

## RESOLUTION AGAINST THE COMMITTEE FOR REFORMS IN CRIMINAL LAWS

We, the undersigned citizens, having discussed the Committee for Reforms in Criminal Law, instituted by the Ministry of Home Affairs, Government of India (“the Committee”), to make recommendations for ‘reforms’ in the India Penal Code, 1860; the Code of Criminal Procedure, 1973; the Indian Evidence Act, 1872; and recently the Narcotic Drugs and Psychotropic Substances Act, 1985,

**Recall** that the Committee, its composition and terms of reference have already been widely critiqued by former judges, lawyers, activists, feminist and human rights organizations on a number of counts, of grave seriousness, yet the Committee has proceeded with its exclusionary process of online consultation,

**Highlight** that the country is reeling under the impact of the health and economic crisis related to the Covid-19 Pandemic, with the economy contracting by almost 23%, around 40 million job loss, and a huge spike in the number of vulnerable communities who are going hungry,

1. **Recognize** that criminal laws are being used to stifle dissent across the country, and citizens who express their democratic rights are being arrested and charged in multiple cases. At the same time, sexual violence against cis-gender women, queer, and trans\* persons; caste atrocities on Dalit women; mob lynching of Muslims; and communal riots instigated by politicians and right wing groups, go unchecked by law enforcement;
2. **Reiterate** that the composition of the Committee is dominated by members of the legal profession, and lacks diversity in terms of those communities that bear the brunt of criminal law – cisgender women, queer and trans\* persons, religious minorities, Scheduled Castes and Scheduled Tribes, persons with disabilities, and persons from rural and urban working class communities.
3. **Further reiterate** that the Committee’s consultation process is severely exclusionary. The mere publication of questionnaire on an online website calling for feedback is not a method of public consultation for reform in laws that touch every citizen’s life. The Committee has not disclosed a plan of how it will consult with vulnerable communities that are disproportionately impacted by criminal law and not accessible via the internet.

4. **Express** serious concern that this undemocratic process, conducted in the name of law reform when so many citizens are struggling to sustain themselves in the Covid-19 crisis, will erode the legal rights have been won from centuries of struggles and movements.
5. **Demand** this Committee be disbanded, and call upon all fellow citizens to oppose this unrepresentative and undemocratic Committee appointed in our names.

October 18, 2020

#### Signatories

1. Abir Neogy - Activist
2. Amritananda Chakravorty - Advocate, New Delhi
3. Anita Pal - Social Worker
4. Archee Roy - Teacher, Queer Feminist Activist
5. Ashwin Pantula - Advocate
6. Debika Chakraborty - Queer Feminist Activist
7. Indrani Kar - IT Professional and Queer Feminist
8. Kakali Bhattacharjee - Social Worker
9. Koyel Ghosh - Queer Feminist Activist
10. Kolika Mitra - Independent Researcher
11. Madhurima Ghosh - Entrepreneur, Feminist Activist
12. Minakshi Sanyal - Queer Feminist Activist
13. Neel Ghosh - Transperson Activist
14. Niharika Banerjee - Teacher
15. Nilanjan Majumder - Medical Laboratory Technologist
16. Nisha Biswas - Activist
17. Poushali Basak - Researcher and Feminist Activist
18. Priyadarshini Mukherjee - Writer and activist
19. Rajashri Dasgupta - Independent Journalist and Researcher
20. Ranjita Biswas - Psychiatrist and Queer Feminist Activist
21. Reshmi Mukherjee - Entrepreneur

22. Rukmini Banerjee - Researcher
23. Sampa Dasgupta - Social Worker
24. Shraddha Chatterjee - Research Scholar
25. Shreosi Roy - Dancer and identifies as queer feminist
26. Soma Marik - Associate Professor of History
27. Srabasti Majumder - Psychological Counselor, social worker, gender and sexuality rights activist
28. Sukanya - Social Worker
29. Sumita Banerjee - Queer activist, storyteller, traveller
30. Sutanuka Bhattacharya - PhD research scholar