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भाग 4 (ग)

उप-खण्ड(II)

राज्य सरकार तथा अन्य राज्य प्राधिकारियों द्वारा जारी किये गये कानूनी आदेश तथा अधिसूचनाएं।

HOME (GROUP-I) DEPARTMENT
NOTIFICATION
Jaipur, January 24, 2025

S.O.104 .-In exercise of the powers conferred by clause (d) of sub-section (1) of section 523 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (Central Act No. 46 of 2023) and all other powers enabling it in this behalf, the State Government hereby makes the following rules, namely:-

- 1. Short title, commencement and extant.-** (1) These rules may be called the Bharatiya Nagarik Suraksha Sanhita (Rajasthan) Rules, 2025.
 (2) They shall come into force on and from the date of their publication in the Official Gazette.
 (3) They shall extend to whole of the State of Rajasthan.

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

- (a)“**Electronic means**” means by any form of communication, not directly involving the physical transmission of paper, that creates a record that may be retained, retrieved and reviewed by a recipient thereof, and that may be directly reproduced in paper form by such a recipient through an automated process;
 (b)“**Form**” means form appended to these rules;
 (c)“**Sanhita**” means the BharatiyaNagarikSurakshaSanhita, 2023 (Central Act No. 46 of 2023);
 (d)“**Section**” means section of the Sanhita; and
 (e)“**State**” means the State of Rajasthan;

(2) Words and expressions used and not defined in these rules, shall have the same meaning as assigned to them in the Bharatiya Nagarik Suraksha Sanhita, 2023 (Central Act No. 46 of 2023), the Bharatiya Nyaya Sanhita, 2023 (Central Act No. 45 of 2023), the Information Technology Act, 2000 (Central Act No. 21 of 2000) and the Rajasthan Electronic Processes (Issuance, Service and Execution) Rules, 2024.

3. Information to relative or friend, etc. regarding the arrest of a person.-Every police officer or other person making any arrest under the Sanhita shall forthwith give the information regarding such arrest and place where the arrested person is being held to any of his relatives, friends or such other persons as may be disclosed or nominated by the arrested person in Form I and information shall be entered in the register maintained in Form II.

4. Service or notification of order.-The order issued under section 152 shall be served, on the person against whom it is made, in the manner as provided for service of summons:

Provided that, if such order cannot be served, the notice shall be published in the following manner, namely:-

- (a) it shall be publicly read in some conspicuous place of the city, town or village in which such person ordinarily resides;
- (b) copy of order shall be affixed to some conspicuous part of the house or homestead in which such person ordinarily resides or to some conspicuous place of such city, town or village; and
- (c) the Executive Magistrate may also, if it thinks fit, direct a copy of the proclamation to be published in a daily newspaper circulating in the place in which such person ordinarily resides.

5. Information in cognizable cases.-Every information under section 173 relating to the commission of a cognizable offence shall be entered in a register maintained in Form III.

6. Information as to non- cognizable cases and investigation of such cases.-On receipt of information of a non-cognizable offence, the officer-in-charge of the police station shall enter or cause to be entered the substance of the information in a book maintained in Form IV.

7. Procedure for restraining from investigation in certain cases.-(1) The report in each of the cases mentioned in clauses (a) and (b) of the first proviso to sub-section (1) of section 176 containing the reasons for not investigating shall forward fortnightly by the officer-in-charge to the concerned Magistrate without fail.

(2) In cases where there are no sufficient grounds for entering into an investigation as mentioned in proviso (b) of sub-section (1) of section 176, the officer-in-charge shall inform the same, along with reasons, to the informant without delay either through electronic mode or through physical mode and same shall be entered in register maintained in Form V.

8. Police officer's power to require attendance of witnesses.-Reasonable expenses, as determined by the State Government, from time to time, of every person attending under sub-section (1) of section 179, shall be paid by the police officer.

9. Examination of witnesses by police.-Notwithstanding anything contained in any other law, the investigation shall be done by a police officer not below the rank of a Head Constable:

Provided that the statements may be recorded by audio video electronic means.

Provided further that statements shall be recorded, by a woman police officer or any woman officer, as and when necessary as per the proviso mentioned in section 180.

10. Report of police officer on completion of investigation.-The officer-in-charge of the police station after the completion of the investigation shall forward the detailed report in Form VI to the Magistrate empowered to take cognizance of the offence, either through electronic mode or through physical mode, preferably via electronic means.

11. Notification of residence or change of, or absence from, residence by released convict.-(1) If an order passed by the court under section 394 against a person who is convicted again for any offence, such person shall notify his residence or change of, or absence from, residence to the officer-in-charge of the police station of area of his residence in writing or by electronic means. On receipt of information the officer in charge of the police station shall enter the same in register maintained for the purpose and send the information to the superintendent of police

Form IV**Register Under Section 174(1) of the BharatiyaNagarikSurakshaSanhita, 2023**

S. No.	Name and details of the informer/ complainant	Date, when the information/ complaint was received	Description of information received	Details of the information intimated to the informer/ Complainant	Jurisdiction of Court	Details of information given to the Magistrate	Other details
1	2	3	4	5	6	7	8
1							
2							
3							
4							

Form V**Register Under Section 176(2) of the BharatiyaNagarikSurakshaSanhita, 2023**

S. No.	Name and details of the informer/ complainant	Date, when the information/ complaint was received	Description of information received	Reasons for not investigating	Other Details
1	2	3	4	5	6
1					
2					
3					
4					

Form VI
Under Section 193 of the BharatiyaNagarikSurakshaSanhita, 2023

File No. :

Dated :

To,

.....

(Magistrate empowered to take cognizance of the offence)

Subject : Regarding the completion of investigation in.....
(Brief Details of the case)

Respected Sir / Mam,

I am writing to inform you that the investigation in Case as cited in the subject above, has been completed. The details of the case are mentioned below :

- (a) The names of the parties.....

- (b) The nature of the information.....

- (c) The names of the persons who appear to be acquainted with the circumstances of the case,-
 (1)
 (2)
 (3)
 (4)
 (5)
 (6)
 (7)
 (8)
- (d) whether any offence appears to have been committed and, if so, by whom,-
 (1)
 (2)
 (3)
 (4)
 (5)
 (6)
 (7)
 (8)
- (e) whether the accused has been arrested.....

- (f) whether the accused has been released on his bond or bail bond...

-
.....
- (g) whether the accused has been forwarded in custody under section 190
.....
- (h) whether the report of medical examination of the woman has been attached
where investigation relates to an offence under sections 64, 65, 66, 67, 68, 70
or section 71 of the Bharatiya Nyaya Sanhita, 2023
.....

(Name& Signature with Seal)
(Officer in charge of the Police Station)

[File No. F.12(8)Home-1/2024]

By order of the Governor,

Kashmi Kaur,

Joint Secretary to the Government.

Government Central Press, Jaipur.