

Criminal Procedure (Identification) Act, 2022

The Home Affairs Ministry has notified the rules governing the implementation of the Criminal Procedure (Identification) Act, 2022.

Key facts

- The Criminal Procedure (Identification) Act, 2022 repeals the Identification of Prisoners Act, 1920, whose scope was limited to collecting finger impressions, footprint impressions and photographs of the convicted persons and certain categories of arrested and non-convicted persons based on the order from the Magistrate.
- The new law enables police and central investigating agencies to collect, store, analyse physical and biological samples like retina and iris scans of arrested individuals.
- The rules do not mention the procedure for convicted persons.
- Measurements of individuals detained under preventive detention laws should not be taken unless they are associated with a serious offence or ordered by a court.
- Measurements here include finger-impressions, palm-print, foot-print, photographs, iris and retina scan, physical, biological samples and their analysis, behavioural attributes including signatures, handwriting or any other examination. They are mentioned in Section 53 and Section 53A of the Code of Criminal Procedure, 1974.
- The rules allow the storing and preservation of the measurements in a secured and encrypted format as per the Standard Operating Procedure by the NCRB from “time to time”.
- Illegal access, distribution or sharing of data collected under the Act shall be punishable under the Indian Penal Code, 1860 and the Information Technology Act, 2000.
- The National Crime Records Bureau (NCRB) will direct the states on how to collect and store the measurements.
- It will give details on what equipment or devices to be used for taking measurements, provides specifications for digital and physical format of the measurement and the method of handling and storing measurements to make them compatible with the NCRB database.

About NCRB

The National Crime Records Bureau comes under the Ministry of Home Affairs. It is responsible for collecting and analysing crime data under the Indian Penal Code and Special and Local Laws. It acts as the repository of information on crime and criminals that enables investigators to link crimes to the right perpetrators.