

March 13, 2024

Press Release

JMI organises Roundtable Conference on New Criminal and Data Protection Laws

The Faculty of Law, Jamia Millia Islamia (JMI) organized a thought-provoking Roundtable Conference on “Navigating the Complexities in Criminal Law Administration in Adapting to the Dynamics of the New Criminal and Data Protection Laws”, with an objective of providing a platform for experts to discuss and analyze the challenges and opportunities presented by the dynamic legal environment.

The Roundtable Conference was organised in the backdrop of the recent enactment of the Digital Personal Data Protection (DPDP) Act, 2023, and the modernization of its criminal justice system, through the three new laws, namely, the Bharatiya Nyaya Sanhita, 2023 (BNS), Bharatiya Nagarik Suraksha Sanhita, 2023 (BNSS), and Bharatiya Sakshya Adhinyam, 2023, India has taken significant steps towards addressing the complexities of data protection and criminal law in the digital age.

The event kicked off with a warm welcome by Mr. Shivam Kumar Jadaun and Ms. Zubia Rehan, who introduced the panelists. The students of the Pro Bono Club of the Faculty presented them with saplings as a token of appreciation. The keynote address was delivered by the Dean of Faculty of Law, Prof. (Dr.) Kahkashan Y. Danyal, setting the tone for the insightful discussions that followed.

The main objective of the conference was to facilitate a critical discussion at the intersection of law, technology, and society – a discussion that is vital for safeguarding the rights, freedoms, and security of individuals in our increasingly digitized world in the wake of the introduction of the new criminal and data protection laws.

According to one of the panelists, Prof. Upma Gautam from USLLS, Guru Gobind Singh Indraprastha University, excessive powers given to the police by the BNSS. The introduction of the new laws would add to more confusion, benefitting the lawyers and certain stakeholders, the phenomenon that she referred to as ‘an economy of crime’.

Another panelist, Prof. P. Puneeth of Jawaharlal Nehru University insisted on maintaining a balance between privacy and necessity of state in the context of the data protection laws. Citing the constitutional law jurisprudence, he reiterated the settled principle of ‘bail is the rule and jail is an exception’.

Mr. Om Prakash Vyas, Former Joint Registrar (Law), National Human Rights Commission (NHRC), underlined on the importance of victim-centric criminal justice administration. In the process, he mentioned the role of NHRC for its victim-oriented approach.

Adv. Sanjay Vashishta, Advocate, Supreme Court of India, expressed skepticism about the implementation of new criminal laws, as it would create a great deal of confusion among judges and lawyers in dealing with both old and new laws simultaneously and suggested that the laws could be implemented in a phased manner. He also suggested that there should be training programs for the police, and other stakeholders to implement these new laws.

Syed Mohd. Haroon, Research Fellow, Software Freedom Law Centre, explained the technological challenges in maintaining the chain of custody in cases of electronic evidence. He suggested the incorporation of the use of metadata, watermarks, hash data or hash value to prevent the forgery of the electronic evidence. Unfortunately, the DPDP Act does not provide for detailed safeguards in this regard.

Towards the end, Prof. Asad Malik gave his valuable inputs and summarized the session in a very precise manner. It was followed by Question-Answer session with the audience. The engaging session was moderated by Dr. Subhradipta Sarkar, Associate Professor at the Faculty of Law, JMI. Prof. Faizanur Rehman and Dr. Alisha Khatoon along with the dedicated students of the Faculty of Law, played a pivotal role in organizing this intellectually stimulating conference. The collaborative effort showcased the commitment of JMI towards fostering a vibrant legal discourse.

In the end, Mr. Shivam and Ms. Zubia skilfully moderated the concluding session with a heartfelt vote of thanks, which also featured the presentation of mementos to the esteemed panelists by the professors of the Faculty of Law, JMI.

Public Relations Office
Jamia Millia Islamia




