



Online Seminar on New Criminal Laws



Surendranath Law College

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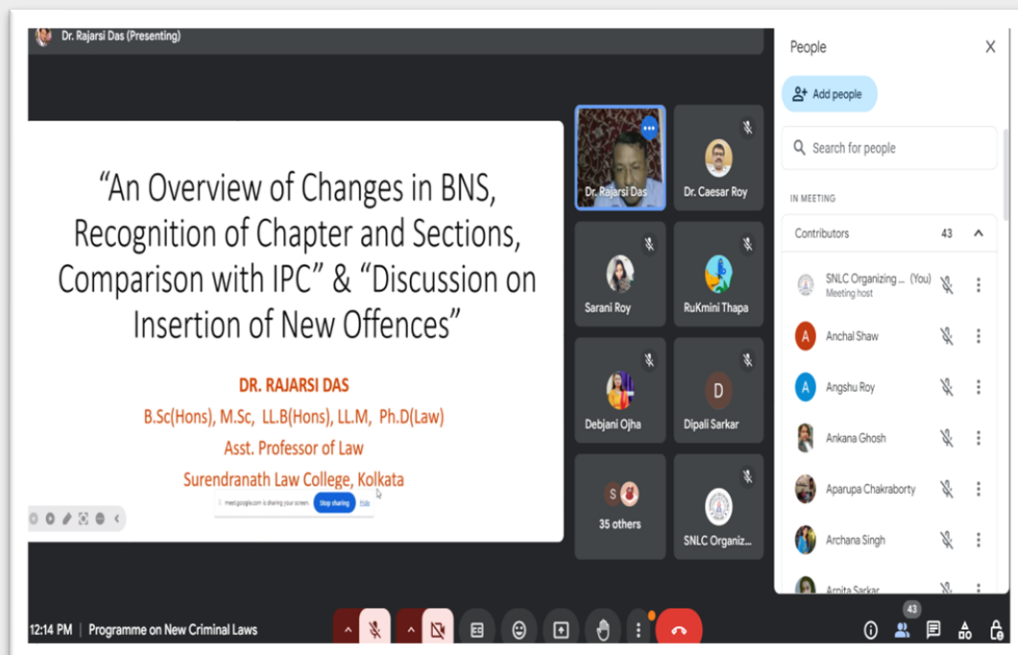
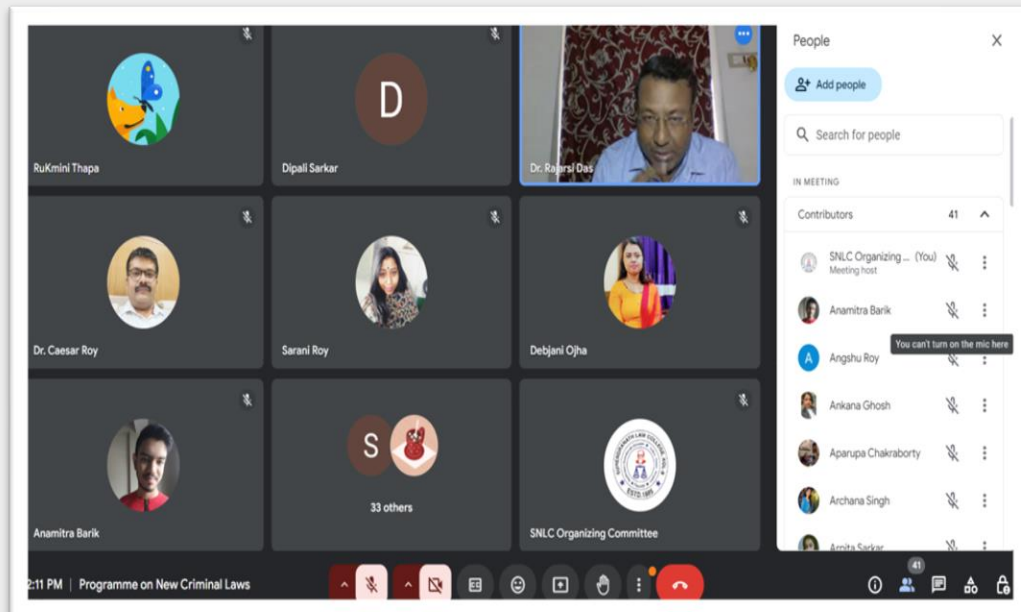
Online Seminar on Celebration of Commencement of New Criminal Laws- 2024

The Indian Penal Code (IPC), 1860 was the principal law on criminal offences in India. Offences covered include those affecting: (i) human body such as assault and murder, (ii) property such as extortion and theft, (iii) public order such as unlawful assembly and rioting, (iv) public health, safety, decency, morality, and religion, (iv) defamation, and (v) offences against the state. Over the years, the IPC has been amended to add new offences, amend existing ones and change the quantum of punishment. Several Law Commission reports have recommended amendments to the IPC on subjects including offences against women, food adulteration, death penalty. The Bharatiya Nyaya Sanhita (BNS) or Indian Justice Code legislation was introduced in Parliament on August 11, 2023 to replace the IPC. It was examined by the Standing Committee on Home Affairs. The Bharatiya Nyaya (Second) Sanhita Bill ,2023 (BNS) was introduced on December 12, 2023. It incorporated certain recommendations of the Standing Committee. The BNS largely retains the provisions of the IPC, adds some new offences, removes offences that have been struck down by courts, and increases penalties for several offences.

The three new criminal laws, that were passed by Parliament in December 2023, came into effect from July 1, 2024. The Bharatiya Nyaya Sanhita (BNS), the Bharatiya Nagarik Suraksha Sanhita (BNSS), and the Bharatiya Sakshya Adhinyam (BSA) that replaced the colonial-era Indian Penal Code, 1860 (IPC), the Code of Criminal Procedure, 1973 (CrPC), and the Indian Evidence Act, 1872 (IEA), respectively, received presidential assent on December 25, 2023. Government of West Bengal directed all the Higher Education Institutions (HEI) should organize a day long series of activities in view of celebrating the commencement of new criminal laws on 1st July 2024. A series of online lectures were organised by the Internal Quality Assurance Cell (IQAC) of Surendranath Law College on 01/07/2024 through the Google Meet platform with an aim of raising awareness amongst the students about the new criminal laws being adopted by the country..The event covered all the three new laws including aspects like necessity of such enactment, modifications made in these laws, comparison with the provisions of old laws etc. Dr. Rajarsi Das, Assistant Professor (Law), Surendranath Law College gave an enlightening presentation on 'An Overview of Changes in BNS : Recognition of Chapter and Sections, Comparison with Indian Penal Code (IPC)'.Dr. Ceasar Roy Assistant Professor (Law), Surendranath Law College gave an erudite presentation to the students on the Bharatiya Nagarik Suraksha Sanhita (BNSS) while Mr. Faisal Fasih, Assistant Professor of Law, WBNUJS elaborated on the Bharatiya Sakshya Adhinyam (BSA). The entire event was supervised & counseled by Prof. Dr. Mohammadi Tarannum, Vice-Principal of the Surendranath Law College and coordinated by Dr. Niloy Bagchi, Coordinator, IQAC, Surendranath Law College.

This online seminar played a pivotal role in educating the students about these new criminal laws which would exercise a significant influence upon the holistic

functioning of India's criminal justice system and the national objective of timely justice dispensation and upholding the sacrosanct principles of rule of law. Through content rich power point presentations the speakers, in an elaborate and lucid manner explained all the important aspects of these new criminal laws. The students as well as faculty members of the College benefitted immensely from this seminar, which contributed towards facilitating an intellectual appreciation amongst them, regarding the need and relevance of these three new criminal laws



Dr. Rajarsi Das (Presenting)

CHAPTERISATION OF BNS

- There Are 20 Chapters in BNS

Chapter I- Preliminary (Section 1-3)
 Chapter II- Punishment (Section 2-13)
 Chapter III- General Exceptions (Sections 14- 44)
 Chapter IV- Abatement Criminal Conspiracy and Attempt (Sections 45- 62)
 Chapter V- Offences Against Woman and Children (Sections 63-99)
 Chapter VI – Offences Affecting Human Body (Section 100- 146)
 Chapter VII- Offences Against state (Section 147- 158)
 Chapter VIII- Offences related to Army, Navy and Airforce (Section 159- 168)
 Chapter IX – Offences Related to Elections (Section 169- 177)
 Chapter X- Offences Related to Coins, Currency Notes, Bank Notes and Government Stamps (Section 178- 188)

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Dr. Rajarsi Das (Presenting)

Chapter XI- Offences Against Public Tranquillity (Section 189-197)
 Chapter XII- Offences by or Related to Public Servants (Section 198- 205)
 Chapter XIII- Contempts of Lawful Authority by Public Servants (Section 206- 226)
 Chapter XIV- False Evidence and Offences Against Public Justice (Section 227- 269)
 Chapter XV – Offences Affecting Public Health, Safety , Convenience, Decency and Morals (Section 270- 297)
 Chapter XVI- Offences Relating to Religion (Section 298-302)
 Chapter XVII- Offences Against Property (Section 303-334)
 Chapter XVIII- Offences Relating to Documents and Property Marks (Section 335- 350)
 Chapter XIX – Criminal Intimidation , Insult , Annoyance, Defamation, etc (Section 351- 357)
 Chapter XX – Repeals and Savings (Section 358)

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Dr. Rajarsi Das (Presenting)

Significant Takeaways

- Addition – 20 new offences have been added.
- Deletion – 19 provisions that existed in IPC have been deleted.
- Punishment of imprisonment – It has been increased in 33 offences.
- Punishment of fine – It has been enhanced in 83 offences.
- Punishment of 'community service' – It has been introduced in 6 offences.
- Mandatory minimum punishment – It has been introduced in 23 offences.
- Reorganisation of offences are made wherein similar provisions have been clubbed together.

41 others

Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023

Dr. Caesar Roy
Assistant Professor of Law,
Surendranath Law College

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Constitution of Criminal Courts and Offices [Sections 6 to 20 of BNSS]

- Special Public Prosecutor
- Under BNSS, the definition of "Prosecuting Officer" includes a Special Public Prosecutor also.
- Assistant public prosecutors [Section 19 of BNSS/Section 25 of Cr.PC.]
- Notice to State Government

Section 19 of the BNSS stipulates a new requirement that provides that when no Assistant Public Prosecutor is available District Magistrate may exercise his power of appointment of any other person as Assistant Public Prosecutor after giving notice of 14 days to the State Government

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EVIDENTIARY PROCESS

Fact: Physical: Perceived by Senses; Psychological: Conscious Mental Conditions

Legally Relevant: Fact in Issue; Relevant Fact

Admissible: Legally Relevant in Generally Admissible Situations Unless by Any Special Provisions

Authenticity: Proves as per the Nature of Evidence; Determined by Expert (Govt Approved Lab)

Proba (Fact Value): Weight Attached to a Particular Admissible Fact - Depends on the Nature of Evidence

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