

09.08.2020

Prof. (Dr.) Ranbir
Singh, Vice
Chancellor,
National Law University

Delhi Dear Prof (Dr.) Singh,

We, the undersigned students and alumni of National Law University Delhi, are deeply concerned about the consultation being undertaken by National Law University Delhi ("University") for the reform of criminal law in India. We are writing this letter to you not only in your capacity as the Chairperson of the National Level Committee for Reforms in Criminal Laws ("Committee"), but also as our Vice Chancellor, under whose tutelage we embarked upon our legal journey.

Since its inception in 2008, NLU Delhi has constantly paved the way for excellence in legal research. Centres on diverse areas of law, including constitutional law, criminal justice, human rights, law and development, transparency and governance, have been set up under your leadership. As students at the University, many of us feel deeply enriched by our experiences within and outside the classroom.

Given our experiences at the University, we are concerned and disappointed with the manner in which the Committee has been undertaking a task of this magnitude, with profound implications for the criminal justice system in India. We have been closely following the developments around the Committee since its formation, and many of us have struggled to engage with the process. As you are aware, several letters have been sent to the Committee raising extremely serious concerns. For example, letters dated 08.07.2020 and 16.07.2020 endorsed by former judges, lawyers, academics and bureaucrats, and letter dated 09.07.2020 endorsed by practicing women lawyers from across the country, list in detail concerns around the consultation, which include:

1. The unexplained rush to complete a task of this nature within a narrow timeframe while India is in the midst of a lockdown necessitated by the COVID-19 pandemic. It is callous to require people to respond effectively during a global calamity.
2. Lack of representation in the Committee along intersecting vectors including gender, religion, caste, region, sexual orientation, disability, and profession.
3. The Committee has excluded vast sections of the society from the reform process by failing to disseminate questionnaires in different languages, holding regional consultations, and circulating information about the reform exercise and the Committee's mandate widely.

4. The lack of rigour surrounding the method adopted by the Committee for the consultation, which limits any real responses to the issues plaguing the criminal justice system. We would also like to highlight that:
 - a. There has been no communication from the Committee regarding the reason for framing these particular questions and the method adopted to identify these problem areas.
 - b. The Committee has released three questionnaires till date containing more than 135 questions in total. Each of these questions are extremely specific and complex in nature, requiring careful and detailed consideration.
 - c. It is nearly impossible to engage with these questions meaningfully given the short and overlapping time-frames set by the Committee for responding to the multiple questionnaires.
 - d. The unwillingness of the Committee to release all questionnaires at once prevents participants from framing cohesive responses. At present, the questions are being released in tranches, which exposes the inherent fallacy in the Committee's approach to view the issues relating to the law and practice of the IPC, CrPC and Evidence Act divorced from each other. The tranced release of questionnaires hinders the ability of participants to view these issues in an integrated manner.
5. The lack of transparency around the method that will be adopted by the Committee before finalising recommendations. For example, whether all responses received by the Committee will be published, and whether the Committee will explain the process for examining these responses.
6. Lack of any full time members on the Committee: Members on this Committee have other full-time professional engagements which inhibits their ability to pay the attention necessary for the reform process.

Moreover, there has been insufficient engagement by the Committee on these key issues. The opaqueness surrounding the proceedings of the Committee are detrimental to the interests of the University, the Committee and the future of the criminal justice system in India. This is an indictment of the University's callous and exclusionary approach as it has publicly attested to exercising full autonomy in all functional aspects. Entrusting such an exercise to a public university comes with the responsibility of ensuring that a rigorous and inclusive consultative exercise is carried out as matters of criminal justice affect the life and liberty of all individuals and particularly the most marginalised sections of society.

During our time at the University, we have been trained to approach questions around law and justice with utmost care and rigour. The process being followed by the Committee is in sharp contrast to the skills and values imparted to us. We are writing to urge you to adhere to the

high standards for legal research, debate and policy making that were imparted to us under your guidance. To that end, we request that:

- A. The Committee immediately halts its proceedings.
- B. The Committee engages in a wider conversation with all stakeholders involved regarding the best possible manner in which this exercise should be conducted, including the method for public participation in the reform process, scope of the reform exercise, and composition and functioning of any Committee to oversee the process.
- C. The Committee responds to this letter, and organises an open meeting with students and alumni to engage with our concerns.

Sincerely,

Alumni & students of NLU Delhi (*signatures on the next below*)

Alumni and Students of NLU Delhi

1. Aakanksha Bhardwaj, 2020
2. Aarushi Mahajan, 2017
3. Aastha Gangwal, 2022
4. Abhay Pratap Singh, 2021
5. Akansha Agrawal, 2022
6. Akhil Bhardwaj, 2015
7. Akshat Srivastava, 2016
8. Alind Gupta, 2021
9. Amber Tickoo, 2021
10. Anuj Bhave, 2022
11. Anuj Dubey, 2022
12. Anuja Punia, 2020
13. Anuna Tiwari, 2021
14. Anuradha Godrey, 2016
15. Aradhana CV, 2017
16. Aroon Menon, 2016
17. Arpit Agrawal, 2017
18. Arshdeep Singh, 2020
19. Arshu John, 2015
20. Arvind Kumar Tiwari, 2023
21. Ayan Gupta, 2024
22. Balaji Harish Iyer, 2015
23. Bharat Gupta, 2016
24. Bharti, 2020
25. Chinmay Kanojia, 2015
26. Devanshi Saxena, 2016
27. Devina Malaviya, 2016
28. DVL VIDYA, 2019
29. Ekta Tomar, 2021
30. Gauri Tendulkar, 2015
31. Hardeep Singh, 2013
32. Harikartik Ramesh, 2022
33. Harsh Panwar, 2024
34. Harsh Vardhan Bhojak, 2024
35. Harshad, 2014
36. Hemant Kothari, 2016
37. Himaa, 2020
38. Ishita Sharma, 2015
39. Jahnvi Singh, 2016
40. Jigme Palzer Tshering, 2024
41. John Sebastian, 2013
42. Karthik Inzamam Prasad, 2020
43. Kaushik Thanugonda, 2019
44. Keerthana, 2015
45. Kushaan Dosajh, 2018
46. Lakshana Ramakrishan, 2021
47. Lakshya Gupta, 2017
48. Maitreyi Bhat, 2014
49. Manas Manu, 2021
50. Manisha Bhau, 2021
51. Marilyn Joanna Khakha, 2017
52. Maulshree Pathak, 2015
53. Mini Saxena, 2015
54. Muskaan Nandwani, 2023
55. Nidhi Chikkerur, 2015
56. Nishtha Sinha, 2017
57. Nitya Bansal, 2022
58. Parul, 2016
59. Parul Sharma, 2016
60. Pawani Mathur, 2017
61. Prabhat Singh, 2024
62. Prashanth K P, 2019
63. Priyashrav, 2018
64. R S Lakshman, 2018
65. Raunaq Chandrashekar, 2016
66. Renuka Rajan, 2014
67. Rishika Sahgal, 2015
68. Ritika Bhasin, 2018
69. Ritiraj, 2016
70. Rohan Andrew Naik, 2019
71. Rohan Dhariwal, 2018
72. RUM SHOUTE, 2021
73. S N Samith, 2015
74. Sanskriti Sinha, 2023
75. Saral Minocha, 2017
76. Shreya Rastogi, 2013

77. Shruti Tiwari, 2023
78. Shubham Chaudhary, 2022
79. Shubhangi Agarwalla, 2021
80. Shweta Kabra, 2017
81. Siddhant Raj, 2021
82. Siddhant Sachdeva, 2019
83. Smriti Sharma, 2020
84. Sonal Sarda, 2017
85. Srishti Maheshwari, 2014
86. Sucheta Roy, 2015
87. Sushant Singh, 2017
88. Tanvee Nandan, 2014
89. Tijil Thakur, 2021
90. Vaibhav Aggarwal, 2017
91. Vaibhav Dutt, 2017
92. Vaibhav Tiwari, 2015
93. Vanya Chhabra, 2018
94. Vasundhra Kaul, 2020
95. Vedangini Bisht, 2022
96. Vidushi Prajapati, 2020
97. Vikramaditya, 2013