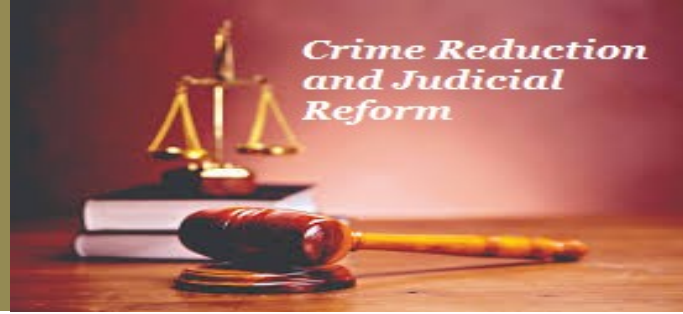




# NEWSLETTER

January 2020

Vol No.12 Issue No.01



*Crime Reduction  
and Judicial  
Reform*

**WE WISH ALL  
OUR MEMBERS AND FRIENDS  
A VERY HAPPY NEW YEAR.**

## **Crime Reduction and Judicial Reform**

*-By Shri Ravi Prakash Mehrotra, Advocate,  
Supreme Court of India & MC Member, FRNV*

*It is common knowledge that crime, in its most basic form, is almost as old as the evolution of mankind. Its form, intensity and sophistication, as also the incidence and alarming rate of commission of crimes in societies the world over, have undoubtedly increased with the passage of time, and along with it, the imminent need and requirement for containing and combating the same. However, with the changing times, lifestyles, social imbalances and population explosion, the spurt in crime has invariably outpaced remedial measures, thus increasing greater concern for such reforms in society and introspection among stakeholders, to bring about such changes and adopt measures, which would lead to a crime free social environment or at least reduce incidents of criminal nature.*

*While umpteen studies have been conducted and theories evolved in relation to the factors which give rise to crime in society and the perpetration of criminal acts, as also the different mechanisms by which crime can be reduced, the need for judicial reforms in order to alleviate, control and reduce crime in society can never be understated.*

*The criminal justice delivery system involves four central players: the police, the judiciary, prisons and legal aid. Crime reduction is an endeavour that has several facets spanning across these four domains.*

The judiciary renders the role of the administration of justice, acting as a public resource, deployed to resolve conflict, adjudicate disputes and remedy wrongdoing. The role and relevance of the criminal justice delivery system is neither confined nor limited to those who may find themselves embroiled in its coils as either litigants or perpetrators, victims or witnesses, appellants or respondents, rather it is to serve the universal public good, upon which the entire population can, without expectation or any element of doubt, rely.

Some of the intrinsic elements and constituents of criminal justice systems across the globe inevitably revolve around the following key elements, and any weaknesses or shortcomings therein, underscore the need and necessity for reform therein. Some of the key elements which highlight the need for judicial reform, in order to reduce crime, are as under:

1. Judicial delays at every stage of a criminal trial or appeal, have to be addressed, which takes the classic form of “justice delayed is justice denied”, and the phenomenal impact on victims, witnesses, under trials, respondents and the accused, all key players and stakeholders in the criminal justice system. Concerted efforts have to be made to address the issue of the colossal pendency of cases by the creation of more courts in relation to the population, including setting up of fast track courts, which would render speedy justice while ensuring procedural safeguards in the conduct of criminal cases.
2. An effective and trustworthy witness protection framework has to be ensured, in order that witnesses are able to tender their evidence without any fear or worry, which is essential for speedy and fair conclusion of trial, to effectively bring criminals to justice, thereby also increasing public confidence in the criminal

- justice delivery system, which is often perceived and regarded as tardy, ineffective and geared only to cater to the needs of the rich and well placed people in society.
3. The existing laws for commission of substantive offences, namely the Indian Penal Code, and the procedural handbook, being the Criminal Procedure Code, need to be given more teeth, in order to prevent misuse and abuse of the judicial process.
  4. Complexity of the crime must be addressed in order to fast track crimes of a serious nature, including expediting serious economic offences which are criminal in nature. Likewise, offences have been classified to address the issue of serious offences, including crimes against women, in order that public confidence in meting out appropriate punishment in suitable cases, is ensured.

Since the criminal justice delivery system is not retributive and does not believe in the principle of an “eye for an eye”, however the process adopted and the punishment awarded to the accused should not only serve as a deterrent in society, but should ensure swift justice and a sense of confidence in the victim in regards to the judicial system. In this regard, in case the crime graph does not show any sign of abating, and in fact shows an increase, capital sentence should be considered not only in exceptional cases, but awarded as a rule for certain categories of heinous crimes against humanity, particularly in case of violence against women, which needs clinical and surgical methods to be contained, particularly since such crimes are not showing any sense of abatement, particularly in countries like India. An essential component of judicial reform in this area would inevitably be fast tracking of criminal trials and conduct of trials on day-to-day basis.

With reference to India, the above factors are most relevant, underscoring the acute need to seriously address and take measures to reduce the pendency and delays, given the fact that India is a country with a mammoth population, thus inevitably giving rise to crimes of different kinds, the intensity and occurrence of which is very alarming. It is a known fact that India is a developing country with an overstretched judiciary. The crime rate is very high,

and despite amendments in the law in relation to conclusion of criminal trials, particularly in cases of violence against women, the ground realities and the situation continues to be alarming and a cause for concern.

Given the seriousness of the situation and the enormity of the problem in relation to crime reduction, judicial reform is a necessary component in order to streamline the criminal justice delivery system. At the same time, in order to address this issue holistically and in an inclusive manner, the role of building values, education and sensitization on issues relating to dereliction and commission of crime, is vital, which also casts a duty and responsibility on all stakeholders and conscious thinkers of society. Adequate reflection, introspection and thinking are essential concepts which will lead the way forward towards crime reduction. A combination of institutional, legislative, regulatory and policy reform will inevitably be needed to reinforce the Indian legal and judicial system, in order that the role of judicial reform in crime reduction not only becomes effective in attaining its object, but is also able to check the growth of crime in its various forms and dimensions, in the years to come.

**“Many of the advances in the sciences that we consider today to have been made in Europe were in fact made in India centuries ago.”**

**-Grant Duff (British Historian)**

### **ROLE MODEL**

***Meet Satyam Thakur, 16-Year-Old Who's Solving India's Air Pollution Nightmare With Clay Pots Sushila Sable-From Waste Picker to Ambassador of Climate Change***

Satyam Thakur, a Class XI student living in Bangalore, has had it with India's pollution problem. Unfortunately, he doesn't yet have the

resources to develop a major solution for the problem. So instead, he's trying to make small changes one step at a time.



At the age of seven, he says, he went on a trip to Delhi with his family. He realised at the time that simply breathing was harder to do than usual. He had no idea why that was until, years later, India's capital was named the most polluted city in the world.

It was that realisation that sparked in him a drive to solve the country's air pollution problem. And he may have found a way for people to fix the problem themselves for really cheap.

### Using Clay Pots

Thakur realised during his research that chemicals present in clay pots make them good absorbers of particulate matter in pollutants. And since clay pots are so easily available, not to mention common in Indian households, it would be easy enough to repurpose them. With that in mind he designed a new, cheap filter made out of broken clay pots.

"Since clay pots are vital in most of the Indians' life, at times when these get old and get cracked they become unusable. Since these pots are cooked well before usage these do not break that easily," Thakur writes in his report.

"This filter is highly eco-friendly as and when after the absorption of the pollutants the filter could be converted into a brick causing no harm to the environment. I made use of the broken clay pots that purify the water and make it drinkable and this filter can also be used in several other polluting endings like the one in vehicles."

The amazing part is that, since Thakur is still studying in higher secondary school, all his research has been achieved with essentially zero funding. His tests of the filters were carried out in his school chemistry lab. However, he's so far only been able to test the filter as it absorbs pollutants from water and not air, mainly because he didn't have the resources to test the output "pure" air after. However, he has stated that the design is not just a prototype, he's actually managed to affix and it to and use it with a car's exhaust.

Thakur ran polluted water samples through the filter after testing them, finding them to contain 73.46 percent carbon dioxide and 26.54 percent particulate matter. After filtration however, that had gone down to just 0.06 particulate matter and 2 percent carbon dioxide. Essentially, they were better water filters than most sold on the market today, he writes.



Thakur has submitted his research as part of a Google initiative called 'Science Fair', which tasks teenagers with developing solutions to solve real-world problems with science, technology, engineering, and math. The Grand Prize winner will receive \$50,000 in academic scholarship funding.

Source:

<https://www.indiatimes.com/technology/science-and-future/meet-satyam-thakur-the-class-xi-student-that-wants-to-solve-air-pollution-with-clay-pots-366158.html>

**Dear Readers,**

***FRNV invites stories from its readers on deep-rooted values that have helped us in our everyday lives. Some of these stories will be featured in the next issue of our newsletter. So put your thinking caps on, recall the values integral to your life which you cherish and write to us at [shilpi@valuefoundation.in](mailto:shilpi@valuefoundation.in).***

**Chief Editor: Shri Gopal Ganesh**