



J&K POLICE HEADQUARTERS

JAMMU/SRINAGAR.

No.02/New-Laws-1/CMC/CR/Part A1/2024/10639-47

Dated:- 04-08-2024.

The Addl. Director General of Police,
Jammu Zone, Jammu.

The Addl. Director General of Police,
CID J&K.

The Inspector General of Police,
Kashmir Zone, Srinagar.

The Inspector General of Police,
Crime Branch, J&K.

The Inspector General of Police,
Railways, J&K.


Subject: - FAQs on BNSS 2023.

Sir,

Kindly find enclosed herewith a copy of FAQs with regard to Bharatiya Nagarik Suraksha Sanhita (BNSS) 2023. In this regard, I am directed to request that the same may be circulated to the field formations of your respective units for necessary action.

Yours faithfully,


(J. S. Johar) IPS,
AIG of Police (C&C)

 For Director General of Police,
J&K, Srinagar.

Encl: (10) lvs.

Copy to the:-

1. AIG (Tech) PHQ J&K for favour of kind information with the request please upload the documents on Police web site.
2. PPS to DGP, PHQ J&K for information of DGP J&K.
3. PS to ADGP Coordination, PHQ J&K for information of ADGP HQs/Cord.
4. PS to IG POS for information of IG POS PHQ, J&K.

FAQs BNSS

Changes with respect to FIR [Sec. 173 BNSS]
<p>i. Registration of FIR irrespective of jurisdiction [Sec. 173 (1) BNSS] FIR can be registered at any Police station irrespective of the area, where the offence is committed.</p>
<p>ii. FIR through electronic means [Sec.173 (1) (ii) BNSS] FIR can be registered through electronic means (E-FIR). However the same has to be signed by the informant within 3 days.</p>
<p>iii. Conditions for conducting Preliminary enquiry [Sec.173 (3) BNSS] In offences punishable with imprisonment between 3 to 7 years, the Officer in-charge of the police station may</p> <ul style="list-style-type: none"> • with the permission of Deputy Superintendent of Police • conduct preliminary enquiry to ascertain whether there is any prima facie case, for proceeding in the matter. <p>Such preliminary enquiry must be completed in 14 days after permission of DySP which has to be accorded (or otherwise) within 24 hrs.</p> <p>Note: There was no such provision under CrPC.</p>
<p>Forwarding Daily Diary Reports to the Magistrate once in 14 days [Sec. 174 BNSS] Officer in charge shall forward the daily diary reports of information regarding non-cognizable cases once in 14 days to the Magistrate.</p> <p>Note: There was no specific timeline for this under CrPC.</p>
Changes with respect to recording of statements [Sec. 176, 179-183 BNSS]
<p>i. Recording of rape victim statement at her residence [Sec.176 BNSS] In relation to the offence of rape, the recording of the statement of victim shall be conducted at the residence of victim or at the place of her choice by a woman police officer in the presence of her parent or guardian or near relative or social worker of the locality. Such statement may also be recorded by audio-video electronic means including mobile phone.</p> <p>Note: CrPC did not have any provision for recording the statement of victim of sexual assault through mobile phone.</p>
<p>ii. Woman Police officer to record the statement of victim of sexual assault [Sec. 180 BNSS] The statement of a woman, against whom sexual assault is alleged to have been committed or attempted, shall be recorded by a woman police officer or any woman officer. Such statements may also be recorded by audio-video electronic means.</p>