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Regulation decoded

FROM IPC TO BNS: HOW
CYBER-CRIME OFFENCES
CHANGED



165 Years of Law. One Massive Overhaul.

India replaced the 160-year-old IPC with the Bharatiya Nyaya Sanhita (BNS) in 2023.

Here's what changed for cybercriminals and what's still missing.



What Changed in 2023?

The Indian Penal Code (IPC) was written in 1860 and had 511 sections.

The Bharatiya Nyaya Sanhita (BNS) has consolidated it into 358 sections, updated the language, and added crimes that didn't even exist when the IPC was written.

Many provisions have become clearer and stricter.

However, Cybercrimes still don't have their own dedicated chapter ►

What Changed? Key Definitions

Before (IPC):

- Documents meant letters, numbers, or signs written on paper.

Now (BNS Section 28):

- Documents now include electronic and digital records.

This matters because courts can now treat evidence from emails, screenshots, and messages the same way they treat physical documents.



Gender Equality Gets Real

IPC (Old Law):

Many crimes were written with gender-specific language: "man," "woman," "girl only."

BNS (New Law):

Crimes like voyeurism (Section 77) and stalking (Section 78) now use neutral language: "whoever." This means offences can be charged against any gender.



Voyeurism & Intimate Privacy - What Changed

IPC Section 354C (Old): Punished for secretly watching or recording a woman's private moments.

BNS Section 77 (New): Now covers anyone, regardless of gender, secretly watching, recording, or distributing intimate images or videos without consent.

Key upgrade: If someone records your private moment with your consent but shares it without permission, that is still a crime.

Punishment: 1-3 years first offence. 3-7 years for repeat offence.



Cybercrime Still Largely Outside BNS

Despite modernisation, most cybercrimes continue to be governed by the IT Act, 2000.

BNS does not create a comprehensive cybercrime chapter but instead maps traditional offences to digital conduct through broader definitions and select provisions.



What BNS Still Misses

While BNS added “Organised Crime” (Section 111), it does not have specific provisions for modern cybercrimes like:

- Revenge porn or non-consensual sharing of intimate images (partially covered u/s 77, but not comprehensively)
- Cyberbullying and online harassment
- Sextortion (forcing someone to create sexual content under threat)
- Deepfakes and synthetic media crimes
- Ransomware attacks and cryptojacking
- Online grooming of children



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