadeshi for employment under the slogan 'Vocal for Local'.

On December 2, the Union Home Minister and Minister of Cooperation, Shri Amit Shah, addressed the Khadi Mati Kala Mahotsav in Ahmedabad, Gujarat.

Shri Shah said that due to the foresight of the Prime Minister, the once-dilapidated Khadi industry is now reaching new heights.

The Union Home Minister gave credit to the leadership of Prime Minister Shri Modi for making India

If every family in the country buys Khadi products, the number of unemployed people in the country will decrease considerably.

**Shri Amit Shah**, Union Home Minister and Minister of Cooperation

one of the fastest-growing economies in the world. He said that amidst this economic development, steps are also being taken to make the economy more inclusive. He said that tripling the turnover of Khadi means providing employment to lakhs of people, making them self-reliant. "This brings confidence, self-reliance and happiness to lakhs of lives", he said.

The Union Home Minister expressed joy on the fact that the Khadi industry has made significant progress in the last nine years ever since Shri Modi became the Prime Minister. He said that the turnaround happened because of the priority given by the Prime Minister to popularise the sector. As a result, in 2022-23, the total turnover of Khadi exceeded ₹135,000 crore. At least one lakh people have benefitted and are now living with dignity, Shri Shah added. ■

# Echoing Sardar Patel's Vision

Bureau

**R**eflecting the enduring vision of Sardar Vallabhbhai Patel and the Government of India's resolute commitment to unity, the Union Home Minister and Minister of Cooperation, Shri Amit Shah, addressed the 66<sup>th</sup> convocation ceremony at the Sardar Patel University in Vallabh Vidyanagar in Anand, Gujarat, on December 16.

Against the backdrop of the Azadi ka Amrit Mahotsav, the Union Government's focus on inclusivity, development and the empowerment of the youth has taken centre stage, mirroring the ideals cherished by the first Home Minister of the country.

Union Home Minister Shri Shah emphasised on the role played by Sardar Patel in shaping the destiny of India. He highlighted how Sardar Patel's vision and tireless efforts were instrumental in uniting the diverse Princely States, laying the foundation for the strong and unified India we know today.

Shri Shah talked about the profound impact that Sardar Patel had on the post-Independence era. He said that without him, the very existence of the nation would have been in question. "Following the departure of the British, there were widespread concerns that India might disintegrate, but Sardar Patel worked relentlessly to unite the country by integrating 562 Princely States", he said.

The Union Home Minister emphasised that the annexation of Jodhpur, Junagadh, Hyderabad and Lakshadweep can be attributed to the visionary efforts of Sardar Patel.

Reflecting on the horrors and hardships of Partition in 1947, Shri Shah highlighted Sardar Patel's commitment to protect refugees across the nation. He credited him for laying the groundwork for the inclusive and diverse India that we see today.

The Union Home Minister also praised Prime Minister Shri Narendra Modi for fulfilling Sardar Patel's dream by abrogating Article 370 in Jammu and Kashmir. He lamented that for a long time after Independence, Sardar Patel's monumental contributions did not receive the recognition and respect they deserved. He also commended Prime Minister Shri Modi for his efforts in erecting the world's tallest statue of Sardar Patel in Kevadia, Gujarat, which has become a major



tourist attraction. He spoke about Prime Minister Shri Modi's vision of building a Developed India and setting the goal for the country to excel in every field by 2047, when the country celebrates the centenary year of Independence.

Shri Amit Shah acknowledged the achievements of 106 students who received gold medals, with 62 of them being awarded to female students. He emphasised the vital role that women are playing in the reconstruction and development of the country.

Encouraging the students to embrace resolutions in their lives, Shri Shah echoed Prime Minister Shri Modi's call for 'Amrit Sankalp' during the 'Amrit Kaal'. He urged them to set ambitious goals, as only by pushing the limits can the true potential of the nation be realised. ■

# Era of Cooperative Federalism



## Bureau

**T**he Union Home Minister and Minister of Cooperation, Shri Amit Shah, chaired the 26<sup>th</sup> meeting of the Eastern Zonal Council in Patna on December 10. It was attended by Bihar Chief Minister Shri Nitish Kumar along with senior ministers from Odisha, West Bengal and Jharkhand. The secretary of the Inter-State Council secretariat, chief secretaries of member States and senior officials of State Governments were also present in the meeting.

Union Home Minister Shri Shah said that the eastern region of the country has always promoted culture and has also been a centre of many major educational institutions since ancient times. He said that children from the eastern region are most successful in competitive examinations. He added that the region laid the foundation for the industrial development of the entire country. He also mentioned that the region gave birth to freedom fighters who sacrificed their lives for the country's Independence.

Reiterating Prime Minister Shri Narendra Modi's vision of cooperative federalism, Shri Shah said that Zonal Council meetings must try to resolve issues in a liberal manner. Focusing on the problems faced by the member States of the Eastern Zonal Council, he said that reviews should be conducted every three months at the Chief Minister and chief secretary level on issues

The eastern region of the country has a rich history of culture. It has also been the centre of many major educational institutions since ancient times. This region also laid the foundation for the industrial development of the country.

**Shri Amit Shah**, Union Home Minister and Minister of Cooperation

such as eliminating malnutrition among children, reducing school dropouts and prompt investigation of rape cases against women and children.

Giving an outline of projects done in collaboration between the Centre and the States of the eastern region, Shri Shah said that land acquisition for Hajipur-Sugauli railway line is almost complete. He also said that land acquisition has been initiated for Nabadwip Ghat-Nabadwip Dham rail project in West Bengal (15 km), along with gauge conversion of Krishnanagar Nabadwip Ghat (12.2 km) line.

Shri Shah said that all the four States of the Eastern Zonal Council – Bihar, Jharkhand, West Bengal and Odisha—gave impressive presentations regarding good practices that are being implemented. ■

# PM Schemes Leave No One Behind

## Bureau

**S**uccessful governance requires addressing citizens' interests and ensuring security. Under Prime Minister Shri Narendra Modi's leadership, the Union Ministers of State for Home are actively contributing to India's security and overall development.

- Before embarking on Viksit Bharat Sankalp Yatra on December 28, Union Minister of State for Home, Shri Nityanand Rai, engaged with the youth in the 'Modi Yuva Samvad' in Gopalganj, Bihar. On December 27, he participated in the Modi Kisan Chaupal at Maqsudpur in Gopalganj. Farmers acknowledged the positive impact of the Prime Minister's schemes on their lives. Earlier, on December 17, Shri Rai took to social media and mentioned about the commitment to build a prosperous, strong, self-reliant and developed India by 2047 in accordance with the vision of Prime Minister Shri Modi, following the mantra of 'Sabka Saath, Sabka Vikas and Sabka Vishwas'.
- The Union Minister of State for Home, Shri Nisith Pramanik, said on social media that the Bharatiya Janata Party (BJP)-led Union Government under the leadership of Prime Minister Shri Modi, is dedicated to eradicate corruption and will take action against those involved in corrupt practices. On December 19, he highlighted the comprehensive development of Varanasi, the world's oldest living city. He said that under the leadership of Prime Minister Shri Modi, cultural symbols are being revived along with a focus on modern infrastructure. The Minister said the Centre has recently allocated a grant of ₹19,150 crore for these developmental works.
- On December 31, Shri Ajay Mishra, the Union Minister of State for Home, engaged with the youth and members of the Assembly Core Committee in Phaltan, part of the Madha Lok Sabha Constituency in Maharashtra. Earlier, on December 28, he took to X (formerly Twitter) to share glimpses of the Viksit Bharat Sankalp Yatra at Jamunia in Lakhimpur Assembly constituency in Uttar Pradesh. On December 27, He conducted a



'Janata Darshan' programme at his parliamentary office. During this session, he listened to the concerns of the people. ■

# New Criminal Laws: A Departure From Colonial Legacy

**C**onstitution being a living document - is enforced through various laws to secure justice, liberty, equality to all citizens and promote fraternity to maintain unity and integrity of the nation as enshrined therein. Union Government's commitment to those ideals is reflected in new criminal laws that will ensure speedy justice to all citizens, especially to the weaker sections of society, in conformity with these constitutional democratic aspirations. The earlier criminal laws were the appendage of the colonial past and in the absence of new laws they were unable to deal with the Indian ethos and contemporary requirements to provide speedy justice to the common man. Hon'ble Prime Minister's overview aptly reflects the vision "तीन नए कानूनों ने सदियों पुराने औपनिवेशिक आपराधिक कानूनों की जगह ले ली है, जिससे फोकस दंड देने से ज्यादा न्याय को प्राथमिकता देने पर केंद्रित हो गया है".

Laws require restructuring to keep them abreast of developments in technology and changes in developing society. The Government's resolve to strengthen law and order, simplifying legal procedure will accomplish accessible and speedy justice to all. It required comprehensive consultations which took place under the supervision of Hon'ble Home Minister Shri Amit Shah who delved deep into all the suggestions that had come from different sections of society, including the bureaucracy, academia and police, among others.

Under the new criminal laws, Police will have to ensure that cases are completed within given time schedules, and courts will be mandated to deliver justice within a specified timeframe.

In ancient law of crimes in our country, law of punishment is of immense importance. Sukra- Niti that regulates punishment constitutes dandaniti, niti so called because it governs and guides (Sukra-Niti. 313-14). Originally, four types of punishments were cited, namely – fine (dhanadanda), admonition (dhikkar), physical punishment (badhadanda) and all punishments combined. With the passage of time, two more forms were added and these were confiscation of property and public humiliation. All



Dr Sanjay Singh  
I.L.S (Retd.)

such punishments occupy place in the present law.

Several noteworthy propositions accompany the new laws. Repeal of sedition provision, a relic from the British era was long used to suppress dissent. Now, the focus has been changed from "acts against the government" (rajdroh) to "acts against the country" (deshdroh).

They also encompass stiffer penalties for heinous crimes, such as, rape and murder, a streamlined process for prosecuting cybercrimes and the introduction of new offences addressing organized crime, terrorism, mob lynching, sexual abuse of woman using deceitful means. Notable additions include provision for filing a zero-FIR from any part of the country and e-FIR, ensuring easier police access and a defined time limit for the journey of a case from FIR to chargesheet to delivering justice and introduction of community service.

The core objective of Bharatiya Nagarik Suraksha Sanhita is to provide an opportunity for a fair trial blended with principle of natural justice to the accused person and ensure just and fair dispensation for both the accused person and the victim without restraining anyone's rights. It has been brought in line with the modern practices, such as, conduct of trial of proclaimed offenders in absentia, making videography of seizures, handcuffing by police of offenders in certain heinous crimes. So too the trials, inquiries, proceedings can be held in electronic mode, along with the production of electronic communication devices, for potential digital evidence for investigation, inquiry or trial. The increasing utilisation of technology with expanded definition of "documents" and "evidence" will strengthen investigation and prosecution.

I am happy that the Bureau of Police Research and Development is given the trainers' task to help associated agencies and individuals to get the relevant facts in a fulfilling manner for smooth implementation of new criminal laws. ■

**(The writer is former Union Legislative Secretary & Member-Secretary, Law Commission of India)**



The NCDFI e-Market Awards 2023 ceremony took place in Gandhinagar on December 30, where the Union Home Minister and Minister of Cooperation, Shri Amit Shah, expressed happiness in honouring member associations contributing to e-marketing in the dairy sector. He expressed confidence that this initiative by the NCDFI would propel the cooperative dairy sector to new heights.

The Union Minister of State for Home, Shri Nityanand Rai, participated in the 'Viksit Bharat Sankalp Yatra' at Sultanpur Ghattho in Ujiarpur Assembly constituency in Bihar on December 29. During the event, free gas cylinders were distributed under the Pradhan Mantri Ujjwala Yojana and loans were provided under the Mudra Yojana.



Following heavy rainfall in Tuticorin, Tamil Nadu, the NDRF took swift action to assist people stranded in the water logged KTR Nagar area. They transported the affected individuals to safe locations and distributed food and relief materials.



A video shared on the YouTube channel 'Police aur Seva' run by the Bureau of Police Research and Development (BPR&D), highlighted crucial information for citizens. It warned against cyber criminals using fake photos of known individuals to request money, emphasising on the importance of not blindly trusting profile photographs on social media.



## भारत के वीर

Tribute to the bravehearts

<https://bharatkeveer.gov.in>

### GUIDELINES

- ◆ You can donate directly to individual braveheart's account (upto max of ₹15 lakh) or may donate to the Bharat Ke Veer corpus.
- ◆ To ensure maximum coverage, a cap of ₹15 lakh is envisaged per braveheart and the donor would be alerted if the amount exceeds ₹15 lakh, so that they can choose to either decrease their contribution or divert part of the contribution to another braveheart's account, or to the Bharat Ke Veer corpus.
- ◆ Bharat Ke Veer corpus would be managed by a committee made up of eminent persons and senior government officials, in equal number, who would decide to disburse the fund equitably to the braveheart families on a need basis.



The passage of the three new criminal laws — Bharatiya Nagarik Suraksha Sanhita, Bharatiya Nyaya Sanhita and Bharatiya Sakshya Adhinyam — is a very important milestone in the nation's history.



**Shri Narendra Modi**, Prime Minister



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