

# COMMITTEE FOR REFORMS IN CRIMINAL LAWS

**Prof. (Dr.) Ranbir Singh**  
Chairperson  
Vice-Chancellor  
NLU Delhi

CRCL/PN/8/2020

25-08-2020

**Prof. (Dr.) G.S. Bajpai**  
Convenor & Member  
Registrar  
NLU Delhi

## PUBLIC NOTICE

### REGARDING CONSULTATIVE EXERCISES

**Prof. (Dr.) Balraj Chauhan**  
Member  
Vice-Chancellor  
DNLU Jabalpur

The Ministry of Home Affairs, Government of India, vide its notification '1-2-19 Judicial Cell (Part I)' dated 02-03-2020, 04-05-2020, and 29-05-2020 has constituted the National Level **Committee for Reforms in Criminal Laws** with the mandate to "*recommend reforms in a principled, effective, and efficient manner which ensures the safety and security of the individual, the community and the nation; and which prioritises the constitutional values of justice, dignity and the inherent worth of the individual.*"

**Mr. Mahesh Jethmalani**  
Member  
Senior Advocate  
Supreme Court of India

#### OUTREACH:

**Mr. G.P. Thareja**  
Member  
Former District and  
Sessions Judge  
Delhi

The Committee, by Public Notice dated 26-06-2020 had notified the mechanism and schedule for the Questionnaire-based Consultations. Since even before the Consultations were scheduled to start and were notified, the Committee has made sustained – conscious and concerted efforts to reach out to numerous organisations and professionals, for participating in the Consultations including, but not limited to:

- a) Supreme Court and High Court Registries;
- b) Bar Council of India and State Bar Councils;
- c) Senior Advocates/AORs/Advocates;
- d) Departments/Directorates of Prosecutions/ Individual Prosecutors;
- e) National and State Legal Services Authorities;
- f) National and State Commissions for Women;
- g) National and State Human Rights Commissions;

- h) Director Generals of Police of various States;
- i) National and State Judicial Academies;
- j) Vice Chancellors of various Law Universities and Law Faculties in various other Universities/Colleges
- k) Prominent Academics;
- l) Non-Governmental/ Civil Society Organisations;
- m) Other organisations active in the areas having a bearing on criminal laws;
- n) Other experts especially drawn from parallel disciplines of Social Sciences and other inter-disciplinary subjects with Law, etc.;
- o) Students and Research Scholars.

These invitations were sent out without any prejudice to the ideologies; views; preferences; sexual orientations; disabilities; race; ethnicity; class; caste; sex; gender; religion; place of residence; or, place of birth. In order to make the exercise as inclusive and as impartial as possible, the Committee, vide Public Notice dated 30-06-2020 invited all professionals, functionaries, and stakeholders of the criminal justice system to participate in such Consultations. Such notice has also been communicated to major news platforms and law-specific media platforms so as to publicise the Consultative exercise as well as the public invitation. The same was covered by several major media platforms and outlets including, '*The Hindu*,' '*Indian Express*,' '*Deccan Herald*,' amongst a plethora of others, in the first week of July 2020.

Registrations for the Consultative exercises are also being accepted without barriers – the chief requirement being that the details sought at the time of registration have been filled, properly and accurately.

#### **QUESTIONNAIRES:**

The Questionnaires for the Consultations are products of extensive research, analysis and discussions. This process involves examination of — numerous judicial precedents; law commission reports; other committee reports; and other authoritative treatises, on the relevant and

associated issues. The issues on which responses have been sought too, are: a) those issues which have been previously identified/recommended by the authorities mentioned above; b) those issues on which much public debate has occurred; and, c) issues identified through deliberations with multiple professionals, functionaries, and legal practitioners. The hallmark of the exercise has been its reliance on proper methods. The value neutrality of the questions has been maintained, as far as possible, in compliance with best research practises. The Committee has also expressly noted in its Questionnaires that the questions, in and of themselves, are not reflective of the position of the Committee, upon any issue.

Further, at no point of time has the Committee claimed to have relied solely on the resources available on the website of the Committee. The resources have been collated by the Committee solely for the benefit of the respondents by making bare acts, and reports of committees and commissions amongst other resources available on a single platform, i.e. our website. As such, all these authoritative materials are otherwise available in the public domain on various websites.

Lastly, the Committee has relaxed the original time line of 14 days to a total of 28 days, per round of each Consultation. The Committee has also notified vide Public Notice CRCL/PN/7/2020 that it is also open to receiving responses to Questionnaires of earlier responses, by mail to [criminallawreforms@nludelhi.ac.in](mailto:criminallawreforms@nludelhi.ac.in) before the last date of the Questionnaire-based Consultations.

#### **OPEN CONSULTATION:**

An Open Consultation to solicit responses on all issues not directly covered by the Questionnaire-based Consultation had been provisioned for by the Committee since the conceptualisation of the Consultation mechanisms. The same was notified on the Committee website vide Public Notice dated 11-07-2020. It was also sent across to major news platforms and law-specific media platforms so as to publicise the Open Consultations. Additionally, a note requesting all respondents to share

their views, knowledge, and experience on such issues, not covered by the Questionnaires, was appended to all Questionnaires. Several responses have been received via this mechanism and the same is scheduled to end on 16-09-2020.

#### **REGIONAL CONSULTATIONS:**

The Committee is also aware of the requirement to spread its regional outreach and therefore has requested several organisations including Law Universities to conduct Regional Consultations on Reforms in Criminal Laws and to submit to us the result of all such consultations, either documents or in AV form. Several Consultations have been held in furtherance of the same by several Law Universities listed earlier, including the most recent Regional Consultation organised by West Bengal National University of Juridical Sciences, Kolkata, on 23-08-2020. The Committee vide Public Notice dated 12-08-2020 has also requested other organisations, functionaries, professionals, and stakeholders to hold public Regional Consultations on behalf of the Committee so as to (re)ignite public debate on issues plaguing our criminal laws.

#### **USE OF INTERNET BASED PLATFORM:**

The Committee is well aware of the physical mode of Consultations adopted by the earlier Commissions and Committees, and has very consciously decided to break from such past practises, so as to: a) evolve with the digital age; and, b) adapt to the existing COVID-19 related circumstances. The choice of such web-based platform has enabled thousands of professionals, functionaries, and stakeholders to access the website without any potential risk to their life or physical health.

#### **OTHER EFFORTS:**

In addition to the abovementioned Consultative efforts of the Committee, the Committee is also conducting regular deliberations with and soliciting help from individual subject area experts on various facets of our criminal justice system. The same is aimed at expanding the Committee's outreach

across regions, ideologies; views; preferences; sexual orientations; disabilities; race; ethnicity; class; caste; sex; gender; religion; place of residence; or, place of birth.

Moreover, NLUD houses a brilliant reservoir of human resources as well as expertise in the area of research methods, and we are adequately utilising the same. However, we are not posting everything on the Website.

The Committee takes this opportunity to thank all for a huge response that is coming through consultations and/or otherwise through mails etc. We also thank a large number of experts, whose names are not necessarily depicted on the Website, drawn from all walks of society who are working with us tirelessly.

Sincerely,

Prof. (Dr.) G. S. Bajpai  
(Convenor and Member)