

Citizens' body asks INDIA, NDA parties to get stay on 'chilling' new criminal laws

The petition calls for a Joint Parliamentary Committee investigation, legal expert consultation, and a meaningful debate on the proposed reforms in Parliament

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Under the banner of "Voters' Will Must Prevail", 3,695 prominent citizens have sent a petition to the leaders of political parties belonging to both the INDIA alliance and the NDA to ensure a stay on the three new criminal laws that they have termed as "anti-democratic".



The three new criminal laws, namely, "Bharatiya Nagarik Suraksha Sanhita, 2023", "Bharatiya Nyaya Sanhita, 2023", and "Bharatiya Sakshya Adhinyam, 2023" are scheduled to come into effect from July 1, 2024.

The signatories include Tushar Gandhi, Tanika Sarkar, Henri Tiphagne, Major Gen (retd) Sudhir Vombatkere, Teesta Setalvad, Kavita Srivastava, Shabnam Hashmi and several others.

They have sought the urgent intervention of Andhra Pradesh Chief Minister Chandrababu Naidu, Bihar Chief Minister Nitish Kumar, RLD National Chairman Jayant Chaudhary, and all the INDIA bloc partners.

The petition has been sent to the leaders of all the political parties comprising the INDIA alliance including Mallikarjun Kharge, Sitaram Yechury, Arvind Kejriwal, MK Stalin, D Raja, Sharad Pawar, Akhilesh Yadav, Uddhav Thackeray, Dr Farooq Abdullah, and others.

'Grave threat hanging over the nation

"Sadly, as the situation stands now, there is a grave threat that is hanging over the nation in the form of three new criminal laws, namely, "Bharatiya Nagarik Suraksha Sanhita, 2023", "Bharatiya Nyaya Sanhita, 2023", and "Bharatiya Sakshya Adhinyam, 2023", which were hurriedly pushed through Parliament on 20th December 2023 without a debate. These laws are scheduled to come into effect from July 1, 2024.... the major concern is that the amendments made in the then-existing laws are such that they are mostly draconian in nature. They deal exclusively with matters of life and liberty and criminal harm that can be caused to an individual in other multiple and various ways," the petition explained.

"They also (adversely affect) deal with civil liberties of citizens more particularly in the matter of freedom of speech, right to assembly, right to associate, right to demonstrate, and their other

civil rights, which can be criminalised as part of the law-and-order provisions of these three laws," continued the petition.

'Will transform India into fascist state

"Essentially, these new criminal laws would equip the government with adequate power to hollow out our democracy and transform India into a fascist state should the government choose to deploy the new laws to their fullest extent. The proposed new laws would enable the government to dramatically scale up arrest, detention, prosecution, and imprisonment of law-abiding democratic opponents, dissidents, and activists," wrote the signatories.

'Chilling features that need special attention'

The petition listed out "some of the chilling features of the new Criminal Code requiring special attention":

- (1) the criminalisation of legitimate, lawful, non-violent democratic speech or action as "terrorism";
- (2) the broadening of the offence of sedition in a new and more vicious avatar (what could be called "sedition-plus");
- (3) the expansion of the potential for "selective prosecution"-targeted, politically-biased prosecution of ideological and political opponents;

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