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भारतीय विधिज्ञ परिषद् BAR COUNCIL OF INDIA

(Statutory Body Constituted under the Advocates Act, 1961)

21, Rouse Avenue Institutional Area, New Delhi - 110 002

Press Release Dated: 26.06.2024

The Bar Council of India vide a resolution passed on 26.06.2024, acknowledges the numerous representations received from Bar Associations and State Bar Councils across the nation, expressing strong protests against the newly introduced criminal laws i.e. The Bharatiya Nyaya Sanhita (BNS), The Bharatiya Nagarik Suraksha Sanhita (BNSS), and The Bharatiya Sakshya Adhiniyam (BSA).

These Bar Associations have signalled their intent to engage in indefinite agitations and protests unless these laws are suspended and subjected to thorough nationwide discussions, including a comprehensive review by Parliament.

Concerns have been raised that several provisions of these new laws are perceived to be anti-people, more draconian than the colonial-era laws they intend to replace, and pose a serious threat to the fundamental rights of citizens. Notable legal luminaries such as Mr. Kapil Sibal (President, SCBA and Member of Parliament), Mr. Abhishek Manu Singhvi, Mr. Mukul Rohatgi, Mr. Vivek Tankha, Mr. P. Wilson (Senior Advocates and Members of Parliament), Mr. Dushyant Dave (Senior Advocate & former President, SCBA), Mrs. Indira Jaising (Senior Advocate), along with a large number of Senior Advocates and other Advocates from several High Courts and Trial Courts, have voiced strong opposition to these laws.

Several Bar Associations have also called for a fresh examination of the provisions of the Prevention of Money Laundering Act (PMLA) and the Unlawful Activities (Prevention) Act (UAPA), apart from having a relook at the The Bharatiya Nyaya Sanhita (BNS), The Bharatiya Nagarik Suraksha Sanhita (BNSS), and The Bharatiya Sakshya Adhiniyam (BSA), asserting that these laws contravene the principles of fundamental rights and natural justice.

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After careful consideration of these demands and concerns, the Bar Council of India requests all Bar Associations to refrain from any form of agitation or protest at this juncture.

The BCI will initiate discussions with the Union Government, represented by the Hon ' ble Union Home Minister and the Hon ' ble Union Law Minister, to convey the concerns of the legal fraternity.

The BCI will also seek the intervention of the Hon ' ble Union Minister for Environment, Mr. Bhupendra Yadav, who is an advocate, to mediate in this matter

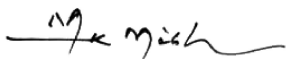
Additionally, the BCI requests all Bar Associations and Senior Advocates to submit specific provisions of the new laws they deem unconstitutional or detrimental, to facilitate a productive dialogue with the Government.

The Bar Council of India recalls the assurances provided by the Hon ' ble Union Home Minister at the International Lawyers ' Conference organized by the BCI in September 2023, where it was stated that the Government is willing to amend any provision of these laws if valid reasons and plausible suggestions are presented.

Upon receiving specific suggestions from the Bar Associations, the BCI will constitute a committee comprising noted Senior Advocates, former Judges, impartial Social Activists, and Journalists to propose necessary amendments to these new laws.

The Bar Council of India assures the Bar Associations and the legal fraternity that these issues are being taken seriously and there is no cause for immediate concern.

Consequently, there is no immediate necessity for agitation, protests, or strikes in relation to this issue.



(Manan Kumar Mishra)
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