

## **3695 citizens' petition political leaders of India Alliance, several NDA partners: Ensure stay on new 'anti-democratic' criminal laws**

**SABRANGINDIA JUNE 19, 2024**

**The detailed yet succinct letter petition addresses the key anomalies in the new laws that in fact give draconian powers to the state and police.**

Close to 3,700 signatories including Tushar Gandhi, Tanika Sarkar, Henri Tiphagne, Major Gen (retd) Sudhir Vombatkere, Teesta Setalvad, Kavita Srivastava and several others have sought the urgent intervention of Chief Minister Andhra Pradesh, Chandrababu Naidu, Chief Minister of Bihar Nitish Kumar, Jayant Chaudhary, National Chairman, RLD and all the India Alliance partners.

The petition has also been sent to Mallikarjun Kharge President, Indian National Congress, Sitaram Yechury Secretary-General, Communist Party of India (Marxist), Arvind Kejriwal National Convener, Aam Aadmi Party, D Raja General Secretary, Communist Party of India (CPI) , M. K. Stalin President, Dravida Munnetra Kazhagam (DMK), Dr. Farooq Abdullah President, Jammu & Kashmir National Conference, Hemant Soren President, Jharkhand Mukti Morcha (JMM) , Sharad Pawar President, Nationalist Congress Party (Sharadchandra Pawar), . Akhilesh Yadav National President, Samajwadi Party (SP), Uddhav Thackeray President, Shiv Sena (Uddhav Balasaheb Thackeray), G. Devarajan President- All India Forward Bloc, Dipankar Bhattacharya National General Secretary, Communist Party of India (Marxist-Leninist) Liberation, Jose K. Mani Chairman, Kerala Congress (M), Thol. Thirumavalavan President, Viduthalai Chiruthaigal Katchi , Vaiko General Secretary, Marumalarchi Dravida Munnetra Kazhagam (MDMK), Mehbooba Mufti, President, Jammu and Kashmir Peoples Democratic Party (PDP), P. J. Joseph Chairman, Kerala Congress, K.M. Kader Mohideen National President, Indian Union Muslim League, Hanuman Beniwal President, Rashtriya Loktantrik Party, E. R. Eswaran General Secretary, Kongunadu Makkal Desia Katchi, requesting their urgent intervention in staying 'anti-democratic' new criminal laws slated to come into effect from July 1.

The petition calls for a Joint Parliamentary Committee (JPC) scrutiny of the hurriedly passed through laws – 'Bharatiya Nagarik Suraksha Sanhita, 2023', 'Bharatiya Nyaya Sanhita, 2023', and 'Bharatiya Sakshya Adhiniyam, 2023'

and also urges legal expert consultation, and a meaningful debate on the proposed reforms in parliament.

According to the Petition, the signatories have urged the political parties to seize the chance to steadfastly defend the fundamental values enshrined in the Indian Constitution and would do every effort to protect the democratic rights.

“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, 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.

“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 criminalized as part of the law and order provisions of these three laws. “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.

“Some of the chilling features of the new Criminal Code as requiring special attention are:

- 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;

- 4) The criminalisation of a common mode of political protest against government through fasting;
- 5) Encouraging the use of force against any assembly of persons;
- 6) Exponentially enhancing 'police raj' by criminalising "resisting, refusing, ignoring or disregarding to conform to any direction given by [a police officer]";
- 7) Enhancing handcuffing;
- 8) Maximising police custody during investigation;
- 9) Making the recording of a FIR discretionary for the police;
- 10) Dialling up the pain of imprisonment;
- 11) Compelling all persons (even those not accused of any crime) to provide their biometrics to the government; and
- 12) Shielding of some of the Sangh Parivar's activities.
- 13)

<https://sabrangindia.in/3695-citizens-petition-political-leaders-of-india-alliance-several-nda-partners-ensure-stay-on-new-anti-democratic-criminal-laws/>