



**PUDUCHERRY POLICE**  
**STANDARD OPERATING PROCEDURE**

**Subject:- Standing Operating Procedure for registration of FIR under BNSS, 2023 for offences against victim of Rape.**

**Introduction:-**

Consequent upon the enactment of new Criminal Act namely BNSS, 2023 and notified by the Government of India, which is likely to be implemented shortly in future and therefore, there is need to issue the following directions to improve the working of the officials of the Police Stations and other Units of the Puducherry Police.

**1. Directions regarding registration of FIR.**

**Station house officer/the Incharge Police Station are hereby directed to follow the guidelines mentioned herein under:**

- i) In case the information in the police station regarding cognizable offence is received by electronic communication in police station the same is required to be got signed from the complainant/informer/person within **three days**.
- ii) The FIR for the offences of rape & POCSO cases is required to be recorded by the Woman Police Officer.
- iii) The FIR for the offences rape & POCSO cases is required to be recorded in the presence of special educator or an interpreter, in case the statement made by temporary or permanently, mentally or physically disabled woman. The statement is further required to be recorded at the residence of the victim or the informant or at the convenient place to the victim or the informer.
- iv) The information made as mentioned in clause (iii) shall be recorded in Videography.
- v) The FIR for the offences rape and POCSO cases should be registered without any delay irrespective of the jurisdiction of the police Station,

where the offence has been committed and the intimation in this regard be immediately sent to the concerned police station.

- vi) The FIR for the offences of rape and POCSO cases should be registered by the Women Police Officer.
- vii) The statement of victim is require to be recorded before the Ld. Magistrate for the offences of rape and POCSO cases and the Woman Police Officer shall move an application before the Ld. Judicial Magistrate mentioning therein that the such statement shall be recorded by a Woman Magistrate and in her absence by a male Magistrate, in presence of a woman.
- viii) The identity of the victim of rape and POCSO cases should not be disclosed in the FIR or other documents of the investigation and where the name of the victim is mentioned in any document the same be put in sealed cover.
- ix) The record relating to receipt of information through electronic communication regarding cognizable offences should be maintain properly, which will be signed by the SHO weekly and supervised by the SDPO fortnightly.

## **2. Instruction regarding recording of statement of the witnesses by the investigating officer and before the Magistrate during the course of Investigation.**

- i) The statement of the victim of the rape and POCSO cases shall be recorded by the Women Police Officer and the same may be also got recorded through audio-video electronic means.
- ii) The statement of other witnesses who are acquainted with the facts of the case may be reduce in to writing by the Investigating Officer in a proper manner containing therein the complete facts of the case which the witness wants to disclose.
- iii) The investigating officer should get recorded the statement of the witnesses before the Magistrate in the cases relating to the offences punishable with imprisonment for ten years or more or with imprisonment for life or with death.
- iv) The Investigating Officer further ensured that for the offences of rape and POCSO cases, if the person making the statement is temporarily or permanently, mentally or physically disabled, the Investigating Officer as well the Magistrate shall take the assistance of an

interpreter or a special educator in recording the statement of such person and it shall be recorded through audio-video electronic means preferably by mobile phone.

- v) The statement of the victim of rape and POCSO cases shall be recorded in private at her residence or other place of her choice and by women police officer in the presence of parents or guardians or near relatives or social worker of the locality with a view to make the victim comfortable.

  
Director General of Police  
Bhubaneswar

**Distribution:** All concerned.