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La Gazette de L'État de Poudouchéry
The Gazette of Puducherry

PART - II

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(29 Asvina 1946)

GOVERNMENT OF PUDUCHERRY
HOME DEPARTMENT

(G.O. Ms. No. 71, Puducherry, dated 15th October 2024)

NOTIFICATION

In exercise of the powers conferred under sub-section (3) of section 48 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (Act 46 of 2023) read with the Notification in S.O. No. 2506 (E), dated 28-06-2024 of the Government of India, Ministry of Home Affairs, New Delhi the Lieutenant-Governor, Puducherry, hereby notifies the following rules, namely:-

1. *Short title, commencement.*— (i) These rules may be called as “Information of Arrested Persons Rules, 2024”.

(ii) They shall come into force on and from the date of its notification in the Official Gazette.

2. *Definitions.*— In these rules, unless the context otherwise requires,

(a) “Arrest” means, the arrest of the person as defined under section 43 of the Bharatiya Nagarik Suraksha Sanhita, 2023;

(b) “Book” means, the Register No. 26 kept and maintained in every Police Station regarding information of arrest and shall be issued by the Office of the Superintendent of Police (Headquarters) containing pages 1-200. It shall be page marked and shall be attested by the Subdivisional Police Officers;

(c) (SDPOs) at the opening page as well as on the last page. As and when the register is completed, the same shall be deposited with the Head Constable (HC) against proper receipt. The request for getting new register shall be made to the office of the Superintendent of Police (Headquarters) through Subdivisional Police Officer (SDPO);

(d) “Form” means, the form as attached in Annexure “A” of these rules and shall be used for the purpose of providing information of the arrested person;

(e) “Information” means, the intimation to the parents, friends, relatives or such other persons as may be disclosed or nominated by the arrested persons;

(f) “Mode of information” means, the information as defined in these rules as given through electronic mode, *i.e.*, mobile phone, social media apps (including Whatsapp), SMS, landline phone, e-mail as well as physical mode;

(g) “Sanhita” means, the Bharatiya Nagarik Suraksha Sanhita, 2023;

3. *Duties of the Police Officer irrespect of giving information as provided under section 48 of the Sanhita.*— (i) The Police Officer or any other person making any arrest under this Sanhita is duty bound to provide information regarding the offence committed as specified in clause (c) of sub-section (1) of section (2) of this Sanhita.

(ii) Every Police Officer or any other person making any arrest under this Sanhita shall give the information regarding such arrest and place where the arrested person is being held to any of his relatives, friends or such other person as may be disclosed or nominated by the arrested person for the purpose of giving such information.

(iii) The information of arrest including complete particulars shall also be given to the designated Police Officer/control room as notified by the Government of Puducherry Notification *vide* G.O. Ms. No. 39, dated 29-06-2024.

(iv) An entry of the fact as to who has been informed of the arrest of such person shall be made in a book to be kept in the Police Station in Form *i.e.*, Annexure “A” attached with these rules without any delay and shall send the information regarding arrest as specified under clause (d) of sub-section (1) of section 2 of this Sanhita.

(v) The Police Officer shall make an entry in the register as specified in clause (e) of sub-section (1) of section 2 regarding the information of arrest given by him.

(vi) The Police Officer shall fill the complete particulars as prescribed in Annexure “A” of these rules.

(By order of the Lieutenant-Governor)

DR. SHARAT CHAUHAN, I.A.S.,
Chief Secretary to Government.

Form (A)

Information of arrested person

Case F.I.R./D.D. Dated

U/S

P.S. District

1. Name with alias and Parentage :
of the Arrestee.
2. Mobile No./Whatsapp :
Mobile No./e-mail address.
3. Present address of the Arrestee :
4. Permanent address of the Arrestee :
5. FIR No./D.D. No. and Section :
of Law.
6. Place of arrest :
7. Date and time of arrest :
8. Name, address, e-mail ID and :
Tel No. whomsoever to convey
the arrest information.
9. Name, rank and No. of officer :
making arrest.
10. Reasons/Ground of arrest :
 - (a) To prevent accused person :
from committing any other
offence.
 - (b) For proper investigation of :
the offence.

(c) To prevent the accused :
person from causing the
evidence of the offence to
disappear or tampering
with such evidence in any
manner.

(d) To prevent such person from :
making any inducement
threat or promise to any
person acquainted the facts
of the case so as to
dissuade him from disclosing
such facts to the Court or
to the Police Officer.

(e) As unless such person is :
arrested, his presence in
the Court whenever required
cannot be ensured.

Witness :

1.

Signature of Arrestee

2.

Signature of IO

3.

PS

Dated

GOVERNMENT OF PUDUCHERRY
HOME DEPARTMENT

(G.O. Ms. No. 72, Puducherry, dated 15th October 2024)

NOTIFICATION

In exercise of the powers conferred by sub-section (1) of section 173 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (Act 46 of 2023), read with Notification in S.O No. 2506 (E), dated 28-06-2024 of the Government of India, Ministry of Home Affairs and in supersession of the Government Order, issued *vide* G.O. Ms. No. 41, dated 29-06-2024 published in the Extraordinary Gazette of the Government of Puducherry, dated 29-06-2024, same as respects things done or omitted to be done before such supersession, the Lieutenant-Governor, Puducherry, hereby notifies the following rules namely:-

1. *Short title, commencement.*— (i) These rules may be called as “Information to Police Cognizable Cases Rules”, 2024.

(ii) They shall come into force on and from the date of its publication in the Official Gazette.

2. *Definitions.*— (1) In these rules, unless the context otherwise requires:-”

(i) “Information” means, the information received orally, in writing or by electronic communication as defined under clause (i) of sub-section (1) of section 2 of the Bharatiya Nagarik Suraksha Sanhita 2023;

(ii) “Offence” means, the cognizable offence as defined under clause (g) of sub-section (1) of section 2 of the Bharatiya Nagarik Suraksha Sanhita, 2023;

(iii) “Officer in-charge of station” means, the officer in-charge as defined under clause (r) of sub-section (1) of section 2 of the Bharatiya Nagarik Suraksha Sanhita, 2023;

(iv) "Police Station" means, the place as defined under clause (u) of sub-section (1) of section 2 of The Bharatiya Nagarik Suraksha Sanhita, 2023;

(v) "Register" means, the Register No. 27 as issued by the Police Headquarters of this Union Territory of Puducherry;

(vi) "Sanhita" means, the Bharatiya Nagarik Suraksha Sanhita, 2023.

(2) The words and expressions used in these rules shall have the same meaning as assigned to them in the Bharatiya Nagarik Suraksha Sanhita, 2023.

3. *Recording of Information.*— (i) Every information relating to the omission of a cognizable offence received in a Police Station shall be taken on record by an officer in-charge of the Police Station where such information is received through electronic communication, the informant shall be called within three days for making his/her signature.

(ii) The information received under clause (i) shall be recorded in the Register No. 27, in the format given in Annexure 'A' to be kept in the Police Station, where the information is received.

4. *Issuance of Register.*— (i) The Register No. 27 shall be issued by the Police Headquarters of this Union territory of Puducherry and shall contain pages 1-200. The said Register shall be page marked and shall be attested by the SDPOs (Subdivisional Police Officers) at the opening page as well as the last page.

(ii) As and when the Register is complete, the same shall be deposited with the HC (Head Constable) against proper receipt.

(iii) The request for getting New Register shall be made to the Office of the Superintendent of Police (Headquarters) through SDPO (Subdivisional Police Officer).

ANNEXURE-A

Register No. 27

| 1 | 2 | 3 | 4 | 5 | 6 | 7 |
|--------|----------------------|------------------------------|--|----------------------|---|--------------|
| S. No. | Details of informant | Date and time of information | Mode of giving information- oral or in writing or through (e-mail/ICMS Integrated Complaint Management System)/SMS (Short Message Service), etc. | Brief of information | Whether signed by information within 3 days | Action taken |

(By order of the Lieutenant-Governor)

DR. SHARAT CHAUHAN, I.A.S.,
Chief Secretary to Government.

GOVERNMENT OF PUDUCHERRY
HOME DEPARTMENT

(G.O. Ms. No. 73, Puducherry, dated 15th October 2024)

NOTIFICATION

In exercise of the powers conferred by sub-section (1) of section 174 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (Act 46 of 2023) read with Notification in S.O. No. 2506 (E), dated 28-06-2024 of the Government of India, Ministry of Home Affairs, New Delhi, the Lieutenant-Governor, Puducherry is pleased to frame the following rules, namely:-

1. *Short title, commencement.*— (i) These rules may be called as “Information to Court in Non-Cognizable Cases and Investigation of such Cases Rules, 2024”.

(ii) These rules shall come into force from the date of its publication in the Official Gazette.

2. *Definitions.*— (1) In these rules unless the context otherwise requires:-

(i) “Investigation” means, the investigation as defined under clause (1) of sub-section (1) of section 2 of the Bharatiya Nagarik Suraksha Sanhita, 2023;

(ii) “Offence” means, the offence as defined under clause (o) of sub-section (1) of section 2 of the Bharatiya Nagarik Suraksha Sanhita, 2023;

(iii) “Officer in-charge of a Police Station” means, the officer in-charge as defined under clause (r) of sub-section (1) of section 2 of the Bharatiya Nagarik Suraksha Sanhita, 2023;

(iv) “Police Station” means, the place as defined under clause (u) of sub-section (1) of section 2 of the Bharatiya Nagarik Suraksha Sanhita, 2023;

(v) “Register” means, the Register No. 28 as issued by the Police Headquarters of this Union Territory, Puducherry;

(vi) “Sanhita” means, the Bharatiya Nagarik Suraksha Sanhita, 2023.

(2) The words and expressions used in these rules shall have the same meaning as assigned to them in the Bharatiya Nagarik Suraksha Sanhita, 2023.

3. *Recording of Information.*— (i) Every information relating to the Commission of a non-cognizable offence received in a Police Station shall be taken on record by an officer in-charge of the Police Station, where the information is received and shall be recorded in Register No. 28, as per the format given in Annexure ‘A’;

(ii) The information recorded in the afore-mentioned format shall be forwarded to the Magistrate concerned fortnightly.

4. *Issuance of Register.*— (i) The Register No. 28 shall be issued by the Police Headquarters of this Union territory of Puducherry and shall contain pages 1-200. The said Register shall be page marked and shall be attested by the SDPOs (Subdivisional Police Officers) at the opening page as well as on the last page.

(ii) As and when the register is complete the same shall be deposited with the HC (Head Constable) against proper receipt.

(iii) The request for getting new register shall be made to the Office of Superintendent of Police (Headquarters) through SDPO (Subdivisional Police Officer).

5. Duties of the officer in charge of concerned Police Station in respect of forwarding the Daily Dairy Report to the Magistrate.—

(a) The Officer in-charge of the concerned Police Station shall inform the informant that the report/complaint lodged by him relates to non-cognizable case and he may approach the concerned Magistrate for further proceedings.

(b) The officer in-charge of the concerned Police Station shall ensure that an entry is made in the register regarding the information of non-cognizable offence as stated in rule 3.

(c) The officer in-charge of concerned Police Station shall be responsible to forward the information recorded in Daily Diary Register in such non-cognizable cases to the concerned Magistrate fortnightly.

ANNEXURE-A

Register No. 28

| 1 | 2 | 3 | 4 | 5 | 6 | 7 |
|--------|---------------------------------------|------------------------------|----------------------|----------------------|---|--------------------------------------|
| S. No. | Name and contact details of informant | Date and time of information | Address of informant | Brief of information | Whether informant informed to approach concerned Magistrate | Date of sending report to Magistrate |
| | | | | | | |

(By order of the Lieutenant-Governor)

DR. SHARAT CHAUHAN, I.A.S.,
Chief Secretary to Government.

GOVERNMENT OF PUDUCHERRY
HOME DEPARTMENT

(G.O. Ms. No. 74, Puducherry, dated 15th October 2024)

NOTIFICATION

In exercise of the powers conferred by sub-section (2) of section 176 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (Act 46 of 2023) read with Government of India, Ministry of Home Affairs, New Delhi, Notification in S.O No. 2506 (E), dated 28-06-2024, the Lieutenant-Governor, Puducherry, hereby notifies the following rules namely:-

1. *Short title, commencement.*— (i) These rules may be called as “Procedure for investigation to be followed by an officer in-charge of Police Station Rules, 2024”.

(ii) These rules shall come into force from the date of its publication in the Official Gazette.

2. *Definitions.*— (1) In these rules, unless the context otherwise requires:-

(i) “Investigation” means, the investigation as defined under clause (1) of sub-section (1) of section 2 of the Bharatiya Nagarik Suraksha Sanhita, 2023;

(ii) “Offence” means, the offence as defined under clause (q) of sub-section (1) of section 2 of the Bharatiya Nagarik Suraksha Sanhita, 2023;

(iii) “Officer in-charge of a Police Station” means, the officer in charge as defined Bharatiya Nagarik Suraksha Sanhita, 2023;

(iv) “Police Station” means, the place as defined under clause (u) of sub-section (1) of section 2 of The Bharatiya Nagarik Suraksha Sanhita, 2023;

(v) “Sanhita” means, the Bharatiya Nagarik Suraksha Sanhita, 2023.

(2) The words and expressions used in these rules shall have the same meaning as assigned to them in the Bharatiya Nagarika Suraksha Sanhita, 2023.

3. *Daily Diary Report.*— (i) Daily Diary Report shall be maintained by the officer in-charge of the Police Station, in respect of the offences, wherein, he/she deems it necessary not to proceed to the spot in person or through subordinate officer, to investigate the case as provided under clauses (a) of sub-section (1) of section 176 of this Sanhita or in cases, where it appears to the officer in-charge of the Police Station that there is no sufficient ground for entering into an investigation as per the circumstances covered under clause (b) of sub-section (1) of section 176 of this Sanhita.

(ii) The Report mentioned in clause (i) shall be maintained on CCTNS (Crime and Criminal Tracking Networks and Systems) and shall contain the details as given in Annexure “A” and forwarded to the Magistrate fortnightly without fail.

4. In case, the Officer in-charge of the Police Station has reasons to believe that there is no sufficient ground for entering on an investigation, then he/she shall follow the procedure as provide under section 176 and shall also inform the same, alongwith reasons, to the informant without delay either through electronic mode, *i.e.*, mobile phone, social media apps including whatsapp, SMS (Short Message Service), landline phone, e-mail or through physical mode. Mode of information shall be entered in the report as stated in rule 3.

ANNEXURE-A

- Name of informant
- Contact details of informant (phone number/e-mail/*etc.*)
- Present and permanent address of informant
- Brief of information
- Reason(s) for not proceeding to investigate
- Whether informant notified
- Mode of information

(By order of the Lieutenant-Governor)

DR. SHARAT CHAUHAN, I.A.S.,
Chief Secretary to Government.

GOVERNMENT OF PUDUCHERRY
HOME DEPARTMENT

(G.O. Ms. No. 76, Puducherry, dated 15th October 2024)

NOTIFICATION

In exercise of the powers conferred by sub-sections (3) and 9 of section 193 of the Bharatiya Nagarik Suraksha Sanhita, 2023(Act 46 of 2023) read with the Government of India, Ministry of Home Affairs, New Delhi, Notification in S.O. No. 2506 (E), dated 28-06-2024 and in partial modification of the G.O. Ms. No. 42, Puducherry, dated 29th June, 2024 of the Home Department, Government of Puducherry, the Lieutenant-Governor, Puducherry, is pleased to frame the following rules namely:-

1. *Short title and commencement.*— (i) These rules may be called as “Information to the informant/victim regarding progress of investigation and forwarding Police Report to a Magistrate Rule, 2024”.

(ii) These rules shall come into force on and from the date of this publication in the Official Gazette.

2. *Definitions.*— (1) In these rules unless the context otherwise requires,-

(i) “Form” means, the Form IIF (Integrated Investigation Form)-V, duly prescribed by the NCRB (National Crime Records Bureau) as applicable to the Union territory of Puducherry;

(ii) “Information” means, the intimation to the informant/victim regarding preparation and the filling of the charge-sheet by the Police Officer *i.e.*, Station House Officer/Inquiry Officer of case after completion of the investigation and intimation to the informant or the victim regarding progress of investigation(as per the format in Annexure-‘A’) within a period of ninety days;

(iii) “Investigation” means, the investigation as defined under clause (1) of sub-section (1) of the Bharatiya Nagarik Suraksha Sanhita, 2023;

(iv) "Mode of information" may either be physical or electronic, *i.e.*, telephone, mobile, or other wireless telecommunication device, social media apps including Whatsapp, SMS (Short Message Service), landline phone, e-mail or through the CCTNS (Crime And Criminal Tracking Networks and Systems);

(v) "Offence" means, the offence as defined under clause (q) of sub-section (1) of section 2 of the Bharatiya Nagarik Suraksha Sanhita, 2023;

(vi) "Officer in-charge of a Police Station" means, the officer in charge as defined under clause (r) of sub-section (1) of section 2 of the Bharatiya Nagarik Suraksha Sanhita, 2023;

(vii) "Police Station" means, the place as defined under clause (u) of sub-section (1) of section 2 of the Bharatiya Nagarik Suraksha Sanhita, 2023;

(viii) "Sanhita" means, the Bharatiya Nagarik Suraksha Sanhita, 2023.

(2) The words and expressions used in these rules shall have the same meaning as assigned to them in the Bharatiya Nagarik Suraksha Sanhita, 2023.

2. Every Police Officer investigating a matter shall on completion of such investigation shall submit his/her report to the Officer in-charge of the Police Station and the officer in-charge of the Police Station shall prepare the final report and shall forward the same, including through electronic communication *i.e.*, CCTNS (Crime and Criminal Tracking Networks and Systems) or through other electronic mode, to the Magistrate empowered to take the cognizance of the offence, by giving the complete particulars as mentioned in section 193 (3) (i) sub-clauses (a) to (i).

3. The Police Official shall inform the informant or the victim about the progress of the investigation within a period of ninety days through any of the modes as specified in these rules, in the prescribed format attached as Annexure-A. The acknowledgement of intimation under clause (ii) of sub-section (3) of section 193 of this Sanhita shall also be recorded in Daily Diary Register.

4. The victim/informant shall also be informed regarding the submission of final report before the Magistrate in the prescribed format attached as Annexure-A. The acknowledgement of intimation shall also be recorded in Daily Diary Register.

5. The complete particulars of the informant and the victim including the permanent address, temporary address, mobile number, e-mail ID and any other particulars shall be collected at the time of taking cognizance of offence under sub-section (1) of section 173 of this Sanhita, so that the information can be supplied to the informant and victim regarding the progress of the case through the mode of information as defined in these rules.

ANNEXURE-A

Format for providing information to the informant/victim regarding progress of investigation within a period of ninety days or at the time of submission of final report.

To

(Details of Informant/Victim)

Sub : Intimation regarding progress of investigation u/s 193(3)(ii)BNSS, 2023.

It is intimated that progress of investigation of the case FIR No. is as follows:

1. Details of persons arrested
2. Details of persons who joined investigation u/s 35(3) BNSS, 2023
3. Details of charge-sheet(s) submitted
4. Any other relevant information

(By order of the Lieutenant-Governor)

DR. SHARAT CHAUHAN, I.A.S.,
Chief Secretary to Government.