

THE BHARATIYA NAGARIK SURAKSHA SANHITA, 2023

THE BHARATIYA NYAYA SANHITA, 2023

THE BHARATIYA SAKSHYA ADHINIYAM, 2023

“A complete Indian law is going to be formed by eliminating all signs of slavery of the British era.”

Speech of Union Home and Cooperation Minister
Shri Amit Shah in Parliament



Foreword: Shri Jagat Prakash Nadda, National President, BJP



BJP PUBLICATION DEPARTMENT



Shri Jagat Prakash Nadda, National President, BJP



Today marks a quantum leap in our government's endeavour under the visionary leadership of Hon. PM Shri @narendramodi Ji to shed the baggages of colonial past as the three new criminal law bills, Bharatiya Nagarik Suraksha Sanhita, 2023, Bharatiya Nyaya Sanhita, 2023, and Bharatiya Sakshya Adhinyam, 2023, introduced in Parliament by HM Shri @AmitShah Ji, have now been passed by both Lok Sabha and Rajya Sabha.

These bills will replace colonial-era laws and are driven by the principle of delivering 'nyaya'. Along with ensuring a quick delivery of justice to the victims through various measures, they also reiterate our commitment to national security and zero-tolerance towards terrorism. Further, keeping in line with the technologically advanced age we are living in, these bills are a step towards making our legal systems highly adaptive to technology.

My heartfelt gratitude to PM Modi Ji on this occasion as he leads our nation in the journey of Amrit Kaal, with a true spirit of Atma Nirbhar Bharat.

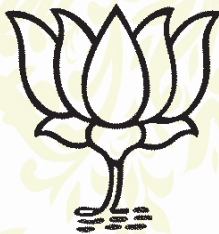
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Addresses of Union Home and Cooperation Minister
Shri Amit Shah in Parliament



BJP PUBLICATION DEPARTMENT

6A, Deendayal Upadhyay Marg, New Delhi-110002

PREFACE

With the passage of the Bharatiya Nyaya Sanhita, 2023, Bharatiya Nagarik Suraksha Sanhita, 2023 and Bhartiya Sakshya Adhinyam, 2023 by the Parliament, the process of comprehensive reform in the criminal justice system free from the colonial mindset started. These bills will bring revolutionary reforms in the Indian justice system; the entire criminal justice process will be freed from the colonial mindset, and a modern justice system will be created in accordance with democratic values. These bills will not only ensure the safety of women and adolescents but will also establish an equitable and lawful framework for the apprehension, examination, and judicial proceedings to address emerging forms of offences in alignment with contemporary societal concerns, rooted in *Bharatiyata*.

After presenting these bills in Parliament, there was extensive discussion in both houses, and Union Home and Cooperation Minister Shri Amit Shah, in response to the discussion, explained all the provisions in the bills in detail and cleared all doubts. We are publishing an edited version of his speeches delivered in Lok Sabha and Rajya Sabha. BJP National President Shri Jagat Prakash Nadda obliged us by writing the 'Foreword' to this booklet, for which we are grateful. We hope that this booklet helps our readers gain a better understanding of the subject.

March, 2024

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FOREWORD

Under the leadership of Prime Minister Shri Narendra Modi, comprehensive reforms in every sector are taking place at a rapid pace to realise the dream of a 'Viksit Bharat'. The realisation of the envisioned objectives for a 'Viksit Bharat' during the 'Amrit Kaal' is a testament to the unwavering dedication of the Bharatiya Janata Party to the 'Panch Pran'. Presently, the nation is keen in liberating itself from any vestiges of subjugation, transcending colonial perspective, while relying on its intrinsic strength. In this continuum, the legislative initiatives presented by Union Home and Cooperation Minister Shri Amit Shah during the winter session of Parliament, aimed at a comprehensive overhaul of the Indian judicial system, aspire to emancipate us from the colonial mindset and articulate the entire justice framework through an indigenous lens. It is indeed a peculiar irony that laws instituted by colonial rulers nearly 150 years ago continued to govern the country's justice system, subjecting the common populace to its repercussions. The newly proposed laws are rooted in the essence of Indian identity, embodying the nation's contemporary needs and its unique perspective on justice.

The Bharatiya Nyaya Sanhita, 2023, Bharatiya Nagarik Suraksha Sanhita, 2023, and the Bhartiya Sakshya Adhinyam, 2023 are poised to herald a revolutionary transformation in the Indian justice system. Formulated through meticulous deliberation and brainstorming, these laws adhere to the foundational principle of 'Sabka Saath, Sabka Vikas, Sabka Vishwas, Sabka Prayas'. The inception of these three legislations is a culmination of broad public consensus, incorporating recommendations from numerous states, union territories, the Supreme Court, judicial academies, legal experts, national law universities, parliamentarians, and MLAs.

The enforcement of these laws will not only modernise the judicial system but also integrate technology and forensic science

in investigation, interrogation, trial, and other legal procedures, aligning with the requisites of the new digital era. This approach is poised to propel the Indian justice system into a state-of-the-art paradigm.

The paramount utility of these laws lies in their fundamental principle of humanising law and order, as well as the judicial process, on a democratic foundation rather than perpetuating a legacy of 'colonial rule'. Unlike being rooted in the idea of meting out 'punishment', these laws are grounded in the principle of delivering 'justice'.

As a result, these laws are designed to safeguard the rights of the general populace, women, children, the underprivileged, victims, and the economically disadvantaged. Furthermore, they aim to simplify and enhance accessibility to justice for common people.

Establishing a time limit for the entire judicial process and implementing systems such as Zero-FIR not only promises significant relief for the common people but also contributes to the agility and heightened responsiveness of our justice system.

The Union Home and Cooperation Minister Shri Amit Shah responded to the deliberations by initially introducing these three laws in the Lok Sabha and subsequently in the Rajya Sabha. He provided a comprehensive analysis of the vision, objectives, and future impact of these laws in both houses of Parliament. Additionally, Shri Shah addressed various questions and concerns related to these laws, dispelling doubts and offering clarity. My congratulations to the BJP Publication Department for compiling this booklet based on his speeches, hope that this publication will prove beneficial to all the esteemed readers.

Jagat Prakash Nadda
National President, BJP

March, 2024

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Lok Sabha

A comprehensive Indian law is going to be made, aimed at abolishing all remnants of the British-era Slavery: Amit Shah

Union Home and Cooperation Minister Shri Amit Shah responded to the discussion on the Bharatiya Nyaya Sanhita, 2023, Bharatiya Nagarik Suraksha Sanhita, 2023, and the Bhartiya Sakshya Sanhita, 2023 in the Lok Sabha on December 20, 2023. The House passed these Bills after discussion. The summary of Shri Amit Shah's reply is as follows:-

Speaker Sir, it is a matter of great honour and pride for me to present three bills before this esteemed House. This occasion is particularly significant as our Constitution is set to complete 75 years next year. Under your distinguished chairmanship, this Parliament has recently granted 33 percent reservation to the empowering force, mothers and sisters, of our nation, allowing their active participation in lawmaking. Concurrently, under the leadership of Prime Minister Modi, three laws governing our criminal justice system, in existence for nearly 150 years, have undergone substantial and transformative revisions for the first time. These revisions underscore a robust commitment to Indian values, the Indian Constitution, and the overall well-being of the Indian populace.

The 'Indian Penal Code,' formulated in the year 1860, was primarily designed for punitive measures rather than the dispensation of justice. In its stead, the entire nation will witness the implementation of the 'Bharatiya Nyaya Sanhita, 2023' following the approval of this House. The 'Criminal Procedure Code, 1898,' will be supplanted by the 'Bharatiya Nagarik Suraksha Sanhita, 2023,' set to take effect post the approval of this House. Similarly, the 'Indian Evidence Act, 1872,' will yield to the 'Bharatiya Sakshya Sanhita, 2023.'

I have engaged with numerous individuals after this bill was

referred to the Standing Committee. While they are unable to speak today, they had shared their anticipation of the significant impact it would bring. If they were present today, they would have witnessed the profound difference it can make. If he has a soul, he becomes a living human being; such a radical change must occur within the laws of our criminal justice system. Thirty-five MPs, including Shri Talari Rangaiah and Hema Ji, have voiced their perspectives on this matter. I have attentively listened to each one of them. While most suggestions lean towards maintaining the status quo, there are a few advocating for change. I believe that providing clarity on some of the raised concerns will alleviate their anxieties. Certain individuals, like Owaisi Sahab and a couple of others, have concerns that extend beyond this law. Unfortunately, I may not have a solution for such concerns, but clarity can address many issues. Additionally, I will introduce three official amendments, which I will elucidate later on.

The forthcoming laws are crafted on the foundational principles of our Constitution — individual freedom, human rights and equal treatment of all

Liberating The Nation From Colonial Laws

All three laws were formulated during the British era, as mentioned earlier, dating back 150 years. After assuming the role of Prime Minister, Shri Narendra Modi Ji stressed the imperative of eliminating the mentality of slavery and eradicating all remnants of colonial influence from the country. This vision for a self-assured and prosperous India was articulated during PM Shri Narendra Modi Ji's address from the Red Fort. Subsequently, the Home Ministry initiated rigorous discussions in 2019 to initiate essential amendments aligning with this vision.

These laws, initially imposed by foreign rulers to perpetuate their dominion, were designed to govern a subjugated populace. The replacements are rooted in the three fundamental principles of our Constitution: individual freedom, human rights, and equal treatment for all. This constitutes a fundamental shift that some individuals may overlook.

We have a very ancient concept of justice. The concept of justice

here is encompassed within various philosophical perspectives—Vyasa, Atri, Yajnavalkya, Brihaspati, Parashar, Chanakya, Vatsyayana, Devanand Thakur, Jayant Bhatt, Ganesh Upadhyay, Keshav Mishra, Raghunath Shiromani, and many other scholars have expressed their thoughts on punishment and justice in various texts, all of which are rooted in traditional Indian philosophy.

Upon careful examination of the first three laws, it becomes evident that the concept of justice is not inherently embedded within them; rather, they primarily focus on the aspect of delivering punishment. In our scriptures, the idea of punishment stems from the concept of justice. In contrast, Western legal ideologies, which influenced the laws introduced during British rule, often position justice as originating from punishment. In our country, the rationale behind imposing punishment is to ensure justice for the victim – the individual who has suffered harm or whose rights have not been adequately safeguarded. The purpose of administering punishment is twofold: to provide justice to the victim and to establish a societal precedent, dissuading others from committing similar transgressions. The three new bills that I am introducing constitute legislative measures that encapsulate the essence of traditional Indian justice, thereby liberating the soul of Indian legal philosophy. After many years of genuine independence, these three criminal laws will ultimately imbue a humanising touch into the legal framework that governs our criminal justice system.

In our country, the administration of punishment is aimed at ensuring justice for the victim—the individual who has suffered harm or whose rights have not been adequately protected.

Liberation From The Mindset Of Subjugation And Its Associated Symbols

Upon careful examination of these laws, it is evident that, until this assembly repeals them, the laws instituted by the Parliament of the United Kingdom persist within our legal system. Phrases such as “Provincial Convention” date back to a time when we were subject to English rule. Terminology like the honour of the representative of the

Crown, London Gazette, jury, Lahore Court, United Kingdom of Great Britain and Ireland, the Commonwealth, Her Majesty, Her Majesty's Government, London Gazette mentions, British Crown's dominance, English courts, and words like Her Majesty Romanian and Barrister have persisted throughout the 75 years of independence. Prime Minister Modi's initiative has emancipated our three laws from the mindset of subjugation and its associated symbols.

Upon the formulation of these new laws, numerous individuals, including some Members of Parliament whom I personally met, expressed difficulty in comprehending the transformative impact we were initiating. I conveyed that to truly understand, one must delve into the chapter itself. A glance at the chapter's index reveals that the initial three laws were not crafted for the citizens of this nation; rather, they were established to safeguard British rule.

The law that is currently under consideration for repeal encompassed provisions for the punishment of offences such as murder, abuse against women, embezzlement of government treasury, destruction of railway tracks, and insults directed towards the British crown.

The law we are preparing to repeal included provisions for the punishment of offences such as murder, abuse against women, embezzlement of government treasury, destruction of railway tracks, and insults towards the British crown. Murder was addressed under Section 302. However, the priority was not focused on

addressing murder or delivering justice for abuse against women. Instead, the emphasis was on protecting the treasury, securing the railways, and maintaining the stability of British rule. In the proposed changes, a complete shift is made, giving first priority to crimes against women and children, with a focus on issues affecting the human body. Subsequently, the security of the country's borders takes precedence, followed by crimes related to the army, navy, and air force. Electoral crimes are then addressed, followed by offences related to coins, currency notes, banknotes, and government stamps. Everything else follows this prioritisation. This marks the first instance where laws are being crafted in alignment with the spirit of our Constitution under the leadership of Prime Minister Modi ji. I take pride in presenting this bill to the assembly, changing these laws

after more than 150 years. I addressed those who claimed not to understand, asserting that an open mind with an Indian perspective would foster comprehension. The key is the mindset, not the language. An Indian mindset immediately grasps the essence, while a foreign mindset may struggle to understand.

There Is An Ideology – India’s Progress

In this initiative, significant emphasis has been placed on various aspects. Terrorism, which was not explicitly defined in the laws of any criminal justice system until now, is now being addressed comprehensively by the Modi government. This step aims to prevent any exploitation of legal loopholes and ensure a clear and unambiguous understanding of terrorism within the legal framework.

In addition to this, the redefinition of ‘Rajdroh’ and ‘Deshdroh’, previously interpreted solely as Rajdroh, will be elucidated in further detail. The term “raj” historically denoted governance, not India as a whole. Previously, speaking against any ruler could result in charges of Rajdroh. Now, the focus has shifted from protecting individual rulers to safeguarding the nation. This change reflects the essence of democracy, where protecting the individual is paramount, but harming the country is an offence that cannot be forgiven. This legislative change represents a significant alteration to the definitions of Rajdroh and Deshdroh after many years.

Terrorism was not explicitly defined in any criminal justice system laws until now. The Modi government is set to introduce a comprehensive definition of terrorism for the first time.

In this legislation, I would like to assure all members of this assembly that provisions have been incorporated to equip our judicial system with the technological innovations of the next 100 years. We are actively working towards swiftly implementing the justice system by leveraging all available technology.

The provision for ‘mob lynching’ has indeed been incorporated into the legislation. Once, I heard a speech by Mr. Chidambaram questioning what we would do about mob lynching if a new law is introduced. Mr. Chidambaram, it appears that you neither comprehend our party nor understand our principles. Our Party

adheres to a singular and overarching ideology—India's progress. This is our party's core principles. Mob lynching is a heinous crime, and we are introducing the death penalty provision in the new law to address it. Now, I pose a question to you. Your party has governed this country for 58 out of 70 years. Why did you not bring a bill for mob lynching during your tenure? When we initiated changes, we brought one. The term 'mob lynching' was used profusely when you were in opposition, but it seems conveniently forgotten after coming to power. The public is aware of such behaviour, which is why you are now sitting on that side and also outside the parliament.

Their double standards are becoming a source of trouble for their party today. The legislation maintains a proper balance between the rights of the police and the rights of citizens. Numerous provisions have been included to heighten the apprehension of punishment, ultimately increasing the conviction rate. The legislation also

Our Party adheres to a singular and overarching ideology—India's progress. This is our party's core principles.

incorporates substantial provisions for addressing cybercrime, and for the first time, community service is being introduced to alleviate the burden on jails.

Laws Are Drafted Based On Extensive Discussions And Deliberations

These three laws, as I mentioned, are undergoing changes after 150 years, and their implications extend to the lives of 130 crore people in the country. The future operation of the criminal justice system of the country will be based on these laws. Therefore, it was crucial to facilitate a comprehensive discussion involving representatives from every section of society, all stakeholders in this process, elected representatives, officers of the All India Services, and members of the legislative assemblies.

Hence, in the year 2019, we initiated an extensive consultation process starting from the month of August. In September 2019, letters were dispatched to all the Governors, Chief Ministers, Lieutenant

Governors, and Administrators, inviting their suggestions. In January, letters were also sent to the Chief Justice of the country, Chief Justices of all the High Courts, Bar Councils, and Law Universities, soliciting their valuable input. Following the receipt of suggestions, in 2021, I personally wrote letters to all Members of Parliament, requesting their insights. In 2020, suggestions were sought from all legislators. The Bureau of Police Research and Development sought input from all IPS officers in the country, while the Ministry of Home Affairs sought suggestions from all district collectors, recognizing the significant role of the collectorate. In March 2020, a committee was formed under the chairmanship of the Vice-Chancellor of the National Law University, Delhi, to compile all these suggestions. Subsequently, around 18 states, 6 union territories, the Supreme Court, 16 high courts, 5 judicial academies, 22 law universities, 42 parliamentarians, and approximately 1000 IPS officers submitted their suggestions.

A total of 3,200 suggestions were collected, and after thorough examination,

These three laws, as I mentioned, are undergoing changes after 150 years, and their implications extend to the lives of 130 crore people in the country. The future operation of the criminal justice system of the country will be based on these laws.

decisions were made based on discretion regarding their inclusion. Personally, I read all three laws in their entirety, comprehending them in one go. I dedicated 158 sittings to understanding the suggestions and refining the laws for simplicity. On August 11, 2023, I presented the three bills - Bharatiya Nyaya Sanhita, 2023, Bharatiya Nagarik Suraksha Sanhita, 2023, and the Bhartiya Sakshya Sanhita, 2023. These bills were forwarded to the Parliamentary Standing Committee on Home Affairs for consideration. Extensive discussions took place during committee sessions. On November 10, 2023, the committee's report was submitted to the Deputy Chairman of the Rajya Sabha. After addressing various suggestions, typing errors, grammatical errors, and legal pronunciations, I decided to introduce a new bill in the House, withdrawing the old one, considering the in-depth discussions.

Significant Change Founded On The Basic Principles Of Justice, Equality And Fairness

The three laws introduced under the leadership of Modi ji bring about a substantial change based on the three fundamental principles of justice, equality, and fairness. These laws not only encompass provisions to ensure their legal validity but also anticipate potential technological innovations in the future, incorporating ample use of technology. Forensic science has received significant attention in these legislations. Furthermore, efforts have been directed towards setting time limits to expedite the delivery of justice, ensuring efficiency for the police, lawyers, and judges in serving the people.

In the pursuit of comprehensive legal reforms, the Code of Criminal Procedure, initially comprising 484 sections, has undergone substantive revisions resulting in a revised structure with 531 sections under Bharatiya Nagarik Suraksha Sanhita. This transformative process encompasses modifications in 177 sections, the incorporation

Under the leadership of Prime Minister Modi, three laws have been introduced, heralding substantial changes grounded in the principles of justice, equality, and impartiality.

of 9 new sections, the addition of 39 new sub-sections, and the introduction of 44 new provisions and clarifications. Significantly, 35 sections now include specified timelines, while 14 sections have been omitted. Concurrently, the Indian Penal Code has witnessed a significant overhaul, reducing the prior 511 sections to 358. This comprehensive transformation involves the addition of 21 new offences, an extension of the duration of imprisonment in 41 offences, an escalation in the penalty for 42 offences, and the imposition of a mandatory minimum sentence in 25 offences. Community service penalties have been prescribed for 6 offences, and 19 sections have been expunged. The Bharatiya Sakshya Adhiniyam, 2023, made significant changes in Indian Evidence Act which initially comprised 167 sections, the current framework accommodates 170 sections, reflecting modifications in 24 sections, the inclusion of 2 new subsections, and the removal of 6 sections. These strategic revisions embody a meticulous and forward-looking approach to enhance the

efficacy and fairness of our legal system.

The Actions Of The Narendra Modi Government Reflect Its Commitments And Promises

I would like to address this esteemed house today, emphasizing that since the advent of the Narendra Modi government in 2014, a substantial period later, and despite earlier efforts by Atal Ji's government, the challenges faced within a coalition government were considerable. However, after a considerable duration, the citizens of this nation twice elected a government that diligently implemented its entire manifesto with unwavering commitment. The manifesto, for which a mandate was granted, is once again presented to the public. Our pledges to revoke Article 370 and 35A have been fulfilled, and a resolute zero-tolerance policy against terrorism and extremism has been effectively implemented, resulting in a remarkable 63% reduction in violent incidents and a 73% reduction in fatalities in three critical regions: Jammu and Kashmir, Left-wing extremist areas, and the Northeast. More than 70% of the Northeast is now free from the Armed Forces Special Powers Act (AFSPA). It is noteworthy that those who promised to repeal AFSPA could not achieve such a positive transformation. While 'AFSPA' remains in place, its application has been judiciously restricted due to the improved law and order situation in those regions.

We had promised to revoke Article 370 and Article 35A, and we fulfilled that promise. We had committed to form a government with a zero-tolerance policy against terrorism and extremism, giving security forces a free hand, and we delivered on that commitment.

We committed to expeditiously constructing the Ram Temple in Ayodhya, and on January 22, the consecration of Lord Rama will take place—an accomplishment by the Narendra Modi government that follows through on its promises. Additionally, we pledged to provide 33% reservation for women in Parliament and state assemblies. In stark contrast to the Congress party, which, despite coming to

power multiple times, only extended deadlines, we have fulfilled our promise and demonstrated our respect for the women of the country by implementing reservation with unanimous approval.

We vowed to put an end to the injustice faced by Muslim mothers and sisters due to the practice of triple talaq, and we have successfully delivered on this promise. Our commitment also included accelerating the pace of justice delivery and ensuring that justice is grounded in principles rather than mere punishment. During my tenure as the party president, Shri Rajnath Singh Ji presented the manifesto to the public, and today, both of us are here. It brings me great satisfaction that Prime Minister Modi has diligently fulfilled the promises laid out in the party's manifesto.

The Paramount Duty Of The State Is To Ensure Justice

'Justice' is an umbrella term, forming the bedrock of a civilised society. Our constitution

We pledged to provide 33% reservation for women in Parliament and state assemblies. Despite the Congress party coming to power multiple times, only to extend deadlines, we have remained committed to our promise and successfully implemented the reservation.

delineates various facets of justice, including political, economic, and social, with explicit references in articles such as 38, 39, and 142. While justice takes on diverse forms, the common understanding often gravitates towards the criminal justice system. I acknowledge the profound commitment to justice

expressed by the constitution makers. In contemporary discourse, people frequently associate justice with the criminal justice system. Today, I present three bills. Over the years, the people of the country have expected from Prime Minister Modi not just penalties or punishments but true justice, and this bill represents a stride towards ensuring the security of the common man.

The primary responsibility of the state is to uphold justice. Democracy stands on three pillars - judiciary, executive, and legislature. The constitution framers have delineated distinct roles for these pillars to ensure a robust administration of justice. For the first time, these three pillars will collaborate, with a focus not solely

on punishment but on justice within the criminal justice system. Under your leadership, laws will be enacted here, executed by the executive, and adjudicated by the judiciary. Together, these branches will establish India's system of justice grounded in Indian philosophy.

Legislation Aimed At Achieving 'Ease Of Justice'

As I highlighted earlier, the term 'justice' is all-encompassing, involving a broader community that includes both the accused and the victim. In contrast, the term 'punishment' tends to narrow its focus solely on the accused. The new law I am presenting brings about a balance. Previously, laws were predominantly punitive, but now, there is a shift towards a more 'victim-centric' approach. The legislation ensures 'Ease of Justice' through a simplified, transparent, and responsive procedure.

The enforcement mechanism will facilitate impartial, timely, evidence-based speedy trials, thereby alleviating the burden on courts and prisons, with an anticipated increase in conviction rates.

Various individuals have provided diverse suggestions, and I will address them by delving into the details of the bill.

Notably, the bill I am presenting is forward-looking and incorporates novel aspects, harnessing the full potential of advancements. We have committed to enhancing prosecution through the integration of forensic science in investigations and mandated the recording of audio-video statements of rape victims. I will elucidate how technology has been strategically employed in numerous aspects, with provisions aimed at expediting court processes.

Currently, there exist three different judicial systems in the country, characterised by variations in the presence of metropolitan magistrates and first-class magistrates across different regions. Following the enactment of this law, a uniform judicial system will be established from Kashmir to Kanyakumari and from Dwarka to Assam, fostering equality and standardisation in the judicial process

We have resolved to integrate forensic science into the investigative process, providing robust support to prosecution. Additionally, we have mandated the audio-video recording of the statement of victims of sexual assault to enhance transparency and strengthen the legal proceedings.

throughout the nation.

The extension and mandatory appointment of the Director of Prosecution carry significant importance in this legislation. This provision is crucial, as it provides a recourse in cases of injustice to the innocent or when a victim is denied justice within the primary judicial system. The tertiary judicial system, involving appeals, gains prominence in this context. Currently, decisions regarding appeals are made by individuals who feel aggrieved by the perceived lack of justice, allowing them to decide whether to pursue an appeal. With the introduction of an independent Director of Prosecution at both the district and state levels, decisions on appeals will be made transparently. This impartial system will involve inputs from the police and the prosecutor, ensuring a fair and objective assessment of the need for an appeal.

This entails the extension and mandatory appointment of the Director of Prosecution. This step is crucial, as it ensures that in cases where an innocent person faces injustice or a victim is denied justice within the primary judicial system, our tertiary judicial system stands as a recourse.

Provisions To Ensure Police Accountability

Provisions have been established to address police accountability in numerous situations. Specifically, in cases of habeas corpus, where concerned family members inquire about the whereabouts of their relatives, it is now mandated that information about arrested individuals be maintained at each police station, with a designated police officer held accountable for this information.

In this legislation, we have taken significant steps to enhance police accountability across various domains. Adopting a victim-centric approach, we have conferred the right to speak upon many victims under Section 360 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (BNSS). Sections 173, 193, and 230 have been structured to ensure the right to information. Victims are now entitled to compensation for damages, and the concept of Zero FIR has been introduced. Crucially, a court can no longer unilaterally withdraw a case without the victim's explicit permission; their perspective must be heard,

and their objections duly considered. Mandating transparency, the police are required to provide updates to the victim regarding the investigation's progress within a 90-day timeframe. Furthermore, the legislation makes it obligatory to furnish the victim with copies of the FIR, witness statements, and police reports. Several provisions have been incorporated to ensure consistent information flow to the victim or their family members at different stages of the investigation and legal proceedings. I am confident that these measures will uphold police accountability and mark the commencement of justice for the victims.

Priority To Crimes Against Humanity

I would like to elucidate the salient provisions of the three legislations for the consideration of this esteemed House and the nation. Let's commence with the Bharatiya Nyaya Sanhita. In the pursuit of justice, the previous laws were skewed, neglecting crimes of utmost significance. The amendments in the Bharatiya Nyaya Sanhita rectify this imbalance, prioritising crimes against humanity. For instance, the provisions concerning rape, once confined to Sections 375 and 376, have undergone a comprehensive restructuring, now encapsulated from Section 63 to Section 69. Notably, the heinous crime of gang rape has been explicitly addressed, along with heightened attention to offenses against children. The statute pertaining to murder, previously relegated to Section 302, is now articulated under Section 101. The sections related to kidnapping, previously delineated as Sections 359 and 369, have been thoroughly revised and renumbered from Section 137 to Section 140. Similarly, trafficking, governed by Sections 370 and 370 (A), has undergone transformation, now manifesting as Sections 143 to 144.

Now, the new legislation mandates that the court is prohibited from withdrawing any case without obtaining the explicit permission of the victim. Additionally, the court is required to afford the victim the opportunity to be heard, ensuring that decisions are not made solely at the discretion of the state. The victim's concerns and objections must be taken into account during these legal proceedings.

Setting aside the initial definitions and procedures, we have prioritised crimes directly impacting individuals, starting with crimes against women and children and then focusing on offences related to the human body. The primary objective of these laws is to ensure the safety of the individual. The law on Deshdroh, which was enacted by the British and was used to imprison prominent figures like Tilak Maharaj, Mahatma Gandhi, and Sardar Vallabhbhai Patel during the freedom struggle, remained in force. Despite protests during their time in opposition, the political opponents misused this law when in power and never made an effort to repeal it. In a historic move, Prime Minister Narendra Modi took the decision to completely abolish Section 124(A) related to Deshdroh.

Deshdroh Instead Of 'Rajdroh'

Mr. Owaisi, I, too, have a background in psychology and am a science student. It seems there is a misconception that we merely made a change. I want to clarify that we transitioned from 'Rajdroh' to

Narendra Modi ji took a historic step by abolishing Section 124(A) pertaining to Deshdroh for the first time.

'Deshdroh'. In the present era, our country is independent and operates as a democracy. Individuals have the right to criticise governance, and this will not lead to imprisonment in our democratic nation, even if we are in power. I comprehend

the distinction. Nobody is allowed to speak against the country, harm its interests, or misuse its flag, borders, and resources. In such cases, we will certainly take legal action and ensure that such individuals face consequences. The security of our nation is paramount, and the protection of our country should always take precedence. Therefore, we have replaced Rajdroh with the section on Deshdroh.

The language used in IPC 124A, which addressed 'things said against the Government,' deserves careful attention from all honourable members. The British, in their enacted law, utilised the term 124A to refer to 'things made against the Government.' In place of this, the new BNS Section 152 will be applied against those who undermine the sovereignty, unity, and integrity of India. While the term 'government' was used there, we now use 'country' and 'India' here.

Unlike the IPC, we have incorporated the concept of intent in the definition of Deshdroh. The emphasis is on understanding the purpose and intention behind the actions. If the motive is Deshdhrous, the offender deserves the harshest punishment. However, if someone engages in protest without malicious intent, they should not face punishment, as they have the right to freedom of speech. The language has been revised to eliminate expressions like hatred and contempt towards the government, replacing them with armed rebellion, subversive activities, and separatist activities. I firmly assert that individuals involved in armed rebellion, bomb blasts, firing, and destructive activities must face legal consequences, including imprisonment. No one has the right to engage in activities against the country, and anyone doing so will be duly punished. Despite attempts to colour the new initiative with different perspectives, we stand firm in upholding the spirit of the Constitution, ensuring that those acting against the country face appropriate consequences.

If someone suggests that individuals engaging in armed rebellion, bomb blasts, firing, and destructive activities should not face imprisonment, I strongly disagree with this notion. Those involved in such serious offences should be held accountable and face appropriate legal consequences, including imprisonment.

Today, I express that thousands of freedom fighters who engaged in acts of Deshdroh to liberate the country and expel the British spent the prime years of their lives in incarceration. The initiative of the Narendra Modi government to introduce judicial provisions in independent India for the same is undoubtedly a source of satisfaction for their souls.

Ensuring Safety Of Women And Children

Significant provisions have been incorporated in the Bharatiya Nyaya Sanhita to enhance the safety of women and children. A dedicated chapter addressing crimes against women and children has been introduced, underlining the government's commitment to their protection. Amendments have been made to the provisions pertaining to the rape of women below 18 years of age. The

renumbered rape provision now aligns with the Protection of Children from Sexual Offences (POCSO) Act, ensuring a more cohesive legal framework. This alignment removes difficulties in applying POCSO and guarantees that all sections of POCSO are covered under the new judicial code for cases of rape, simplifying legal procedures. The legislation corrects previous age-based punishment classifications, prescribing consistent penalties for the rape of minors aged 18, 16, and 12 years. Notably, a provision for life imprisonment and the death penalty has been introduced for the rape of girls below 18 years, with the death penalty reinstated for such cases. Additionally, gang rape cases are subject to a penalty of 20 years imprisonment or life imprisonment. The legislation reinforces the severity of the punishment for rape offenses, particularly those involving women below 18 years of age.

Now, by committing rape, irrespective of whether the accused is specifically charged under POCSO, all relevant sections of the POCSO Act will be applicable and enforced through this revised Sanhita, ensuring that the perpetrators face appropriate legal consequences.

Anomalies in the definition of rape have been rectified through amendments, where the age limit for consensual rape cases has been raised from 15 to 18 years. Any action

against a girl below 18 years will be considered as minor rape. Additionally, efforts have been made to create a gender-neutral legal framework by explicitly including both boys and girls in the provisions related to trafficking, ensuring that the law comprehensively addresses this heinous crime. These modifications aim to enhance the legal protection and rights of individuals, irrespective of gender, emphasising a more inclusive approach in addressing crimes against minors.

‘Zero Tolerance’ Towards terrorism

After several years, and with more than one lakh people falling victim to terrorism, the Narendra Modi government is taking historic steps by incorporating terrorist acts into criminal justice laws after 75 years. The commitment to maintaining a policy of zero tolerance against terrorism was present, but the lack of a clear definition posed

challenges. The mention of terrorism within this foundational law makes it nearly impossible for perpetrators to escape punishment for heinous crimes. While acknowledging the suffering endured by some, opposing anti-terrorism provisions in the name of human rights is equated with supporting terrorism, the most significant violation of human rights. The perpetration of terrorism is deemed the most egregious violation of human rights. Those individuals who engage in acts of terrorism, causing harm to innocent victims, are considered violations of human rights and deserve the most severe punishment under the law. This perspective underscores the government's commitment to ensuring the safety and security of its citizens by holding perpetrators of terrorism accountable for their actions.

I find it surprising. If I had been present, I would have interrupted and attempted to prevent this from becoming part of the House's official record. Whom are you defending? In which era are we living? This is not the era of British rule, nor the era of Congress; this is the era of the Bharatiya Janata Party and Prime Minister Shri Narendra Modi ji. There will be no arguments to defend terrorism here. However, to prevent misuse, we have provided a clear explanation of the provisions.

Whoever endangers the unity, integrity, sovereignty, security and economic security of India and attempts to spread terror among any section of the society, will be termed as a terrorist incident.

Provision Of Terrorism

It has been clearly defined that anyone jeopardising the unity, integrity, sovereignty, security, and economic security of India and attempting to spread terror, whether from within or outside, will be labelled as involved in a terrorist incident. The details, including the use of dynamite, explosive substances, poisonous gas, or nuclear elements, have been outlined. In such incidents resulting in any loss of life, the individual causing such an incident will be considered complicit in a terrorist act. Is there potential for misuse? A sense of fear exists, and this opposition arises from that fear. I firmly believe that this fear should persist. There should be no leniency towards those who commit terrorist acts, and the strictest laws should be in

place for them. It is a commendable decision by the Narendra Modi government to incorporate provisions for terrorism in this law.

Subsequently, actions that disrupt the security of the Government of India, any state government, foreign government, or international government organisation will also be deemed as terrorist activities. I firmly believe that there is no room for misuse in this provision. I want to assure the House that while the law is a written document, if someone violates or misuses it during implementation, our government

Numerous intra state and inter-state gangs are engaged in organised crime. Until now, there was no specific law addressing these issues. However, within this legislation, we have incorporated provisions to address organised crime, including cybercrime, economic crime, land grabbing, arms trade, robbery, and human trafficking.

will take immediate action to rectify the situation. The court plays a crucial role in oversight, and if anyone has grievances, the court is there to examine and address them. The inclusion of this section will enable the court to evaluate its implications. If the fear of this provision stops terrorism, then I cannot disagree with that. I appeal to the House for support and blessings for this section introduced by the Modi government, sending a

resounding message of zero tolerance towards terrorism.

Provision For Organised Crime

For the first time, organised crime is comprehensively addressed. Many intra state and inter-state gangs commit organised crime, and there was no specific law for this. This legislation includes provisions for cyber crimes, economic crimes, land grabbing, arms trade, robbery, and human trafficking, providing clarity on economic offences. Narendra Modi ji has taken the initiative to define economic crime, encompassing currency notes, bank notes, counterfeiting of government stamps, hawala dealings, large-scale financial frauds, and attempts to disrupt the economic system. This inclusion is expected to simplify judicial proceedings. It's important to note that culpable homicide, commonly known as accidental killing, has been subdivided. In cases where accidents occur, and the responsible

party promptly reports the incident to the police station or hospital, a provision for lesser punishment has been introduced. For hit-and-run cases, where someone leaves the scene after causing a fatality, a ten-year punishment has been stipulated. Additionally, culpable homicide now covers cases where negligence by doctors results in death, with an increased penalty. Responding to the Indian Medical Association's request, an official amendment has been proposed to exempt doctors from punishment for up to two years in such instances.

New Provision For 'Mob Lynching'

We have introduced provisions to address this issue. If someone is killed as a result of a group formed on the basis of race, caste, community, or any other factor, the maximum punishment can now include the death sentence. This provision has been implemented. Additionally, there was previously no specific law against snatching, including incidents like chain or mobile snatchings. We have now introduced legislation to address this gap in the law. In cases related to serious injury, we have further refined the law into two categories. If someone inflicts injuries using a stick, the punishment will be as it should be. However, if the victim becomes 'brain dead' or suffers total disability due to the assault, the punishment will be more severe, including a minimum ten-year rigorous imprisonment. In Section 117 of serious injury, we have introduced a provision for imprisonment of up to seven years. These are some of the significant changes I have outlined for your consideration.

If someone is killed due to group formation based on race, caste, community, or any other factor, there is now a provision for the maximum punishment, including the death penalty.

Bharatiya Nagarik Suraksha Sanhita, 2023

Now, let's discuss the Bharatiya Nagarik Suraksha Sanhita. The primary obstacle to obtaining justice in our country is the economic barrier faced by the poor. However, our Constitution has provisions

to ensure that even the most impoverished individuals are provided with a government-appointed lawyer and have access to justice. Despite these provisions, justice is often elusive. Recently, the esteemed Defense Minister shared an incident from 2003, and as of 2023, the evidentiary process is still ongoing, leaving the timeline for punishment uncertain. The persistent issue of endless adjournments and the blame game between the police and judiciary, as well as the government, is a challenge that needs addressing. This law aims to bring clarity to these issues, and I would like to elucidate on its provisions in detail, as it holds great importance for lawmakers to comprehend thoroughly.

Fixation Of Time For Penal Action

In terms of punitive action by the police, the Criminal Procedure Code (CrPC) previously had no time limit. A complaint could be filed, and cognizance could be taken even after ten years. However, under the new provisions, filing a First Information Report (FIR) will be

The request for acquittal by the accused will also have to be made within seven days.

mandatory within three days if a preliminary investigation has been conducted. For cases with a punishment ranging from three to seven years, a preliminary investigation must be completed within 14 days to ascertain the veracity of the

allegations, and an FIR must be promptly filed. This strict timeline is intended to expedite the delivery of justice. Additionally, there was no specified time limit for sending the investigation report to the District Magistrate. Now, within 24 hours of the search report, it must be presented before the court, preventing any delays in the legal process.

Regarding medical practitioners and medical examination reports, the earlier practice allowed flexibility in providing these reports, with no defined time limit. However, the new regulations dictate that the medical examination report of a rape victim must be promptly sent to the police station and court within seven days, eliminating any unnecessary delays in the process. This ensures a more expeditious handling of such sensitive cases.

Previously, there was no defined time limit for filing a chargesheet, leading to potential delays and legal loopholes. The new regulations now set a stringent time frame of 60 to 90 days for filing the chargesheet. Additionally, any extension beyond the initial 90 days requires a court order, ensuring that investigations do not linger indefinitely. This provision is designed to expedite trials and prevent unnecessary delays in legal proceedings.

Subsequent to these changes, a specific timeframe has been established for the commencement of proceedings before the Magistrate. The Magistrate is now mandated to take cognizance of the matter and initiate action within 14 days. This provision aims to expedite the legal process and ensure that cases are addressed promptly. The imposition of a deadline prevents unnecessary delays in the legal proceedings, fostering a more efficient judicial system.

Previously, there was no established timeframe for plea bargaining. However, under the recent amendments, a specific time limit has been introduced. Individuals now have 30 days from the framing of charges to opt for plea bargaining.

A significant amendment has been introduced regarding the request for acquittal made by the accused. The accused individuals are now obligated to submit their requests for acquittal within seven days. This modification aims to streamline the legal process by preventing prolonged delays caused by numerous appeals for acquittal. The provision ensures a more expedited and efficient judicial system, with the expectation that cases will proceed to trial within a maximum time frame of 120 days.

Previously, there was no designated time frame for 'plea-bargaining.' However, the new legal provisions specify that if an individual pleads guilty within 30 days of the framing of charges, their punishment will be reduced. 'Plea-bargaining' must now be concluded within 30 days. Additionally, a provision has been introduced to expedite the documentation process during the trial, requiring it to be completed within 30 days, eliminating the possibility of unnecessary delays.

Provision For Trial In Absentia

The new legislation includes a provision for trial in absentia. While some may raise objections, it addresses cases where individuals involved in significant crimes, such as the Mumbai bomb blast case, take refuge in other countries like Pakistan, hindering the trial process. With the new provision, these individuals do not need to appear in person. If they fail to appear within 90 days, the trial will proceed in their absence, and a government lawyer will represent them. If convicted, they can also face the death penalty. This measure aims to expedite the legal proceedings and change the dynamics when the convicted person is located in another country. Furthermore, the legislation introduces a provision for bail, ensuring that individuals

For a first-time offence, a one-third reduction in punishment is granted if one-third of the sentence has been served during the trial. In more serious cases like murder, robbery, etc. a one-half reduction is allowed.

are not kept in jail for extended periods. For a first-time offence, a one-third reduction in punishment is granted if one-third of the sentence has been served during the trial. In more serious cases like murder, robbery, etc. a one-half reduction is allowed.

Previously, judgments took years to be delivered, causing significant delays in the legal process. However, the new legislation mandates that after the conclusion of a case, the judge must deliver the judgement within 45 days, eliminating prolonged delays. Additionally, the legislation addresses the gap between judgement and punishment by requiring the punishment to be uploaded within seven days of the verdict, ensuring a more expedited and efficient legal system.

New Rules For Mercy Petition

The new legislation addresses mercy petition cases, introducing stricter timelines and eligibility criteria for filing such petitions. Previously, there were instances where mercy petitions were not filed for several years. Under the updated provisions, only the individual who has been punished has the right to file a mercy petition. The legislation mandates that the mercy petition must be filed within 30

days of the Supreme Court rejecting the appeal, and individuals will not have the right to file a petition later. Additionally, clear provisions for responses (yes or no) from the Governor, Government, and relevant authorities have been established.

Priority To Women's Safety

The new legislation includes several provisions aimed at enhancing the safety of women, with a particular focus on leveraging technology for their benefit. Notably, the introduction of e-FIR (First Information Report) is expected to provide significant relief to women. Recognizing the sensitivity of reporting crimes, especially for women, the e-FIR allows any woman to file a complaint online, ensuring swift cognizance of the matter. Additionally, the law facilitates the involvement of women police officers who can visit the complainant's residence within two days to record her statement. This approach aims to streamline the legal process, ensuring timely trials and minimising adjournments, thereby prioritising the welfare and protection of women.

We have brought a legal provision within this law to digitalize the entire process from FIR to case diary, from case diary to charge sheet, from there to judgement.

Emphasis On Use Of Technology

We've employed technology strategically to mitigate potential misuse of police authority across various domains. Significantly, we've underscored the role of technology in all three critical stages—crime scene analysis, investigation, and trial. This not only guarantees transparency and accountability in police procedures but also enhances the evidentiary standards. It is imperative to note that this approach safeguards the rights of both victims and the accused.

We have incorporated a legal framework within this legislation to digitise the entire process, encompassing the journey from FIR to case diary, and from case diary to the charge sheet, ultimately leading to the judgement. We've mandated the video recording of evidence, search, and seizure procedures. Any police activity involving home

searches or seizures will now be recorded, reducing the risk of wrongful accusations. The Narendra Modi government has taken a decisive step to make the victim's statement compulsory, even in cases of rape. This statement must be recorded online to prevent any alterations once the statement is made. In rural areas, statements are sometimes manipulated, especially when the perpetrator is known. Now, with online recording and the immediate dispatch of three copies to the hospital, police station, and the judge within 24 hours, the chances of tampering are significantly minimised.

During his tenure as the Honourable Chief Minister of Gujarat, Narendra Modi ji initiated the establishment of the Gujarat Forensic Science University. Upon assuming the role of Honourable Prime Minister, he further expanded this endeavour by founding the National Forensic Science University (NFSU). As of now, NFSU has established seven campuses and two training academies across nine states in India.

Importance On The Use Of Forensic Science

Simultaneously, we have placed considerable emphasis on the utilisation of forensic science. Upon examining global judicial systems, our conviction rate appears notably low. To enhance this rate, a greater focus on scientific evidence is imperative. Consequently, within this legislative framework, we have introduced measures to enhance the quality of investigations. With the goal of conducting investigations through

scientific methodologies and achieving a 90 percent conviction rate, we have stipulated that in all cases where the punishment exceeds seven years, the visit of the Forensic Science Laboratory (FSL) team is now mandatory.

The Narendra Modi government operates cohesively, not in fragments. During Narendra Modi ji's tenure as the Chief Minister of Gujarat, he established the Gujarat Forensic Science University. Upon assuming the role of the Honourable Prime Minister, he furthered this initiative by establishing the National Forensic Science

University. Currently, seven campuses of NFSU and two training academies have been inaugurated in nine states. Over the next five years, the government aims to produce 35 thousand forensic experts annually from these institutions. In the interim, provisions for forensic mobile vans have been established, and regulations for outsourcing forensics have been outlined. The successful initiation of the seven-year trial in Delhi has yielded promising outcomes. State notification for the implementation of forensic infrastructure will be carried out progressively, starting at the police station level and extending to tehsils, districts, and the entire state. The notification process will be phased, ensuring comprehensive forensic arrangements in each area before expanding to additional regions.

This initiative will substantially enhance the prosecution's ability to enforce penalties. The Government of India has allocated around two thousand crore rupees to the states for this purpose, and 30 states and union territories have commenced their efforts in this direction. Additionally, the establishment of six state-of-the-art Central Forensic Science Laboratories is underway.

Now the victim will go to any police station, no matter where he lives, after taking his FIR, he will have to be compulsorily transferred to the concerned police station within 24 hours.

Compulsory Zero FIR

Zero FIR, a provision that was previously discretionary, has now been mandated by law. Regardless of the location, if a victim approaches any police station, the FIR will be registered and must be compulsorily transferred to the relevant police station within 24 hours. This significant change aims to benefit victims, ensuring that police accountability extends beyond the jurisdiction of a single police station. Furthermore, each district and police station now has a designated officer responsible for providing a list of individuals under arrest. This provision prevents unauthorised detentions, as relatives must be informed about the arrest of their family members. The police officer is also obligated to update the victim on the progress of the investigation within 90 days, either through a letter or digital means. In cases of sexual violence, the statement of the victim is

recorded by a Lady Judicial Magistrate, or in the presence of female paramedical staff if the magistrate is unavailable, with efforts made to include the parents or guardian during the statement recording process whenever possible.

Summary Trials To Be Expedited

We have undertaken several efforts to streamline processes and enhance simplicity within the legal framework. Summary trials, which were previously limited to two years, have now been extended to three years to expedite the process, especially in less serious cases. In cases involving civil servants where crimes are registered against government officials, approval was required, leading to delays. To address this, if rejection does not occur within 120 days, it will

The ambiguity surrounding bail and bond has been addressed with clarity in the new legislation. Moreover, we have introduced provisions for the confiscation of properties belonging to individuals declared as criminals.

be considered as approval, ensuring that cases against government officials proceed without unnecessary hindrances. Furthermore, to overcome challenges related to the frequent transfers and promotions of civil servants, we have introduced a system where responses are based on the file rather than individual officers. Additionally, we have

clarified the bail and bond processes and introduced provisions for the confiscation of property belonging to declared criminals.

To ensure that criminals do not evade justice and cases do not linger for years, we have introduced measures to proceed with cases in the absence of the accused and also to confiscate their property. A person sentenced to 10 years or more imprisonment, life imprisonment, or death sentence will be declared a Proclaimed Offender. Previously, fugitives could be declared in only 19 crimes; however, we have expanded this provision to cover 120 crimes, addressing delays in legal proceedings. Additionally, we have addressed cases of atrocities against women.

The significant proposal I presented was regarding trial in absentia, and some members have expressed concerns about it. I

would like to ask, what sympathy do you harbour for those who flee the country after committing crimes? Consider this: Hundreds of lives are lost in bomb blasts, individuals engage in terrorism in Kashmir, and then seek refuge in Pakistan. Should they not face punishment? I pose this question with utmost clarity.

What sympathy do you have for such individuals? From now on, these people will not escape justice; whether they return or not, they will be held accountable, and their assets will be confiscated. The functioning of our country cannot be allowed to continue in this manner. If you seek justice, seek it through the legal system. The Constitution of India ensures justice for every individual, regardless of their socio-economic status. Justice will be served, but those seeking to evade it by fleeing the country will no longer succeed. This provision will now ensure that justice shall be delivered.

New Witness Protection Scheme

We have introduced a new witness protection scheme, mandating every state to declare it. Furthermore, we have implemented provisions for the confiscation of property belonging to declared criminals. In addition, we have established a framework to rationalise the remission of punishment. For cases with a death penalty, the maximum sentence can be life imprisonment, with no option for a pardon below this threshold. For life imprisonment, a minimum of seven years must be served, and if the punishment exceeds seven years, a minimum of three years in jail is obligatory. This ensures that individuals, regardless of their influence, cannot evade serious consequences for their crimes. In the case of economic offenders who have amassed wealth through illicit means, the court can now seize their assets, declare them as ill-gotten gains, and deposit them in the state treasury.

We have introduced a provision to rationalise the remission of punishment. Specifically, in cases where the death penalty is applicable, the maximum sentence that can be commuted is life imprisonment. There is no provision for a pardon below this threshold.

A Big Step Towards The Disposal Of Properties

A substantial measure has been undertaken to address property disputes. As public servants engaged in various political capacities, we have frequented police stations numerous times. It is a common sight to find stolen vehicles, bicycles, and trucks used in transporting liquor accumulating in police stations. These vehicles, sometimes caught in legal processes since 1950, often outlast their owners, occupying the entire parade ground of the police station.

We have mandated the videography and photography of a significant number of properties stored in police stations across the country by court magistrates. These properties will be sold within 30 days under court orders, and the proceeds will be deposited with the court. This initiative aims to clean up police stations, even though it may be challenging for some.

We have expanded the definition of a document to include electronic records. Henceforth, any form of electronic record will be recognized as a document.

Accumulated for decades, these properties, including vehicles, have become obsolete and burdensome. Changes have been made to the Indian Evidence Act, incorporating electronic records into the definition of documents. Charge sheets

and statements will now be provided within a pen drive, facilitating easier access and dissemination while establishing a legal framework for the proper custody, storage, transmission, and presentation of electronic and digital records as primary evidence

We've implemented significant amendments to the Indian Evidence Act, encompassing electronic records within the document's definition. Any form of electronic record is now recognized as a document. The charge sheet will be provided on a pen drive, distributed to the court, the victim, and lawyers alike, facilitating a more efficient and modern approach to legal proceedings.

We've expanded the scope of evidence within the legal framework by incorporating electronically received statements into the definition. Setting higher standards, electronic and digital records are now considered primary evidence, accompanied by a meticulous legal process to ensure their secure custody, storage, transmission, and

broadcast.

We have introduced a crucial provision mandating the inclusion of expert testimony for the examination of documents, both oral and written confessions. This step ensures the legal validity of electronic and digital records, making it impossible for anyone to challenge their admissibility. Additionally, certificates for submitting electronic evidence have been added to the schedule, further solidifying the legal framework surrounding electronic records.

To achieve this, extensive efforts have been undertaken, involving a dedicated team of cybercrime experts from the National Forensic Science University, specialists in electronic matters, BPR&D, and officials from the Home Ministry. The process, meticulously devised over months, also included consultations with experienced judges for comprehensive insights.

The World's Most Modern Justice System

I am confident that once fully implemented across every police station in the country, our judicial process will stand as the most advanced and modernised system globally.

We have incorporated comprehensive provisions for this in the legislation. It can be notified at various levels, including police station, tehsil, district, commissionerate, and state. As we progress in clearing police stations, we will extend its implementation. Currently, we have successfully computerised many police stations, reaching 97 percent coverage through ICJS. The modernization of courts is also underway. The Integrated Criminal Justice System (ICJS) is making significant progress in bringing Forensic Science University, Police Station, Home Department, Public Prosecutor's Office, Jail, and Court under a unified online software platform across the country. This technological advancement aims to provide relief to our citizens

The modernization of courts is underway, and we are nearing completion of the Integrated Criminal Justice System (ICJS), a comprehensive initiative to digitise Forensic Science University, Police Station, Home Department, Public Prosecutor's Office, Jail, and Court operations under a unified software platform throughout the country

who have experienced delays in seeking justice, ensuring a more expeditious dispensation of justice.

We have expanded the definition of evidence to include smartphones, laptops, messages, websites, and locational evidence. The accused, experts, and victims are now permitted to appear before the court through electronic means, and we have formalised the entire process within the law to ensure the admissibility of electronic or digital records. The FSL University will provide timely suggestions to incorporate new technologies as they emerge. In response to various questions raised during this discussion, I would like to reiterate that even though the Unlawful Activities (Prevention) Act (UAPA) is available for terrorist acts, the inclusion of terrorist acts in this legislation serves to close any potential loopholes and further strengthen our legal framework.

Section 479 of the Bharatiya Nagarik Suraksha Sanhita (BNSS) pertains to undertrial prisoners, and we have introduced a highly progressive provision in this regard. Under this provision, undertrial prisoners will be eligible for release sooner, as we have now allowed for bail once they have served one-third of their sentence. This is a significant change from the previous law, where the court did not have the authority to grant bail before a certain period of time.

We are introducing a single-place crime register for terrorist acts, ensuring that those involved need not fear the application of two separate laws. In many instances, UAPA was not enforced after a terrorist act, and there was no clear definition of terrorism in the IPC until now, allowing some perpetrators to escape legal consequences. With this new law, we have effectively closed these escape routes. It is essential not only to raise objections in Parliament but also to explain the implications, identifying whom we intend to safeguard through these objections.

I want to address concerns regarding the potential misuse of Section 69 of the BNS. It is crucial to note that protections have been put in place for women who wish to conceal the identity of a person due to false promises of marriage. Rest assured, this provision will not be misused by anyone else, and I want to assure the House of

that.

I strongly oppose the suggestion of involving a third party in the mercy petition process. If an individual who has committed a crime is unaware of the gravity of their actions and shows no remorse, they have no entitlement to mercy. Mercy should only be considered for those who genuinely regret their deeds. For instance, if someone commits a terrorist act, goes to jail, and then denies their involvement, claiming they cannot accept responsibility, should they be granted mercy? I disagree; such a scenario should never be allowed.

In Section 479 of the BNSS, which deals with undertrial prisoners, we have introduced a progressive provision. Contrary to the previous situation, undertrial prisoners will now be eligible for release sooner. We have incorporated a provision allowing them to seek bail after serving one-third of their sentence, a feature absent in the previous legal framework. Prior to this, the court could grant bail under certain circumstances.

The limitation of videography to search activities rather than arrests and recording of police statements is based on the understanding that police statements, governed by Section 161, cannot be used

We have taken a significant step by amending Section 37 of the Bharatiya Nagarik Suraksha Sanhita. Now, in every district and police station, a designated officer will be responsible for providing details of custody.

against the accused in court. Only statements given in court are admissible as evidence against the accused. Regarding different time limits for discharge applications, it is clarified that Sections 250 and 262 cater to different types of trials. Section 250 applies to trials in the Sessions Court, initiated after the case is committed by a Magistrate, while Section 262 pertains to trials conducted by a Magistrate. In response to concerns about the extension of the detention period in Clause 187, it is clarified that the total custody will be limited to 15 days. The initial 7 days allow for police interrogation, and if the individual goes to the hospital during this period, the remaining 8 days can be completed after recovery. The provision ensures that the total custody period does not exceed 15 days, and the court can grant bail during this time.

The instructions from the Basu case have not been incorporated,

but Section 37 of the Indian Civil Defense Code has been amended, designating an officer in every district and police station to provide details of custody. Concerns about unchecked police powers have been addressed by both reducing powers in some areas and implementing measures for oversight. The provisions related to mob lynching cover crimes where more than five people come together to commit murder or cause injury. Bhartrihari Mahtab's suggestions, particularly in Clause 152 and Organized Crime 111, have been considered, and changes have been made to the bill based on your recommendations.

Secondly, he raised a concern about the terms “falls” and “misleading.” I believe that addressing the issue of spreading misinformation is important, so we have included provisions for it. We have taken steps to ensure that these provisions are not misused by

These laws are going to be made based on the spirit of our Constitution which is of justice to all and the Indian concept of punishment and justice.

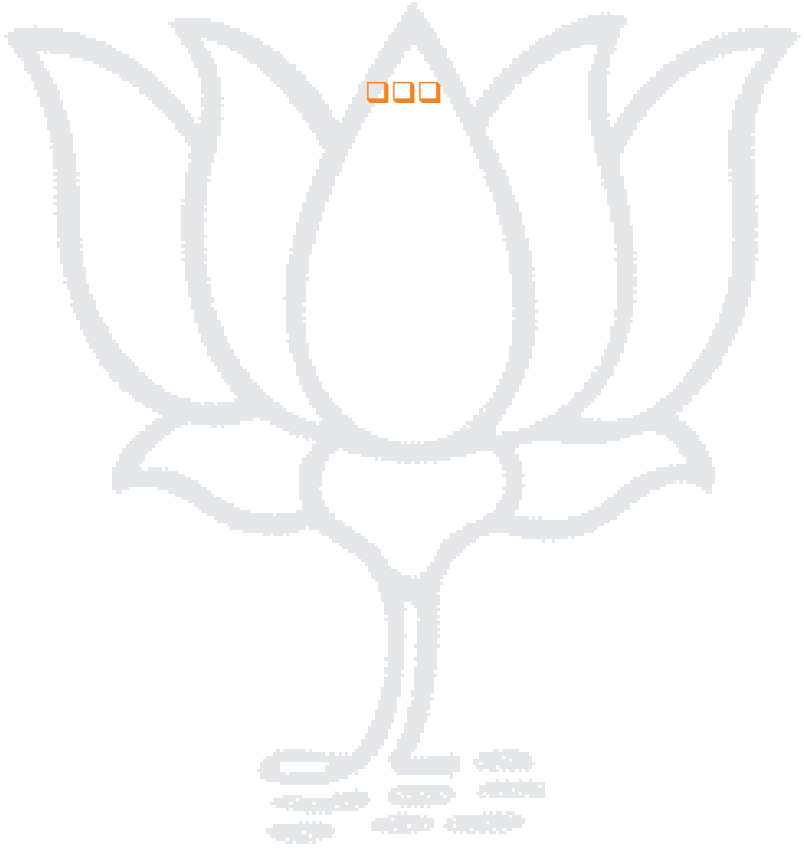
incorporating various checks and balances. Regarding the issue raised by Harsimrat Kaur Badal about police custody, I want to emphasise that these laws are not intended to create a police state. Our goal is to prevent the emergence of a police state, not to establish one, and we have included

safeguards to ensure this.

I am also introducing three official amendments. The use of the term ‘second’ in all three laws is due to parliamentary technicalities and procedures, as two bills with the same name cannot be introduced within a year. Additionally, I have included a provision for lesser punishment for doctors in culpable homicide in these three amendments.

I firmly believe that with the enactment of these three bills – the Bharatiya Nyaya Sanhita, Bharatiya Nagarik Suraksha Sanhita, and Bharatiya Sakshya Adhiniyam, the legal framework of India will be equipped to incorporate any technological advancements for the next hundred years. These laws represent a decisive step towards eradicating the remnants of British rule and the shackles of the colonial era, affirming India’s commitment to justice for all as enshrined in our

Constitution. With a significant place in Forensic Science within the legal system, India is poised to establish a unique legal framework. These laws are aligned with the principles of justice and punishment embedded in the Indian ethos. Through this legislation, we fulfil another promise made by Prime Minister Modi to the people of our nation. I seek the support and blessings of all the members of this House.



Rajya Sabha

'This law is based on the basic spirit of the concept of justice rather than punishment'

Union Home and Cooperation Minister Shri Amit Shah has replied to the discussion on the Bharatiya Nyaya Sanhita, 2023, Bharatiya Nagarik Suraksha Sanhita, 2023 and Bharatiya Sakshya Adhiniyam, 2023 in the Rajya Sabha on December 21, 2023. Lok Sabha had passed these bills on December 20, 2023, after discussion. Following is the summary of Shri Amit Shah's reply in the Rajya Sabha:

Chairman Sir, today I stand before the esteemed members of the Rajya Sabha seeking their approval for the Bharatiya Nyaya Sanhita, 2023, the Bharatiya Nagarik Suraksha Sanhita Bill, 2023, and the Bharatiya Sakshya Adhiniyam, 2023. Yesterday, the Lok Sabha passed these three bills. After receiving approval from the upper house today, I hope that a new era will begin in the criminal justice system of India, which will be entirely indigenous.

'Criminal Law' and 'Criminal Procedure' are within our concurrent list, yet for many years, the Indian Penal Code (IPC) for 163 years, the Code of Criminal Procedure (CrPC) for 125 years, and the Indian Evidence Act for 150 years, all formulated by the British Parliament, have governed us till date. After 75 years of independence, Narendra Modi ji initiated the restoration of India's soul by amending and abolishing all these colonial laws in the country.

Since August 2019, we have been deliberating, discussing, and advising on these matters. I am pleased to stand here today in front of this esteemed House with the outcomes and seek your blessings. Not only have the names of the laws been changed, but there has also been a fundamental shift in their purpose.

The Old Law Were Only To Protect British Rule

The Indian Penal Code, Criminal Procedure Code, and Evidence Act were formulated to protect British rule following the freedom struggle of 1857, with their primary objective being the preservation of British interests. These laws, reflecting their colonial origin, did not prominently focus on the security of Indian citizens, protection of their dignity, safeguarding human rights, or establishing a system to protect the vulnerable. This is evident in the prioritization of offenses, where crimes against the British rule took precedence over heinous acts such as murder or torture of women. The order of importance reflected the British government's aim to punish those opposing their authority, rather than ensuring justice for victims of unfair treatment and torture.

The primary purpose of the three bills presented today is not merely punitive but centred on the delivery of justice, embodying the comprehensive concept of justice within the Indian context. In Indian thought, justice encompasses both the wrongdoer and the victim who endures the consequences of the crime. A careful examination of the new laws will reveal the incorporation of the principles of Indian philosophy, emphasising a holistic approach to justice. I urge all members to scrutinise these laws closely to recognize the essence of justice rooted in Indian ideals.

The primary purpose of the three bills presented today is not merely punitive but centred on the delivery of justice, embodying the comprehensive concept of justice within the Indian context.

The three bills are aligned with the constitutional principles of political, economic, and social justice, as envisioned by our Constitution makers for the 140 crore people of our nation. These legislative efforts within the three bills aim to uphold and fulfil these guarantees. It is noteworthy that the essence of these laws is distinctly Indian, marking a historic shift in the criminal justice system. For the first time, our criminal justice system will be guided by laws crafted by India, for India, and endorsed by the Indian Parliament—a development that instills a sense of pride.

The Concept Of Indian Justice Is The Greatest And Most Generous

The definition is provided in Section-2 of the Bharatiya Nyaya Sanhita. As defined in Section 2, it is grounded in the expansive Pauranik concept of justice, which the legislator believes to be the most generous among all global philosophies of justice. Interpretations within the Act are drawn from this character-rich imagination, discussing notions such as gender, act, omission, and movable property outlined in texts thousands of years ago. During the legislative discussions, the lawmaker consulted various concepts of justice worldwide, including Latin, Roman, and Irish, ultimately affirming the supremacy of the idea of justice found in Indian Puranas and

Gender, Act, Omission, Movable Property - all these explanations have been considered and underlined in our country 10,000 to 5,000 years ago.

literature. The Act staunchly upholds its Indianness, and with confidence, the legislator envisions the complete implementation of online processes, from FIR to judgement, utilising state-of-the-art technology. The Act

includes provisions for Zero FIR, e-FIR, and the digitization of case records nationwide by around 2027.

The Concept Of 'Swaraj' Encompasses A Wide Range Of Meanings.

Inquiries often arise from individuals not present here, but addressing them is a duty I embrace. The query questions the necessity of a new law, possibly unaware of the true essence of 'Swaraj.' 'Swaraj' surpasses mere 'self-governance.' It entails advancing 'Swadharma,' promoting 'Swabhasha,' preserving 'Swsanskriti,' and establishing self-governance. Gandhiji's struggle wasn't solely about changing regimes; it was for 'Swaraj.' Despite being in power for nearly 60 of the past 75 years, there was a lack of focus on awakening the 'self.' Since 2014, Narendra Modi ji has worked towards awakening the nation's inner strength, leading to India's remarkable progress.

In a democracy, the concept of the 'Balance of Work' is of

significant value. We have taken careful consideration of the 'balance of work' in the reform of the criminal justice system. From a management perspective, it can be understood that we have fine-tuned the 'Balance of Work' and incorporated it into this law. I want to assure this House and, through it, the people of the entire country that with the complete implementation of this law, the era of prolonged delays in justice will end, and any victim will receive justice within three years. This law aims to bring our Criminal Justice System out of the 19th century and directly into the 21st century. The implementation of this law will lead to the establishment of a modern and scientific justice system for the 140 crore people of India.

One Justice System Will Run In The Entire Country

To those who ask what will happen with this law, I want to convey that this legislation is designed with the foresight to incorporate all existing technologies and those that may advance in the next 100 years, by simply changing the rules. The technology required to implement this law is already embedded within it. For those wondering

'Swaraj' transcends the notion of 'self-rule.' The term 'self' extends beyond mere 'governance' in the essence of 'Swaraj.' It signifies advancing 'Swadharma,' promoting 'Swabhasha,' fostering 'self-culture,' and establishing 'self-governance.'

about the impact of this law, I want to emphasise that it mandates a punishment of more than seven years for all heinous crimes. The visit to the Forensic Science Laboratory, facilitated by this law, will contribute to an increased 'conviction-ratio'. Furthermore, this law aims to unify the four different types of justice systems that have been operating across the country, bringing consistency from Kashmir to Kanyakumari and from Dwarka to Kamakhya.

For those questioning the impact of this law, I want to emphasise that when addressing the protection of women's rights, we have moved beyond concepts imported from abroad and ideas imposed by NGOs. This law successfully enshrines our traditional reverence for the power of mothers in legal form. Additionally, despite 75 years of independence and four decades of grappling with terrorism, there

was no definition of terrorism in the criminal justice system laws of the country. With a commitment to zero tolerance towards terrorism, Narendra Modi has included the definition of terrorism in this law.

Deshdroh Instead Of ‘Rajdroh’

In response to inquiries regarding the implications of this law, it is crucial to emphasise that this legislative initiative signifies a transformation of the offence of ‘Rajdroh’ into ‘Deshdroh.’ In the past, during British rule, individuals were suppressed, and voices against the Queen led to severe consequences, including the threat of execution. Renowned figures such as Mahatma Gandhi, Tilak Maharaj, and Veer Savarkar faced prolonged incarceration under the Rajdroh law, and even during the Emergency, this tool was employed to detain opposition leaders. The current legislation discards the English notion of ‘Deshdroh’ and upholds the democratic principles of freedom of speech. While individuals have the right to express dissent against the governance, any act or expression detrimental to the nation’s interests is met with the most stringent punishments.

The Britishers left, but four types of justice systems continued to operate throughout the country. With the introduction of this law, a uniform justice system will now prevail across the entire country, from Kashmir to Kanyakumari and from Dwarka to Kamakhya.

This underscores the distinction between an individual and the nation, adhering to the fundamental democratic principle that the nation takes precedence. Moreover, the law addresses the escalating issue of organised crime across various states, curtailing criminal activities perpetrated by organised gangs spanning multiple regions.

For those inquiring about the impact of this law, it is imperative to highlight the rampant rise of organised crimes in the country. Gangs were operating across various states, engaging in criminal activities as coordinated entities. While the enforcers apprehended the immediate perpetrators, the masterminds behind these crimes often remained elusive, exploiting the legal vulnerabilities of Section 120B. The present legislation takes a decisive stance against organised crime by introducing novel concepts and interpretations.

Addressing concerns raised by those advocating for leniency, I wish to underscore that the earlier approach, rooted in British ideals, involved imprisoning individuals for minor offences. Recognizing the possibility of genuine mistakes and the importance of rehabilitation, the law now incorporates provisions for community service, offering an alternative path for individuals to reflect on their actions rather than resorting to incarceration.

Justice Will Now Be Swiftly Delivered

For those questioning the impact of this law, I wish to convey that justice will now be swiftly delivered, particularly benefiting the underprivileged.

Through technology integration and implementing time constraints for the police, lawyers, and courts, we have significantly expedited the justice process. Gone are the days of prolonged delays; decisions will be reached within a span of three years.

Those who say what has happened - many times a judgement comes here and there due to corruption, it comes by mistake. Who decides its appeal today!

The prosecution lawyer is the one who appeals. We have made the existence of Director of Prosecution compulsory in this, who was earlier an advisor, now there will be a Director of Prosecution in every district, who will stay away from the entire prosecution process and decide whether the case is appealable or not.

To those questioning the impact of this, I want to emphasise that by revoking laws established by the British Parliament, Modi ji has elevated the stature of the Indian Parliament. With the enactment of this law, the entire nation will operate under legislation crafted by our own Parliament. This sense of pride may elude them, but it is significant for us all. I understand that they may not grasp this sense

The pursuit of justice is now set to be expedited, ensuring accessibility for even the economically disadvantaged. Leveraging technology and implementing time constraints for the police, legal professionals, and courts, we have propelled the justice delivery process forward efficiently. The era of prolonged adjournments will be eradicated, and decisions will be rendered within a span of three years.

of pride. Those viewing through an Indian lens can truly appreciate its significance, but those with a different perspective may struggle to comprehend it. The populace has ceased to hold any expectations from them. People of the country no longer have any expectations from them.

9 New Sections In Bharatiya Nagarik Suraksha Sanhita

Many changes have been made in the Bharatiya Nagarik Suraksha Sanhita. We added 9 new sections and 39 new subsections to the Bharatiya Nagarik Suraksha Sanhita. Additionally, 44 new clarifications and explanations have been incorporated. Timelines have been inserted in 35 sections, and we have repealed 14 sections.

Similarly, 21 new crimes have been added to the Bharatiya Nyaya Sanhita, including the inclusion of mob lynching as a crime. It is noteworthy that, despite accusations, no law was created previously, but we have now introduced a law against it. Emphasising the severity of crimes, we have increased the punishment for 41 offences, elevated the penalty for 82 crimes, and accepted community service as punishment for 6 crimes starting with the lowest punishment among the 25 crimes. Additionally, 19 sections have been repealed.

9 new sections and 39 new subsections have been added to the Bharatiya Nagarik Suraksha Sanhita, 44 new explanations have been added, timelines have been inserted in 35 sections and we have repealed 14 sections.

Bharatiya Sakshya Adhiniyam Now Has 170 Section

In a similar vein, the Indian Evidence Act will now encompass 170 sections, with amendments made in 24 sections. Two new sections and six subsections have been introduced, while six sections have been repealed. To those advocating for the democratic process, I want to convey that our efforts in crafting this law began in 2019. While addressing those absent today but possibly listening, I respond to their query of why this law is being introduced. For those who treat election manifestos lightly, we, in the Bharatiya Janata Party, call it 'sankalp-patra,' a commitment document that is fulfilled. Unlike

others who forget their promises, our track record is clear—whatever Modi ji promises, he delivers.

Today, I affirm that our commitment to a zero-tolerance policy towards terrorism has yielded significant results. There has been a remarkable 63 percent reduction in violent incidents across the three hotspots – Kashmir, Left Wing Extremism, and North-East. Furthermore, the number of deaths has seen a substantial decline of 73 percent. To build on this progress and fulfill our pledge to rid the country of the scourge of terrorism, we have introduced these bills.

We committed to constructing the Ram temple in Ayodhya, a promise that the Congress President at that time also acknowledged but refrained from specifying a date for. The consecration ceremony is scheduled for the 22nd, and the entire nation is invited to participate. Narendra Modi ji has fulfilled this commitment. Additionally, we pledged to accord due respect to the nurturing power of the country – its women – in policy-making. After 75 years of independence, Narendra Modi ji has honoured this commitment by providing 33 percent reservation for women in legislative assemblies and the Lok Sabha.

As promised, we have adopted a policy of zero tolerance towards terrorism, resulting in a substantial 63 percent reduction in violent incidents in the three hotspots—Kashmir, Left Wing Extremism, and the North-East. Additionally, there has been a remarkable 73 percent reduction in fatalities

The Thoughts Of Our Ancestors Are Eternal

We pledged to enhance the speed of justice delivery, simplify laws, make them more Indian, and fortify the judicial and court management system. The words I am expressing are part of our manifesto when I served as the President of the party. Today, we are diligently working to fulfil these commitments in this esteemed House. Drawing inspiration from ancient scholars like Vyas, Atri, Brihaspati, Katyayan, Chanakya, Vatsyayana, Devnath Tagore, Jayant Bhatt, Raghunath Shiromani, we have incorporated their philosophical insights on justice into these laws, adapting them to the present

age. If one examines closely, they will discern the transformation and alignment with contemporary times. What Narad said eight thousand years ago, I am repeating today. I proudly assert that the thoughts of our ancestors never become obsolete; they are eternal. We have seamlessly incorporated these timeless principles within these laws.

The laws in effect until now contained terms that wounded the spirit of independent India, such as Parliament of the United Kingdom, Provincial Convention, Representatives of the Crown, London Gazette, Jury, 'United Kingdom of Great Britain and Ireland, 'Her Majesty's Government,' procedures implied by the 'London Gazette,' an insult to the British Crown, the tradition of the court of 'England,' and the term 'Her Majesty's Romanian' 'barrister.' All these terms were embedded in the criminal justice system of this country for 75 years, and the Congressmen did not pay attention to rectifying

In 2014, the people of this country entrusted Modi ji with the role of Prime Minister, and after extensive deliberations from 2019 to 2024, I can affirm today that these three laws, embodying the essence of India, have Indian bodies and reflect Indian ideologies

this. In 2014, the people of this country entrusted Modi ji with the role of Prime Minister, and after extensive deliberations from 2019 to 2024, I can affirm today that these three laws, embodying the essence of India, have Indian bodies and reflect Indian ideologies. I present to this House the

comprehensive Indian laws.

Extensive Discussions Were Held

The process of formulating these laws began with extensive consultations starting in September 2019. Letters were addressed to Governors, Chief Ministers, Lieutenant Governors, administrators, Chief Justices, High Courts, the Supreme Court, Bar Councils, universities, and IPS officers. The Bureau of Police Research and Development (BPR&D) communicated with all IPS officers in 2020. Additionally, letters were sent to District Collectors in 2020, recognizing their role in the criminal justice system. The process of incorporating these laws commenced in 2020 and continued until 2023. Approximately 4,200 suggestions were analysed from 18 states, 6 union territories, the Supreme Court, 16 High Courts,

5 judicial academies, 22 universities, 42 Parliament, and 135 IPS officers. This extensive consultation process, involving 158 meetings, was followed by submission to the Standing Committee. Notably, 72 percent of the suggestions were accepted, reflecting a thorough and inclusive approach. The emphasis on computerization, a key aspect of the legislation, has been in progress since 2019.

Digitization Is Being Done At Fast Pace

The government has achieved significant progress in the computerization of 97 percent of the country's police stations, with 82 percent of them having their records digitised. This extensive digitization effort, undertaken in alignment with the Prime Minister's vision, has established a comprehensive network for the implementation of the new laws. With these police stations now connected online, the introduction of Zero FIR and e-FIR mechanisms is enabled. Moreover, those filing complaints online can expect timely updates on the status of their grievances, with the investigating authorities mandated to provide information within 90 days.

Computerization work of 97 percent of police stations of the country has been done and records of 82 percent police stations have also been digitised

The government has made significant strides in the integration and implementation of advanced technologies in various pillars of the criminal justice system. Approximately 8 crore General Police FIRs (GPFIR) data has been computerised and incorporated into the online system through ICJS. Initiatives like the e-court project, e-prison project, and e-prosecution project are now operational. A seamless integration has been achieved between Forensic Science Laboratory, Prosecutor's Office, Jail, Court, and all police stations, ensuring a cohesive network. Ongoing experiments for inter-pillar integration using the latest technology are underway, and plans include integrating various databases like National Automatic Fingerprint Data, Investigation Tracking System for Sexual Offences, National Integrated Database on Arrested Narcotic Offenders, National Database on Sexual Offenders, Crime Multi-Agency Centre (MAC), and more. This integrated approach extends to economic crimes, terrorism monitoring, human trafficking, child

tracking, immigration, visa tracking, and the incorporation of data from CCTV cameras nationwide. These efforts reflect a comprehensive strategy for a technologically advanced and interconnected criminal justice system.

It's commendable that 82 percent of the work has been accomplished even before the bill's passage, and the remaining 18 percent is slated for completion within a year. This government operates with efficiency and foresight, ensuring results through simultaneous and planned actions. Unlike the Congress government, the Narendra Modi-led Bharatiya Janata Party government is known for its proactive approach and ability to deliver tangible outcomes.

The comprehensive implementation of the Director of Prosecution concept has been legally enacted. Accountability in the police force has been solidified, addressing issues often seen in habeas petitions. Each police station is now mandated to maintain both

82 percent work has been finished before the bill is passed and the remaining 18 percent work will also be finished in one year.

electronic and paper registers, ensuring transparency about the individuals in custody. This measure is designed to eliminate the need for habeas corpus petitions by clearly defining and enforcing police responsibilities in this regard.

In the case of imprisonment of less than three years, specific regulations have been reinforced for the arrest of individuals aged 60 and above, as well as for women. This enhancement aims to take into account their age and the dignity of women during interrogations and proceedings.

The Victim Will Know The Progress Of The Investigation In 90 Days

A noteworthy amendment has been introduced to provide victims with a free copy of the First Information Report (FIR), addressing a historical absence of such a provision. Additionally, a systematic update on the progress of the investigation within 90 days will be communicated to the victims. The legislation mandates the online transmission of the police report, FIR, and witness statements to

the victims. Moreover, arrangements have been put in place to keep victims informed about the various stages of the investigation and trial through online platforms, ensuring enhanced transparency and accessibility in the criminal justice process.

The newly enacted law has shifted its focus towards being victim-centric, marking a significant departure from previous legislation that primarily aimed at punishing the offender. Emphasising justice for the victim and the restoration of their self-respect and dignity, this law introduces fundamental differences. Notably, it enhances the victim's right to participation, a substantial change from previous norms where only the public prosecutor could present arguments. Under the new provisions, the victim's lawyer is granted the opportunity to advocate, reinforcing the commitment to empowering victims and ensuring their active involvement in the legal proceedings.

The legislation introduces the right to information and the right to claim compensation for losses, both of which will be adjudicated by the criminal court without the need for a separate civil claim. The provision of Zero FIR has been incorporated, allowing victims to file an FIR online from any

Till date there was no provision of free copy of FIR to the victim, now we have made arrangements for it. The victim will be informed about the progress of the investigation in 90 days.

location in the country if they face reluctance or obstruction at a local police station. This empowers individuals to seek legal recourse without geographical constraints, ensuring a more accessible and responsive mechanism for reporting crimes and seeking justice.

A crucial amendment addresses a loophole in Section 321 of the Criminal Procedure Code (CrPC) by granting the victim the right to be heard. Under this provision, victims will receive a free copy of the necessary documents. Additionally, mandatory videography during any seizure ensures transparency and accountability in the process, conducted in the presence of Panchas whose certification adds credibility. This measure safeguards citizens from potential issues arising from false evidence or planted items, reinforcing the commitment to a fair and just legal system.

The Crime Of Rape Is Now Under Section 63

The reorganization and amendment of sections related to rape, atrocities against women, gang rape, and crimes against children signify a comprehensive effort to strengthen legal provisions and enhance the protection of vulnerable individuals, particularly women and children. By introducing specific sections dedicated to these offenses, such as Section 63 for rape, Section 70 for gang rape, and addressing crimes against children, the legal framework becomes more precise and focused. Placing atrocities against women at the forefront emphasises the gravity of such offences and prioritises their legal consideration.

The inclusion of murder under Section 300, which deals with direct homicide after crimes against women and children, reflects an integrated approach to addressing severe crimes comprehensively. Additionally, the extension of the kidnapping section demonstrates

Now under Section 152 of BNS, anyone who does anything against the sovereignty, unity and integrity of India will be considered a traitor.

a commitment to curbing offences that threaten the safety and well-being of individuals. The overarching goal of restoring the dignity of individuals, especially women and children, is evident in these amendments. The legal

framework aims to provide enhanced protection and justice for victims of these offences, emphasising a commitment to upholding human rights and ensuring the safety and well-being of vulnerable populations.

The sentiments you express highlight a historical perspective on the use and misuse of Section 124A, commonly referred to as the “Rajdroh” law. The observations about the Congress Party’s stance on this law over different periods are noted. The recent efforts by the Bharatiya Janata Party (BJP) and the Narendra Modi government to amend or repeal the Rajdroh law are seen as significant steps in reshaping the legal landscape and promoting free speech.

Your emphasis on protecting the fundamental right to speak against the government and ensuring that criticism does not lead to criminal charges aligns with the principles of democratic governance

and freedom of expression. The removal or amendment of a section historically associated with the imprisonment of prominent figures like Bal Gangadhar Tilak, Mahatma Gandhi, and Veer Savarkar is considered a positive development by those advocating for expanded civil liberties. It reflects an evolving approach to balancing the preservation of national interests with the protection of individual rights. The debate surrounding the sedition law is complex and involves considerations of free speech, national security, and the historical context of its use. The efforts to reform or repeal such laws demonstrate a commitment to ensuring a legal framework that aligns with contemporary democratic values and safeguards fundamental rights.

The speaker expresses opposition to the Congress Party, particularly criticising its historical use of Section 124A, known as the “Sedition” (rajdroh) law. While acknowledging the BJP and Narendra Modi’s government for attempting to reform or repeal the sedition law, the speaker raises concerns about the potential transformation of one form of “Deshdroh” into another. The emphasis is on the importance of preserving the fundamental right to criticise the government without facing criminal charges, highlighting the evolving approach to balancing national interests and individual rights. The need for careful scrutiny of the specific wording and implications of legislative changes is underscored, particularly by legal experts and scholars, to ensure a nuanced understanding of the amended law’s impact on freedom of expression and protection of individual rights..

There is also a provision for life imprisonment for gang rape of an adult woman. We have made a provision for death penalty for rape of a woman below 18 years of age.

Now The Word ‘India’ Is Used Instead Of Government.

The amendments to Section 152 of the BNS, specifically targeting actions against the sovereignty, unity, and integrity of India, indicate a strong commitment to safeguarding the nation’s interests. The explicit use of the term ‘India’ reinforces the country’s identity and emphasises the gravity of actions that undermine its unity and

integrity. The inclusion of the term 'traitor' and the application of Section 122 for offences against India further underscore the severe consequences for those engaging in activities contrary to the nation's interests.

The clarification of intent and purpose in the definition of Deshdroh introduces a more precise legal framework, ensuring that individuals cannot escape accountability by exploiting loopholes. By replacing the terms 'hatred' and 'contempt' with specific actions such as armed rebellion, subversive activities, separatist activities, and harming the country's economy, the legal definition becomes more focused and comprehensive.

The objectives mentioned, such as securing India and preventing actions detrimental to the nation, highlight the commitment to national security rather than individual or regime interests. The amendments aim to strengthen legal provisions against acts that threaten the country's stability, reflecting a proactive approach to maintaining the sovereignty and integrity of India.

More than 70,000 people became victims of terrorism because of the policy of Congress. Now it has reduced by 70 percent

Will get it, because they don't want to understand. Their wish was that it should remain operational in its original form

and if our number ever gets dialled, they would use it, but your number is not going to be dialled for a long time.

Strict Laws For Crimes Against Women And Children

The new stringent laws introduced for crimes against women and children demonstrate a commitment to ensuring the safety and well-being of vulnerable sections of society. The specific provisions addressing gang rape, especially with the inclusion of the death penalty for rape of a woman below 18 years of age and gang rape of minor women, emphasize the gravity of such offenses and the need for severe consequences for the perpetrators.

The inclusion of life imprisonment for gang rape of an adult woman and harsh punishments for those engaging in sexual relations or marriage through deception further strengthen the legal framework to deter potential offenders. The effort to make the laws gender-

neutral signifies a recognition of the importance of addressing crimes without bias and providing equal protection under the law.

The definition of terrorism in Section 113(1) reflects the government's commitment to combating terrorism effectively. While concerns about potential misuse were raised, your assurance that the laws have been crafted after careful consideration to prevent misuse is an important aspect. Striking a balance between stringent measures to counter terrorism and safeguarding against misuse is crucial for upholding justice and maintaining public trust in the legal system.

Strictest Law Against Terrorism

The comprehensive definition provided for terrorists in the legal framework underscores a strong commitment to national security and the protection of citizens from acts that could endanger the unity, integrity, sovereignty, and security of India. The inclusion of individuals involved in making, selling, or using bombs, dynamite, explosive substances, poisonous gases, and nuclear weapons as terrorists reflects a proactive approach in addressing potential threats to public safety.

In Section 304 of the Bharatiya Nyaya Sanhita, a new provision of three years' imprisonment plus fine has been made for snatching, so that there is no possibility of anyone getting away with it through loopholes

By categorising such activities as terrorism, the legal framework aims to curb the misuse of dangerous materials and substances that could cause significant harm, including the loss of human lives and damage to infrastructure. The explicit identification of actions that constitute terrorism provides law enforcement agencies with a clear mandate to combat these threats effectively. The emphasis on preventing terrorism, reducing the incidence of such acts, and ensuring swift and stringent punishment for those involved reflects a commitment to creating a safer and more secure environment for the citizens of India. This legal definition is a crucial tool in the ongoing efforts to eradicate terrorism and promote national security.

The comprehensive provisions outlined in the legal framework address various forms of crime, including organised crime and

economic offences, with a focus on closing loopholes and ensuring accountability. By providing a clear definition of organised crime, individuals involved in such activities are directly identified and held accountable under the law, removing ambiguity and strengthening law enforcement efforts. Similarly, the clarification of economic crimes ensures that individuals exploiting legal loopholes to evade justice are brought to account. Through a thorough examination of judicial precedents and past judgments, the legal framework has been refined to prevent individuals from escaping accountability for economic offences.

These measures reflect a commitment to upholding justice and combating criminal activities that undermine the integrity and security of society. By addressing organised crime and economic offences effectively, the legal framework aims to ensure fairness and equity for all individuals while deterring future criminal activities.

If the least number of mob lynchings incidents have occurred since independence, then it has occurred during the nine and a half year tenure of Narendra Modi ji

Two Changes In Culpable Homicide Also

The amendments made in culpable homicide, particularly in cases involving accidents, reflect a nuanced approach to legal consequences based on the circumstances and the actions of the individuals involved. The provision for lesser punishment in cases where a person, unintentionally involved in a collision, takes immediate steps to seek help and aid for the injured party recognizes the absence of intent to cause harm. This adjustment reflects a more lenient stance in situations where the individual's actions demonstrate a lack of malicious intent.

On the other hand, the provision for a ten-year punishment in hit-and-run cases, where the person responsible for the collision leaves the victim without informing the authorities or seeking help, signifies a more severe consequence for actions that show negligence or disregard for human life. This amendment serves as a deterrent, ensuring that individuals who fail to fulfil their duty to assist injured parties face significant legal repercussions.

The inclusion of a new provision specifically addressing the issue of snatching in Section 304 of the Indian Penal Code is a targeted response to the social problem of theft, particularly in cases of mobile phones or chain snatching. By establishing a separate section with a prescribed punishment of three years' imprisonment and a fine for snatching, the legal framework becomes more focused and effective in addressing this specific criminal activity.

This addition not only enhances the clarity of the law but also ensures that those involved in snatching offences face appropriate consequences, leaving little room for exploitation of legal loopholes. The specific provision for snatching recognizes the urgency and severity of such crimes, allowing for a more targeted and stringent legal response to curb this social issue.

The division of the crime of grievous hurt into two distinct categories represents a significant refinement in legal classification, aiming to differentiate between varying degrees of harm inflicted upon individuals. The first category encompasses cases where injuries are sustained, but the victim is able to return home after receiving medical treatment and dressing.

In contrast, the second category addresses more severe instances where the victim suffers catastrophic consequences such as brain death or permanent disability due to the inflicted injury. Recognizing the profound and enduring impact of such harm on the victim's life, a provision has been established to impose a punishment of ten years for perpetrators involved in cases resulting in brain death or permanent disability. By delineating these distinctions, the legal framework becomes more tailored and responsive to the severity of harm inflicted upon victims. This approach underscores the gravity of offences leading to irreversible consequences and ensures that

Earlier, further investigation could be done endlessly, i.e. for many years, now the charge sheet has to be done for 90 days. Further investigation for maximum 60, 90 and 90 days, i.e. court within 180 days. Bharatiya Nyaya Sanhita, 2023; Bharatiya Sakshya Adhiniyam, 2023 A final report will have to be placed in front of the court, taking cognizance of which the court will proceed with the further judicial process.

appropriate measures are taken to address and deter such egregious acts of violence.

The inclusion of provisions addressing 'mob lynching' in the Indian Penal Code is a crucial step toward recognizing and curbing a heinous crime that poses a serious threat to public safety and individual rights. Despite claims of a decline in incidents, the acknowledgment of the severity of mob lynching and the imposition of significant penalties, including the possibility of the death penalty, emphasize the gravity of such acts.

By specifically addressing and criminalizing mob lynching, the legal framework aims to deter individuals from engaging in or supporting violent and unlawful acts carried out by a mob. The stringent penalties underscore the commitment to safeguarding the rule of law, individual rights, and communal harmony. This provision sends a strong message that society condemns such acts of violence and seeks to hold those involved accountable, contributing to the prevention of mob lynching incidents and the protection of human lives.

Justice Is Justice, That Is Given On Time.

The focus on addressing delays in the criminal justice system is a crucial step, and the measures you outlined aim to expedite the legal process, ensuring timely and efficient justice delivery. The introduction of specific time frames for various stages in the investigative and legal procedures is a significant move towards achieving the goal of justice within a reasonable timeframe.

The requirement to register FIRs within three days of filing an application, the prompt conversion of serious complaints into FIRs within seven days, and regular updates to the Magistrate through daily diary reports all contribute to a more accountable and time-bound system. By transforming the daily diary report into a court record, the transparency and integrity of the process are further enhanced, minimising the risk of tampering.

Setting a strict time limit of 24 hours for submitting investigation reports and search reports to the court ensures that crucial information is promptly presented, preventing undue delays. Additionally, the imposition of a seven-day time frame for medical practitioners to

submit their examination reports adds another layer of efficiency to the overall legal process.

These measures collectively reinforce the commitment to delivering justice in a timely manner and addressing one of the key challenges in the criminal justice system—delay.

Now Charge Sheet Has To Be Filed Within 90 Days

The bill introduces stringent time limits to expedite legal proceedings and ensure timely justice delivery. Previously, further investigations could drag on endlessly, leading to prolonged delays. Now, chargesheets must be filed within 90 days, with a maximum of 60, 90, and 90 days allowed for further investigations. Within 180 days, the final report must be presented before the court, which will then proceed with judicial processes. Additionally, time limits have been set for initiating proceedings before the Magistrate, framing charges, and filing applications for acquittal by the accused. These measures aim to prevent delays and expedite the legal process, putting an end to the practice of cases dragging on for years due to procedural inefficiencies.

Earlier, people did not appear in court for many years, now we made a provision to appear in 30 days.

Under the provisions for plea bargaining, the accused may apply within 30 days of the framing of charges, ensuring that this option is not available during the judgement phase. Additionally, the completion of document procedures during the trial process must be finalised within 30 days. These timelines aim to streamline legal proceedings and provide clarity regarding the timing of plea bargaining applications, enhancing efficiency in the judicial process.

The introduction of the trial in absentia provision is a significant and forward-thinking step, especially in dealing with individuals who have committed heinous crimes and are evading justice by hiding abroad. In cases where individuals have caused immense harm, such as in bomb blasts or large-scale financial fraud, and are unwilling to face trial in India, this provision allows for the legal proceedings to proceed even in their absence.

By allowing the Indian court to pass a sentence in their absence,

it sends a strong message that those who commit grave crimes cannot escape accountability. It is a proactive measure to instil fear and deterrence among those who may contemplate similar actions in the future. Moreover, the provision ensures that if individuals want to appeal, they must come back, surrender before the Indian justice system, and then pursue the legal process.

This decision represents a crucial and transformative move in dealing with criminals who have committed serious offences and are attempting to escape justice by residing outside the country. It reinforces the commitment to ensuring that individuals who have harmed the country are held accountable for their actions.

The bill introduces several measures aimed at expediting legal proceedings and ensuring a more efficient and timely justice system.

We have also promoted technology a lot. I want to tell you that Bharatiya Nyaya Sanhita, 2023; Bharatiya Sakshya Adhiniyam, 2023 Crime scene, investigation and trial – we have made technology compulsory in these three stages and have also given it legal status

Individuals summoned to appear in court are now required to do so within 30 days, reducing the delays caused by prolonged absences. Additionally, a provision has been made for advertisements in newspapers to serve as official notices, eliminating the need for additional notices in case of non-compliance.

In terms of bail, the legislation adopts a more liberal approach. For first-time offenders in cases below 7 years, bail can be granted after serving one-third of the sentence. Similarly, for second-time offenders who have served half of the sentence, bail may be considered. This approach aims to balance justice with the recognition of an individual's potential for reform.

Crucially, the bill places a strict timeline on the completion of judgement and punishment. After the conclusion of the hearing, judges are obligated to deliver a compulsory judgement within 45 days. Subsequently, once a guilty verdict is declared, the punishment must be handed down within 7 days. These measures contribute to a more expeditious and accountable legal process, minimising delays and ensuring timely justice.

Lots Of Provisions For Mercy Petition Also

The bill introduces stringent provisions for mercy petitions, aimed at ensuring that only genuine and remorseful individuals have the opportunity to seek clemency. Following the rejection of an appeal by the Supreme Court, a mercy petition can only be filed within 30 days. Importantly, only the person who has committed the crime can file the mercy petition, and NGOs are barred from doing so.

Furthermore, the legislation mandates that the petitioner must express remorse and seek mercy from the President of India. This requirement underscores the principle that mercy is reserved for those who demonstrate genuine contrition for their actions. Moreover, individuals who express a lack of faith in the Constitution of India are ineligible to file a mercy petition, emphasising the importance of respecting the country's foundational principles. By imposing these strict criteria and time limits, the bill aims to ensure that mercy petitions are reserved for deserving cases, while also upholding the integrity of the legal process and the values enshrined in the Constitution.

The implementation of e-FIR for crimes against women represents a significant advancement in ensuring access to justice and safeguarding the dignity of women. This initiative provides a crucial alternative for mothers and sisters who may feel reluctant or ashamed to visit a police station in person. By allowing them to file a complaint from the comfort and privacy of their homes or through someone else's mobile device, e-FIR empowers women to take action against perpetrators without fear of judgement or stigma.

Moreover, the e-FIR system respects the autonomy and agency of women by prioritising their presence and input in the legal process. By capturing their statements and answers directly, this approach ensures that their voices are heard and their experiences are given due consideration. Ultimately, e-FIR for crimes against women not only facilitates the reporting of incidents but also reinforces the commitment to upholding the dignity and rights of all individuals within the legal framework.

Boost In Technology

Emphasising the pivotal role of technology in the criminal justice system, we have mandated its use at all three crucial stages: crime scene, investigation, and trial. This move not only grants legal status to

technology but also ensures transparency and accountability in police investigations. The integration of technology is aimed at enhancing the quality of evidence while safeguarding the rights of both victims and accused individuals. As part of our broader efforts to modernise the criminal justice system, we have undertaken the digitization of the entire process, ranging from filing FIRs to case diaries, charge sheets, and judgments. Recognizing the concerns raised, we have provided flexibility by allowing state governments to declare specific police stations, SPs, ranges, districts, cities, and ultimately entire states as digitised. This phased approach allows for a systematic and comprehensive implementation, and I am optimistic that we will successfully achieve the complete digitization of Chandigarh UT in accordance with this law before the 2024 elections.

Ensuring accountability and transparency, every police station and court will be assigned a physical address, and an official email

India will have the most modern justice system in the world. I believe in this. To achieve this goal we have started our action on all fronts

address will be registered. Comprehensive data, including phone numbers, will be systematically maintained. Furthermore, to enhance communication and record-keeping efficiency, a system has been devised to

automatically confirm the opening of SMS notifications in the register after they are sent. This software development ensures a robust mechanism to track and monitor communications, leaving no room for evasion or oversight. This initiative represents a commitment to leveraging technology for the effective functioning of law enforcement and judicial entities, promoting a more streamlined and accountable system.

Introducing a robust mechanism for the preservation of forensic evidence, the bill mandates the immediate presentation of audio-video recordings before the magistrate. During police investigations, statements recorded for forensic purposes must be promptly transcribed into e-forms and submitted before the magistrate within 24 hours. This ensures swift documentation and presentation of crucial evidence during the early stages of legal proceedings.

Recognizing the significance of forensic expertise, the legislation

makes the forensic team's visit compulsory in cases carrying a punishment of seven years or more. To address the manpower challenge, a proactive step was taken with the establishment of the Forensic Science University in 2020, which now boasts branches in nine states. Starting from the next academic year, the university is expected to produce 35,000 Forensic Scientific Officers annually, significantly bolstering the forensic capabilities in the country. Additionally, a network of mobile forensic science labs has been established, facilitating the efficient and timely conduct of forensic investigations across various regions.

Today, I am pleased to share crucial data with the people of our country. Among those acquitted in recent times, a staggering 32 percent were acquitted due to insufficient evidence. In cases where the court acknowledged the existence of a prima facie case but lacked the requisite evidence for conviction, the arrival of Forensic Science Laboratories (FSL) heralds a new era. With the enhanced capabilities provided by FSL, I firmly believe that those evading justice will face a formidable challenge. None shall escape the scrutiny of forensic evidence, ensuring that perpetrators are held accountable for their actions. This represents a significant step forward in our quest for a fair and effective justice system.

Earlier, whenever there was a case against a government employee, it was necessary to get the approval of the state government, but that approval also had to be given by the babus, which they never gave. Now we have decided that if the rejection does not come within 120 days, then it will be considered as permission and the case will proceed further.

India Will Have The World's Most Modern Justice System

Embracing the concept of forensics, we are committed to transforming the entire justice system through the implementation of e-Court, e-Prison, e-Prosecution, e-Police Station, e-Home Department, e-Jail, and e-Forensics. As these digital initiatives take shape, I express my confidence to this esteemed House that India will boast the most modern justice system globally. This conviction drives our multifaceted efforts across all aspects of the legal process. To

enhance transparency, searches and seizures will be videographed, and numerous citizen-centric provisions have been meticulously incorporated. Notably, we have expanded the provision for summary trials, extending it to cases lasting up to three years, effectively alleviating 40 percent of the trial burden. This initiative demonstrates our commitment to streamlining the judicial process and ensuring a more efficient and modern legal system for our citizens.

Addressing the historical challenge of obtaining approval for cases against government employees, a significant reform has been introduced. Previously, securing the consent of the state government was mandatory, often requiring approval from bureaucratic channels that proved to be cumbersome. To streamline this process, the new provision stipulates that if there is no rejection within 120 days, the lack

When there is a nexus between politicians and criminals, then punishment is given after 20 years and within three months the criminals are welcomed with garlands. Karatay comes out of jail, but now it will not be possible.

of response will be considered as implicit permission, allowing the case to proceed without unnecessary delays. This measure aims to expedite legal proceedings and ensure a more efficient handling of cases involving government employees.

A Leak Proof Scheme Designed For Victim Protection

Historically, our vast nation has operated without a formalised explanation of bail and bond, relying on verbal traditions. In a pioneering move, this legislation seeks to provide clear definitions for both bail and bond within the legal framework. Specifically addressing the issue of undertrial prisoners, the bill stipulates that individuals who have served one-third of their imprisonment and meet certain criteria, including being first-time offenders, may be granted bail if they have completed 50% of their sentence. Introducing a comprehensive Evidence and Victim Protection Scheme, mandated for all states, we draw inspiration from various Supreme Court judgments to formulate a foolproof mechanism for victim protection accessible to all. Notably, the legislation introduces a provision for the confiscation of property acquired through criminal activities. In the past, there was no formal provision for confiscation, requiring a separate application

after sentencing. Going forward, the process has been streamlined, including the simplified method for confiscating the property of proclaimed offenders. This holistic approach marks a significant stride towards a more transparent and effective legal system.

The bill includes a rationalisation of the remission of punishment. For instance, an individual sentenced to life imprisonment cannot be released within a year, and in cases where the death penalty is imposed, the maximum punishment will be commuted to life imprisonment. Those serving life sentences will only be eligible for release after completing seven years of their sentence. Similarly, individuals sentenced to seven years or more will be considered for release after spending a minimum of three years in prison. This strategic approach addresses the concern of swift releases, particularly in cases involving a nexus between politicians and criminals, where individuals have historically been welcomed with celebration shortly after serving lengthy sentences. The new provisions aim to curb such practices, ensuring a more just and controlled system for the release of prisoners.

We were out of jail in just 15 days. Used to register their attendance, but now the entire trial can be done online. Even if a witness is in Chennai, he can testify online in Ahmedabad court, his cross-examination can also be done and the entire process can be online.

I wish to address the issue of abandoned properties, a matter familiar to many Members of Parliament who, like me, have visited police stations and witnessed the accumulation of neglected cycles, autos, and tempos in parade grounds. Recognizing the burden of maintaining these unclaimed properties, the bill mandates their videography and a subsequent auction within 30 days. The proceeds from such auctions are to be deposited in the court, streamlining the process without the need for regular permission requests. This proactive approach not only addresses the challenge of managing abandoned assets but also ensures a swift and transparent method for their resolution, benefiting both law enforcement agencies and the broader community.

Addressing a common challenge in legal proceedings, the bill

introduces a practical approach to testimonies related to cases signed by individuals during their earlier positions. For instance, a person who served as an SP may have signed charge sheets, and later, when the case is brought to trial, that individual may have assumed the role of DGP. To avoid the complexities arising from distant memories of events that occurred 25-30 years ago, the legislation proposes that the current SP, relying on the notings made by the SP at the time of signing, will testify. This approach eliminates the need for the DGP's direct involvement unless specifically summoned by the court for direct interrogation or to observe their body language. This ensures a more efficient and focused legal process, while still allowing the court the discretion to call upon individuals when deemed necessary for a fair and thorough examination.

The Entire Trial Can Be Done Online

Many provisions have also been added to reduce the delay in documents. Medical report will come in the mail, and the FSL report will come in the mail.

Previously, the requirement to register presence from jail was confined to a 15-day window. However, with the transformative changes introduced, the entire trial process can now be seamlessly conducted online.

Witnesses, regardless of their location, such as Chennai, can provide testimony remotely in courts like Ahmedabad, complete with the option for cross-examination conducted online. This innovative approach extends to forensic experts, doctors, and even lawyers, eliminating the need for physical presence. This breakthrough not only facilitates the efficient handling of cases, including those from Assam, but also underscores the modernization of legal proceedings, ushering in a new era of accessibility and convenience.

This bill incorporates numerous provisions, with a notable focus on community service for minor offences, a strategic initiative aimed at alleviating the strain on correctional facilities. Recognizing the humane aspect of justice, especially for individuals committing minor infractions for the first time, the bill endeavours to avoid incarceration and exposure to a criminal environment. A pioneering move within

the Indian justice system, this legislation provides a formal and judicial framework to the concept of community service, marking a significant and commendable milestone. I am delighted to witness the progressive steps taken towards fostering rehabilitation and reducing the burden on prisons for individuals involved in minor transgressions.

Some Changes In Indian Evidence Act

In tandem with these developments, notable revisions have been introduced in the Indian Evidence Act, ushering in a transformative era. A pivotal and groundbreaking alteration lies in the incorporation of provisions addressing electronic or digital records, offering an intricate elucidation covering email, server logs, computers, and related elements. Legal standing has been granted to smartphones, laptops, messages, websites, and geographical locations, underscoring their significance within the legal framework. The definition of evidence has been augmented to encompass electronic evidence, reflecting a forward-looking approach. Noteworthy strides have been made to facilitate remote appearances, permitting witnesses, accused individuals, experts, and victims to participate through electronic mediums. A substantive shift from conventional paper records to electronic documents is exemplified by the discontinuation of lengthy 50-page paysheets, replaced by the streamlined provision of a pen drive. This forward-thinking adjustment enables convenient viewing upon insertion into the attorney's computer. These strategic modifications epitomise our commitment to embracing technological advancements within the legal paradigm.

Furthermore, meticulous provisions have been established to furnish a matching hash of the original record, serving as concrete evidence of authenticity. Legal frameworks have been put in place to facilitate the seamless conduct of the entire trial through electronic means. Notably, a discretionary clause has been embedded for the judges, empowering them with the right to summon individuals for personal appearances during online depositions. This discretionary power, I firmly believe, is imperative in safeguarding the interests of justice, recognizing that circumstances may arise where the physical presence of a participant is deemed necessary for a fair and just adjudication.

Lots Of Provisions To Reduce Delay In Documents

Several measures have been instituted to alleviate the delays associated with document processing. The medical report and the FSL report will now be transmitted electronically via email. Recognizing the historical challenge of the FSL report not reaching the court due to procedural gaps, it is now mandatory that when forwarding the medical report to the police station, it must also be sent to the registrar. This ensures that the report is promptly filed in the court on the same day. Through a series of meticulous adjustments, we have endeavoured to revamp existing regulations based on past experiences, striving to formulate a comprehensive legal framework. While acknowledging that no law can achieve absolute perfection, we have adapted to changing times and

We have also promoted technology a lot. I want to tell you that Bharatiya Nyaya Sanhita, 2023; Bharatiya Sakshya Adhinyam, 2023 Crime scene, investigation and trial – we have made technology compulsory in these three stages and have also given it legal status

needs. Within a hundred days, tangible modifications will be evident, shaped through consultations with Forensic Science University and various experts. Although the technological advancements to fully visualise these changes are not currently available, the terminology employed remains receptive to emerging techniques

and is poised to embrace them. Our commitment to combating terror has been unwavering, and in addressing these concerns, a meticulous and electronically certified system has been crafted with a keen focus on confidentiality.

In conclusion, I extend a heartfelt appeal through this esteemed platform to reaffirm to both this august House and the citizens of our nation that the legislation in question is a product of the collective efforts of Indians, crafted for Indians, and enacted after 75 years of independence. It bears the imprints of our Indian heritage, rituals, and symbols, emanating from the essence of our soil. This impending law represents the imminent establishment of the most contemporary justice system globally, rooted in the foundational principles of expeditious and substantive justice specific to the Indian context. It

is poised to embody the core tenets of capital justice, promising a significant stride towards a modern and equitable legal framework for our nation.





Shri Amit Shah, Union Home & Cooperation Minister

Congratulations to all Bharatwasis on this proud moment as our nation finally gets its criminal justice laws. It is a matter of great pride that the three bills passed in Parliament today will replace the laws once promulgated by the British and will shape an indigenous criminal justice system for Bharat.

Guided by PM Narendra Modi Ji's resolve to leave no one behind, it will prioritise the security of women and children, recognizing the rights of citizens as of paramount importance. This new justice system will be empowered by state-of-the-art technologies to deliver transparent and swift justice to all.

21 December, 2023



Shri Narendra Modi, Prime Minister of India

The passage of Bharatiya Nagarik Suraksha Sanhita, 2023, Bharatiya Nyay Sanhita, 2023 and Bharatiya Sakshya Adhiniyam, 2023 is a watershed moment in our history. These Bills mark the end of colonial-era laws. A new era begins with laws centred on public service and welfare.

21 December, 2023



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