Kumarappa-Reckless Award Oration

delivered at

40th All India Conference of Indian Society of Criminology

on

19th January, 2018

at

Gujarat National Law University

Gandhinagar

on

Decoding Conversations and Restating Criminology in India

By

Prof.(Dr.) G.S. Bajpai

Professor of Criminology & Criminal Justice
Chairperson, Centre for Criminology & Victimology
&
Registrar, National Law University Delhi

Kumarappa-Reckless Award Oration delivered during the 40th All India Conference of the Indian Society of Criminology on January 19, 2018 at the Gujarat National Law University, Gandhinagar

Decoding Conversations and Restating Criminology in India

By
G.S. Bajpai[1]

It's indeed a special moment for me!! With all humility and a great sense of achievement, I thank all those instrumental in having me here to receive the highest honor in the field of criminology in India. I also take this opportunity to express my gratitude to the fraternity in the Indian Society of Criminology, my teachers, and colleagues and well-wishers who at different stages of career supported me to the extent that I am here today before you for delivering this prestigious oration.

The Present Paper

Nothing happens on the earth that does not challenge criminological imagination. Criminology is a mysterious discipline. Other than in the formal world, it exists more and more in popular conversations of the laymen when they try to understand crime and criminals in their own extraordinary ways. The people in general have an amazing sense in India to explain criminality around them. They cause criminology in their own way. Tremendous insights are generated to the experts in this process. This paper is purposely designed to be an ambitious one. It sketches the concerns and critiques of criminology in a society which tends to face challenges that were not present, at least in the present shape, when this subject was contemplated. The paper decodes criminology from everyday happenings from all around. The similar ideas were echoed during VII Annual Conference of the Indian Society of Criminology, where Justice V. R. Krishna Iyer said, "a hungry householder, forlorn child, a deserted wife, a bond slave, a permanent dweller or unemployed proletarian may commit an act which comfortably co-exist with slum life and agrestic indigence." In the same vein, Havelock Ellis also said, "Every society has the criminals that it deserves."

---

1. Professor & Chairperson, Centre for Criminology & Victimology, National Law University Delhi.

The underlying idea of this paper is to boldly audit the way we have travelled so far and the directions which we can take to make the engagement more productive and meaningful. At places this would create a mild turbulence to challenge the conventional notions and ideas held by many of us. But in the end it would attempt to point out the road ahead.

The Paper is divided into the following sections:

I – Mapping Criminology: Growth & Development

II – Criminological Concerns

I - Mapping Criminology: Growth & Development

A range of factors operated to bring criminology in the existence in India. I propose to deal with some pertinent stages impacting the course of criminology in general and in last three decades in particular. Much before the formal beginning of criminology in India, we tend to find the traces of criminology conversations in many other forms. The most spectacular development in this regard was the setting up a full-fledged criminology with the largest number of faulty members happened in terms of Department of Criminology & Forensic Science at the University of Saugar in 1959 with the great initiatives of Justice G P Bhatt, K F Rustam ji and followed by Prof D P Jatar. Criminology and its development in India was largely due this seat of learning which gave impetus to the other institutions to follow the suit.

Though in a limited form, the teaching of Criminology had started in the late 30's. The teaching of Criminology started in 1940 at the Jail Officers Training School at Lucknow and thereafter many institutes/universities like Christian College, Indore (1950), Madras School of Social Work (1952, 1962) Tata Institute of Social Sciences Bombay (1954), Bhagalpur University, Bhagalpur (1956), Institute of Social Sciences, Agra (1957), University of Saugar, Sagar (1959), Kashi Vidya Peeth, (started in 1963 and discontinued now), Madras University, Chennai (1965), Karnataka University, Dharwad, (1970), Maharaja's College, University of Mysore and so on have introduced the teaching of Criminology at various levels. Later, University of Lucknow, Banaras Hindu University, Varanasi and Bundelkhand University, Jhansi (2002), M S University, Thirunelveli (2003) and the National Institute of Criminology and Forensic science, Delhi in affiliation to Guru Gobind Singh Indraprastha University, Delhi (2004) have introduced post graduate level teaching in Criminology and Forensic Science. The arrival of police universities too boosted criminological education in many ways. The Raksha Shakti University in 2009 became the first

Police University in India which offers courses in Criminology, followed by Sardar Patel University of Police, Security and Criminal Justice, Jodhpur in 2012 which also offers Masters Courses in Criminology. Later in 2017 a police university at Ranchi was set up which also has Masters Courses in Criminology. In 2017 the Gujarat Forensic Sciences University (GFSU) launched Masters Programme in Criminology with a specialization in Forensic Psychology. Besides these institutions, teaching of Criminology, at a very limited level (in the form of a special paper), continued in various departments of Law/Psychology/ Sociology/Social Work/Anthropology etc. in many universities.

The organization of criminology in India is found at following levels:

(a) *Independent departments of criminology* : They are –Department of Criminology and Correctional Administration which is now Center for Criminology & Justice, Tata Institute of Social Sciences, Mumbai (1954); Department of Criminology, University of Madras, Chennai(1965) Department of Criminology and Criminal Justice, M S University, Thirunelveli(2003). Department of Criminology & Criminal Justice, Rani Channama University, Belgavi (2011), School of Criminology, Tamilnadu Open University runs M.A. in criminology & Criminal Justice Administration. The Mangolore University offers M.S.W. with specialization in criminology. There is another category where the postgraduate courses in Criminology are conducted by other social sciences departments. The Department of Sociology, Banaras Hindu University, Varanasi and Department of Social Work, University of Lucknow are such departments[2].

(b) *Joint departments of criminology and Forensic Science:* Department of Criminology and Forensic Science, Dr. Harising Gour University (formerly University of Saugar), Department of Criminology and Forensic Science, Karnataka University, Dharwad, Institute of Forensic Science and Criminology, Bundel khand University and the National Institute of criminology and Forensic Science, Delhi

(c) Diploma Courses: Faculty of Law, University of Lucknow, Jaipur Law College, and University of Rajasthan have these courses. More recently departments of law in Utkal University, Manipur University, Aligarh Muslim University, Panjab University, Chandigargh, Panjabi University, Patiala, University of Jammu, Guru Ghasidas University, Bilaspur, Jai Narayan Vyas University, Jodhpur have introduced diploma courses in Criminology.

---

2. These two departments are reportedly discontinued now.

(d) *Criminology as special paper*: The post graduate departments of sociology, social work, psychology, law and National Law Universities in the country also have the subject of Criminology as a paper in the curriculum.

(e) Regular/*Distance education courses*: There are correspondence courses in Criminology. The Department of Criminology and Forensic Science, Dr Harising Gour University (formerly University of Saugar) conducts a Post Graduate Diploma in Criminology and Police Administration. The Department of Criminology and Criminal Justice Administration, M S University also has a correspondence course in criminology and police science. P.G Diploma in Criminal Law, *Criminology* and Forensic Science at the *Tamil Nadu* Dr. Ambedkar Law University, Chennai, Post Graduate Diploma in Criminology and Police Administration, Madurai Kamraj University

(f) *Criminology in training institutions*: There are specific training institutions where criminology forms a part of the training programmes for the functionaries of criminal justice administration. They include: National Institute of Criminology and Forensic Science, New Delhi, National Institute of Social Defence, New Delhi, Indian Institute of Public Administration, New Delhi, SVP National Police Academy, Hyderabad, State police academies, training colleges and schools, jail training schools and regional correctional institutes also have a fairly wide coverage of criminology

(g*) LL.M. (Pro) -LL.M in Criminology/ LL.M. in Police Administration*: The National Law University Delhi launched these unique and first of its own kind courses in the country which is primarily caters to needs of service professionals in most flexible way.

Significant developments

Research intensive centers in criminology: During 2007 a Center for Criminal Justice Administration was created at a National Law School (Bhopal)[3] Similarly, Center for Criminal Justice at National University of Juridical Sciences and Center for Criminal justice and Human Rights National Law University Orissa and Center for Criminology & victimology at NLU Delhi[4] are the other units at various national law universities. These Centers, unlike University departments, mainly focus in research in criminology and criminal justice.

3. The author was the first incumbent in this Centre in 2007.
4. The author was the first incumbent in this Centre in 2016.

Landmark publications: Without any doubt, the launch of Indian Journal of Criminology by the Indian Society of Criminology during 1973 was the most prominent beginning to establish scholarly traditions in Indian criminology. The Journal Criminology & Criminalistics from the National Institute of Criminology & Forensic Science was another publication fully devoted to criminology field. The Indian Police Journal from the BPR&D also promoted criminological writings significantly. Launched during 2017, the online International Journal of Cyber Criminology is also available now. Recently, the Journal of Victimology & Victims Justice from the CCV, National Law University Delhi has also been announced. There is a definite growth of criminological literature was seen in terms of books, research reports and other forms of writing including blogs and police briefs.

The E-Pathsala initiative by the M.H.R.D and UGC to develop e-contents and video lectures for various subjects in India is highly remarkable for various reasons. The Centre for Criminology and Victimology at the National Law University bagged this mega project and completed the gigantic task of getting some 475 e-texts and video lectures prepared with involvement of more than 100 authors and academicians from across the country representing many centers of education. This platform provides free access to quality reading material including videos for 15 papers which are taught at post level in criminology.

Impact of National Law School Movement on Criminology

The post 2000 in India witnessed a remarkable growth of national law universities in many states.[5] Theses elite institutions followed an interdisciplinary model of legal studies and resultantly social sciences did find a place in these institutions. Criminology also figured variously in these Universities. Teaching of criminology and research got a place in most law universities with a varying degree of emphasis. I note that NLIU Bhopal is probably the only Law University which included a full curse in Criminology at the undergraduate law course. I not only had the occasion to teach there but also to have set up the first of its kind 'Center for Criminal Justice Administration' which carried out some significant research and activities during this time (2007-2010) at this University. I also note with tremendous sense of achievement that I became the first full time Professor in Criminology & Criminal Justice in 2011 at the National Law University Delhi. This assignment gave me and

5. Currently 22 National Law Universities exist in various states.

criminology at law school a great degree of fillip as later I was able to set up a "Centre for Criminology & Victimology'' at NLU Delhi. Research at this Centre at NLU Delhi and at another Centre on Death Penalty made tremendous contribution to contemporary criminal justice discourses in the country.

Police University Initiative and criminology

The establishment of Police Universities at Ahmedabad, Jodhpur and Ranchi also provided an impetus and relevance to criminology as theses Universities at Ahmedabad, Jodhpur and Ranchi started post graduate level courses in criminology and also made arrangements of the faculty in criminology.

Civil society organizations are doing good work in the areas like crime against women, juvenile, elderly, human right protection, and human trafficking ad crime prevention. Criminology institution in the country ought to forge trucks with them to be able to understand ground realities.

II- Criminological concerns

The character of criminology lies in its ability to address topical issue through all its knowledge paraphernalia. To be relevant, criminology ought to engage with contemporary realities by examining them with most relevant perspectives in keeping the nature of society and criminal justice response in mind. This section is therefore outlines some concerns that criminology is required to address.

This is core section of the paper which takes up the following as emerging criminological concerns for analysis:

A. Over Criminalization & Punitive Regime
B. Wrongful prosecution and incarceration
C. Criminalization of Triple Talaq
D. Factoring Criminology
E. Promoting Criminology in the Higher Education system
F. Criminology & Public Policy

A. Over criminalization and punitive regime

New punitiveness as introduced by Mark Brown and John Pratt (2005) is something that current criminology specially in India ought to consider. Penchant to punitiveness gives rise to over criminalization. While the popular trends in worldwide criminology are towards decriminalization, the Indian state seems to be

going in the other direction. More and more acts are being added in the construction of criminal behavior. Even the civil matters or misdemeanor are meeting with stern criminal reactions by the state. The state is growing to be a punitive regime where the arrest and over incarceration are the preferred choices. This trend defies criminology and its relevance. Over criminalization, incessant arrests and punitive preferences throw host of criminological questions. The deviance like adultery, pornography, drug use and prostitution need to be decriminalized and also the current controversies on adultery and punishing the exercise of triple Talaq by criminal law leave lot of work for criminologists to present a robust critique of these troubling policy questions. While the progressive and positive criminology moves towards a therapeutic jurisprudence and restorative justice, reliance on punitive regime and excessive criminalization are quite crucial.

B. Wrongful prosecution and incarceration

It has almost become quite mechanical to see people getting arrested, found guilty and later acquitted on appeal in so many cases and this process invariably makes unfortunate detainees losing their precious years for no reasons. The issue of wrongful prosecution and incarceration has largely been remained unaddressed. Active attention to this issue is being paid by criminologists all over. The victimization of wrongfully prosecuted person is an emerging concern in criminology. As the existing laws in India did not provide much, it is for criminologists to take this issue and develop a framework for compensation and rehabilitation for these people.

Article 14(6) of the International Covenant on Civil and Political Rights (ICCPR) deals with the issue of wrongful conviction:

> "When a person has by a final decision been convicted of a criminal offence and when subsequently his conviction has been reversed or he has been pardoned on the ground that a new or newly discovered fact shows conclusively that there has been a miscarriage of justice, the person who has suffered punishment as a result of such conviction shall be compensated according to law, unless it is proved that the non-disclosure of the unknown fact in time is wholly or partly attributable to him."

168 state parties, including India, have ratified the ICCPR. However, only a few l countries have brought laws to deal with the issue. The miscarriage of justice is a larger term that is associated with wrongful convictions and wrongful prosecution. The term *wrongful prosecutions* as commonly understood are instances where the Judiciary exonerates the accused. It is about accused who have been alleged as accused, tried and incarcerated after a substantial period of time spent by him as under trial or as convict.

Differentiation between the conclusive innocent vs. not guilty beyond reasonable doubt. The definition of miscarriage of justice and the notion of innocent was widened by the UK Supreme Court in a land mark ruling.[6] This majority judgement ruled that the requirement of inclusive innocence is highly inhibitive even in the event of not proving their innocence beyond reasonable doubt, the accused would be entitled to compensation.

To quote Justice Baroness Hale:

> "Innocence as such is not a concept known to our criminal justice system. We distinguish between the guilty and the not guilty. A person is only guilty if the state can prove his guilt beyond reasonable doubt… if it can be conclusively shown that the state was not entitled to punish a person, it seems to me that he should be entitled to compensation for having been punished. He does not have to prove his innocence at his trial and it seems wrong in principle that he should be required to prove his innocence now."

The Indian state does not provide for any legislative framework to provide compensation and rehabilitation in case of wrongful prosecution. Despite the fact that it has ratified the ICCPR Convention. The arrangement made in the existing Code of Criminal Procedure provides for a very limited arrangement of compensation in a very limited cases. The acquitted persons, whether it is a trial court or appellate court, are left to suffer at their own as law does not provide any relief in such cases.

Those acquitted, whether from the trial court, or upon appeal from the higher court are left to find no recourse or legal redressal available to alleviate their sufferings.

While the instances of wrongfully prosecuted and acquitted persons continue to soar, the Supreme Court has occasionally dealt with this issue and directed the accused to be the compensated for the wrongful prosecution and conviction.[7] In this case the accused individuals were implicated in a case

---

6. *R (on the application of Adams) (FC) v Secretary of State for Justice,* [2011] UKSC, 18.

7. *Daulat Ram v. State of Haryana,* AIR 1995 SC 1998.

under TADA and the Arms Act. The Supreme Court ordered Rs. 5000 to each accused as compensation to be paid by the State of Haryana. The Court also ordered the Haryana Government to recover the amount from the erring police officials. In another case *Mohammed Zahid v. Government of the National Capital Territory of Delhi AIR 1998 SC 2023,* the Supreme Court found the Delhi Police tampering the police record and other evidences to fabricate a false case. In a trial that lasted for 7 years, the Supreme Court ordered a sum of Rs. 50,000 to be paid as compensation to the victim. The State Government was also allowed to recover the amount from the guilty police officials.

The data provide (Annexure 1) some chilling account of the state of victimization of exonerees by the criminal process itself. As many as 22 cases included in this analysis are those where the accused persons who spent one and half years to as high as 2 3 years before finding not guilty by the apex court. There were 37% cases (N= 14) where the period of incarceration was 11 to 15 years or more; 36.6% case (N=8) were in the bracket of 6 to 10 years. A conjoint analysis of all the cases which come under the category of wrongful prosecution have some common features and special combination of the things: they are a religious minority, illegal arrest, implications, forced confession, torture, fabricated evidences and a struggle that goes very long until the case reach to the final appeal stages and this may take from few years to more than two decades.

Consequences and Victimization

Mere a call to police station to an ordinary citizen in India is enough to create apprehensions in the society about him. Having spent a few months or years in jail, the return to normalcy by the acquitted ones is never easy. Stigmatization to the extent of rejection of the exonerees and their family is the worst form of victimization that the family of such persons have to invariably undergo. We have stories complied by the friends in the Innocence Network in India which show that even the children of exonerated persons studying in the schools had to experience a sense of rejection quite consistently.

State of victimization

The social consequences for those accused of terror crimes are far worse than those wrongfully arrested and charged with other types of crimes. These include stigmatization of accused, isolation even subsequent to acquittals; inability to gain employment as the past always resurfaces; and lastly, the fear of being arraigned for another terror crime. The family members of those accused of terror crimes also face special problems – stigmatization, discrimination at school and college, loss of the earning members of their families etc. They are penalized for no fault of their own.

The testimonies of the wrongfully prosecuted are heartbreaking to hear. The testimony of Wasif Haider[8] who narrated how his daughter was taunted as the daughter of a terrorist while he was in prison undergoing his trial. "*Even after seven years of al I am as isolated as I was in jail*." He said. "*Social boycott and stigma still continues…I am jobless man. No one is ready to give me job because of my past. I can't start my business because no one wants to deal with a terrorist, no matter I was honourably acquitted by the court."*[9] There is concomitant loss of dignity for the acquitted as the exonerated victims depends on the charity of the people as they do not have any job opportunities.

The impacts on the family of the acquitted victims is terrible. They have to relive their lives from the very beginning, devoid of any advantages of their toil and labour over the years; rather burdened by an extra baggage of moral stigma of being a suspicioned terrorist. As the mother of the one of the acquitted victims said that "*My son is born again"*[10]

According to Adrian Grounds "the miscarriage of justice entailed acute psychological trauma at the time of initial arrest in custody, involving experiences of overwhelming threat. In addition, there was chronic psychological trauma: years of notoriety, fear, and isolation in their claims of innocence."
The psychological costs of this happening was found to detrimental in a study conducted of 18 male exonerates. Majority of them (N= 15) were wrongly convicted of murder and sentenced to life imprisonment; ten had served 11 years or more. Six made false confessions under interrogation pressure. The exonerees suffered from serious psychological disorders including "enduring personality change after catastrophic experience" and PTSD. In 16 of the 18 cases, there was evidence of depressive disorders, panic disorder, and paranoid symptoms. Grounds was left with "a strong clinical impression of irreversible damage that could not be substantially remedied."

Custodial torture and prolonged confinement invariably results into severe consequences. The cases examined by the Innocence Network of India stated that Amanullah and Munawwar, who were incarcerated for three and a half years in Jaipur jail suffered from severe depression and insomnia. They were prescribed Trika and Libotryp during their stay in the jail. Even when JTSA team met him in late 2011, Amanullah broke down several times, recalling the horrors of torture. Munawwar, as a result of the severe anxiety and stress suffered partial paralysis.

---

8. Accused as Hizbul Mujahideen, Operative in the offence of waging war against the nation and the provisions of National Security Act.
9. 1st People Tribunal on Innocent Acquitted, Report of the Jury, Innocence Network, India
10. Here, the exonerated victims was acquitted after 12 long years of incarceration. Majid Maqbool, Twelve Years a Terror Accused: The Story of a Shawl Weaver From Kashmir, The Wire, 20.02.2017, Available at: https://thewire.in/110584/mohammad-hussain-fazili-blast-terror-kashmir/.

Md. Aamir Khan who has spent 14 years in jail for multiple cases also battles depression and insomnia. Many suffer guilt for the suffering and trauma their families have gone through, holding themselves responsible.

Impunity for Police and Investigating agencies

There does not exists enough as far as the liability issue in wrongful arrest, custody and prosecution is concerned. The Section 197 of the Criminal Procedure Code (CrPC) requires previous sanction for registering a case against any public servant. Similar provisions exist in the UAPA law.

Anti-Terror Laws and their susceptibility to the wrongful process

The entire gamut of anti-terror legislations have a very different set of provisions in relation to the standard criminal law. These provisions endow excessive powers to the executive, fetters the judicial scrutiny, limits the civil liberties of the accused and impacts multifaceted the accused under the anti-terror laws. It is also seen that in combating terrorism, due process is juxtaposed against crime control[11] and the State has always tilted towards the crime control aspect. Some scholars, while studying this aspect of the counter terrorism acts, notably points out that issues of terrorism is placed out of the ordinary policies and programs of crime control[12] and in the realm of 'sacred' national security.

Wrongful Prosecution in perspective

A reflective analysis of the cases of wrongful prosecution in India brings certain peculiarities in cases related to anti-terror laws. The analysis is about the grave consequences of wrongful prosecution in anti-terror cases. The conviction rate has been disproportionately low in anti-terror cases though the charges have been high. It is reported that in the earlier regime of anti-terror legislation, Terrorist and Disruptive Activities (Prevention) Act, around 77,500 persons were arrested the rate of conviction was less than 1 % (People's Union for Civil Liberties 2007). A holistic view of cases of wrongful prosecution in India and the testimonies of victims of wrongful prosecution reveal that wrongful prosecution is not an episodic occurrence or necessarily malicious. It is not merely happening on account of technical error or wrong judgment of the public bodies involved. It poses a hypothesis that wrongful prosecution is a

---

11. Crank and Gregor. (2005) *Counter - Terrorism After 9/11: Justice, Security and Ethics Reconsidered*, Cincinnati, OH: Lexis Nexis and Anderson Publishing.
12. Cyndi Banks. (2008) 'Ethics and the “War on Terrorism”', *Criminal Justice Ethics Theory and Practice.* 2nd Edn. Sage Publications, p. 263.

structural outcome, something inherent in the nature of criminal law and the criminal process in terror related cases, which increases the likelihood of the phenomenon of wrongful prosecution.

Excessive power and the ensued abuse of power: There has been widespread acknowledgment to the fact of the misuse of the anti- terror laws around the world because of the provisions prevalent in the anti-terror law. In the US, Justice O' Connor in in the case of *Hamdi v. Rumsfeld* (2004) that the President is authorized to use 'all necessary and appropriate force' against 'nations, organisations, or persons' associated with terrorist attack. For instance under the present central anti-terror legislation in India, The Unlawful Terrorist (Prevention) Act, 1967, sec. 43D is a contrasting departure from the standard criminal law in India. This departure gives excessive power to the investigating agencies and curtail already downward adjusted civil liberties of the accused under the standard criminal law. These provisions translates to the increased duration of police custody and detention during investigation,[13] the standard bail Provisions not being applicable to the accused and slopping towards denial of bail[14] Provisions like this inhibit the judicial power to decide impartially and is as it a limitation on their role in the criminal justice system. These aspects lead to long incarceration which affects victims in multifaceted ways. This excessive power also confers a lot of power on the executive agencies, which leads to victimisation of the accused and suspected people under the Act.

It is a rather discouraging contrast: though the role of the investigating agencies under the anti-terror law intensifies vis-a - vis standard criminal law in a criminal justice trial and the effect on their role on the accused too intensifies, but they tend to behave in a very dubious way. Their role intensifies because they are the first checkpoints of ensuring that no innocent is wrongfully prosecuted, as the investigating agencies are the ones who has the onus of classifying an offence as a terrorist act undertake aegis of very anti-terror set up. The present ant terror law in India, has an immense expansive definition of terrorist act, that even '*likelihood*' of causing terror in mind of the people is a comes within the ambit of terrorist activity. This leads to excessive power in the hands of the investigating agencies to describe the acts with very tenuous links or no links at all, to the main terrorist strikes, if any, as one of a terrorist act. This leads to disproportionate members of the wrongfully prosecuted victims. One of the major examples of this case is *State of Tamil Nadu v. Nalini,*[15] where the

---

13. The Unlawful Terrorist (Prevention) Act, 1967, Sec. 43 D (2)(a).

14. The Unlawful Terrorist (Prevention) Act, 1967, Sec. 43D (4), 43D (5), 43D (6) and 43 D(7).

15. *State of Tamil Nadu v. Nalini and ors.* AIR 1999 SC 2640, famously called as the Rajiv Gandhi Assassination case

Central Bureau of Investigation, the CBI, has filed a charge sheet against 26 persons under the standard criminal law, Indian Penal Code, 1987 and the anti-terror law of the Terrorist and Disruptive Activities (Prevention) Act, 1987. The special court under the anti-terror law convicted all of them. However, the Supreme Court set aside the conviction under the anti-terror law of all the accused, holding that the required intent of the anti-terror law was not met at all. The Supreme Court decided the case in 1999 and the purported *'terrorist act'* as classified by the CBI was done in May, 1992. Hence the acquitted victims found were incarcerated for about seven years.

Extensive reliance on confession

Another peculiarity of cases of wrongful prosecution is that confession of the accused forms the main evidence for convicting them. Mostly confession forms the bedrock of prosecution story. Acquitting courts have rejected confessions due to lack of corroborative evidence, impossible explanations and breach of statutory safeguards mandated for recording of confession. However, it should not be forgotten that the judiciary rejects the prosecution story after years of incarceration and condemnations.

It has been held by the judiciary, time and again, that confessions alone cannot be made the only ground for conviction.[i] Corroboration is specifically necessarily where confession is retracted.[ii] These principles are totally overlooked by the judiciary while convicting the accused in anti-terror cases.[iii] Judiciary's neglect and continued reliance on confession incentivizes the investigating officers for extracting confession by any means. The provision of admissibility of confession to the investigating officers, albeit with safeguards, makes torture and abuse inevitable.

The victims of wrongful prosecution has testified and said in their interviews that they were made to sign on blank papers,[iv] by subjecting them to torture (Innocence Network India 2016). Subsequently these blank papers are produced as their confession in courts.[v]

In *Serial train bombing case of 6 and 7 December, 1993*, Mohd. Nisaruddin's wrongful prosecution presents an excruciating reality. He spent more years of his life in jail than outside. He was released by the Supreme Court after twenty-three long years of incarceration,[vi] after having been convicted and sentenced to life imprisonment by lower courts. More shockingly, the only evidence against him was custodial confession without any independent witness. The Supreme Court acquitted the victim on the ground that the confession was not voluntary and it was not recorded as per the law, and absence of any material evidence other than the victim's confession itself.[viii]

Most of these confessions are obtained under torture and duress, which make retraction of confession a normal occurrence in cases of wrongful prosecution.[ix] Not only the victim is tortured, but their family members are also tortured and kept in arrest to extract confession.[x]

In *Kanpur rioting case of 2001* Haider spent eight years in prison because of wrongful prosecution (Innocence Network India 2016). Haider was tortured for continuous three days using extreme physical torture, electricity shocks and was attacked on his communal identity.[xi] After being unable to bear anymore, Haider finally gave in torture agreeing to confess on video camera to whatever police wanted (Innocence Network India 2016)

Another problem in allowing the admissibility of confessions is that legislated safeguards or the procedure as mandated by law to allow confession to police are rampantly bypassed by police officers.

Another problem in allowing the admissibility of confessions is that legislated safeguards or the procedure as mandated by law to allow confession to police are rampantly bypassed by police officers.

As observed in *Akshardham case,*[xii] the investigating official admitted that he did not assure the accused persons that not making the confessional statement will not put them in adverse position, which is mandated by law. The Supreme Court denied confession in *Akshardham case*[xiii] also because it found out various discrepancies during recording of confessions in this case, like the caution against confessing and confession of the accused were in different papers, unlike in cases of confessions of the prosecution witness.[xiv]

The accused are not even given reasonable time to reflect on their confessional statement,[xv] despite the fact that they are in the police custody before making confession. It has been observed by the Supreme Court and rightly so that the cooling time should be given to accused to let them think over their confessional statement.[xvi] It should be ensured that accused persons are completely freed from the fear and any possible influence of the police before allowing the confession.

These cases demonstrate that the 'safeguards' or the procedure given for recording of confession are not followed by the investigating agencies. The neglect of judiciary renders it as an empty exercise.[xvii] Thus, making the torture committed by police inevitable.

The National Human Rights Commission of India too has expressed that admissibility of confessions made to investigating agencies would increase the chances of torture in securing confessions (NHRC). Moreover, if confession is not admissible then, the investigating authorities will be under pressure to come up with credible and better evidence. Further, it is to be highlighted that there

The National Human Rights Commission of India too has expressed that admissibility of confessions made to investigating agencies would increase the chances of torture in securing confessions (NHRC). Moreover, if confession is not admissible then, the investigating authorities will be under pressure to come up with credible and better evidence. Further, it is to be highlighted that there are similar number of Magistrates available in a district as the number of police officers eligible to record the confessions.[xviii] Moreover, the confession of accused has to be recorded before a magistrate within forty eight hours under criminal law. Hence, there is no rationality of making the confessions to the police officer as admissible.

Torture

Extended period of detention increases the risk of torture. Not only torture is illegal it is counterproductive, and ineffective. Torture by the state alienates the citizens, breed contempt and discord for the law and the state. This diminishes the legitimacy of the state. The account of torture that victims bear in cases of wrongful prosecution horrific. There are accounts of being stripped, tied, beaten all over the body, made to eat feces, sleep deprivation, isolation etc. (The Citizen 2016, Innocence Network 2016). Use of electricity, needle entry and severe dehydration also constitute forms of torture (Innocence Network India 2016).

The prime reason of torture is admissibility of confession in terror-related cases. The victims of wrongful prosecution have testified that they confessed just to avoid further torture to them and/or their family members (Innocence Network India 2016). The acquitting courts have recorded that retracted confessions exemplify grave physical and psychological torture by police to victims, for extracting confession.[xix] The retracted confession portray a horrific events of tour like piercing of pin,[xx] made to eat faeces (Masood and Ehsan 2017) etc. Mohd. Nisaruddin was acquitted after 23 years of incarceration in *Serial Train Bombing Case, 1993* (Innocence Network 2016). The only evidence against him was confession at all the stages of judiciary till the Supreme Court finally acquitted him.[xxi] He was made to stand for four days, chained, deprived from sleeping and was kept in isolation for seventy three days to extract confession.[xxii] Another victim of wrongful prosecution, Wahid Sheikh, who was acquitted after nine years of incarceration has testified the gruesome torture that he underwent (Innocence Network 2016). He was tortured when he refused to confess to the terrorist crime of the *Mumbai train blast case of 2006* and didn't sign the papers given by the investigating officer. According to his testimony he was beaten, stripped naked, water boarded while his body was upside down, subject to gas, electric shocks and his skin was burnt.[xxiii]

Torture continues even after accused have been convicted by the lower court. Often, they are kept in solitary confinement.[xxiv] The exonerated victims have recounted their horrific prison conditions: not given drinking water, hygiene was compromised, and reduced diet (Innocence Network 2016). Not only the testimonies of the exonerated victims, but also a state government appointed commission, *Advocate Ravi Chander Report*, confirmed the torture committed on accused under anti-terror laws (Radiance Views Weekly 2009).

One of the defences of torture as advanced by investigating agencies is that it is an effective way to extract information to thwart imminent terrorist attack or to catch other terrorists. I argue that torture is an ineffective way and serves no purpose, especially in cases of anti-terror situations. It is very well known that many of the victims of torture tend to divulge unnecessary information or false information just to avoid being tortured. Besides being ineffective, torture of terror accused is contrary to the rights not to be punished before conviction (ICCPR, Art. 9(3)), the presumption of innocence (ICCPR, Art. 14(2)), and right to due process (ICCPR, Art. 14 (3)). Torture undermines the entire edifice of law. The Torture Convention has raised the level of prohibition on as *jus cogens* which has been recognized by major juridical bodies.[xxvi]

Torture is used to extract forced confessions to satisfy public impulse that the case at hand has been solved, only to see the accused release after years of incarceration. This is one of the main sources of wrongful prosecution in India. Apart from the substantive and moral problem with torture, some scholars rightly note its futility. Scholars argue that torture is only effective on civilian population and not on terrorists (Clarke B, Imre Rand Mooney T 2009: 58-60). They propound that torture can effectively stop people from taking first step towards being terrorist (Clarke B, Imre Rand Mooney T 2009: 58-60). However, it works in a counterintuitive way in anti-terror mechanisms. It works to solidify a portrayed victim ideology of terrorist organization (Clarke B, Imre Rand Mooney T 2009: 58-60). Terrorist organisations establish themselves mainly as a collective victim of some part of modern and majority process: social, political or modern process (Clarke B, Imre Rand Mooney T 2009: 58-60). So, one great tactic to destroy terrorist organisations is to take away this argument form their ideological position.

As seen, torture is neither effective for anti-terror actions nor is morally justified. It uncovers a social slippery slope, in which powerful groups dehumanises their victims. The accounts of torture of people in custody is horrific around the world, India or Abu Ghraib prison or the Guantanamo detainees.

Investigating agencies

The role of investigating agencies cannot be sufficiently emphasized. They are the first exposure to the criminal justice system and its beacon directing the proceedings. Their practices are highly impactful on wrongful prosecution. Their practice of getting police witnesses erodes the credibility of the investigation heavily. In most cases police is unable to present an independent witness,[xxvii] where it is highly probable to find one. The High Court of Delhi in *State (G.N.C.T.) of Delhi v. SaqibRehman @ Masood and Ors*,[xxviii] noted the caution that must be exercised while relying on police witnesses. The prime investigating agencies of India, Anti-terrorist Squad and Central Bureau of Investigation are equally participative in the cases of wrongful prosecutions. For instance, it was discovered in *Malegaon blast case*, that the purported witnesses present at the time of the collection of samples of the prime investigating agencies, were actually not present at the claimed time.[xxx]

Apart from fabricating of evidences, they have been found to torture the accused. In the *Mecca masjid blast case*, erring police officers were indicted of committing torture by *Advocate Ravi Chander commission* (Radiance Views Weekly 2009). The national security laws grant *de facto* immunity from prosecution to the investigating officers.[xxxi] Additionally, some of the police officers guilty of wrongful prosecution are promoted, let alone inquired against.[xxxii]

Robinson's theory of empirical desert gives one plausible explanation of their behaviour. He says practical side of application of criminal law is characterised by its efficiency in terms of accelerating the processes of arrest (Robinson: 2009). Hence, the success of the criminal justice system is seen in terms of number of arrests made, number of people put to trial and number of conviction achieved. This has been ingrained into the law enforcement agencies.

Judiciary

The analysis reveals that the judiciary has mostly mechanically rejected bail in the terror related cases (Innocence Network India 2016) as they readily accept the prosecution story. They have rejected bail even when the incarcerated has complained of torture or when the judiciary has itself noted illegal detention. This results to longer period of incarceration, rendering the incarcerated vulnerable to torture and abuse. For instance, in the *Mulund Blast Case of 2003*,[xxxiii] the trial court rejected his application, even when a judicial report had already confirmed his illegal detention of about a month.[xxxiv] It is evident by the fact that these cases convictions were upheld by high courts and were only overturned by the Supreme Court. Thus, manifesting a troubling fact that even courts accept low grade evidence in terror related cases (Innocence Network India 2016).

The judiciary readily accepts the prosecution story despite several loopholes. In *Akshardham case*, the Supreme Court while acquitting the accused, categorically highlighted how the High Court held the retraction of confession of the accused to be ex-facie unbelievable without giving any reasons.[xxxv]

Sadly, the Supreme Court of India has not accepted the case of compensation to the exonerated victims under anti-terror laws. It has given the rationale that the grant of compensation to the exonerated victims will have a demoralising effect on the investigating agencies who would remain under a constraint of being made liable to compensation despite judiciary agreeing to the veracity of the evidence collected by the[mxxxvi]

Compensation and Rehabilitation- Need for Legal Framework

The present laws in India do not offer any arrangement for addressing the victimization of the wrongfully prosecuted persons. The author acting as Amicus Curiae gave many suggestions to devise a system of assistance and rehabilitation to wrongfully prosecuted persons. The New Zealand system calculates the harm suffered by the wrongfully prosecuted persons in following terms:

Non-pecuniary losses:

- (a) loss of liberty;
- (b) loss of reputation (taking into account the effect of any apology to the person by the Crown);
- (c) loss or interruption of family or other personal relationships; and
- (d) mental or emotional harm:

Pecuniary losses

- (a loss of livelihood, including loss of earnings, with adjustments for income tax and for benefits received while incarcerated;
- (b) loss of future earning abilities;
- (c) loss of property or other consequential financial losses resulting from detention or imprisonment; and
- (d) Costs incurred by or on behalf of the person in obtaining a pardon or acquittal.

The Innocent Network in India suggested the following:

Monetary Compensation, based upon a set Minimum Amount For Each Year served, as well as unliquidated damages based on other factors like quantifiable material damage, emotional trauma, opportunity cost etc.

- Provision of Immediate Services, Including:
- Financial support for basic necessities, including subsistence funds, food, transportation;
- Help securing affordable housing;
- Provision of medical/dental care, and psychological and/or counseling services;
- Assistance with education and the development of workforce skills; and
- Legal services to obtain public benefits, expunge criminal records, and regain custody of children.
- Official Acknowledgement of a Wrongful Conviction
- Fixing the criminal liability of the wrongdoers

C- Criminalization of Triple Talaq : When should we make use of the criminal law?

With the ruling of the Supreme Court, the practice of triple Talaq has been banned in India. The Indian Government moved a Bill to punish this practice with three years of imprisonment. The issue is not whether this is good or bad. The issue is whether this exercised the followed the principles of criminalization. The principles of criminalization are those sacrosanct postulates which the policy makers ought to consider before deciding to criminalize. Going by the discourse around, it seems that the crucial test of criminalization in this case has failed. When should we make use of the criminal law? Crimes, Harms, and Wrongs offers a philosophical analysis of the nature and ethical limits of criminalization. Generally, Harm-based prohibitions, proscriptions of offensive behaviour, and 'paternalistic' prohibitions aimed at preventing self-harm, developing guiding principles for these various grounds of state prohibition are the considerations in this process. Talaq being the matter of marriage as social contract would entail difficult question in the event of criminalization. Given the nature of adjudication proves and requirement of standard of proof in a criminal case will be tough call for a women who would be burdened to prove the charge beyond reasonable doubt.

Since the beginning of the issue, scholars have suggested that rather than criminalization, the legislature should have adopted the path of including it as an act of infliction of domestic violence under the ambit of the Domestic Violence Act, 2005 wherein it could have been categorized as verbal and emotional abuse, covered under S.3 of Act. This would provide greater number of avenues to the women folk to seek resort to against the injustice inflicted on them due to the arbitrarily callous attitude of their husbands. This would have opened up the path of multiple reliefs like Protection against Violence, Right to residence in marital home, maintenance, medical facility and compensation, etc.

These options are not available under the current Bill which only consists of a provision of 3 years of jail imprisonment for the husband. Though the bill seeks to bring the Muslim women on equal footing by ensuring they get their due share of rights. It favours the women to get the custody of the children accompanied with the obligation on the husband to pay sustenance allowance to the wife and his children. However the Bill suffers from some inherent flaws which arose firstly because at the time of its drafting it was not consulted with the Muslim women and the AIMPLB. In fact, the idea of this having a criminal character is in itself flawed since marriage under Islamic law is purely a civil contract between two adults. Hence, it must follow the procedure which is civil in nature.

The bill is proving to be highly discriminatory against the Muslim men because in such cases, Muslim husband will be prosecuted even without his wife's assent, for pronouncing triple talaq, whereas a Hindu man who rapes his wife while they are separated will not be prosecuted unless his estranged wife agrees. This creates dual standards for men folk among different religions. Where on one hand the legislature claims that it is in consonance with the SC decision of declaring it unconstitutional, there on the other hand the AIMPLB has voiced it concerns as it believes that this Bill goes contrary to the protection granted by the Constitution.

Apart from that, it takes away the additional layer of judicial oversight that was present in the case of offences related to marriages to prevent third parties from seeking redressal of wrongs committed between two private parties. By making the practice of triple talaq a cognizable offence under S.7 of the Muslim Women (Protection of Rights on Marriage) Bill, it gives police officers the power to conduct an investigation without bringing it to the notice of the concerned magistrate forthwith, the moment a police officer receives a complaint, without waiting for the magistrate's order. This has raised the fear of Muslim men becoming soft targets, who the police can arbitrarily throw in jail for three years based on anybody's

complaint. This gives the police an additional handle to incarcerate the Muslim men. Moreover there have been certain inconsistencies within the bill itself, with the most glaring internal contradiction found in Sections 5 and 6 which discuss post-divorce issues such as a "subsistence allowance" for the woman upon whom instant talaq "is pronounced" and the "custody of her minor children" as if her marriage is dissolved by the mere pronouncement of talaq-e-biddat. The drafters of this Bill talk of post-divorce matters ignoring the fact that the pronouncement (instant talaq) has already been voided in S.3 and cannot result in a divorce.

Here, the government fails to address the issue of how are they supposed to provide for themselves and their children when their husbands are pushed into jail for three years. This would ultimately amount to indirect punishment to wronged women, whose cause this government claims to champion. Criminal prosecution of the husband will result in ending the marriage without securing the wife with a surety of her economic rights. It is believed that this Bill might end up suffering similar flaw as in case of S.498A which has turned out to be a futile piece of legislation.

Though this Bill seeks to guarantee a definite safeguard for the women, acting as a shield from the torturous deeds and whimsical behaviour of their husbands, it fails to take into consideration the interests of the poor, illiterate Muslim women. In case of adequate legal representation, it would be difficult for them to prove in court that Triple Talaq was actually given. Alternatively, even once the husband is sent to prison, the women would be deprived of shelter and sustenance if the husband is unable to support in the absence of any constant source of income, when behind the bars.

Such criminal recourse ultimately closes all doors of possible reconciliation, even in as scenario where the couple may have been ready in the beginning to forego the animosity generated. Such penal policy can be considered as an interference in the personal matters as this takes away the opportunity from the errant husband to reconcile and thus may, in the longer run, have the effect of instilling a sense of insecurity and alienation among the minority Muslim community.

The landmark judgement of the Supreme Court declaring the practice of Triple Talaq as unconstitutional was indeed applauded. However, the single- step criminalization of the same is something that needs legislative reconsideration in a manner that the primary objective of safeguarding the rights of Muslim women is not defeated.

(D) Factoring Criminology :

To be relevant criminological conversations need to become relevant at various stages of adjudication. There is sufficient scope for criminologists to give input about the social investigation regarding the accused, victim impact assessment, bail consideration, sentencing probation hearings.

Criminology also needs to influence sentencing. The research at NLU Delhi[16] has recently shown that very little is known the way the mitigating factors are identified and evaluated in deciding the quantum of punishment in death adjudication. Criminologists are well versed the way criminal behvaiour gets accentuated and mitigated and the factors and their influence can well be ascertained by them in an objective fashion and can become useful contribution.

Decoding the society and people in terms of criminogenic factors

I envisage criminology to be contextual and alive to contemporary social realities having a bearing on crime trends and response to it. This is so as our academic engagements in criminology invariably fail to understand co-occurring developments and miss crucial contexts in understanding crime and its structuring. Criminologists need to shape

their conversations alongside of the crucial social data and their implications to crime. Regrettably enough, plenty of socio economic data is coming out from many institutions telling about the social health and mood of the people in this country. Criminologists ought to connect their research and arguments based on these social realities. The apt example is World Inequality Report 2018 which largely remains unexplored by criminologists. Consider the reported finding that the top 1% of income earners received 6% of the total income in the early 1980s, close to 15% of it in 2000, and receives 22% today. What does it mean to a criminologist?

This Report paints a picture of social disarray where the access to resources vary for the people on account of their economic positioning in the society. Thus a poverty-induced society tends to limit people's choices and access to what the constitution promises. Further, India ranked 130 of 188 countries on the Human Development Index. Similarly, the World Happiness Report 2016, published by the Sustainable Development Solutions Network (SDSN), a global initiative of the United Nations places India at 118th in the list. The report said that India was among the group of 10 countries witnessing the biggest happiness declines,

---

16. *Matters of Judgments*, (2017), Centre on the Death Penalty, NLU Delhi Press.

along with Venezuela, Saudi Arabia, Egypt, Yemen and Botswana. India comes below Somalia (76), China (83), Pakistan (92), Iran (105), Palestinian Territories (108) and Bangladesh (110). Implications of this data suggest that an unhappy country with stark income inequalities and poor social health naturally become a place prone to crime and disorders of all varieties.

Criminology cannot establish its credibility as pragmatic science unless it engages itself meaningfully in answering the questions of deviance and crime being faced by the present society. For instance, the recent verdict of the Court acquitting all fifteen accused in 2G spectrum case or the acquittal of Talwars in Aarushi murder case which throws plenty of questions before us and provides a definite track to evaluate the way our criminal justice works. Legality was satisfied and criminality seems to have been allowed in these cases? How do the verdicts in these case reflect on the failure of the criminal justice system and helplessness of the courts? Doesn't this argument need to be taken little more forward? What are the criminological implications of the verdict in 2g spectrum case? This ought to serve as challenging proposition to Criminological imagination.

An under sixteen juvenile murdered his parents in Noida this December 2017 and around the same time another teen ager raped a sixty five year old and still another raped a young women in Delhi. While the media published these stories in a tandem to the murder at the Reyan School couple of months ago in the same year, how would the criminologists explain this criminality by juvenile and what prescription will they have in such situation. Criminology cannot escape these questions. When criminology doesn't not explain, it is mishandled by the media and false and populist impressions are created which is often misleading.

Criminology in India in past one decade or so also have another challenge of decoding the cyber criminality in its most conspicuous manifestations. There has been a growth of some 350 percent in this category of crime India. Cyber bullying, stalking, revenge porn and defamation are getting rampant with not much theoretical clues about them. Theorization and applied research into this field now becomes imperative.

The tradition of critical criminology in India is yet to emerge. The mainstream thinking in the Indian criminology maintains the state's notion of crime. For too long the Indian criminology has been obsessed with the state's conception and construction of crime. That is why we have yet to gain 'social reality brand' understanding of crime.

While mapping these concerns, I also find some developments in the present society which need attention. Like, instances of regulating free speech and attacks on religious minorities, often led by vigilante groups are on the rise. Mindless invoking of sedition law in many cases and violence against Dalits and minorities pose a criminological concern to dwell upon. Dalits and Adivasis continued to face widespread abuses. According to official statistics released in August 2017, more than 45,000 crimes against members of Scheduled Castes and almost 11,000 crimes against Scheduled Tribes were reported during this period. Dalits in several states were denied entry into public and social spaces, and faced discrimination in accessing public services.

We do not have enough idea about the UAPA, AFSPA or MCCOCA kind of laws which have a potential to undermine fundamental freedoms. Impunity provided under such laws become a threat to the human rights of the citizens. It becomes difficult, if not impossible, to prosecute public officials. Section 197 of the Criminal Procedure Code bars courts from recognizing any offenses (except sexual offenses) alleged to have been committed by public servants in the discharge of their official duties unless the central or a state government permits prosecution. Recently, a special court discharged Gujarat police officer Rajkumar Pandian from a 2005 extrajudicial killing case under this provision. Pandian was the 12th defendant to be discharged in the case.

In July 2016the Supreme Court of India, in a decision ordering an investigation into 1,528 cases of alleged extrajudicial killings in Manipur state, ruled that the AFSPA does not provide immunity to security force personnel who use excessive or retaliatory force, and that every alleged extrajudicial killing should be investigated. The confession of a Manipuri policeman subsequently disclosed that he had acted on orders to kill more than 100 suspected militants between 2002 and 2009 exposed how police had adopted illegal practices long associated with the army and paramilitary forces. Authorities continue to use sedition and criminal defamation laws to prosecute citizens who criticize government officials or oppose state policies. In a blow to free speech, the government in 2016 argued before the Supreme Court in favor of retaining criminal penalties for defamation. The court upheld the law. In the same vein, in January 2016, the new Juvenile Justice Act came into force, permitting prosecution of 16- and 17-year-olds in adult court when charged with serious crimes such as rape and murder.

The law was enacted despite strong opposition from children's rights activists and the National Commission for Protection of Child Rights. It is noted with concern that a regime of victimization is growing so visibly. According to statistics released in August 2017, reports of crimes against children in 2015

rose by 5% compared with the previous year. The crime against children in 2016 over 2012 increased with 300 percent.

On the front of death penalty, there were no executions in 2016, but some 385 prisoners remained on death row. Most of the prisoners belong to marginalized communities or religious minorities. Indian courts have recognized that the death penalty has been imposed disproportionately and in a discriminatory manner against disadvantaged groups in India.

We do not have enough rational now to allow adultery as an offence as this law becomes too arbitrary against the man-folk. Similarly, the need to criminalize marital rape is also becoming a critical issue in the Indian society. The issues relating to the rights of lesbian, gay, bisexual, transgender and intersex people are also of crucial importance. The Supreme Court referred to a larger bench a petition challenging Section 377 of the Indian Penal Code, which criminalizes consensual same-sex relations. In June, five people who identified themselves as members of the LGBTI community filed another petition in the Supreme Court asking for Section 377 to be struck down.

Criminology in a Risk Society

The India Risk Survey 2016 (IRS 2016) is an attempt to showcase the views and perceptions of business leaders, policymakers, experts, as well as professionals across various sectors and geographies, regarding strategic, operational and safety risks to business. The IRS expresses a concern over crime and related disorders affecting business interests. Criminologists do have to find ways to address this crucially significant matter with far reaching implications. 'Information & Cyber Insecurity' has been ranked as the second biggest threat to businesses in India, for two consecutive years. The high rating points to the fact that it is a persistent risk for both private and government sectors in a high-technology driven global economy, where a growing trend is the rise in cyber-aided hacking. Information insecurity along with infringement of intellectual property and corporate fraud remain some of the crucial concerns in business strategy, across sectors and geographies. 'Crime' has jumped to 3rd position in 2016, from its 5th ranking in last year's India Risk Survey. The National Crime Records Bureau (NCRB) data for 2014 shows an increase of 8.9 per cent in crime over 2013. The risk of 'Political & Governance Instability' has been ranked at No. 6 in the IRS 2016 this year. The above figure indicates that the top five risks that impacted the Indian business environment over the last year include, 'Strikes, Closures & Unrest', 'Information & Cyber Insecurity', 'Crime', 'Terrorism & Insurgency', and 'Corruption, Bribery & Corporate Frauds'. 'Corruption, Bribery & Corporate Frauds', which held the No. 1 position in the 2015 and 2014 survey

results, has slipped to No. 5 positon this year. The rise of 'Strikes, Closures & Unrest' can be attributed to major unrests in the form of the Jat and Patel (to name a few) demand for reservations in education and government jobs, etc., in the last few months along with the persistent threat of labour unrest in manufacturing zones. 'Information & Cyber Insecurity' has maintained its second rank in this year's survey as well

Improving the enforcement of social legislation in a country like India is crucial for social change and reforms that are purported to be achieved through various social enactments. These social interventions for reforms through legislations are highly important so far as crime against women, children, weaker sections etc. are concerned. Notably, criminal research is generally not geared to contribute to improve the enforcement of these legislations. On the whole, the scene relating to the enforcement these laws is not very satisfactory. There is huge scope of research in criminology to help this situation.

Strengthening the institutional means dealing with criminals and prisoners is highly important as far as criminology is concerned. Laws are created but the associated institutions largely remain inefficient to fulfil the mandate of laws. The situation can be seen in cases of domestic violence, juvenile justice, and other sectors. A criminological evaluation with an objective of doing social audit of these institutions can be highly useful. Similarly the failure of correction is largely due to the inefficiency of non-intuitional correction in India. This framework involves many aspects and interventions which are predominantly in the domain of criminology research. The research has to test the application and feasibility of Restorative Justice Model, Community Sentence, after care guided probation.

Critique

While critiquing the role of Criminologists, Roger Hood raised “Whether criminologists themselves have not had some part to play in the growing disillusionment with criminological knowledge. He also attributed the ambivalence of criminologists about their involvement in the penal system. Another level of critique is where criminologist are believed to have failed to defend prestige of their discipline or where they cave into pressure to brining research funds and conduct research which they know to be criminologically flawed or accept contracts for research which is quick dirty. Roger Hood regards the development of theory as a legitimate criminological enterprise.

Richard Ericson crises in his essay “The Culture and Power of Criminological Research” (2005) regards criminology as a policy field. He identifies criminology as a moral rhetoric of justice. Ericson finds criminological policing to be highly significant when

applied knowledge of criminology is utilized at risk management problem. Secondly, when categorization of criminology as a legal field is another significant facet. The use of criminological knowledge in the practical concerns of the Criminal Justice System is a major area of application. Criminologists can significantly contribute to this mechanism of criminology law by factoring the role of social institutions and also in terms of giving inputs based on criminology behaviour research at various stages of criminology justice. The decision to criminalization or decriminalization are also the part of this discussion.

Criminology as a system is another argument which is growing in importance as many professions in the society can have significant contribution to criminological matters. This multidisciplinary, multi professional, multi institutional notion of criminology is truly remarkable. The organization of criminology specially in the US, Australia and Canada is based on different concentration namely legal, social, psychological, anthropological and social work based. Garland (2005) observes that modern criminology is a composite, eclectic multidisciplinary enterprise. Going by the emerging trends, criminology seems to be continuing as a multidisciplinary and interdisciplinary social science in the times to come.

To be able to contribute to the policy regime, criminology requires criminologists to serve as translators. This translation means the simplification of the ideas flowing from criminological research to the professional institutions. Often, criminologists fail to perceive the direct impact of their research because of lot of their work is technocratic. The most remarkable instance uniting criminology research with policy focus was undertaken by the U.K. based home Office where the University researchers in league with professionals in the Home Office have carried out significant policy based research. This trend has been continuing with tremendous success. In nutshell the idea is to make criminological rhetoric into pragmatic and applied research to help the disciplines professional status.

The one area where criminology has been highly impressive is the field of policing "The term criminology policing" was used by Richard Ericson in his writing to denote the utilization of criminological research into the making of policing more and more effective especially from the view point of crime prevention.

Criminology needs to become a problem solving instrumentality. It needs to be taken to the people in making their life free from fear of crime by prompting community safety to its maximum. It has to help the state to promote of rule of law. It has to work for society where conflict management and restoration become easier and tolerance is promoted to ease the process of rehabilitation and reformation of criminals. It has to lessen the stigmatization levelled by the process of criminal justice.

(E) Promoting Criminology in the Higher Education system

Not much has been done to promote criminology in the emerging higher education scene of the country. Resultantly, the discourses around criminology do not form part of the mainstream thinking in higher education systems. The popular idea of opening up many more independent departments in the Universities also did not find any support. Perhaps, the arguments remain that the passed out students may not find many takers for them. Though difficult but the natural argument would then be to think criminology more and more in terms of an interdisciplinary subject with different foci. We therefore need to work more and more in this direction and preferably with mainstream social sciences and institutions to empathize and promote criminology. I believe the criminological research and contributions still get better recognized and acknowledged when they form part of a major social science discipline. Criminology need to be proved from this location. In my last more than ten years at two major law universities, I did this with reasonable degree of success. While being at the law universities, I reshaped my criminological understanding to suit the teaching to the law students. I also developed criminology courses around law subject requirements. I have been teaching criminal procedure to the best of the law students in the country and my course of criminal procedure always receive huge attention as I subtly brought criminological and victimological contents to make the discourses highly relevant and interesting. The growing argument in law to make it contextualized really fits with this experimentation. My teaching at the law university not only attempt to bring criminal law and criminology and victimology together, it adds a new dimension in understand law more holistically. For instance, my discussions at law school on a victimological approach to criminal procedure, criminology of sentencing, criminal behavior and criminal justice, wrongful prosecution, police administration have been widely acclaimed. As criminologist, your research abilities are at advantage as compared to many sister disciplines. I fine-tuned my research aptitude to contribute to legal research. Now my courses and workshops in empirical legal research receive huge attention across the country and to the extent that the NLU Delhi has set up a full Centre on empirical legal research which is anchored by me.

Raising the professional skills among the students of criminology is quite imperative. We need to take criminology to the grassroots problems. I advocate various models for criminological intervention in this regard. It lies in the nature of criminology as subject that it does not offer focus on a perspective and resultant skill development. I therefore suggest the following four models of criminology which would promote acceptability and market dimension of criminology from the viewpoint of employment generation.

1. Criminal law intensive Model
2. Criminal psychology intensive Model
3. Social Work intensive Model
4. Research Methods intensive Model

(F) Criminology & Public Policy

Roger Hood in 1959 stated that the penal policy should be based on criminological research into the nature of offending, the efficacy of existing penal measures, and a review of penal philosophy. In its finality criminology ought to explore its linkages with the larger goals of public policy and specifically to the penal policy. In the larger sense the responsibility with criminologist is to demonstrate the wider applications of criminology research as part of development planning, social policy and social change. For instance, not much thinking exists in criminology conversations the manner in which it can contribute to the development goals. Criminology in India also needs to go beyond existing framework to adopt the methodology of other general social sciences. Range of social statistics is available relating to various aspects of people social life, demography, economy and governance. Much of criminology can be decoded from this data to offer crucial insights into the different aspects these issue and by underscoring criminogenic implications emerging from these issue.

The criminologists need to show to the courts in the country that they can contribute to so many issue concerning criminal cases involving various questions demanding research and solutions. This is possible if the criminologists try to submit policy briefs in connection with various criminological issues before the courts in India. The courts too have the occasions to engage Amicus Curiae criminologists to help the court. In the instance I had the similar opportunity when the Delhi High Court appointed me as an Amicus Curiae[17] to conduct a research relating to criteria of determination of fine, the issue relating to suspension and compensatory aspects of wrongful prosecution. I share with great satisfaction that probably first time a criminologist in India was allowed to make oral and written submissions before a double bench of Delhi High Court. The Court finally came out order where the report submitted by the Amicus Curiae was not only accepted by the Court but also recommended to the Law Commission of India for taking necessary consideration.

---

17. *Babloo Chauhan @ Dabloo vs State (Govt. Of Nct Of Delhi),* 2017 SCC OnLine Del 12045.

The vision document for criminology in this country should be the preamble of the Indian constitution. And it needs to be shaped in a manner where it becomes instrumental in the promotion of rule of law in general and social justice in particular.

References

Bajpai, G. S. (2016). *Criminology: An Appraisal of the Present Status and Future Directions.* http://www.forensic.to/webhome/.

Brown, Pratt et al. (2005). The New Punitiveness: Trends, Theories, Perspectives. Willian.

Grounds, Adrian. (2004) "Psychological Consequences of Wrongful Conviction and Imprisonment" *Canadian Journal of Criminology and Criminal Justice*, 46, p165-182.
Carrington and Hogg. (2017) Deconstructing Criminology's Origin Stories*, Asian Journal of Criminology,* 12, p181–197.

Kethineni S., Cao Y. (2017) Evolution of Criminology and Criminal Justice Education in India: Past, Present, and Future, *Crime, Criminal Justice, and the Evolving Science of Criminology in South Asia*. Palgrave

Khan, M. Z., & Unnithan, N. P. (2008) Criminal Justice Research and Its Utilization for Policy-Making in India, *International Journal of Comparative and Applied Criminal Justice, 8*(1), p1–20.
Sandra Walklate. (2016) Whither Criminology: Its Global Futures?, *Asian Criminology,* 11, p47–59.

Shahidullah, Shahid M. (2017) *Crime, Criminal Justice, and the Evolving Science of Criminology in South Asia: India, Pakistan, and Bangladesh (Advances in Criminology and Criminal Justice in Asia)*, Palgrave Macmillan.

Lucia Zedner & Andrew Ashworth. (2005) *The Criminological Foundations of Penal Policy – Essay in the Honour of Roger Hood*, Oxford.

World Happiness Report 2017, Available at: http://worldhappiness.report/
World Inequality Report 2018, Available at http://wid.world/world-inequality-lab/

I. See *Hari Charan Kurmi and Jogia Hajam v. State of Bihar*, AIR 1964 SC 1184.
ii. *State (NCT of Delhi) v. Navjot Sandhu*, (2005) 11 SCC 600.
iii. See *Adambhai Sulemanbhai Ajmeri and Ors. v. State of Gujarat*, High Court of Gujarat, Criminal Appeal Nos. 2295-2296 of 2010 and 45 of 2011 and *State (NCT of Delhi) v. Navjot Sandhu*, (2005) 11 SCC 600.
iv. *State v. Md. Aamir Khan*, Sessions and District Courts in Delhi, Ghaziabad, Rohtak and Sonepat, Nov. 2000 to Jan. 2012 : Testimony of Aamir Khan who was wrongfully prosecuted for 14 years (Innocence Network India 2016). Also, in State *(G.N.C.T.) of Delhi v. Saqib Rehman @ Masood and Ors*, Crl. L.P. 234/2011, Crl. M.A. 5649/2011, Crl. M.A. 5650/2011 & Crl. M.A. 5651/2011.
v. *State v. Md. Aamir Khan*, Sessions and District Courts in Delhi, Ghaziabad, Rohtak and Sonepat, Nov. 2000 to Jan. 2012 (Innocence Network India 2016).
vi. *Mohd. Jalees Ansari and Ors. vs. Central Bureau of Investigation*, AIR 2016 SC 2461.Supreme Court of India, Justice Kalifulla and Justice U. U Lalit , 11th May 2016.
vii. *Serial train bombing case of 6 and 7 December, 1993,* TADA Special Court at Ajmer, February 28, 2004 (Innocence Network India 2016).

viii. *Mohd. Jalees Ansari and Ors. vs. Central Bureau of Investigation*, AIR 2016 SC 2461.

ix. See *Malegaon Blast Case,* MCOCA Special Court Greater Mumbai headed by Shri VV Patil, 25th April, 2016: the victims were acquitted after 10 years of being charged (Innocence Network India 2016).

x. *Malegaon Blast Case :* Dr. Farookh Makhdoomi testified that he and his wife were kept in illegal custody and tortured to extract confession. Torture was confirmed by the higher investigation agency of National investigation Agency (NIA) (Innocence Network India 2016).

xi. *Kanpur Case* : Testimony of Sayed Wasif Haider (Innocence Network India 2016).

xii. *Adambhai Sulemanbhai Ajmeri v. State of Gujarat*, (2014) 7 SCC 716, para 93.

xiii. *Id.*

xiv. *Id*, at para 82.

xv. *Adambhai Sulemanbhai Ajmeri and Ors. v. State of Gujarat*, (2014) 7 SCC 716, para 85: Only 15 minutes were granted to accused when they were making confession after 11 months.

xvi. See *State of Rajasthan v. Ajit Singh and Ors*, (2008) 1SCC 601, *Sarwan Singh Rattan Singh v. State of Punjab*, 1957 SCR 953

xvii. *Adambhai Sulemanbhai Ajmeri v. State of Gujarat*, (2014) 7 SCC 716, para 83: Judicial officer's statement on recording of confession.

xviii. On the basis of data collected from Indian government websites.

xix. *Adambhai Sulemanbhai Ajmeri v. State of Gujarat*, (2014) 7 SCC 716.

xx. *Id*: Retracted confession of A - 4, Ex – 780 in the case.

xxi. *Mohd. Jalees Ansari and Ors. vs. Central Bureau of Investigation*, AIR 2016 SC 2461.

xxii. *Serial train bombing case of 6 and 7 December, 1993*: Mohd. Nisaruddin was wrongfully prosecuted and was in incarceration for 23 years (Innocence Network India 2016).

xxiii. *Mumbai Train Blast 7/11 Case*: Testimony of Wahid Shaikh (Innocence Network India 2016).

xxiv. *Jaipur SIMI Case*: Testimony of Munawar Qureshi, Amanullah Ansari and Mohammad Yunus (Innocence Network India 2016).

xxv. Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, 1984, Article 2 (2).

xxvi. *ICJ Democratic Republic of the Congo v. Belgium*, ICJ Rep. 2002; *Regina v. Evans and Ex Parte Pinochet,* House of Lords 24 March 1999; Even the Supreme Court of India has emphasized to prevent police torture, *State (NCT of Delhi) v. Navjot Sandhu*, (2005) 11 SCC 600.

xxvii. See *Kurla Simi Case* (Innocence Network India 2016).

xxviii. Crl. L.P. 234/2011, Crl. M.A. 5649/2011, Crl. M.A. 5650/2011 & Crl. M.A. 5651/2011.

xxix. *Malegaon Blast Case* (Innocence Network India 2016).

xxx. *Id*.

xxxi. The Unlawful Activities (Prevention) Act, 1967(UAPA), Sec. 49.

xxxii. *Mecca Masjid Blast case* (Innocence Network 2016).

xxxiii. *Mulund Blast Case* : Adnan Mulla was wrongfully prosecuted in this case and incarceration for 12 years (Innocence Network India 2016).

xxxiv. Report by Principal Judge, Shri T.V Nalawade, said that Adnan Mulla was in illegal detention from 5.5.03 to 9.6.03 (Innocence Network 2016).

xxxv. *Adambhai Sulemanbhai Ajmeri v. State of Gujarat,* (2014) 7 SCC 716.

xxxvi. *Id*.

Annexure - I

Instances of wrongly Prosecution: Supreme Court Cases

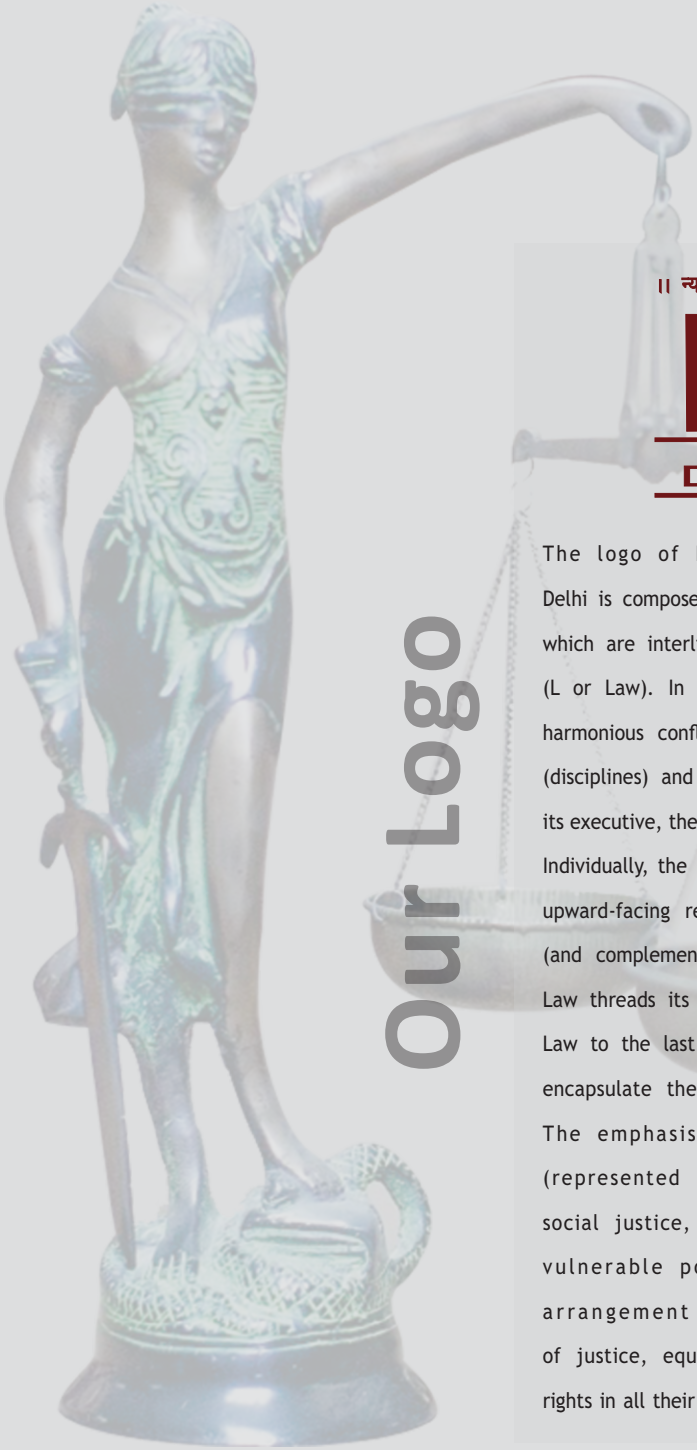
S. No.	Case	No. of Accused Person(s) (Only Those who got acquitted)*	Nature of Offence	Ground(s) of Discharge	Time Spent in Prison
1.	Akshardham Temple Attack Case	6	Various Sections of IPC including Terrorism	Insufficient evidence to support prosecution story	Ranged from 5 to 11 years 4 People – 11 years Others spent 5 years and 7 years each
2.	Aurangabad Arms Haul Case	1	Illegal Possession of Arms	Acquaintance to the culprits does not amount to a crime	10 Years
3.	The Kurla SIMI Case	8	Involvement in Unlawful Activities	Insufficient or bad evidence produced by the prosecution	Hard to determine as the accused were granted bail
4.	Malegaon Blast Case	9	Various Sections of IPC including Terrorism	Insufficient/ Lack of Evidence	5 Years
5.	Mecca Masjid Blast Case	4	Terrorism	Insufficient/Lack of Evidence	1 Year 6 Months
6.	Serial Train Bombing Case	1	Various Sections of IPC, TADA etc.	Insufficient/Lack of Evidence	23 Years
7.	Mulund Blast Case	1	Terrorism	Insufficient/Lack of Evidence	12 Years
8.	Mumbai Train Blast Case (7/11)	1	Various Sections of IPC including Terrorism	Case not fit for trial, No evidence to link the accused to the crime	9 Years
9.	Jaipur SIMI Case	11	Various Sections of UAPA including involvement in Anti-National Activities	Insufficient/Lack of Evidence	3 Years*
10.	Haren Pandya Murder Case	3	Various Sections of IPC and POTA	Insufficient/Lack of Evidence	8 Years
11.	2002 Tiffin Bomb Blast Case, Ahmedabad	2	POTA	Lack of Evidence	14 Years
12.	2004 Hyderabad, Delhi and Rajasthan Bomb Blasts	4	Various charges of TADA	Insufficient Evidence to establish any link	23 Years
13.	Dhal Singh Dewangan Murder Case	1	Murder (302 under IPC)	Insufficient Evidence to establish any link	4 Years 6 Months
14.	Seeni Nainar Mohammed Murder	6	Various Charges under TADA	Lack of evidence against the accused	20-23 Years

	Case				
15.	Ashok Kumar Rape Case[1]	1	376(2)g, Gang Rape	Lack of evidence to link the accused to the crime	10 Years
16.	Jinish Lal Sha Rape Case[2]	1	366 A of IPC	Lack of evidence to support prosecution story	12 Years
17.	Sudhakar v. State of Maharashtra Rape Case[3]	1	372(2)g of IPC, Gang Rape	Lack of Evidence	5 Years
18.	Mohan Lal Rape Case[4]	1	376 of IPC, Rape	Prosecution failed to prove the case beyond reasonable doubt	6 Years
19.	Sudhansu Sekhar Sahoo Rape Case[5]	1	376 of IPC, Rape	Lack of evidence to support prosecution story	9 Years
20.	Babri Masjid Anniversary Train Bomb Blast Case	1	Various Charges under TADA	Lack of Evidence "(Casual use of TADA)"	23 Years
21.	Deelip Singh Rape Case[6]	1	376 of IPC, Rape	Prosecution failed to prove consent, lack of evidence to support prosecution story	7 Years

The Volume of Time spent in prison by the Acquitted persons

Detention in Years	Frequency	Percentage
Up to 5 years	6	27.27
6-10	8	36.36
11-15	4	18.18
15 and more	4	18.88
	22	100

[1] AIR 2003 SC 777
[2] AIR 2003 SC 2081
[3] AIR 2000 SC 2602
[4] AIR 2003 SC 698
[5] AIR 2003 SC 698
[6] AIR 2005 SC 203



Our Logo

।। न्यायस्तत्र प्रमाणं स्यात् ।।

nLU DELHI

The logo of National Law University, Delhi is composed of 3 elements: N, L and U which are interlinked by the second element (L or Law). In its totality it represents the harmonious confluence of disparate elements (disciplines) and levels: a rule that Law and its executive, the judicial system, also performs. Individually, the 'N' and 'U' are downward and upward-facing respectively, symbolising polar (and complementary) outlooks through which Law threads its way. The extension of 'L' or Law to the last level (or layer) attempts to encapsulate the concerns of social justice. The emphasis is on the rule of Law (represented by the 'L') in promoting social justice, particularly targeting the vulnerable population. Its columnar arrangement suggests an upholding of justice, equality, fraternity and human rights in all their facets in a secular democracy.

Prof. (Dr.) G.S. Bajpai

Professor & Registrar

Prof G S Bajpai serves as Professor of Criminology & Criminal Justice; Chair Professor at K.L Arora Chair in Criminal Law at National Law University, Delhi and also as the Chairperson at the Centre for Criminology & Victimology. He is also the Registrar, National Law University, Delhi. Before this, he was serving (2007-2011) as Professor & Chairperson at the Centre for Criminal Justice Administration, National Law Institute University, Bhopal (MP).He also had positions at the Indian Institute of Public Administration, (1989) Bureau of Police Research & Development, (1989- 1995) Punjab Police Academy, Punjab and Department of Criminology & Forensic Science, University of Saugar, M.P. He did his post doctorate study (2004) as Commonwealth Fellow at the Department of Criminology, Leicester University, U.K.

Prof. Bajpai has authored elevan books and more than eighty papers, ten project reports and several monographs. His books (2011) 'Witness & Criminal Justice Systems', 'On Cyber Crime & Cyber Law', 'Situational Crime Prevention & Crime Reduction' and 'Victimological Narratives on gender Violence' (2014) have been well-received. As many as six students have already completed doctoral dissertations (Ph. D.) under his guidance. His two recent books (2016) are: "Victim Justice- A Paradigm Shift In the Indian Criminal Justice System" and "Judgments that Shaped the India Jurisprudence" published from Thomson & Reuters. His new book (2017) is: Pre-trial Process & Policing.

Prof. Bajpai held many prestigious international assignments for advanced research in criminal law and criminal justice. He has been to the University of Paris (France) under UGC Indo-French Cultural Exchange Programme (1999) to work on 'Victim's position in French Criminal Justice System'. He was also the recipient of prestigious Commonwealth Academic Staff Fellowship at the Department of Criminology, University of Leicester, UK for an advanced research and teaching (in Crime reduction) for the year 2003-04. Dr. Bajpai also visited International Victimology Institute, Tokiwa University, Japan for delivering invited lectures in July 2007. Besides, he was also selected under the Indo-Russia Cultural Exchange programme to visit St. Petesburg (2007) and Indo-Hungarian Cultural Exchange Programme to carry out research in Budapest (2009). In 2010, Prof. Bajpai was conferred a visiting fellowship of ICSSR under the Indo-NWO Exchange of Scholars and under this visit he carried out significant research at the International Victimology Institute, Faculty of Law, University of Tilburg in the Netherlands. Apart from visiting the International Criminal Court at Hague, Prof Bajpai delivered key lectures at several universities like VU University, Amsterdam.

He has been identified by the John Jay College of Criminal Justice, New York to author a case study on 'Bhopal Gas Tragedy' which was published from the Cambridge Press, US. He made a key presentation at 11th ASLI Conference held at Faculty of Law, University of Malaya, Kuala Lumpur (June 2014).He visited Faculty of Law/ Criminology at University of Wurzburg, Germany in January 2015 as visiting professor under German Academic Exchange Programme. He made a key presentation on "When Criminal Justice Goes Wrong: Study of Vulnerability and Miscarriage" at Asian Criminological Society Conference themed, 'Criminology and Criminal Justice in a Changing World: Contributions from Asia" held at the City University of Hong Kong in June 2015. As a part of the academic collaboration, he has made significant presentations at the Centre for Criminology, the University of Oxford and the Department of Criminology & Law, Sheffield Hallam University U.K. on the issues of Post-Delhi Gang Rape legal reforms and Victim Justice.

As a very significant achievement, Prof. Bajpai worked as Co-Principal Investigator of the MHRD-UGC, E-PG Pathshala Project and led the creation of online e-text and video lectures on 367 modules of fifteen papers for PG level courses in Law. Currently, he is also working on a similar E-PG Pathshala Project on Criminology

Prof. Bajpai also contributed significantly in police training research. He successfully implemented a series of Vertical Interaction Courses for IPS officers and also coordinate training projects with Sheffield Hallam University

Prof. Bajpai, for his consistent research of high quality, has been conferred various awards and honors. He is the recipient of G. B. Pant Award (for writing a book on Human Rights and Police). In recognition of his contribution to the growth of Criminology in India, Dr. Bajpai' was conferred the title of Fellow of Indian Society of Criminology (FISC) by the Indian Society of Criminology (ISC).He was also awarded (2005) coveted Prof S Srivastava Memorial Award for excellence in research/teaching in Criminology and 'Best Social Scientist Award' of the Indian Society of Criminology (2014). He was conferred the prestigious Prof. K.Chockalingam Award 2014 in the Fourth International & Eight Biennial Conference of the Indian Society of Victimology in October 2014. Prof. G.S.Bajpai is also the President of Indian Society of Victimology and the Vice Chairman of the Indian Society of Criminology.

E-mail : gs.bajpai@nludelhi.ac.in

।। न्यायस्तत्र प्रमाणं स्यात् ।।

NLU DELHI

National Law University Delhi

Sector-14, Dwarka, New Delhi-110078, India.
Te : +91-11-2803 4257, Fax : +91-11-2803 4254
E-mail: info@nludelhi.ac.in
Website: www.nludelhi.ac.in