

**CHRIST**

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Notice for the PhD Viva Voce Examination

Ms Swati Kaushal, Registration Number: 1982011, PhD Scholar at the School of Law, CHRIST (Deemed to be University), will defend her PhD thesis at the public viva-voce examination on Wednesday, 09 September 2026 at 01.00 pm in Conference Hall, First Floor, B-Block, Delhi NCR Off-Campus, CHRIST (Deemed to be University), Ghaziabad - 201003, Uttar Pradesh, India.

Title of the Thesis : **An Analysis of the Efficacy of Theories of Punishment with Special Reference to Delhi-NCR**

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The members of the Research Advisory Committee of the Scholar, the faculty members of the Department and the School, interested experts and research scholars of all the branches of research are cordially invited to attend this open viva-voce examination.

Place: Bengaluru
Date: 03 September 2026

Registrar (Academics)

ABSTRACT

This thesis examines the real-world efficacy of the five classical and modern theories of punishment — deterrent, retributive, preventive, expiatory and reformative — as they function within India's criminal justice system, with special reference to Delhi-NCR, treating their relative efficacy as an empirical question rather than a settled one. The doctrinal chapters situate Indian penology within its colonial and comparative lineage, drawing on a wide body of literature from Beccaria's 1764 treatise to recent scholarship, and examine penalties under special statutes such as the NDPS Act, UAPA, IT Act and PMLA alongside the relevant Law Commission Reports and the Malimath Committee, before undertaking a comparative study of sentencing practice in England and India grounded in leading case law and legislation. The empirical study surveys 171 respondents, derived using Cochran's formula through purposive sampling across five stakeholder categories — lawyers, judges, police officials, social workers and academicians — supplemented by secondary data from sources such as the National Crime Records Bureau. The findings show that while stakeholders disagree sharply on which form of punishment is most effective, they converge strongly on reformation as the proper aim of punishment. Building on these findings, the thesis proposes concrete reforms, including a dedicated Sentencing Commission, a statutory "Statement of Purpose" clause, victim-offender mediation and Circles of Support and Accountability, and prison reform informed by NCRB data, situating these recommendations within the international frameworks of the Nelson Mandela Rules and the Tokyo Rules.

Keywords: Theories of Punishment, Criminal Justice System, Deterrence, Retribution, Reformation, Sentencing Reform, Delhi-NCR, Doctrinal and Empirical Legal Research

Publications:

1. **Kaushal, S.**, Shrivastava, V., & Neha (2026). Punishing poverty: The economic disparity of the poor in the criminal justice system. *Humanities and Social Sciences: A Multidisciplinary Approach*, pp. 781-786 (Book chapter, Scopus-indexed). <https://doi.org/10.1201/9781003771937-118>
2. **Kaushal, S.**, Shrivastava, V., Sahil, G., & Yadav, P. (2025). Perceptions of Public on Justice: A Socio-Legal Analysis of Influencing Factors. *Ius Humani - Revista de Derecho*, 14(1), 468-497 (Web of Science). <https://doi.org/10.31207/ih.v14i1.422>