



To,  
Hon'ble Mr. Justice Altamas Kabir  
Chief Justice - Supreme Court of India,  
Tilak Marg,  
New Delhi-110 001 (India)

Date: Dec 26, 2012

Sub: Petition for urgent reforms in judicial system in India

Your highness,

I, Khader Basha Syed, Co-Founder, Praja-RAAG (Research, Analysis and Advocacy Group), Bangalore, hereby would like to submit the following for your consideration.

At the outset, on behalf of 8000 strong community that Praja.in (Online Citizen's group) represents condemns the recent horrific incident of brutal rape case of Delhi in strongest possible terms. No amounts of words are enough to condemn this barbaric acts and behavior. This incidence puts everybody to shame and this is a blot on Indian Culture of high moral values of at most respect to our women and elders. Through you, I would like to urge the lower judiciary who are seized of this matter to treat this case with at most urgency and see that justice is delivered in timely manner. During the delivery of justice to the victim and the family, let there not be any room for them to feel helpless and loss of faith in the law & order system as seen in many other cases.

These incidents are wake up call to all of us to take note of the degradation that has crept into our daily lives. The manifestation is visible in the casual manner that we attach to such incidences. You will agree that this is neither the first time such incidence has taken plane nor going to be the last one. But sheer increase in such incidences makes one agitated and shakes one's souls. After this incident, as every Indian is outraged, I am also forced to be outraged and questioning my soul, isn't this enough? Do we need more such cases to happen before we really wake up and say enough? Sir, I would say this is beyond my toleration and this behavior should stop forthright.

According to National Crime Records Bureau (under Union Ministry of Home Affairs), in 2011 alone, around 24,206 (Twenty four thousand two Hundred and six) cases were reported compared to 2487 cases in 1953. That is a jump of 873 %. What alarms is, out of 24, 206 cases, only 26% saw the success in conviction. That means 17,914 offenders were either let off or didn't get the punishment that they deserve. If these figures don't shake our souls and mind, nothing else will.

**Source – NCRB, 2011 Report - <http://ncrb.nic.in/CD-CII2011/cii-2011/figure%20at%20a%20glance.pdf>**

In dealing with these crimes, though our country has the laws to deal with but you and I know the truth about justice dispensed in vast majority of the cases. We come across failure and more failures in each and every step of this journey seeking the justice. From filing FIRs, investigation, trials in courts to speed



at which justice is rendered has failed the victims and thus as a society, we have failed to deliver the justice to the victims. In vast majority of the cases, the offenders walk free and those who are convicted are given the notional punishment. Resulting in more rapes, more victims. Vast majority of these victims are poor, who have no one to look for in the journey of seeking justice.

People like me have stopped reposing faith in the executive branch. We have little faith in either the governments of the day or the law & order system of the country to stop such heinous crimes. In such a scenario where the executive and legislative wings have failed, I have no other option to look for some solace and a ray hope for the justice system that I and billion Indians look for. It is the Supreme Court and Court officers like you who have come to the rescue of ordinary and poor souls like me. It is with this faith that I am writing this letter to apprise you about my anguish, hurt and pain of failure to protect our daughter and sisters on the streets of India, be it in Delhi, Bangalore or in remote village of Tirupura. Through this letter I would like to request your urgent intervention and immediate actions to stem the fall in our rule of law system. I humbly request your kind attention and action to speed up the process of judicial reforms to dispense of lakhs and lakhs of cases that are pending in courts all across India. This huge pendency is hindrance to the justice delivery system in time bound manner. Let us use this horrific incidence as a divine wakeup call and correct the wrongs that have crept in our law & order machinery, starting with reforms in judicial system and police department across India.

Through you, I request your highness to consider these proposals.

In near term, immediately,

1. Issue an order to all Chief Justice of High Courts to constitute special courts to try the cases of crime, violence against women filed since January 2010 till December 2012.
2. Issue an order to all Chief Justice of High Courts to ensure that above cases are heard and dispensed off before the end of the year 2013.
3. Instruct and order all the state governments to help the respective high courts in their state to have the necessary facilities and logistics to try the cases on daily basis.
4. Let there be a no room for repeated adjournments of the cases as seen normally in courts.
5. Instruct the Union Government to help states with necessary funds and logistics to try the cases on daily basis.

In parallel,

1. Institute a committee to oversee the judicial reform process including capacity building of Indian Judicial system.
2. Issue a time line of 3 to 5 years to complete the process of judicial reforms including judicial capacity enhancements all across India.
3. Issue an order to Union Government to work with state governments to build enough courts and judicial infrastructure to dispense of the lakhs of pending cases in time bound manner.



4. Issue an order to all states to see that work on capacity enhancement is started forthright without any delay.
5. Issue an order to Union government and all the state governments to complete the Police reforms in respective states within 3 years, failing which, state be put on notice of getting dismissed and president rule is imposed.

I do hope that your lordship will agree with my proposal and the sentiments that are expressed here. I do hope that your lordship will give an urgent consideration to the request that is made through this letter. I do hope that, your lordship, through the office Supreme Court, will take up this matter at the highest authorities and necessary action is taken to upheld the faith that ordinary citizen's like me repose in the highest court of law.

Thanking you and I remain,

Sincerely yours,

Khader Basha Syed