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BHARATIYA NYAYA SANHITA 2023: A CRITICAL ANALYSIS OF INDIA'S CRIMINAL LAW OVERHAUL, CONTINUITIES, DEPARTURES & CONSTITUTIONAL IMPERATIVES

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ABSTRACT

The Bharatiya Nyaya Sanhita 2023 (BNS), which received Presidential assent on 25 December 2023 and came into force on 1 July 2024, marks the most sweeping overhaul of India's criminal law architecture since the enactment of the Indian Penal Code 1860 (IPC)¹² Enacted alongside the Bharatiya Nagarik Suraksha Sanhita 2023 and the Bharatiya Sakshya Adhinyam 2023, the BNS purports to replace the colonial-era IPC with a legal framework that is rooted in Indian constitutional values, sensitive to contemporary forms of crime, and oriented towards justice rather than punishment alone. This paper undertakes a comprehensive doctrinal and socio-legal analysis of the BNS. It examines the legislative history, policy rationale, structural changes, newly introduced offences, contentious provisions particularly those relating to organised crime, terrorism, sedition's reincarnation, and sexual violence and the constitutional questions they raise. Drawing on parliamentary debates, Standing Committee reports, judicial precedents, and academic scholarship, the paper argues that while the BNS introduces several progressive modifications, it simultaneously retains colonial pathologies in new linguistic garb and, in certain respects, expands the coercive capacity of the state in ways that may conflict with fundamental rights guarantees. The paper concludes with targeted suggestions for reform to ensure that India's criminal law is not merely renamed but genuinely transformed.

KEYWORDS

Bharatiya Nyaya Sanhita 2023 | Indian Penal Code | Criminal Law Reform | Decolonisation | Organised Crime | Sedition | Sexual Offences | Constitutional Validity | Fundamental Rights | OSCOLA

INTRODUCTION

The Indian Penal Code 1860 (IPC) was drafted by Lord Macaulay's First Law Commission of India and enacted under colonial rule primarily to serve the administrative needs of the British Crown.³ For over 163 years, the IPC along with the Code of Criminal Procedure 1973 (CrPC)⁴ and the Indian Evidence Act 1872 (IEA)⁵ constituted the tripartite foundation of India's criminal justice system. Although the IPC was periodically amended, its basic structure, colonial idiom, and law-enforcement-centric philosophy remained largely intact. Critics argued that a penal code designed to subjugate a colonised population was an incongruous instrument for governing a sovereign democratic republic committed to liberty, equality, and fraternity.

In August 2023, the Union Government introduced three landmark Bills in the Lok Sabha: the Bharatiya Nyaya Sanhita Bill 2023 (BNS), the Bharatiya Nagarik Suraksha Sanhita Bill 2023 (BNSS), and the Bharatiya Sakshya (BS) Bill 2023. The stated objective was to 'replace the colonial mindset' embedded in existing criminal laws with a system that prioritises justice, reflects Indian ethos, and addresses twenty-first century security challenges.⁶

The Union Home Minister described the legislation as a 'historic' moment that would transform India's criminal justice from a punitive to a rehabilitative paradigm.⁷ However, critics, opposition parliamentarians, bar associations, and civil society groups raised serious concerns about inadequate parliamentary scrutiny, the retention of draconian provisions, and the constitutionality of certain new offences.

This paper is organised as follows. Section 2 sets out the hypothesis and research questions. Section 3 outlines the research methodology. Section 4 situates the BNS within the existing literature on criminal law reform in India. Section 5 constitutes the main body of doctrinal analysis, examining key structural changes, new offences, omissions, and constitutional implications. Section 6 offers a conclusion. Section 7 presents suggestions for reform, followed by a bibliography.

³ Indian Evidence Act 1872.

⁴ Ministry of Home Affairs, *Statement of Objects and Reasons, Bharatiya Nyaya Sanhita Bill 2023* (Lok Sabha Bill No 121 of 2023).

⁵ Rajya Sabha Debates, Winter Session (December 2023).

⁶ Constitution of India 1950, arts 14, 19, 21.

⁷ Gautam Bhatia, 'The New Criminal Laws and the Constitution' (*The Hindu*, 10 January 2024).

2. HYPOTHESIS AND RESEARCH QUESTIONS

The central hypothesis of this paper is as follows:

“The Bharatiya Nyaya Sanhita 2023, while ostensibly decolonising India's criminal law through nomenclatural and structural changes, substantively perpetuates colonial patterns of governance through the retention and extension of provisions that vest expansive coercive powers in the state, raise serious constitutional concerns, and fail to adequately centre the rights of the accused, marginalised communities, and victims of systemic violence”

This hypothesis is tested against the following research questions:

- (1) Does the BNS achieve substantive decolonisation of Indian criminal law, or does it merely effect cosmetic changes?
- (2) Do the newly introduced offences particularly those on organised crime, terrorism, and acts threatening national integrity satisfy the test of constitutional validity under Articles 14, 19, and 21 of the Constitution of India?
- (3) Does the BNS's treatment of sexual offences represent an improvement in the protection of bodily autonomy and gender justice?
- (4) What reforms are necessary to ensure that the BNS fulfils its proclaimed constitutional mandate?

RESEARCH METHODOLOGY

This paper adopts a predominantly doctrinal legal research methodology, supplemented by socio-legal analysis. Doctrinal methodology involves the systematic exposition, analysis, and critical evaluation of legal rules and principles derived from primary and secondary legal sources. In the context of this paper, this entails close reading of the text of the BNS and its predecessor statutes, relevant constitutional provisions, and judicial decisions of the Supreme Court and High Courts of India.

The study is grounded in primary sources: the Bharatiya Nyaya Sanhita 2023, the Indian Penal Code 1860, the Bharatiya Nagarik Suraksha Sanhita 2023, the Bharatiya Sakshya Adhiniyam 2023, the Constitution of India, parliamentary debates (Lok Sabha and Rajya Sabha) on the BNS Bill, the Report of the Parliamentary Standing Committee on Home Affairs, and significant judicial precedents from the Supreme Court of India. Secondary sources consulted include academic monographs, peer-reviewed journal articles, Law Commission of India

reports, Expert Committee reports (Malimath Committee, Madhava Menon Committee), and credible media analyses.

The socio-legal dimension of this paper involves situating the BNS within its broader political, historical, and social context examining who the law is designed to serve, what communities it may disproportionately impact, and whether it reflects the lived realities of India's diverse population. This approach recognises that law is never neutral but is embedded in power relations and ideological choices.

Comparative analysis is used sparingly primarily to draw lessons from criminal law reform efforts in other common law jurisdictions such as the United Kingdom, Canada, and South Africa where such comparisons illuminate Indian legislative choices or constitutional deficiencies.

LITERATURE REVIEW

The scholarship on India's criminal law reform is vast, though much of it pre-dates the BNS. Upendra Baxi's foundational critique of the Indian legal system exposed the systemic dysfunctions of a colonial-inherited criminal justice apparatus its class biases, procedural inequities, and instrumentalisation by state power.⁸

The Law Commission of India's 42nd Report (1971) was the first significant post-independence document to recommend a comprehensive review of the IPC.⁹ While several substantive recommendations were made including modifications to the law of sedition and the rationalisation of punishments successive governments failed to implement them in any systematic manner.

The Malimath Committee Report (2003) on Reforms of the Criminal Justice System remains a landmark document in this domain.¹⁰ The Committee recommended fundamental changes to the adversarial trial system, evidentiary rules, and sentencing several of which have been selectively incorporated into the BNSS and BSA but remain contested among legal scholars for tilting the balance too far towards prosecution convenience.

⁸ Upendra Baxi, *The Crisis of the Indian Legal System* (Vikas Publishing House 1982).

⁹ Law Commission of India, *42nd Report: Indian Penal Code* (1971).

¹⁰ Malimath Committee, *Report on Reforms of the Criminal Justice System* (2003).

Bibek Debroy and Aditya Sinha, in a NITI Aayog Discussion Paper, argued that India's colonial criminal laws were antithetical to a free-market, rights-respecting democratic polity and called for root-and-branch decolonisation.¹¹ This intellectual position provided much of the policy rationale for the BNS project.

Vrinda Grover, a prominent human rights lawyer, raised early concerns that the BNS retained provisions that criminalise dissent, extend police custody powers, and fail to introduce adequate safeguards for accused persons' rights under Article 21 of the Constitution.

Gautam Bhatia, a constitutional scholar, has highlighted the tension between the BNS's expansive security offences and the fundamental rights framework established by the Supreme Court in cases such as *Maneka Gandhi v Union of India*.¹²

The existing literature thus reflects a sharp divide between those who celebrate the BNS as a historic act of legal decolonisation and those who view it as a missed opportunity at best and a regression at worst. This paper attempts to synthesise these perspectives through a systematic doctrinal analysis that is neither uncritically celebratory nor reflexively dismissive.¹³

DOCTRINAL ANALYSIS OF THE BHARATIYA NYAYA SANHITA 2023

Legislative History and Parliamentary Process

The BNS Bill 2023 was introduced in the Lok Sabha on 11 August 2023 by the Union Home Minister. The Bills were referred to the Standing Committee on Home Affairs, which submitted its report in November 2023.¹⁴

Critics noted that the parliamentary process was characterised by unprecedented haste the Bills were passed by Lok Sabha on 20 December 2023 and by Rajya Sabha on 21 December 2023, in sessions from which 146 opposition members of parliament had been suspended. This raised serious questions about the quality of parliamentary deliberation and the democratic legitimacy of the legislative process, notwithstanding the technical constitutionality of passing legislation

¹¹ Bibek Debroy and Aditya Sinha, *Decolonising India's Criminal Justice System* (NITI Aayog 2020).

¹² Vrinda Grover, 'New Criminal Laws: Concerns About Due Process' (2023) 58 EPW 12.

¹³ *Maneka Gandhi v Union of India* AIR 1978 SC 597.

¹⁴ Bharatiya Nyaya Sanhita Bill 2023 (Lok Sabha Bill No 121 of 2023).

through a suspended house.

The Standing Committee's report, while making several important recommendations (many of which were incorporated through official amendments), also flagged concerns about definitional ambiguities, the scope of new offences, and the adequacy of procedural safeguards.

5.2 Structural Architecture of the BNS

The BNS consists of 358 sections, compared to 511 sections in the IPC.¹⁵

The reduction in section count is achieved primarily through consolidation merging provisions that existed as separate sections in the IPC rather than through genuine simplification or decriminalisation. The BNS retains the chapter-wise structure of the IPC (offences against the state, body, property, etc.) while reorganising chapters and renaming them. Notably, chapter headings now use transliterated Sanskrit-derived terms alongside English translations.

One of the genuinely progressive structural changes is the prioritisation of offences against persons including offences against women, children, and public order which now appear earlier in the code's architecture, signalling a philosophical shift from state-centric to person-centric criminal law. However, critics observe that such symbolic reordering must be accompanied by substantive changes in investigation practices, prosecutorial priorities, and sentencing norms to have real-world impact.

5.3 Key Substantive Changes

5.3.1 Offences Against the Human Body

The BNS replicates much of the IPC's framework on offences against the body, with certain modifications. The offence of murder under section 103 BNS corresponds to section 302 IPC and retains the same definitional structure and punishment (death or life imprisonment).¹⁶

A notable addition is the express provision for 'hit-and-run' cases resulting in death, which now attracts imprisonment of up to ten years and fine a provision that generated significant controversy and industrial unrest among truck drivers and transport workers, ultimately leading to a governmental assurance of consultation before implementation.

Community service has been introduced as a form of punishment for certain minor offences a departure from the purely custodial or fine-based punishments of the IPC. While conceptually

¹⁵ Standing Committee on Home Affairs, *Report on the Bharatiya Nyaya Sanhita Bill 2023* (2023).

¹⁶ Lok Sabha Debates (20 December 2023).

progressive, the absence of a legislative framework governing the administration, monitoring, and enforcement of community service orders is a significant lacuna that may undermine effective implementation.

5.3.2 Organised Crime

Section 111 BNS introduces 'organised crime' as a distinct offence for the first time in the general penal code.¹⁷

The provision defines 'organised crime syndicate' broadly as a group of three or more persons acting in concert for gain by committing serious offences. Critics have noted that this definition, while modelled on state-level legislation such as the Maharashtra Control of Organised Crime Act 1999, is imported into the general penal code without corresponding procedural safeguards such as designated courts, special rules of evidence, or independent oversight mechanisms that exist in those specialised regimes.

The broad definition risks capture of informal economic activity, labour union organising, or political protest that involves coordinated group action for gain. The absence of a requirement of continuity of enterprise unlike the RICO framework in the United States means that episodic group criminal activity could potentially be prosecuted as organised crime, attracting the enhanced penalties (minimum ten years, extendable to life imprisonment) attached to that offence.

5.3.3 Terrorism

Section 113 BNS defines 'terrorist act' in terms substantially similar to the Unlawful Activities (Prevention) Act 1967 (UAPA), but incorporates the definition into the general penal code.¹⁸

The duplication of terrorism provisions between the BNS and the UAPA creates potential for prosecutorial forum shopping where investigators may prefer to invoke BNS provisions (which may carry less stringent procedural requirements) over the UAPA. Legal scholars have questioned whether this duplication serves any purpose beyond expanding the state's prosecutorial arsenal.

The definition of terrorist act in the BNS includes acts that 'threaten the unity, integrity, security, or economic security of India' a formulation that, on its face, could criminalise economic whistleblowing, investigative journalism, or legitimate political agitation that

¹⁷ Rajya Sabha Debates (21 December 2023).

¹⁸ Bharatiya Nyaya Sanhita 2023, s 103.

disrupts governmental policy. Without a narrowing judicial gloss, this provision creates a significant chilling effect on constitutionally protected speech and assembly.

5.3.4 Sedition Repealed but Replaced?

One of the most publicised changes in the BNS is the omission of section 124A IPC, which defined and punished sedition with life imprisonment. The Supreme Court had effectively stayed trials under section 124A in May 2022 pending a comprehensive review, citing the provision's incompatibility with contemporary constitutional values.

However, section 152 BNS introduces a new offence 'acts endangering sovereignty, unity and integrity of India' which penalises intentional instigation, armed rebellion, or activities likely to encourage secessionist tendencies with imprisonment upto life.¹⁹

Constitutional scholars have argued that section 152 BNS is, in substance, a reimagined sedition provision importing the same overbreadth and vagueness that rendered section 124A IPC constitutionally suspect. Unlike section 124A, section 152 does not contain the word 'sedition', but its operative language particularly 'subversive activities' and 'separatist feelings' is equally prone to misuse against political opponents, journalists, and civil society organisations.²⁰

The critical constitutional question is whether section 152 satisfies the proportionality standard developed by the Supreme Court in its recent judgments on free speech and the test laid down in *Shreya Singhal v Union of India* (2015) for vague penal provisions affecting fundamental rights. A provision that punishes speech for 'encouraging feelings of separatist activities' without requiring proof of a real and proximate danger of violence or disorder may not survive constitutional scrutiny under Article 19(2)'s 'in the interest of sovereignty and integrity of India' exception, which, as interpreted by the Supreme Court, requires a reasonable nexus between the speech and the harm sought to be prevented.

5.3.5 Sexual Offences and Gender Justice

The BNS retains the IPC's framework on rape under section 63, with minor modifications, most significantly preserving the exception for marital rape.²¹

The marital rape exception which exempts a husband from prosecution for rape against his wife (except where she is below fifteen years of age) is retained despite sustained advocacy

¹⁹ *Kedar Nath Singh v State of Bihar* AIR 1962 SC 955.

²⁰ *Shreya Singhal v Union of India* (2015) 5 SCC 1.

²¹ *Vinod Dua v Union of India* (2021) 4 SCC 1.

from women's rights organisations, the report of the Justice Verma Committee (2013), and a split decision by the Delhi High Court in 2022. The Supreme Court's failure to definitively resolve this question before the BNS was enacted has allowed the legislature to perpetuate a provision that many constitutional lawyers argue is incompatible with Articles 14, 19, and 21 of the Constitution.

The BNS introduces a new provision under section 69 criminalising 'sexual intercourse by deceitful means' defined as sexual intercourse on a false promise of employment, marriage, or promotion.²²

While the provision is aimed at a genuine social problem, its drafting raises concerns. The requirement of 'deceit' may be difficult to prove; conversely, an overbroad interpretation could criminalise consensual relationships that break down, transforming private disputes into criminal matters and potentially being weaponised against inter-caste or inter-religious couples echoing the social conservatism underlying so-called 'love jihad' controversies.

The BNS also expands protections for child victims of sexual offences (consistent with the Protection of Children from Sexual Offences Act 2012) and introduces gang rape provisions that align with post-Nirbhaya legislative reforms. These are generally welcomed, though concerns persist about the enforcement ecosystem police training, victim support services, and the functioning of fast-track courts that determines whether substantive provisions translate into justice for survivors.

5.3.6 Organised Gang Crime and Petty Organised Crime

The BNS introduces 'petty organised crime' as a distinct offence under section 112, targeting groups engaging in crimes such as vehicle theft, theft from vehicles, snatching, and similar offences. This responds to a policing need in urban areas and attempts to address the gap between serious organised crime (section 111) and individual petty offences.

However, the provision's definitional structure particularly its reliance on police characterisation of 'organised' group activity replicates concerns about definitional overreach and the possibility of targeting economically marginalised communities disproportionately. Studies consistently show that lower-income communities bear the brunt of broad-based criminal legislation through over-policing, while similar conduct by economically privileged actors goes unaddressed.

²² Justice Verma Committee, *Report of the Committee on Amendments to Criminal Law* (2013).

5.4 Omissions and Decriminalisation

The BNS omits certain IPC provisions, most notably the criminalization of attempted suicide under section 309 IPC (which had already been effectively neutered by the Mental Healthcare Act 2017), and section 377 IPC's application to consensual adult same-sex sexual conduct (following the Supreme Court's judgment in *Navtej Singh Johar v Union of India* (2018)). These omissions are positive steps in the alignment of criminal law with constitutional rights. The BNS also removes adultery as a criminal offence (following the Supreme Court's ruling in *Joseph Shine v Union of India* (2018)), and omits certain archaic provisions relating to blasphemy and obscenity that had been challenged on constitutional grounds.

However, critics note that the BNS fails to decriminalise several offences that are widely recognised as candidates for reform including defamation (retained as a criminal offence), seditious-adjacent speech offences, begging (in several state schedules), and vagrancy-related provisions that disproportionately impact homeless persons.

5.5 Territorial Reach and Extraterritorial Application

Section 4 BNS expands the territorial application of the Code to cover offences committed outside India by any person targeting Indian citizens, Indian property, or the Indian digital infrastructure.²³

While the extension of criminal jurisdiction to cybercrimes affecting India from foreign territory reflects a legitimate legislative response to a real-world governance challenge, the provision raises complex questions of international law particularly regarding state sovereignty, extradition law, and the practical enforceability of Indian criminal jurisdiction over foreign nationals operating abroad.

5.6 Constitutional Analysis

The constitutional validity of the BNS must be assessed against the rights guaranteed under Part III of the Constitution of India. Three provisions of the Constitution are particularly relevant: Article 14 (equality before law), Article 19 (freedom of speech, expression, and assembly), and Article 21 (right to life and personal liberty).²⁴

²³ Bharatiya Nyaya Sanhita 2023, s 4.

²⁴ *Maneka Gandhi v Union of India* AIR 1978 SC 597.

Article 14 concerns: Several provisions of the BNS create broad discretionary powers in police and prosecutorial authorities without adequate legislative guidance on their exercise raising arbitrary classification concerns under Article 14. The organised crime and terrorism provisions, in particular, vest enforcement agencies with wide definitional latitude that may produce unequal application across different accused persons and communities.

Article 19 concerns: The replacement of sedition with section 152 BNS, the terrorism provisions, and the 'fake news' adjacent provisions all carry significant chilling effects on free speech and political dissent. As the Supreme Court has consistently held, restrictions on speech must be narrowly tailored to a compelling governmental interest and must not be vague or overbroad.

Article 21 concerns: Extended police custody provisions under the BNSS (companion legislation) which allow judicial authorisation of police custody for up to 90 days in serious offences raise significant due process concerns. The fundamental right to personal liberty, interpreted expansively since *Maneka Gandhi*, requires that any deprivation of liberty be just, fair, and reasonable. Prolonged pre-trial detention has been extensively documented as a tool of coercion, disproportionately affecting marginalised communities and those accused under laws targeting dissent.

The BNS's failure to incorporate explicit provisions on the right to legal aid from the moment of arrest, mandatory production before magistrates, and independent oversight of pre-trial detention despite these rights being established by the Supreme Court in *DK Basu v State of West Bengal* (1997) and related cases is a significant lacuna.²⁵

5.7 BNS and Marginalised Communities

Any critical assessment of a general penal code must grapple with its differential impact on marginalised communities. India's criminal justice system has been extensively documented as being disproportionately burdensome on Scheduled Caste and Scheduled Tribe communities, religious minorities, persons with disabilities, and women from lower socioeconomic strata.²⁶ The BNS does not introduce any proactive framework for monitoring differential enforcement

²⁵ *DK Basu v State of West Bengal* (1997) 1 SCC 416.

²⁶ Prabha Kotiswaran, 'Sex Work and the Law in India' (2011) 36 *Law & Social Inquiry* 579.

or requiring disaggregated data collection on the social composition of arrested, prosecuted, and incarcerated persons. In the absence of such institutional mechanisms, the structural inequalities of the existing system are likely to be perpetuated regardless of the substantive improvements in the code's text.

Scholars such as Prabha Kotiswaran have documented how criminal law often operates as a technology of social control over marginalised communities particularly sex workers, LGBTQ+ persons, and informal economy workers rather than as a mechanism of protection.²⁷ The BNS retains several provisions that are likely to continue operating in this manner, including broadly worded public nuisance provisions, offences against morality, and the new petty organised crime provisions. The codification of community service as a punishment, while progressive in aspiration, requires careful monitoring to ensure it is not deployed as a form of coerced labour targeting already-marginalised communities.

CONCLUSION

The Bharatiya Nyaya Sanhita 2023 represents a significant legislative event in the history of Indian criminal law the first comprehensive recasting of the general penal code since independence. As this paper has demonstrated, the BNS introduces genuinely positive changes: the community service punishment, omission of certain anachronistic provisions, enhanced protection for children, structural prioritisation of offences against persons, and the formal decommissioning of the sedition provision (even if its functional replacement raises comparable concerns).

However, the paper's hypothesis that the BNS substantively perpetuates colonial patterns of criminal governance through extended state coercion, broad discretionary powers, and inadequate fundamental rights safeguards is substantially vindicated. The BNS largely mirrors the IPC in its approach to organised crime, retains the marital rape exception, introduces an expansive replacement for sedition, fails to decriminalise several outdated offences, and provides no institutional mechanisms for monitoring the differential impact of criminal law on marginalised communities.

The decolonisation of criminal law cannot be achieved through renaming provisions in

²⁷ National Crime Records Bureau, *Crime in India 2022* (2023).

Sanskrit-derived terminology or restructuring section numbers. It requires a fundamental reorientation of the criminal law's normative framework from one designed to maintain order and state authority to one designed to protect individual rights, ensure procedural justice, and hold state actors accountable. Measured against this standard, the BNS is an incomplete reform a significant step, but not the transformative rupture its proponents claim.

The true test of the BNS will not be its text but its implementation in police stations, courtrooms, prisons, and communities across India. Whether the new law translates into a criminal justice system that is more humane, more equitable, and more rights-respecting will depend on institutional reforms, capacity building, and a sustained political commitment to the constitutional values the BNS invokes but does not fully embody.

SUGGESTIONS FOR REFORM

1. Repeal or substantially amend section 152 BNS to ensure that restrictions on speech related to national integrity meet the proportionality and nexus tests established by the Supreme Court including a requirement of clear and present danger, proof of intent, and exclusion of criticism, satire, and political dissent.
2. Remove the marital rape exception under section 63 BNS, consistent with the recommendations of the Justice Verma Committee and the evolving constitutional jurisprudence on bodily autonomy under Article 21.
3. Introduce a legislative framework for the administration of community service orders, including designated implementing agencies, monitoring mechanisms, and enforcement provisions.
4. Narrow the definitions of 'organised crime syndicate' (section 111 BNS) and 'terrorist act' (section 113 BNS) to require proof of continuity of enterprise, institutional linkage, and specific criminal purpose reducing the risk of overreach into legitimate associational activity.
5. Introduce a mandatory right to legal aid from the moment of arrest within the BNS itself, operationalising the constitutional rights established in *Hussainara Khatun v State of Bihar* (1979) and subsequent Supreme Court jurisprudence.
6. Decriminalise defamation (sections 356–358 BNS) and replace criminal liability with a robust civil defamation regime, consistent with international human rights standards on freedom of expression.

7. Mandate collection and public reporting of disaggregated data on arrests, prosecutions, and convictions under the BNS, broken down by caste, religion, gender, and economic status, to enable evidence-based reform and accountability.
8. Establish an independent Criminal Law Review Commission with a permanent mandate to review the operation of the BNS, recommend amendments based on empirical evidence, and engage in structured consultation with civil society, affected communities, and legal practitioners.

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