



BHARTIYA RAJNITIK VIKALP PARTY
UNLEASHING THE POWER OF YOUTH..FINAL POLITICAL DESTINATION
FOR YOUNG MINDS OF INDIA.

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Ref..1-1/16 (BeginnerJurySysDistrictCourt) FB page: fb.com/brvparty

How Citizens can save themselves from running around in courts for years by getting passed 3 line govt. order - TCP & Jury system

This law of only three lines will save citizens from running around in courts for years and years, save lives of witnesses and whistleblower activists, reduce corruption and crime and will help in strengthening true democracy in the country.

1. Summary of Proposed Transparent Complaint Procedure (TCP) which will save citizens from running around in courts for years and years

- ◆ (1) Citizens` verifiable media - Any citizen can put his complaint, suggestion etc. on an affidavit (stamp paper) & get it **scanned completely** onto PM / CM website along with **Voter ID no.** of the citizen by going to collector etc. specified office and paying Rs. 20 per page fee. This scanned affidavit along with verified Voter ID number will be **visible to all without any need to login.**
- ◆ (2) Citizens` support/oppose on filed affidavit - (2.1) Any voter can get displayed his yes/no on already filed affidavit as per clause 1 on PM / CM website along with Voter ID no. of the citizen by going to Village Officer (Patwari) etc. office and give Rs. 3 fee (The fee will be 10 paisa once sms system is in place). The Yes/No along with Citizen`s Voter ID number will be visible to all.
- ◆ (2.2) Safeguard clause - (Due to this clause, citizens can ensure that the procedure is immune to money, muscle or media power) - Citizen can cancel his yes/no any day without any fee.
- ◆ (3) Counts are not binding - These yes-no counts will not be in any way binding on officials, minister, judge, MP, MLA etc. Their decision will be final.
- This procedure is only this much. In simple words this procedure is saying that `Any citizen can get their proposal/ suggestion/complaint etc. as an affidavit scanned onto PM / CM etc. specified government website **along with their Voter ID number** if he/she pays a certain specified fee.

2. How this simple procedure will stop suppression of evidence and save citizens from running around in courts for years and years ?

Let us say, in some area there happened a corruption or crime and citizen files a complaint or FIR regarding it or gives his witness statement and citizen gets copy of complaint/FIR, then it is very easy for a corrupt officer to form a nexus with criminals and suppress evidences/witness statements. This is because in present system, citizens cannot see their own filed FIR or application once they submit the same. And in today`s system, criminals can easily threaten the witnesses; even the witnesses are many times killed. Because the criminals know that not many persons have access to the proofs and witness statements and that proofs can easily be suppressed by suppressing or killing the witness.

But if citizens have a citizen-verifiable optional procedure that they can show to the public their proofs, opinion etc. along with voter ID number ; then the police officer will see that these proofs can no longer be suppressed since lakhs-crores must have seen them. And criminals also will understand that the witness has shown his statement to the public – so there is no benefit of harming or killing the witness. In this way, guilty will be punished and corruption will reduce and life of the witness will be also be saved and court judgements will be quick and more fair.

3. What is Jury System - In Jury system, according to the case 15 to 1500 citizens are **randomly chosen** from Voter list who are called Jurors and these Jurors give the judgements instead of Judges. The set of Jurors change after every case. Compared to Judge system, in Jury system nexus formation is more difficult and so judgements are more fair and quicker - judgements come within weeks instead of years. Let us see one **example**.

Example of why nexus formation in Jury system is more difficult compared to Judge system -

Let us say, there are 100 court cases against a professional criminal and his gang in a year. Now, these 100 cases will go to 5-6 judges who are known by all. The criminal or his representative can go to relative lawyer of judge or his middleman and give bribe for the Judge via cheque on excuse of taking consultation. In return, judge will delay the case and the criminal will get time to buy or suppress the witnesses. In judge system. If judge takes money and does not do anything for the criminal, then the judge will never get bribe or favors in future. While if the judge manipulates the case for the criminal but the criminal does not pay him, then judge will tell all his friends not to do any work of the criminal since he does not pay even after his work has been done. In this way, in judge system nexus formation can easily form between a criminal and a judge.

Now if Jury system is in place of judge system, then for 100 cases instead of 5-6 judges 1500 randomly chosen Jurors will give the judgement. These *Jurors are not repeated for at least 10 years*. Jurors listen to one case from 10am in the morning to 5pm in the evening. A common criminal cannot know who will be the Jurors until the last minute. And even if somehow, the criminal finds out who will be the Jurors for his case, even then forming a nexus between Jurors and criminals is much more difficult compared to that in judge system.

It will be difficult for the criminal accused and the 15 or more Jurors to decide if they want to do the bribe dealing before the judgement or after the judgement. If the accused says that he will give bribe money after being acquitted, then the Jurors will not trust him and if the Jurors say that bribe money first and then only acquittal, the accused will not trust the Jurors. That is why, in Jury system the case will not be delayed and the judgement comes in few weeks and is more fair compared to judge system. For more info, please see 3linelaw.wordpress.com , chapter 21, FAQs or contact us.

4. How can commons get these pro-common laws implemented via Voter ID number support ?

- From your mobile inbox, send Mobile Activation-SMS to **9693938833** as follows -

YourVoterIDNumber

- To same number, send ONLY these 4 numbers as support code-SMS for TCP **0011**
- To same number, send ONLY these 4 numbers as support code-SMS for Jury **0051**

After completing these steps you can see your support at sms.brvp.org/tcp

If in an area, sufficient number of citizens support this cause via Voter ID internet proof, this procedure will come in that area and crime and corruption etc. will reduce in that area. **Note** – If for some reason, you do not have Voter ID, then please send first SMS as ***abc1234567*** ; second and third SMS will be the same as mentioned above. Then, your support will show in this page – sms.brvp.org/non-registered

Besides this, You (Common Citizen) can send following order via SMS and twitter to our representatives and ask all to do the same and get implemented procedure-draft for reducing corruption and exploitation and saving lives of whistle-blowers –



Please promote via your website, twitter etc. Jury system for quick, fair trials fb.com/1170643899694404 and get it printed in gazette. FileSha1Hash = 16c65299ff3df4b0bdfdbdac364c22dea1822da5 BitTorrentHash = ce0dbf41b3860540eeab6eb8c17896ed791d66e9 Or will not vote for you / your party. Setup Public SMS server like sms.brvp.org so that SMS-opinions of citizens along with their voter IDs are seen by all

(You can scan this QR code to download above SMS) *If in an area, sufficient number of citizens publicly display and prove their support on internet via Voter ID number and demand from their Public servants, this procedure will come in that area and crime and corruption etc. will reduce in that area.*

More on Public SMS server - tinyurl.com/PublicSMSServer ; Sha1 FileHash - tinyurl.com/FileHashCampaign or contact us.

5. Summary of Proposed Jury System in lower courts (Govt. Ordinance to be signed by PM)

1. Citizens` verifiable media – Any citizen can put his complaint, suggestion etc. on an affidavit (stamp paper) & get it scanned completely onto PM / CM website along with Voter ID no. of the citizen by going to collector etc. specified office and paying Rs. 20 per page fee. This scanned affidavit along with verified Voter ID number will be visible to all without any need to login. *Explanation* – Using this procedure, citizens can easily share proof etc. info with other citizens and corrupt cannot easily suppress proof which is displayed in Public.

2. Replaceable Jury administrator [Instructions for CM] – CM will appoint a Jury Administrator for every district. The Jury Administrator can be replaced by citizens any day. Due to fear of losing job, 99% of officials improve their behavior and do their work properly and those who do not do their work will be replaced by better persons.

3. Grand Jury and Formation of Jury [Instructions for Jury Administrator, Grand Jury] – In *all cases of Murder, Rape, Corruption, Cow-slaughter, Adulteration and Marriage disputes* the Jury Administrator will randomly choose 30 Grand Jurors, of which 10 Grand Jurors will be replaced by 10 new members every month. Grand Jury will decide according to the prima facie evidence whether there should be a Jury trial or not. For every Jury case, Jury Administrator will randomly choose 15 to 1500 Jurors.

4. Trial and Judgement by Jurors [Instructions for Case Administrator] Trial will go from 11am to 5pm. Each party will present their case one by one for one hour. The hearing will go on for at least 2 days ; Jurors will decide by majority when the hearing should end. After the hearing, Jurors will deliberate for at least 2 hours. Every Juror will tell the amount of punishment, not more than the legal limit, which he thinks appropriate. Case Administrator will arrange the punishments in increasing order and declare the punishment which is not more than what 2/3rd majority approved as the punishment collectively imposed by the Jury.

Example – If the punishments stated by 15 Jurors in increasing order are 400,400,400,500,500,600,700,800,1000,1000,1200,1200,1400,1500,1500 rupees, then 500 rupees fine will be declared as this is the 5th lowest fine which is not more than what 2/3rd majority Jurors have given as punishment.

6. Reality of Nanavati case and why Jury system was abolished in India

Before 1959, in our country there was a weak Jury system. In this system, in the lower court 9 citizens were randomly selected for deciding a case and these randomly selected citizens were called Jurors. These Jurors were changed after every case. Judge used to decide under which section case will be registered and judge used to decide which evidences would be shown to the Jurors. The Jurors only could decide the case as guilty or not guilty UNDER THE REGISTERED SECTION and as

per the evidences shown to them. Meaning, in the Jury system prevailing at that time, most of the powers were with the judge and not with the Jurors.

This Jury system even though weak was quite beneficial to the society and to the country. Due to fear of being punished, that time, adulteration and hafta-giri was less at that time and bribes in courts were also less. But under a conspiracy, using excuse of Nanavati case, this system was abolished.

Nanavati was a naval officer. He was married to an English woman. He came to know that his wife had an affair with his close friend, Ahuja. Enraged, he killed Ahuja and surrendered himself to the police. This case was misrepresented by the paid media and in using excuse of this case, corrupt Nehru and corrupt Judges abolished this Jury system.

Those who use KM Nanavati case as an excuse for opposing Jury system should first answer one question -

Why did judges not charge on Nanavati Indian Penal Code section other than IPC 302 which had lesser punishment when Nanavati himself had confessed that he had killed Ahuja ? (Section 302 means killing with criminal intent that is murder and has maximum punishment of life sentence and in rare cases death by hanging) Because if there were charges having less punishment, then Jury would have given Nanavati punishment under those charges while Ahuja family and nexused corrupt judges and corrupt media wanted maximum punishment for Nanavati.

This was a highly politically influenced case. The family of Ahuja and Nanavati both had high political connections and had used them. Relatives of Ahuja had influenced the judges etc. to charge only max punishment and not lesser charges. Had these charges been there, jury could have ruled Guilty under those charges. And due to lack of sufficient, clear-cut evidence that Nanavati was guilty of pre-planned murder, they ruled "Not guilty under IPC 302"

This truth was not told by paid media that Nanavati was declared not guilty under IPC 302, So, in reality the paid media was paid not to tell reality that there was a conspiracy against Jury system and to hide the actions of corrupt judges and politicians. What is the proof that Jury was influenced by media ? Is there any testimony given by the Jury members to the press etc ? Was any study done comparing influence of paid media on Jury and on judges ?

The corrupt elite - corrupt Nehru and corrupt judges and other corrupt judges wanted to finish this system which was standing in the way of their corrupt ways. There seems to be no other reason because in the appeal there was no Jury and often after appeal influential people used to go scot free. In the end, due to influence of Nanavati on Nehru, he was freed by his sister, who was Governor of Maharashtra at that time. And the Judges never objected to this because the corrupt Judges were happy with abolishment of Jury system.

Rather than doing a study of the systems of judge or systems of jury - both existing and possible and improving the system, much worse system was brought. Citizens of other countries such as Hongkong improved this weak Jury system but in our country instead of improving this system, it was abolished and a much worse system was brought. You can see and compare that even in those countries which have good jury systems, majority of judgments come quicker and are much more just.

7. National judocratic Commission (NjC) is a useless idea

The eminent intellectuals have demanded National judocratic Commission, wherein some 5-15 people will have powers to appoint and expel HCJs and SCJs. These 10-15 people will sell out to MNCs and Indian elitemen and all the courts will become fiefdom of MNCs and Indian elitemen after NjC comes. We support "Jury system" and oppose National judocratic Commission proposal. Furthermore, in the NjC proposal as demanded by the eminent intellectuals does not have procedure by which we commons can expel/replace NjC members. And the eminent intellectuals have opposed procedure to replace NjC members in their NjC proposal. So NjC members will only act as corrupt puppet of elitemen.

NjC proposal strengthens the hold of elitemen over Supreme Court and High Court judges. Today, the elitemen have to manage 25 Supreme Court and 600 High Court judges and this takes lot of their time and resources. NjC will ensure that the elitemen have to manage only 5-10 National judocratic Commission members via bribes or other means and via them ensure control over all 25 Supreme Court and 600 High Court judges (via threat of expulsion).

Vice President (Bhartiya Rajnitik Vikalp Party)

Kumar Gaurav
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