



Home Office

Country Policy and Information Note

India: Actors of Protection

Version 3.0

September 2025

Executive summary

Where a claim is refused, it must be considered for certification under section 94 of the Nationality, Immigration and Asylum Act 2002 as India is listed as a designated state.

India is party to most major international instruments on human rights and its constitution and legislature protect civil, political and economic rights. There are a set of laws to punish criminal behaviour.

Each of the 28 states and 8 union territories (UTs) have their own separate police force and have the primary responsibility for crime prevention, investigation and maintaining law and order. Total police numbers are around 2.2 million to serve the 1.4 billion population. Police effectiveness and conduct varies from state to state, and some police investigations can be obstructed by police officers failing to register cases.

The law prohibits arbitrary arrest and detention; however, police sometimes fail to file arrest reports for people detained. Human rights abuses committed by police occur including rape, torture, deaths in custody and the use of excessive force including extra-judicial killing by security forces, particularly in areas of conflict however, numbers are low and do not indicate such actions are widespread or systemic.

In general, there is a functioning independent judicial system, including fair and publicly held trials, the presumption of innocence and the right to appeal. However, there reports of corruption and some politically motivated judicial appointments, and the effectiveness of the judiciary is hampered by understaffing, severe delays to adjudication and a backlog of cases.

In general, India takes reasonable steps to prevent and combat criminal acts by operating an effective legal system for the detection, prosecution and punishment of acts that could amount to persecution, and a person is generally able to access protection.

Corruption, sympathy or weakness of some individuals in the system of justice does not mean that the state is unwilling to afford protection and there may be various sound reasons why criminals may not be brought to justice.

As such, the state is both willing and able to offer sufficient protection to persons fearing non-state, including 'rogue' state actors. The onus is on the person to demonstrate otherwise.

This CPIN does **not** specifically cover the state of Jammu and Kashmir.

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Assessment

Section updated: 29 September 2025

About the assessment

This section considers the evidence relevant to this note – that is the [country information](#), refugee/human rights laws and policies, and applicable caselaw – and provides an assessment of **whether, in general** the state (or quasi state bodies) can provide effective protection

Decision makers **must**, however, consider all claims on an individual basis, taking into account each case's specific facts.

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1. Material facts, credibility and other checks/referrals

1.1 Credibility

- 1.1.1 For information on assessing credibility, see the instruction on [Assessing Credibility and Refugee Status](#).
- 1.1.2 Decision makers must also check if there has been a previous application for a UK visa or another form of leave. Asylum applications matched to visas should be investigated prior to the asylum interview (see the [Asylum Instruction on Visa Matches, Asylum Claims from UK Visa Applicants](#)).
- 1.1.3 Decision makers must also consider making an international biometric data-sharing check, when one has not already been undertaken (see [Biometric data-sharing process \(Migration 5 biometric data-sharing process\)](#)).
- 1.1.4 In cases where there are doubts surrounding a person's claimed place of origin, decision makers should also consider language analysis testing, where available (see the [Asylum Instruction on Language Analysis](#)).

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1.2 Exclusion

- 1.2.1 Decision makers must consider whether there are serious reasons to apply one (or more) of the exclusion clauses. Each case must be considered on its individual facts.
- 1.2.2 If the person is excluded from the Refugee Convention, they will also be excluded from a grant of humanitarian protection (which has a wider range of exclusions than refugee status).
- 1.2.3 For guidance on exclusion and restricted leave, see the Asylum Instruction

on [Exclusion under Articles 1F and 33\(2\) of the Refugee Convention](#), [Humanitarian Protection](#) and the instruction on [Restricted Leave](#).

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2. Protection

- 2.1.1 A person who has a well-founded fear of persecution or serious harm from a rogue state actor and/or a non-state actor is likely to obtain protection from the state.
- 2.1.2 In general, India takes reasonable steps to prevent and combat criminal acts by operating an effective legal system for the detection, prosecution and punishment of acts that could amount to persecution, and a person is generally able to access protection.
- 2.1.3 Corruption, sympathy or weakness of some individuals in the system of justice does not mean that the state is unwilling to afford protection and there may be various sound reasons why criminals may not be brought to justice.
- 2.1.4 As such, the state is both willing and able to offer sufficient protection to persons fearing non-state, including 'rogue' state actors. The onus is on the person to demonstrate otherwise.
- 2.1.5 India is party to most major international instruments on human rights and its constitution and legislature protect civil, political and economic rights. There is a functioning and generally accessible criminal justice system. On 1 July 2024, three new criminal laws, Bharatiya Nyaya Sanhita (BNS), Bharatiya Nagarik Suraksha Sanhita (BNSS) and the Bharatiya Sakshya Adhinayam (BSA) came into effect, replacing the 1860 Indian Penal Code, 1973 Code of Criminal Procedure and 1872 Indian Evidence Act. Changes to criminal offences under the BNS to strengthen protection include fast-track investigations, informing of rights upon arrest, audio-video recording of police statements, exemptions for vulnerable persons to attend police stations, proportional fines, and community service (see [Constitution](#), [Legislation](#) and [International human rights treaties](#)).
- 2.1.6 The Ministry of Home Affairs controls national law enforcement agencies, most paramilitary forces and the internal intelligence bureaus and provides training to senior officials from state police forces. Each of the 28 states and 8 union territories (UTs) have their own separate police force and have the primary responsibility for crime prevention, investigation and maintaining law and order. The Crime and Criminal Tracking Network & Systems (CCTNS) has been implemented in all police stations across India and facilitates the sharing of information relating to crime and criminals (see [Organisations responsible for law enforcement](#)).
- 2.1.7 Police numbers vary from state to state. The Bureau of Police Research and Development (BRPD) recorded 17,957 police stations in 2022 and the police

to civilian ratio across India as just under 197 officers per 100,000 people. In specific states, Nagaland had the highest number of police per 100,000 people (1,189.33) and Bihar had the lowest (75.66). Some police stations lack access to basic amenities, such as running water, toilets, vehicles, wireless or mobile phones and access to forensic services (see [Indian Police Service](#), [State police forces](#), [Pay, training and resourcing](#)).

- 2.1.8 Police effectiveness and conduct varies from state to state and is undermined by limited resources, corruption and inadequate training, although the number of training institutes has increased over the years. In 2023 there were 236 state-based training centres for the total 2.2 million police officers, each serving just under 12,000 personnel. Police investigations can be obstructed or delayed by some police officers refusing to register a First Information Report (FIR) which is needed to start the investigation process. The new criminal laws include provisions to facilitate crime reporting including online incident reporting, filing FIRs at any police station regardless of jurisdiction, free copies of FIRs to victims. The National Crime Records Bureau (NCRB) registered a total of 5,824,946 FIRs in 2022 and 5,390,233 arrests (see [First Information Reports \(FIRs\)](#), [Efficacy](#), and [Crime & arrest rates](#))
- 2.1.9 The law prohibits arbitrary arrest and detention; however, police sometimes fail to file arrest reports for people detained and there are instances of police arbitrarily arresting and detaining people without warrants or identification. Human rights abuses committed by police occur including rape, torture, deaths in custody and the use of excessive force including extra-judicial killing by security forces, particularly in areas of conflict. Between 2016 and 2022, there were a total of 813 cases of extrajudicial killings, with the majority occurring in the states of Chhattisgarh and Uttar Pradesh. When considered against a population exceeding 1.4 billion and that they occurred over a six-year period, this figure is relatively low and does not indicate such actions are widespread or systemic (see [Extrajudicial killings](#) and [Misconduct and human rights violations](#)).
- 2.1.10 There are legal remedies for police misconduct, although some victims may be reluctant to report police violations. India's National Human Rights Commission (NHRC) is currently recognised as meeting the minimum standards for credibility and effectiveness, though it has been charged with making further improvements by the Global Alliance of National Human Rights Institutions (GANHRI) before a full review in 2026. Complaints can be made to the NHRC via post or on their website and although there are cases in the system awaiting consideration, according to the latest NHRC annual report in 2024 cases are being resolved. The NHRC awards compensation to victims and families but the process can be slow, and its powers limited. In addition to the NHRC, there are state-level human rights commissions (SHRC) in all states bar Mizoram, with wide reaching powers to investigate allegations, review laws and make recommendations. Some SHRCs face financial and staffing challenges (see [Oversight and redress](#)).
- 2.1.11 In general, there is a functioning independent judicial system, including fair and publicly held trials, the presumption of innocence and the right to appeal. However, there are reports of corruption and some politically motivated judicial appointments. The effectiveness of the judiciary is affected by understaffing, severe delays to adjudication and a backlog of cases. As of 16

July 2025, there were a total of 35.4 million criminal cases. The most common reason for delay was lack of available counsel. Conviction rates for serious crimes vary, with some offences resulting in a higher number of convictions (for example in murder cases) than others, the reasons for which are likely to be complex and wide-ranging but are unclear in the sources consulted. Some rural communities have community-based village courts which can be preferred to the formal legal system (see [Rule of law and judiciary](#)).

- 2.1.12 Access to legal aid is embedded in the constitution for all citizens. However, the quality of and access to legal aid is inconsistent across India. Lawyers and legal aid clinics are more likely to be available in urban areas (see [Legal aid](#)).
- 2.1.13 The death penalty is retained in India with 564 people remaining on death row in 2024. Whilst lower courts can impose the death penalty, sentences need to be confirmed by a higher court, and most are overturned or commuted to life in prison. The Supreme Court did not confirm any death sentences in 2024, and the last recorded execution was in 2020 (see [Death penalty](#)).
- 2.1.14 For further information on effective protection for minority groups see the Country Policy Information Notes on [India: Religious minorities and scheduled castes and tribes](#), [India: Sexual orientation and gender identity and expression](#) and [India: Women fearing gender-based violence](#).
- 2.1.15 For further guidance on assessing state protection, see the Asylum Instruction on [Assessing Credibility and Refugee Status](#)

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3. Certification

- 3.1.1 Where a claim is refused, it must be considered for certification under section 94(3) of the Nationality, Immigration and Asylum Act 2002 as India is listed as a designated state. Such a claim must be certified under section 94(3) if you are satisfied it is clearly unfounded.
- 3.1.2 Where a claim is refused, it is likely to be certifiable as 'clearly unfounded' under section 94 of the Nationality, Immigration and Asylum Act 2002.
- 3.1.3 For further guidance on certification, see [Certification of Protection and Human Rights claims under section 94 of the Nationality, Immigration and Asylum Act 2002 \(clearly unfounded claims\)](#).

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Country information

About the country information

This section contains publicly available or disclosable country of origin information (COI) which has been gathered, collated and analysed in line with the [research methodology](#). It provides the evidence base for the assessment which, as stated in the [About the assessment](#), is the guide to the current objective conditions.

The structure and content follow a [terms of reference](#) which sets out the general and specific topics relevant to the scope of this note.

This document is intended to be comprehensive but not exhaustive. If a particular event, person or organisation is not mentioned this does not mean that the event did or did not take place or that the person or organisation does or does not exist.

The COI included was published or made publicly available on or before **29 September 2025**. Any event taking place or report published after this date will not be included.

Decision makers must use relevant COI as the evidential basis for decisions.

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4. Legal framework

4.1 International human rights treaties

4.1.1 India has ratified 6 of the 9 core international human rights instruments¹:

International human rights instrument	Ratification/ Accession
International Convention on the Elimination of All Forms of Racial Discrimination (CERD)	1968
International Covenant on Civil and Political Rights (CCPR)	1979
International Covenant on Economic, Social and Cultural Rights (CESCR)	1979
Convention on the Elimination of All Forms of Discrimination against Women (CEDAW)	1993
Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT)	1997 (signed only)
Convention on the Rights of the Child (CRC)	1992
International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families (CMW)	-
International Convention for the Protection of All Persons from Enforced Disappearance (CED)	2007 (signed only)
Convention on the Rights of Persons with Disabilities (CRPD)	2007

4.1.2 The World Organisation Against Torture (OMCT) Global Torture Index 2025,

¹ OHCHR, [Status of ratification interactive dashboard](#), no date

described as a data driven tool which evaluates national legal systems, public policies and effects measured against international human rights standards across 26 countries², published 7 July 2025 based on data collected in 2023 and 2024 noted: ‘... Despite constitutional prohibitions on torture, there is no specific national legislation criminalising torture or [Cruel, Inhuman or Degrading Treatment or Punishment] CIDTP, and key international treaties, including the UN Convention Against Torture (UNCAT) and its Optional Protocol, remain unratified ...’³

- 4.1.3 The same report noted: ‘India has minimum engagement with international oversight mechanisms. Although the government formally invited the UN Special Rapporteur on Torture to visit the country, it has effectively prevented such visits from occurring. It has responded to fewer than 50% of communications from the Rapporteur over the last five years and provided minimal substantive information.’⁴

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4.2 Constitution

- 4.2.1 The [Constitution of India](#), updated on 1 May 2024 to incorporate amendments up to the Constitution (One Hundred and Sixth Amendment) Act, 2023, sets out provisions which protect basic rights on equality, prohibitions on discrimination on the basis of gender, religion and caste, protection of life, freedom of religion and protection against exploitation⁵.
- 4.2.2 In regard to specific provisions on arrest and detention, the Constitution of India protects individuals from retrospective punishment, double jeopardy, and self-incrimination (Article 20). It guarantees safeguards against unlawful arrest, including the right to be informed of charges, access to legal counsel, and appearance before a magistrate within 24 hours (Article 22). Preventive detention beyond two months requires review by an independent board. The Constitution also ensures equal access to justice through free legal aid for those unable to afford it (Article 39A)⁶.

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4.3 Legislation

- 4.3.1 The Penal Code of 1860 and the Code of Criminal Procedure of 1973 have been replaced by the [Bharatiya Nyaya Sanhita \(2023\)](#), and the [Bharatiya Nagarik Suraksha Sanhita \(2023\)](#) which are the prevailing laws on crime prevention and punishment. They were gazetted on 25 December 2023 and came into force on 1 July 2024⁷.
- 4.3.2 The Indian Evidence Act of 1872 was replaced by the [Bharatiya Sakshya Adhiniyam 2023](#) which governs the admissibility of evidence in the Indian courts of law⁸.
- 4.3.3 In relation to arrest and detention rights, the US State Department Human Rights report published 22 April 2024, covering events in 2023, (USSD 2023

² OMCT, [Global Torture Index Methodology](#), undated

³ OMCT, [Global Torture Index 2025: India Factsheet](#), 7 July 2025

⁴ OMCT, [Global Torture Index 2025: India Factsheet](#), 7 July 2025

⁵ GoI, [Constitution of India](#) (Preface and Part III), 1 May 2024

⁶ GoI, [Constitution of India](#), 1 May 2024

⁷ GoI, [Highlights of New Criminal Laws](#), 30 July 2024

⁸ GoI, [Bharatiya Sakshya Adhiniyam](#), 25 December 2023

report) stated:

‘An arrested person had to be brought before a judge within 24 hours of arrest unless authorities held the suspect under a preventive detention law for concerns related to security risks, terrorism, or insurgency. If police detained a person under preventive detention, they could hold the person without charge for up to 30 days, and a court could authorize a detention for a period of up to 90 days prior to filing charges. Under standard criminal procedure, authorities were required to release the accused on bail after 90 days if charges were not filed; however, courts could extend this period to 180 days.’⁹ The USSD 2024 report did not include information on criminal justice legislation¹⁰. However, the 2024 report is notably shorter than in previous years and provides less coverage of certain topics.

- 4.3.4 The same report stated: ‘The National Security Act allowed police to detain persons considered security risks without charge or trial for as long as one year... The National Security Act ... required authorities to inform a detainee of the grounds for detention within five days, or up to 15 days in exceptional circumstances. Human rights activists noted instances where these provisions were not followed.’¹¹

- 4.3.5 The Australian Department for Foreign Affairs and Trade country information report on India published 29 September 2023, based on ‘... DFAT’s on-the-ground knowledge and discussions with a range of sources in India... information from government and non-government sources ...’¹² (DFAT 2023 report) noted:

‘A form of detention known as ‘preventative detention’ exists outside of regular criminal procedure laws. Under the National Security Act 1980, Union or state governments can detain a person if they believe that they will harm national security or public order. State laws may also provide for this kind of detention. These laws are most likely to apply to conflict-affected areas but have been used in other cases. The Supreme Court ruled in August 2021 that the application of the Telangana Prevention of Dangerous Activities Act, which authorises preventive detention, could not be used against a person who was accused of fraud.’¹³

- 4.3.6 In regard to additional legislation, the same report noted:

‘The Unlawful Activities Prevention Act (UAPA) gave authorities the ability to detain persons for up to 180 days without charge in cases related to insurgency and terrorism. The UAPA had stringent bail provisions, particularly for those suspected of terrorism. State governments also reportedly held persons without bail for extended periods before filing formal charges under the UAPA. Civil society organizations expressed concern that the central government used the UAPA to target and arbitrarily detain human rights activists, members of minority groups, and journalists under the guise of national security.’¹⁴

- 4.3.7 On 26 June 2024, a journal article comparing the BNS and previous penal

⁹ USSD, [2023 Country Reports on Human Rights Practices: India](#) (section 1d), 22 April 2024

¹⁰ USSD, [2024 Country Reports on Human Rights Practices: India](#), 12 August 2025

¹¹ USSD, [2023 Country Reports on Human Rights Practices: India](#) (section 1d), 22 April 2024

¹² DFAT, [DFAT Country Information Report India](#) (paragraph 1.4), 29 September 2023

¹³ DFAT, [DFAT Country Information Report India](#) (paragraph 4.28), 29 September 2023

¹⁴ USSD, [2023 Country Reports on Human Rights Practices: India](#) (section 1d), 22 April 2024

code published in the International Journal of Criminal, Common and Statutory Law, a peer-reviewed open access journal¹⁵ by Anushka Moolchandani, an Assistant Professor in the Department of Law in Mahatma Jyotiba Phule Rohilkhand University, Uttar Pradesh¹⁶, outlined key changes introduced in the BNS which include: consolidation of provisions, modernised language and definitions, expanded jurisdiction to outside India, and specific offences against property, women and children, the human body, organised crimes and terrorist acts, and offences against the State and public tranquillity¹⁷.

- 4.3.8 Regarding key changes from the BNS, BNSS and the BSA, on 3 July 2024 the Ministry of Home Affairs (MHA) press release highlighted key provisions of the new criminal laws which impact individual rights and protections¹⁸ (Table created by CPIT based on information in MHA press release):

Report Incidents Online:	A person may now report incidents by electronic communication, without the need to physically visit a police station. This allows for easier and quicker reporting, facilitating prompt action by the police
File FIR at Any Police Station:	With the introduction of Zero FIR, a person can file a First Information Report (FIR) at any police station, regardless of jurisdiction. This eliminates delays in initiating legal proceedings and ensures immediate reporting of the offence.
Free Copy of FIR	Victims will receive a free copy of the FIR, ensuring their participation in the legal process.
Right to Inform Upon Arrest:	In the event of an arrest, the individual has the right to inform a person of his choice about their situation. This will ensure immediate support and assistance to the arrested individual.
Display of Arrest Information	Arrest details will now be prominently displayed within police stations and district headquarters, allowing families and friends of the arrested person easy access to important information
Fast-Track Investigations	The new laws prioritised the investigations for offences against women and children, ensuring timely completion within two months of recording information
Supply of police report and other documents	Both the accused and the victim are entitled to receive copies of the FIR, police report/chargesheet, statements, confessions, and other documents within 14 day

¹⁵ IJCCSL, [Home](#), no date

¹⁶ Moolchandani, A, [A paradigm shift in Indian criminal law: Comparative analysis...](#), 26 June 2024

¹⁷ Moolchandani, A, [A paradigm shift in Indian criminal law: Comparative analysis...](#), 26 June 2024

¹⁸ MHA, [Highlights of New Criminal Laws](#), 30 July 2024

Limited Adjournment	Courts grant a maximum of two adjournments to avoid unnecessary delays in case hearings, ensuring timely justice delivery.
Gender Inclusivity	The definition of “gender” now includes transgender individuals, promoting inclusivity and equality
All proceedings in Electronic Mode	By conducting all legal proceedings electronically, the new laws offer convenience to victims, witnesses, and accused, thereby streamlining and expediting the entire legal process.
Audio-Video Recording of Statements	In order to provide more protection to the victim and enforce transparency in investigation related to an offence of rape, the statement of the victim shall be recorded through audio video means by police.
Exemption from going to police station	Women, persons below 15 years, persons above 60 years, and those with disabilities or acute illness are exempt from attending police stations.
Community service	The new laws introduce community service for minor offences promoting personal growth and social responsibility of an individual. Under community service, the offenders get the chance to positively contribute to society, learn from their mistakes, and build stronger community bonds.
Aligned Fines for Offences	Under new laws, the fines imposed for certain crimes have been aligned with the severity of the offences, ensuring fair and proportional punishment, deterring future offences, and maintaining public trust in the legal system.

- 4.3.9 The Central Academy for Police Training (CAPT Bhopal) published summary tables highlighting changes between [the BNS](#), [the BNSS](#) and [BSA](#) and the previous Indian Penal Code.
- 4.3.10 Common Cause, an Indian non-governmental organisation¹⁹ and Lokniti, a research programme of the Centre for the Study of Developing Societies (CSDS) published ‘The Status of Police in India Report’ in 2025, based on official data and survey responses from ‘... 8,276 police personnel of various ranks at 82 locations such as police stations, police lines and courts, in 16 states and the national capital ...’²⁰ (SPIR 2025 report). The SPIR 2025 stated: ‘... Preventive arrests, which allow police to detain individuals, under Section 170 of the BNSS, based solely on suspicion that they may commit an offence, are to be used only in very limited circumstances. The law

¹⁹ Common Cause, [Who We Are](#), no date

²⁰ Common Cause & Lokniti, [Status of Policing in India Report 2025](#) (page 20), 2025

stipulates that a police officer can resort to preventive arrest only if there is no other way to prevent the commission of an offence. Detention under Section 170 cannot exceed 24 hours ...'²¹

4.3.11 The SPIR 2025 report noted:

'... In the survey, police personnel were asked about how practical it is to produce an arrested person before a judicial magistrate within 24 hours of arrest. Responses emerged that only a little more than half of the respondents (56%) said that it is "always" feasible to produce the arrested person before a judge/magistrate within 24 hours of their arrest, while 30 percent believed that it is only "sometimes" possible... At least one in every ten respondents also said that it is "rarely" (8%) or "never" (3%) feasible to ensure the production of an arrested person before a magistrate within 24 hours of arrest.'²²

4.3.12 See also [Pre-trial detention](#) and [Death penalty](#)

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5. Organisations responsible for law enforcement

5.1 Structure and responsibilities

5.1.1 The US Overseas Security Advisory Council (OSAC) India Country Security Report, published on 4 October 2024, noted: 'The states and union territories have primary responsibility for maintaining law and order, with policy oversight from the central government. Police are within state jurisdiction. The Home Affairs Ministry controls most paramilitary forces, the internal intelligence bureaus, and national law enforcement agencies, and provides training for senior officials from state police forces ...'²³

5.1.2 In 2009, the Cabinet Committee on Economic Affairs (CCEA) approved the Crime and Criminal Tracking Network and Systems (CCTNS) scheme²⁴. According to the National Crime Records Bureau: 'CCTNS aims at creating a comprehensive and integrated system for enhancing the efficiency and effectiveness of policing through adopting of principle of e-Governance and creation of a nationwide networking infrastructure for evolution of IT-enabled state-of-the-art tracking system around "Investigation of crime and detection of criminals".'²⁵

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5.2 Indian Police Service

5.2.1 An undated Indian Police Service website page stated:

'The Indian Police Service (IPS) is one of the three All India Services constituted under Article 312 of the Constitution of India. The IPS officers provide senior level leadership to Police Forces both in the States and at the Centre. The Police Division in the Ministry of Home Affairs (MHA) is responsible for Cadre management of IPS and Policy Decisions such as cadre structure, recruitment, training, cadre allocation, confirmation,

²¹ Common Cause & Lokniti, [Status of Policing in India Report 2025](#) (page 40), 2025

²² Common Cause & Lokniti, [Status of Policing in India Report 2025](#) (page 90), 2025

²³ OSAC, [India Country Security Report](#), 4 October 2024

²⁴ NCRB, [Crime and Criminal Tracking Network & Systems \(CCTNS\)](#), no date

²⁵ NCRB, [Crime and Criminal Tracking Network & Systems \(CCTNS\)](#), no date

empanelment, deputation, pay and allowances, disciplinary matters of IPS Officers ...²⁶

- 5.2.2 The Bureau of Police Research and Development (BPRD) in its report published 3 April 2024 containing data on police organisations from 2022 (BPRD 2022 report) stated the police to civilian population ratio was 196.88 per 100,000 persons. The total was derived from numbers of Civil police, District Armed Reserve (DAR) police, Armed police and Indian Reserve Battalion (IRB) police²⁷. As of the time of writing the BRPD 2022 report was the most up-to-date report on data on police organisations.
- 5.2.3 Bureaucrats India, an organisation focused on governance, in its article dated 13 December 2024 noted that as of 1 January 2024 4,469 IPS officers were in position against the sanctioned strength of 5,055²⁸.

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5.3 State police forces

- 5.3.1 The DFAT 2023 report stated: ‘The Constitution of India devolves responsibilities for police and public order to the states ...’²⁹
- 5.3.2 The BPRD report provided data on the number of police in State Police Forces in 2022 (the most recent comprehensive data set available at the time of writing). Sanctioned strength refers to the number of posts and the actual strength the number of police in post³⁰. The table below compiled by CPIT using BRPD data on the number of police forces in each state:

Police personnel	Sanctioned strength 2022	Actual Strength 2022
Civil police	1,834,000	1,432,000
District Armed Reserve police (DAR)	326,000	239,000
State Special Armed police	563,000	472,000
Total	2,723,000	2,141,000

- 5.3.3 The BPRD 2022 report provided statistics on the police to civilian population ratio in states³¹ (table compiled by CPIT based on BRPD data):

State	Total number of police per 100,000 people
Andhra Pradesh	167.67
Arunachal Pradesh	785.71
Assam	175.57
Bihar	75.16
Chhattisgarh	217.47
Goa	505.63
Gujarat	127.82

²⁶ IPS, [Home](#), no date

²⁷ BPRD, [Data on Police Organisations](#) (page 51), 1 April 2024

²⁸ Bureaucrats India, [India's top services...](#), 13 December 2024

²⁹ DFAT, [DFAT Country Information Report India](#) (paragraph 5.4), 29 September 2023

³⁰ BPRD, [Data on Police Organisations](#) (page 18 and 19), 1 April 2024

³¹ BPRD, [Data on Police Organisations](#) (page 76), 1 April 2024

Haryana	198.95
Himachal Pradesh	231.06
Jharkhand	162.73
Karnataka	142.37
Kerala	149.60
Madhya Pradesh	121.76
Maharashtra	136.45
Manipur	900.63
Meghalaya	420.25
Mizoram	619.74
Nagaland	1,189.33
Odisha	122.59
Punjab	237.12
Rajasthan	120.39
Sikkim	862.94
Tamil Nadu	154.25
Telangana	165.88
Tripura	537.65
Uttar Pradesh	133.86
Uttarakhand	177.25
West Bengal	97.66

- 5.3.4 Regarding the location of police stations in urban versus rural areas, the BPRD 2022 report stated that out of a total of 17,932 police stations: 9,429 were in rural areas, 5,432 were in urban areas and 3,443 were special purpose (anti-corruption, crimes against women & children, narcotics, cyber-crime³²) police stations³³.
- 5.3.5 Regarding the availability of police posts/outposts in urban versus rural areas, the same report noted out of a total of 9,129 police stations, 5,042 were in rural areas and 3,341 were in urban areas³⁴.
- 5.3.6 In relation to the demography of the Indian Police Service, the DFAT 2023 report stated: 'Indian police forces have few women members (about 10 per cent of officers), which likely deters women from reporting crimes, given the conservative and sex-segregated nature of Indian society ...'³⁵
- For more information on women reporting crimes see [Country Policy and Information Note India: Women fearing gender-based violence](#)
- 5.3.7 The OSAC 2024 report stated: 'The ratio of police officers to citizens in New Delhi is approximately 144:100,000, well below the worldwide average of 350:100,000. The ratio of police officers to citizens in India is approximately 152.8:100,000. With the population well over 21 million and a density of over 29,000 people per square mile, policing is a difficult task ...'³⁶. The OSAC 2024 report does not include references for this data; however, the same data was included in the previous 2022 OSAC report.

³² BPR&D, [Data on Police Organisations](#) (page 37), 1 April 2024

³³ BPR&D, [Data on Police Organisations](#) (page 37), 1 April 2024

³⁴ BPR&D, [Data on Police Organisations](#) (page 37), 1 April 2024

³⁵ DFAT, [DFAT Country Information Report India](#) (paragraph 5.5), 29 September 2023

³⁶ OSAC, [India Country Security Report](#), 4 October 2024

- 5.3.8 On 12 December 2024, the Ministry of Personnel, Public Grievances and Pensions published a written response to a parliamentary question on the strength of IAS, IPS and IFS officers as of 1 January 2024 which included the below statistics³⁷ (Table compiled by CPIT based on data of total sanctioned strength of IPS officers and in position as of 1 January 2024):

State/Territory	Total Authorised Strength per 100,000	No. of Officers in Position per 100,000
Andhra Pradesh	144	131
Arunachal Pradesh Goa Mizoram and Union Territory	457	145
Assam Meghalaya	195	162
Bihar	242	225
Chhattisgarh	142	129
Gujarat	208	194
Haryana	144	128
Himachal Pradesh	94	84
Jharkhand	158	147
Karnataka	224	193
Kerala	172	134
Madhya Pradesh	319	271
Maharashtra	317	299
Manipur	91	66
Nagaland	80	64
Odisha	195	132
Punjab	172	143
Rajasthan	222	208
Sikkim	32	28
Tamil Nadu	276	234
Telangana	139	130
Tripura	69	66
Uttarakhand	75	70
Uttar Pradesh	541	499
West Bengal	347	317
Total	5055	4469

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5.4 Intelligence agencies

- 5.4.1 An undated education web portal³⁸ launched by Jagran Prakashan Limited (JPL), a media and communication conglomerate based in India³⁹, listed intelligence agencies in India:

‘... The National Investigation Agency (NIA) is India's premier agency to counter terrorism under the aegis of the Ministry of Home Affairs (MHA). The agency investigates terror-related crimes in the country without any special

³⁷ MPPG&P, [Parliament Question: Strength of IAS, IPS, and IFS Officers](#), 12 December 2024

³⁸ Jagran Josh Education Web Portal, [About us](#), undated

³⁹ JPL, [Group profile](#), undated

permission from the states. It further probes attacks targetting [sic] Indian interests abroad.

‘... The National Crime Record Bureau (NCRB), under the aegis of the Ministry of Home Affairs (MHA), deals in collecting and analysing crime data as per the IPC and SLL. It functions as a repository of information on crime and criminals to help assist the investigators in linking crime to the perpetrators.

‘... India's premier investigating agency, the Central Bureau of Investigation (CBI), operates under the jurisdiction of the Ministry of Personnel, Public Grievances and Pensions... It is India's designated single point of contact for liaison with Interpol.

‘... Intelligence Bureau (IB) is the domestic internal security and counter-intelligence agency of India. The agency is under the aegis of the Ministry of Home Affairs (MHA).’⁴⁰

- 5.4.2 On 26 February 2024, the Pioneer, an Indian newspaper⁴¹, article stated: ‘... the existence of 14 intelligence agencies, each with varying and occasionally overlapping responsibilities... However, persistent issues stem from the lack of coordination among these agencies. The absence of a Director of National Intelligence or a Coordinating Minister exacerbates this problem. Accountability remains a concern.’⁴²
- 5.4.3 The BPRD report noted in relation to the strength of Special Branch officers dealing with intelligence that in 2022 there were ‘...37,641 Police personnel actually deployed in the Special Branch against the sanctioned strength of 52,116.’⁴³
- 5.4.4 On 7 May 2025 Grey Dynamics, a London based intelligence company⁴⁴, article stated ‘The Research and Analysis Wing (RAW) is one of the key intelligence agencies in India. The Research and Analysis Wing (RAW) stands as one of India's key intelligence agencies ... RAW's primary responsibility is to provide the government with strategic and comprehensive information to facilitate challenging decision-making ...’⁴⁵

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5.5 Armed forces

- 5.5.1 The US Central Intelligence Agency (CIA) World Factbook noted in 2025 that the Indian Armed Forces (IAF) included the Army, Navy, Air Force and Coast Guard and that ‘information varies; [but there are] approximately 1.5 million active Indian Armed Forces, including about 1.25 million in the Army.’⁴⁶
- 5.5.2 The DFAT 2023 report stated: ‘The military has significant powers under the Armed Forces (Special Powers) Act 1958 when a state of emergency is declared. The Act allows security forces to search homes, search or arrest people and premises without a warrant, and shoot on sight. These powers are in force in Jammu and Kashmir as well as in parts of the country where

⁴⁰ Jagran Josh Education Web Portal, [List of Intelligence Agencies in India](#), 10 July 2023

⁴¹ The Pioneer, [About Us](#), no date

⁴² The Pioneer, [Revamping India's intelligence network](#), 26 February 2024

⁴³ BPRD, [Data on Police Organisations](#) (page 18), 1 April 2024

⁴⁴ Grey Dynamics, [Our story](#), no date

⁴⁵ Grey Dynamics, [Research and Analysis Wing \(R&AW\): Inside India's Foreign...](#), 7 May 2025

⁴⁶ CIA World Factbook, [India](#) (Military and Security), 21 July 2025

separatist forces are at large. Critics claim that the laws give impunity to members of the military.⁴⁷

- 5.5.3 The same DFAT report stated: 'The Armed Forces Special Powers Acts, 1958 (AFSPA) is in effect in conflict-affected states such as Nagaland, Manipur, Assam and parts of Arunachal Pradesh...The legislation allows the central government to designate a state or Union territory as a 'disturbed area' and authorises security forces in the state to use deadly force to 'maintain law and order' and arrest any person 'against whom reasonable suspicion exists' without informing the detainee of the grounds for arrest.'⁴⁸
- 5.5.4 The same DFAT report noted: 'Most Indians have little contact with the military ...'⁴⁹

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5.6 Pay, training and resourcing

- 5.6.1 Regarding expenditure on training, the 2022 BPRD report noted: '... An amount of Rs 1,813.77 crore [£155,660,814 GBP⁵⁰] was spent on police training at the all India level [across all Indian police departments] in the year 2022-23... The maximum expenditure on training, i.e. 294.56 crore [£25,252,603 GBP⁵¹], was made by the Delhi Police.'⁵²
- 5.6.2 In relation to the number of state-run training centres, the same report noted: 'As on 01.01.2023, a total number of 18 Training Institutes were being run by the UT Police ... The highest number of Training Institutes, i.e., (33), is run by the Telangana Police, followed by 23 run by the Andhra Pradesh Police.'⁵³
- 5.6.3 In regard to the number of training centres run by Union Territories (UT), the same report stated: 'As on 01.01.2023, a total number of 18 Training Institutes were being run by the UT Police. The highest number of Training Institutes, i.e., (7) ...[included] Delhi Police ...'⁵⁴
- 5.6.4 In relation to recruitment of officers, the same report noted there were 63,656 police constables recruited in 2022 in which 10,459 constables were recruited in Gujarat. In total, there were 90,751 newly recruited police personnel trained in 2022⁵⁵.
- 5.6.5 Regarding communication equipment, the same report stated 282 police stations did not have wireless or mobile phones, and 58 police stations were without vehicles, although it is noted certain police stations do not have vehicles for tactical reasons⁵⁶.
- 5.6.6 In regard to facilities in police stations, the DFAT 2023 report stated: 'Some media reports allege that some police forces are poorly equipped to fight crime, however this is likely to vary from place to place. Police stations

⁴⁷ DFAT, [DFAT Country Information Report India](#) (paragraph 5.1), 29 September 2023

⁴⁸ DFAT, [DFAT Country Information Report India](#) (paragraph 4.6 and 4.7), 29 September 2023

⁴⁹ DFAT, [DFAT Country Information Report India](#) (paragraph 5.3), 29 September 2023

⁵⁰ Xe.com, [18,137,700,000 INR to GBP - Convert Indian Rupees to British Pounds](#), 4 July 2025

⁵¹ Xe.com, [2,945,600,000 INR to GBP - Convert Indian Rupees to British Pounds](#), 4 July 2025

⁵² BPRD, [Data on Police Organisations](#) (page 31), 1 April 2024

⁵³ BPRD, [Data on Police Organisations](#) (page 49), 1 April 2024

⁵⁴ BPRD, [Data on Police Organisations](#) (page 49), 1 April 2024

⁵⁵ BPRD, [Data on Police Organisations](#) (page 48), 1 April 2024

⁵⁶ BPRD, [Data on Police Organisations](#) (page 41), 1 April 2024

may lack access to basic amenities such as running water or toilets. The Union Minister of State for Home admitted in March 2023 that dozens of police stations do not have access to a vehicle and hundreds do not have a telephone. Some police officers complain that they are overworked or lack adequate training.⁵⁷

- 5.6.7 In regard to training and resources, the OSAC 2024 report noted that there is ‘... lack of basic equipment and formalized training for patrol officers ...’⁵⁸ The OSAC 2024 report did not provide specific examples of areas where officers lack basic equipment or formalised training, the same information was included in the previous 2022 report.
- 5.6.8 On 3 June 2025 Vajiram and Ravi, an Indian Civil Service examination coaching service⁵⁹ website stated an entry level salary in the IPS is 56,100 INR per month⁶⁰ (£481 GBP⁶¹) and the highest potential salary is 225,000 INR (£1,930 GBP⁶²) per month for the Director General of Police⁶³.
- 5.6.9 The same website noted IPS officers can receive benefits such as house rent allowance or government-provided accommodation, medical benefits, cost of living adjustment allowance, and subsidised electricity and water⁶⁴.
- 5.6.10 The India Justice Report 2025, (IJR 2025 report) a national periodic report which ‘... measure[s] the capacity of four pillars of the justice system - the police, the prison system, the judiciary and legal aid...’⁶⁵, produced by a collaboration of [six non-governmental organisations](#), published in April 2025, found that as of 1 January 2025 the total judge to population ratio was 15.9 per million people⁶⁶. The IJR 2025 report noted: ‘Between 2020 and 2023 the number of training institutes across the country has increased from 203 to 236. These state-based institutes cater to the training needs of approximately 22 lakh [2.2 million] total police personnel ... Nationwide, as of January 2023, on average, each facility serves just under 12,000 personnel, a slightly lower workload than in 2022.’⁶⁷
- 5.6.11 The OMCT Global Torture Index 2025 noted: ‘... In the [Parimvir Singh v. Baljit Singh](#) case of December 2020, the Supreme Court of India issued guidelines mandating the installation of CCTV cameras in police stations and central investigative agency offices, covering aspects such as camera features, placement and the storage of and access to footage. However, compliance remains poor, with 2,701 police stations lacking any cameras. Where cameras are installed, most fail to meet the Court’s standards regarding coverage, technical features and storage capacity.’⁶⁸
- 5.6.12 In relation to vacancies in the IPS, Bureaucrats India noted ‘The Union Government has revealed that... [as at 1 January 2024] 586 posts in the

⁵⁷ DFAT, [DFAT Country Information Report India](#) (paragraph 5.7), 29 September 2023

⁵⁸ OSAC, [India Country Security Report](#), 4 October 2024

⁵⁹ Vajiram&Ravi, [About Us](#), 1 February 2025

⁶⁰ Vajiram&Ravi, [IPS Salary 2025, Grade Pay, Perks & Allowances, Per Month Salary](#), 3 June 2025

⁶¹ Xe.com, [56,100 INR to GBP - Convert Indian Rupees to British Pounds](#), 4 July 2025

⁶² Xe.com, [225,000 INR to GBP - Convert Indian Rupees to British Pounds](#), 4 July 2025

⁶³ Vajiram&Ravi, [IPS Salary 2025, Grade Pay, Perks & Allowances, Per Month Salary](#), 3 June 2025

⁶⁴ Vajiram&Ravi, [IPS Salary 2025, Grade Pay, Perks & Allowances, Per Month Salary](#), 3 June 2025

⁶⁵ IJR, [About](#), undated

⁶⁶ IJR, [India Justice Report 2025](#) (page 22), April 2025

⁶⁷ IJR, [India Justice Report 2025](#) (page 47), April 2025

⁶⁸ OMCT, [Global Torture Index 2025: India Factsheet](#), 7 July 2025

Indian Police Service (IPS) remain vacant across the country... [out of 5,055 posts] ... the vacancies persist due to a combination of factors such as retirements, delays in promotions, and state cadre issues.⁶⁹

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6. Capabilities of the security forces

6.1 First Information Reports (FIRs)

- 6.1.1 India's National Crime Records Bureau (NCRB) Crime in India Report published 1 December 2023 and covering the period 1st January 2022 to 31st December 2022 (the latest edition at the time of writing) provided crime statistics from data obtained from Union Territory and State Police, Central Armed Police Forces and Central Police Organisations⁷⁰. The NCRB 2022 report included statistics on the number of complaints made to police across India and the total number of FIRs registered under the Indian Penal Code (IPC) and Special and Local Laws (SLL)⁷¹ (Table created by CPIT based on data from the NCRB):

Number of complaints	Number of FIRs registered	Number of online/eFIR registered	Total FIRs registered
16,638,680	5,624,065	200,881	582,4946

- 6.1.2 The DFAT 2023 report stated:

'A key consideration when dealing with Indian police is whether a 'First Information Report' (FIR) is made. These are the first reports made by police before they initiate a criminal investigation. Critics of the police claim that police will often refuse to register a FIR; in practice that police action depends on individual police officers and can be arbitrary. The consequences of an FIR not being registered are that the crime is not investigated and no police remedy will be available. As it is the initial action of a police investigation, subsequent police investigation is not possible without an FIR. For example, in a sexual assault case if an FIR is not registered, police arranged medical investigation or care or the taking of a statement will not proceed.'⁷²

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6.2 Crime and arrest rates

- 6.2.1 According to NCRB 2022 statistics, a total of 5,824,946 crimes were recorded, including 3,561,369 crimes under the Indian Penal Code (IPC) and 2,263,567 under Special and Local Laws (SLL) (SLL crimes include The Excise Act, Narcotics Drugs & Psychotropic Substances Act 1985, The Arms Act)⁷³.
- 6.2.2 The same report noted a total of 5,390,233 arrests, including 3,228,322 individuals arrested in connection with 3,561,379 Indian Penal Code (IPC)

⁶⁹ Bureaucrats India, [India's top services....](#), 13 December 2024

⁷⁰ NCRB, [Crime in India 2022 Volume I](#) (pages v and vi), 1 December 2023

⁷¹ NCRB, [Crime in India 2022 Volume I](#) (page 1), 1 December 2023

⁷² DFAT, [DFAT Country Information Report India](#) (paragraph 5.6), 29 September 2023

⁷³ NCRB, [Crime in India 2022 Volume I](#) (pages xi), 1 December 2023

cases, and 2,161,911 individuals arrested in connection with 226,567 cases under SLLs⁷⁴.

- 6.2.3 In regard to arrests and investigations, the same report provided the below figures⁷⁵ (Table by CPIT):

Crime	Total cases for investigation	Cases charged	Charge rate
Murder	49,220	25,658	81.5
Rape	44,785	26,508	77.9
Kidnapping & Abduction	181,240	41,656	36.4
Hurt (inc. acid attack)	858,817	570,027	89.9
Rioting	67,789	34,963	86.6

For official statistics on convictions and acquittals see [Prosecution and conviction rates](#)

- 6.2.4 The OSAC 2024 report stated: ‘... While the numbers of reported incidents increase every year, many more go unreported...’⁷⁶ The OSAC report did not provide information to enable analysis of why incidents of reported crime had risen and whether this was due to an increase in the actual incidence of crime or other factors such as growing public awareness, improved access to support services, or increased trust in reporting mechanisms.
- 6.2.5 The SPIR survey was based on 8,276 police personnel of various ranks at 82 locations such as police stations, police lines and courts, in 16 states and the capital. The SPIR survey noted: ‘It was deemed preferable that the sample includes respondents belonging to various ranks of the police administration. While the majority of the police respondents in the study belonged to the constabulary ranks, as these officials were more approachable and available, a serious attempt was also made to identify and interview police personnel above the rank of Assistant Sub-Inspector ...’⁷⁷. If considered alongside the estimated number of police in State police forces in 2022 of over 2.14 million it would account for around 0.004% of police views. Moreover, these responses may reflect individual perceptions or stated views rather than actual practices, and it is unclear to what extent these views are implemented or influence operational behaviour.
- 6.2.6 The SPIR 2025 report stated:
- ‘Police personnel were asked about the crimes for which, in their view, they carried out the most arrests in their area or jurisdiction, among a range of offences from minor to serious. The responses revealed that theft and extortion were the most frequently reported categories of crime for which arrests were made (21%), followed by loitering and public nuisance (17%). Their views converged to establish the finding that 15 percent [of] arrests were seen to be made respectively, for bodily crimes (such as murder, assault and kidnapping), and for crimes against women... Almost one in every ten arrests pertained to the crimes of rioting and robbery (8% and 6%

⁷⁴ NCRB, [Crime in India 2022 Volume I](#) (pages xviii), 1 December 2023

⁷⁵ NCRB, [Crime in India 2022 Volume I](#) (pages xvi), 1 December 2023

⁷⁶ OSAC, [India Country Security Report](#), 4 October 2024

⁷⁷ Common Cause & Lokniti, [Status of Policing in India Report 2025](#) (page 192), 2025

respectively).⁷⁸

6.2.7 The same report opined:

‘Notably, in Indian law, the gravity of an offence is a major factor that determines whether an arrest is justified or not. The law is clear that police officers should not automatically arrest in offences punishable by seven years or less, and must provide written reasons to a judicial magistrate if they feel an arrest is warranted for such an offence... The responses by the police stating that they carry out the highest number of arrests for relatively minor offences - theft and extortion, loitering and public nuisance (all with punishments less than seven years) – indicates that the law is not being adhered to and excessive arrests are being made.’⁷⁹

6.2.8 In regard to arrest rates in states, the same report found: ‘The police responses also reveal that the highest proportions of arrests conducted for bodily crimes (such as murder, assault and kidnapping) were reported in Assam (30%), closely followed by Gujarat (28%), Maharashtra (26%) and Jharkhand (26%). ...’⁸⁰

6.2.9 In relation to police opinions on preventative arrests, the same report found: ‘... more than one out of three police personnel (36%) hold the opinion that preventive arrests should be made regularly, contradicting the limited use allowed by the law... On the other hand, almost three in every five respondents (59%) agreed with the second statement, that these arrests should be made only in special situations. Across ranks, there is not much variation in the opinions on this question.’⁸¹

6.2.10 In relation to compliance with arrest procedures, the same report recorded varying levels of compliance reported by respondents as in the below statistics⁸². (Table compiled by CPIT based on data from SPIR 2025 report):

‘In your experience, how often are these procedures followed when a person is being arrested? (%)				
	Always	Sometimes	Rarely	Never
Have a female police personnel present at the time of a woman’s arrest	80	11	6	3
Inform the arrestee of the reasons for their arrest	72	18	7	2
Complete an inspection memo	72	17	7	2
Complete an arrest memo with all the required signatures	71	17	6	4
Inform their family members about the arrest	70	17	7	4

⁷⁸ Common Cause & Lokniti, [Status of Policing in India Report 2025](#) (pages 38&39), 2025

⁷⁹ Common Cause & Lokniti, [Status of Policing in India Report 2025](#) (page 39), 2025

⁸⁰ Common Cause & Lokniti, [Status of Policing in India Report 2025](#) (page 40), 2025

⁸¹ Common Cause & Lokniti, [Status of Policing in India Report 2025](#) (page 43), 2025

⁸² Common Cause & Lokniti, [Status of Policing in India Report 2025](#) (page 82), 2025

Take the arrestee to a doctor for a medical examination	70	16	8	4
Identify yourself as a police officer with your name tag visible	65	19	9	3
Inform the arrestee that they can contact a lawyer	59	20	11	5

- 6.2.11 On 6 May 2025, the Times of India, described as the largest English language newspaper in India⁸³, published an article which stated that according to the NCRB 2024 report, Uttar Pradesh was the state with the most reported crimes at 7.4 per capita. The article opined: ‘The per capita crime rate of 7.4 indicates ongoing difficulties in upholding law and order despite a large population. Public safety is still impacted by problems like theft, violent crimes, and intercommunal conflicts⁸⁴. At the time of writing, the NCRB 2024 report was not publicly available.

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6.3 Efficacy

- 6.3.1 The DFAT 2023 report provided an assessment on police efficacy: ‘DFAT understands that if a person of interest is being sought by another state, the states would work together in securing the arrest and extradition of that person, however there is no formal state extradition requirement. DFAT understands state police do not have sophisticated online databases to track offenders; such work may be done manually, but details are not clear and, in practice, it would probably depend on the individual police officers and police forces involved. In spite of that, in general, DFAT understands that there is a good degree of cooperation between state police forces and interstate arrest and extradition may be possible.’⁸⁵
- 6.3.2 On 18 December 2024, the Hindu, an Indian newspaper⁸⁶, article reported that in terms of central co-ordination and co-operation between states: ‘... all 17,130 police stations in the country have been linked through the Crime and Criminal Tracking Network and Systems (CCTNS), a centralised online platform to file first information reports (FIRs), chargesheets, and investigation reports. The online database can be accessed by law enforcement authorities across the country.’⁸⁷
- 6.3.3 The Freedom House report (FH report 2024) published on 26 February 2025, covering events in 2024, produced by in-house and external analysts who used a range of sources including news articles and on-the-ground research⁸⁸, stated: ‘Due process rights are not consistently upheld. Citizens face substantial obstacles in the pursuit of justice, including demands for bribes and difficulty getting the police to file a First Information Report, which

⁸³ Times of India, [About Us](#), no date

⁸⁴ Times of India, [Top 10 Indian states with highest crimes rates](#), 6 May 2025

⁸⁵ DFAT, [DFAT Country Information Report India](#) (paragraph 5.8), 29 September 2023

⁸⁶ The Hindu, [About Us](#), no date

⁸⁷ The Hindu, [All 17,130 police stations in the country linked through centralised...](#), 18 Dec 2024

⁸⁸ Freedom House, [Freedom in the World Research Methodology](#), no date

is necessary to trigger an investigation of an alleged crime ...'⁸⁹ The FH 2024 report did not provide any specific examples or further detail of these obstacles to accessing justice.⁹⁰

6.3.4 In relation to policing efforts in specific regions, the OSAC 2024 report stated:

'The Mumbai police do an effective job managing large-scale protests and are responsive to security requests...

'The Kolkata Police Department and local police throughout northeast India are professional. Police typically are limited in their ability to respond to emergencies due to the lack of transportation, training, equipment, and communications systems. It may take several years for a case to be heard in court.

'The Chennai police lack training and equipment but are professional and responsive. They have been successful [at] managing protests, which are relegated to approved zones within the city. Police often arrest protesters outside of these approved locations.'⁹¹

6.3.5 In relation to police opinions on measures for crime control, the SPIR 2025 report stated:

'The data indicates that nearly two-thirds (64%) of police personnel held the belief that enhancing police infrastructure, including increasing the number of beat boxes [booths/kiosks], PCR [Police Control Room] vans, and police chowkis [small police outposts], can effectively control crime. Importantly, close to three-fifths (58%) of the respondents also felt that increasing the number of female police personnel can be a "very useful" measure of crime control... On the other hand, nearly half of the police personnel (48%) believed that preventive arrests are a "very useful" measure for crime control in their areas. Further, 43 percent of respondents also supported the formation of special squads with powers of indefinite detention as a useful measure of crime reduction.'⁹²

6.3.6 The World Justice Project Rule of Law Index ranks 142 countries on 8 separate elements on a scale of 0 to 1 (0 being low and 1 being high) to assess the rule of law in countries worldwide, with 1 indicating the strongest adherence to the rule of law. The 2024 WJP Index for India, published 23 October 2024, reflected the responses of 1059 respondents who completed a face-to-face questionnaire of 340 questions in 2018 to capture the experiences and perceptions of ordinary citizens and in-country professionals concerning the performance of the state and the operation of the legal framework in their country⁹³. The index is also based on Qualified Respondents' Questionnaires (QRQ) which are the responses of in-country 'local experts' between February 2024 and June 2024⁹⁴. India's score on 'Order and Security' which measures how effective a country is at ensuring the security of people and property⁹⁵ is summarised in the below table by

⁸⁹ Freedom House, [Freedom in the World 2025: India](#) (F2), 26 February 2025

⁹⁰ Freedom House, [Freedom in the World 2025: India](#), 26 February 2025

⁹¹ OSAC, [India Country Security Report](#), 4 October 2024

⁹² Common Cause & Lokniti, [Status of Policing in India Report 2025](#), (page 40), 2025

⁹³ WJP, [Methodology](#), no date

⁹⁴ WJP, [Methodology](#), no date

⁹⁵ WJP, [Rule of Law Index: India](#) (Order & Security), 23 October 2024

CPIT:

Factor	Score (0 is low and 1 is high)
5. Order and security	0.67
Sub-factor	
5.1 Crime is effectively controlled	0.79
5.2 Civil conflict is effectively limited	0.89
5.3 People do not resort to violence to redress personal grievances	0.33

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6.4 Accessibility

6.4.1 In relation to policing efforts in specific regions,

‘The Mumbai police do an effective job managing large-scale protests and are responsive to security requests...

‘The Kolkata Police Department and local police throughout northeast India are professional. Police typically are limited in their ability to respond to emergencies due to the lack of transportation, training, equipment, and communications systems. It may take several years for a case to be heard in court.

‘The Chennai police lack training and equipment but are professional and responsive. They have been successful [at] managing protests, which are relegated to approved zones within the city. Police often arrest protesters outside of these approved locations.’⁹⁶

6.4.2 The OSAC 2024 report noted:

‘As a part of a citizen friendly and responsive policing program, Hyderabad City Police launched a mobile app titled "HAWK EYE." Traffic congestion constrains the ability of Consulate officials and Indian emergency responders to aid travelers anywhere in Hyderabad quickly. The police do an effective job of managing large-scale protests and are responsive to security requests. Police services are relatively strong and responsive inside Hyderabad’s business districts, especially in Hi-Tec City and Gachibowli. Once a suspect is under arrest, the time for a case to be heard in court is often several years ...’⁹⁷

6.4.3 In relation to online police services, the IJR 2025 report noted:

‘State Citizen Portals are designed to enhance citizen interaction with law enforcement agencies by providing a convenient and accessible online platform for various services. They are required to offer nine key services: Online FIR Registration; Complaint Registration; Status Tracking; Police Station Locator; Missing Person Reporting; Lost and Found Items; Traffic-Related Services; Cybercrime Reporting; and Antecedent Verification. These online services are designed to improve transparency, accountability, and

⁹⁶ OSAC, [India Country Security Report](#), 4 October 2024

⁹⁷ OSAC, [India Country Security Report](#), 4 October 2024

efficiency in police-citizen interactions, making law enforcement more accessible and citizen-friendly.’⁹⁸

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6.5 Extrajudicial killings

6.5.1 The DFAT 2023 report stated:

‘Encounter killing’ or simply ‘encounters’ are unofficial terms used in India to refer to a killing in which police ‘encounter’ a suspect, shoot them to death and then claim that there was a gun fight or that they acted in self-defence. Critics claim that these are untrue excuses used to justify killings... Encounter killings are especially associated with areas of conflict or insurgency... but they have been recorded elsewhere, for example in relation to anti-gang activity or other routine law enforcement activities. It is difficult to assess an encounter killing based on reports – a wide range of different circumstances exist ...’⁹⁹

6.5.2 The same report noted:

‘Encounter killings are sometimes allegedly used for political purposes – the Uttar Pradesh state government boasted of its prowess in tackling crime through encounters in 2019, for example. Indian media reported in August 2021 that 3,302 alleged criminals had been shot at and injured in 8,472 ‘encounters’, leading to 146 deaths since the BJP came to power in March 2017. While these incidents were highly publicised, there are about 200 million residents in that state and the number of incidents, compared with the population, suggests that relatively few residents are affected. The circumstances of the killings are unclear; but the politicisation of the killings have been part of a ‘tough’ law-and-order campaign by the government.’¹⁰⁰

6.5.3 In relation to public perception of ‘encounter killings’, the same report stated:

‘There is some support for this campaign among residents. For example, one source described the popular perception of extrajudicial killing as a ‘luxury problem’. For example, if a police officer kills an alleged rapist, some might perceive that this is a faster realisation of justice than waiting for an investigation and court processes.’¹⁰¹

6.5.4 The USSD 2023 report noted: ‘... Because reports of extrajudicial killings in UP [Uttar Pradesh] became so widespread, the Supreme Court on August 12 [2023] asked the UP police to provide details regarding investigations into 183 killings from more than 10,900 cases of extrajudicial violence in the state since 2017, some of which activists alleged police staged. On September 30 [2023], in a follow-up to this inquiry, the UP state government asserted it found no fault with police on their investigation into the deaths of Atiq and Ashraf Ahmed [Individuals shot by individuals impersonating journalists whilst in the presence of police.]’¹⁰²

6.5.5 In regard to the number of extrajudicial killings, the same report stated: ‘The country registered 813 cases of extrajudicial killings between 2016-2022,

⁹⁸ IJR, [India Justice Report 2025](#) (page 46), April 2025

⁹⁹ DFAT, [DFAT Country Information Report India](#) (paragraphs 4.2 & 4.3), 29 September 2023

¹⁰⁰ DFAT, [DFAT Country Information Report India](#) (paragraph 4.4), 29 September 2023

¹⁰¹ DFAT, [DFAT Country Information Report India](#) (paragraph 4.5), 29 September 2023

¹⁰² USSD, [2023 Country Reports on Human Rights Practices: India](#) (section 1a), 22 April 2024

with the most reported in Chhattisgarh, followed by UP ...'¹⁰³

6.5.6 The FH 2024 report stated: '... Security forces battling regional insurgencies have been implicated in extrajudicial killings, rape, torture, kidnappings, and destruction of homes. The criminal procedure code requires that the government approve the prosecution of security personnel; approval is rarely granted, leading to impunity.'¹⁰⁴

6.5.7 The US State Department Human Rights report published 12 August 2025, covering events in 2024 (USSD 2024 report), stated:

'There were several reports the government or its agents committed arbitrary or unlawful killings during the year. Media reported there were staged killings of accused individuals at the hands of police or security forces as "encounter killings." The National Human Rights Commission (NHRC) reported 85 deaths during police encounters as of August.

'There were allegations police or prison guards killed prisoners, and these killings were sometimes misclassified as suicides or deaths from natural causes. The NHRC reported 1,372 judicial custodial deaths as of August.'¹⁰⁵

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6.6 Misconduct and human rights violations

6.6.1 The NCRB 2022 report provided data on cases registered against State Police personnel for human rights violations. The NCRB report includes the following disclaimer: 'The information published in this report has been obtained from States/UTs Police and CAPFs/CPOs. National Crime Records Bureau has only compiled and collated the data and presented it in the form of this report. As data is being furnished by States/UTs/ CAPFs/CPOs, NCRB is not responsible for authenticity of the information.'¹⁰⁶ It should therefore be noted that the data provided in the NCRB report relied on self-reporting by the police regarding human rights violations perpetrated by police personnel.

6.6.2 The NCRB 2022 report found that only one custodial death due to injuries sustained in police custody had been registered¹⁰⁷.

6.6.3 The same report noted the number of cases recorded in relation to state police personnel involved in human rights violations¹⁰⁸: (Table by CPIT)

Incident	Number of cases			Number of policemen	
	Registered	Final reports submitted	Charged	Arrested	Charged
Encounter killing	6	2	2	15	11

¹⁰³ USSD, [2023 Country Reports on Human Rights Practices: India](#) (section 1a), 22 April 2024

¹⁰⁴ Freedom House, [Freedom in the World 2025: India](#) (F3), 26 February 2025

¹⁰⁵ USSD, [2024 Country Reports on Human Rights Practices: India](#) (section 1a), 12 August 2025

¹⁰⁶ NCRB, [Crime in India 2022 Volume III](#) (page v), 1 December 2023

¹⁰⁷ NCRB, [Crime in India 2022 Volume III](#) (page 1035), 1 December 2023

¹⁰⁸ NCRB, [Crime in India 2022 Volume III](#) (page 1038), 1 December 2023

Deaths in custody	9	2	0	8	0
Illegal detention	0	0	0	0	0
Torture/causing hurt/injury	1	0	1	1	1
Extortion	2	2	0	1	0
Others	12	2	6	16	12
Total	30	8	9	41	24

6.6.4 The same source noted reported the number of those convicted or acquitted as 0 in cases of human rights violations¹⁰⁹.

6.6.5 In regard to torture, the DFAT 2023 report stated:

‘Some sources told DFAT that torture is uncommon in India and, when it does occur, there is a good chance that it will be investigated and prosecuted by police. Other sources claim that Indian police have been accused of regularly using torture to extract confessions, which is sometimes euphemistically known as ‘the third degree’. The method of torture in that case is beating, done in a way that avoids leaving obvious marks. Methods of torture also allegedly include hanging suspects upside down, depriving suspects of food, drinks or use of a toilet, and preventing sleep ...’¹¹⁰

6.6.6 The same report stated:

‘The National Campaign Against Torture, an NGO, claims that police enjoy impunity in cases of torture and that the true extent of the problem is difficult to assess; only those cases that attract a media ‘outcry’ are investigated... according to critics of the government, available statistics about torture are probably underreported because people believe, rightly or wrongly, that allegations of torture will not be properly investigated or that the police have impunity ...’¹¹¹

6.6.7 The same DFAT report noted: ‘Some NGOs claim that torture is endemic in police custody and prisons, but figures are not reliable ...’¹¹²

6.6.8 The USSD 2023 report noted:

‘There were other reports of cruel, inhuman, or degrading treatment or punishment, namely by police. The Bihar State Human Rights Commission ordered the state government on July 18 to pay rupees 25,000 (\$300) each to six individuals whom police had handcuffed and paraded before media in Madhepura District. The individuals, who included two children, were arrested under the Immoral Traffic (Prevention) Act in 2021. In addition, the commission condemned the conduct of the Madhepura superintendent of police at that time, detailing that his conduct violated the accused persons’ human rights by handcuffing and publishing photographs of the individuals.

¹⁰⁹ NCRB, [Crime in India 2022 Volume III](#) (page 1038), 1 December 2023

¹¹⁰ DFAT, [DFAT Country Information Report India](#) (paragraph 4.21), 29 September 2023

¹¹¹ DFAT, [DFAT Country Information Report India](#) (paragraph 4.22), 29 September 2023

¹¹² DFAT, [DFAT Country Information Report India](#) (paragraphs 4.24), 29 September 2023

The commission also ordered the state government to issue guidelines to state police officials to prevent similar incidences in the future.’¹¹³

- 6.6.9 The Bertelsmann Stiftung Index, a German private foundation, in its Transformation Index 2024 country report on India (BTI 2024 India report), covering the period from 1 February 2021 to 31 January 2023 which assesses the transformation toward democracy and a market economy as well as the quality of governance in 127 countries through country experts¹¹⁴, noted: ‘The rule of law In India is undermined by political corruption. Officeholders who engage in corruption often slip through political, legal or procedural loopholes and are not effectively persecuted [sic]. Corruption is prevalent at all levels and continues to affect citizens in many of their interactions with institutions such as the police, public services and public procurement...’¹¹⁵
- 6.6.10 In relation to corruption, the FH 2024 report stated: ‘... Corruption within the police force remains a problem ...’¹¹⁶. The FH 2024 report did not provide any specific examples of corruption within the police force.
- 6.6.11 In regard to human rights violations, the same report stated: ‘Torture, abuse, and rape by law enforcement and security officials have been reported ...’¹¹⁷. The FH 2024 report did not provide any specific examples or further details on these reports.
- 6.6.12 The UNHRC 2024 report noted: ‘... The Committee is... concerned about information received regarding cases of police arbitrarily arresting persons or detaining individuals for custodial interrogation without identifying themselves or providing arrest warrants ...’¹¹⁸
- 6.6.13 The UNHRC 2024 report stated: ‘...The Committee is concerned...that, according to information received, corruption is still an important problem at all levels, including in ... the police...’¹¹⁹
- 6.6.14 The same report stated:
‘...the Committee... remains concerned by reports of 324 custodial deaths between 2019 and 2022, threats to and intimidation of families of victims inquiring about such deaths, cases of rape by police officers of female and male detainees, particularly members of minorities, and the refusals by the police to register rape complaints, as well as reports of torture. The Committee is also concerned by the absence of an offence of torture in the new criminal code, the Bharatiya Nyaya Sanhita, 2023. The Committee regrets that, while the State party indicated a commitment to ratify the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment in the previous dialogue, held in 1997, ratification is still pending...’¹²⁰

¹¹³ USSD, [2023 Country Reports on Human Rights Practices: India](#) (section 1c), 22 April 2024

¹¹⁴ BTI, [Methodology](#), no date

¹¹⁵ BTI, [India Country Report 2024](#) (Rule of Law), 19 March 2024

¹¹⁶ Freedom House, [Freedom in the World 2025: India](#) (F2), 26 February 2025

¹¹⁷ Freedom House, [Freedom in the World 2025: India](#) (section F3), 26 February 2024

¹¹⁸ UNHRC, [Concluding observations on the fourth periodic report of India](#) (para. 35), 2 Sept 2024

¹¹⁹ UNHRC, [Concluding observations on the fourth periodic report of India](#) (para. 11), 2 Sept 2024

¹²⁰ UNHRC, [Concluding observations on the fourth periodic report of India](#) (para. 33), 2 Sept 2024

- 6.6.15 The OSAC 2024 report noted: ‘Many victims do not go to the police for fear of persecution and harassment.’ and that ‘... There is a common perception that the police are corrupt and cannot be trusted. In some cases, police officers are involved in crime or are bribed to turn a blind eye.’¹²¹
- 6.6.16 In regard to the number of cases of police violence reported by the NHRC, the SPIR 2025 report included the below figures¹²² (Table by CPIT based on data from a right to information reply from the NHRC dated 27th and 28th of March 2024¹²³ as in the SPIR report):

Number of cases of police violence and excesses registered in NHRC				
	2020	2021	2022	2023
Unlawful detention	316	431	343	208
Custodial violence	47	34	49	33
Rape or harassment in police custody	13	11	9	12
False implications	1905	2089	2331	N/A
Illegal arrests	351	534	584	N/A
Other police excesses (undefined)	11915	13876	15044	134544
Total	14547	16975	18360	13707

- 6.6.17 The SPIR survey was based on 8,276 police personnel of various ranks at 82 locations such as police stations, police lines and courts, in 16 states and the capital. If considered alongside the estimated number of police in State police forces in 2022 of over 2.14 million it would account for around 0.004% of police views. Moreover, these responses may reflect individual perceptions or stated views rather than actual practices, and it is unclear to what extent these views are implemented or influence operational behaviour.
- 6.6.18 In regard to police attitudes to violence against suspects, the SPIR 2025 report included the below statistics¹²⁴ (Table by CPIT based on data from responses in SPIR survey):

For the greater good of the society, it is alright for the police to be violent towards suspects of serious offences	
Fully agree	22%
Somewhat agree	41%
Somewhat disagree	13%
Fully disagree	22%

¹²¹ OSAC, [India Country Security Report](#), 4 October 2024

¹²² Common Cause & Lokniti, [Status of Policing in India Report 2025](#) (page 170), 2025

¹²³ Common Cause & Lokniti, [Status of Policing in India Report 2025](#) (page 170), 2025

¹²⁴ Common Cause & Lokniti, [Status of Policing in India Report 2025](#) (page 103), 2025

6.6.19 In regard to police views on the use of torture, the same report recorded the below responses¹²⁵ (Table by CPIT):

Is torture necessary and acceptable to gain information in the following kinds of cases? (%)				
	Strongly agree	Somewhat agree	Somewhat disagree	Strongly disagree
Crimes against national security like terrorism cases	42	26	12	17
Rape or sexual assault cases	34	30	15	20
Serious violent crimes like murder	34	30	13	21
Cases against history-sheeters (persons with a criminal record)	28	29	16	22
Major theft cases	20	35	15	27

6.6.20 In relation to attitudes to torture in different states, the same report found that police personnel in Gujarat had the highest support for the use of torture with 63% of respondents indicated high support for torture whereas only 3% of police personnel in Kerala indicated high support for torture¹²⁶.

6.6.21 The same report asked police personnel their views on how frequently Investigating Officers (IOs) use various types of coercive and violent methods to deal with 'uncooperative accused'¹²⁷ (Table by CPIT)

In your opinion, how frequently do Investigating Officers have to use the following techniques to deal with an uncooperative accused? (%)				
	Many times	Sometimes	Once or twice	Never
Threatening the person	26	34	14	25
Slapping/using light force against the person (pushing etc)	18	28	19	33
Using third-degree to obtain information in serious offences*	11	16	14	52
Keeping the person in murga** position	9	24	18	46

¹²⁵ Common Cause & Lokniti, [Status of Policing in India Report 2025](#) (page 111), 2025

¹²⁶ Common Cause & Lokniti, [Status of Policing in India Report 2025](#) (page 112), 2025

¹²⁷ Common Cause & Lokniti, [Status of Policing in India Report 2025](#) (page 11), 2025

Keeping a person hungry and thirsty for some time	7	16	14	59
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*(beating on soles, applying red chilli powder to body parts, suspension of the body)

** stress position in which a person is made to squat, loop their arms behind their knees and hold their earlobes

6.6.22 In regard to the general police propensity to justify torture, the same source stated: ‘... thirty percent of the police respondents have high propensity to justify torture, while one in three (32%) moderately justify the use of torture... Nearly a quarter of the personnel (23%) have low propensity to justify torture, and 15 percent have very low inclination towards justifying torture.’¹²⁸

6.6.23 In relation to different police ranks’ propensity to justify torture, the same source reported:

‘.. the findings reveal that IPS-level rank officials have the highest propensity to justify torture (34%), followed by constabulary rank personnel (32%) and lastly upper subordinate rank personnel (26%)... While the upper subordinate respondents are relatively the least likely to justify torture, even so, more than one-fourth of them reported a high propensity to justify torture. Despite the fact that IPS officers receive the most training on all aspects of policing, including on torture prohibition, they are the most likely to support using torture. Being the senior-most in the hierarchy, it is worrying that their opinions may influence and feed into the culture of policing at the local level.’¹²⁹

6.6.24 The OMCT Global Torture Index 2025 assessed:

‘Torture, especially that perpetrated by police and security forces during law enforcement operations and interrogations, remains widespread and systemic in India. For 2025, the Global Torture Index classifies the country as facing a high risk of torture and ill-treatment, based on data collected in 2023 and 2024. Incidents involving severe beatings, forced confessions and custodial deaths frequently occur, particularly targeting marginalised communities such as Dalits, Adivasis, Muslims, LGBTQIA+ individuals and migrant labourers. Residents of West Bengal, especially near the Indo-Bangladesh border, face routine violence, torture, and extrajudicial killings by state forces. Legal impunity granted to the Border Security Force (BSF) severely hinders accountability and justice for victims. Common practices include unlawful detention in unofficial locations and extrajudicial killings, often rewarded with promotions for police personnel. Human rights defenders are routinely subject to arbitrary arrest, preventive detention and torture and ill-treatment, underscoring a culture of institutional violence and impunity.’¹³⁰ The source does not provide any specific examples which demonstrate how torture is widespread and systemic across India.

6.6.25 The USSD 2024 report stated:

‘On March 31, police allegedly tortured Jitesh Kumar, which led to his death in police custody in Patna, Bihar ...’¹³¹ For more information on the outcome

¹²⁸ Common Cause & Lokniti, [Status of Policing in India Report 2025](#) (page 115), 2025

¹²⁹ Common Cause & Lokniti, [Status of Policing in India Report 2025](#) (page 115), 2025

¹³⁰ OMCT, [Global Torture Index 2025: India Factsheet](#), 7 July 2025

¹³¹ USSD, [2024 Country Reports on Human Rights Practices: India](#) (section 1a), 12 August 2025

of this see [Oversight and redress: Investigations and outcomes](#)

6.6.26 The source noted:

The law prohibited such practices [torture and cruel, inhuman, or degrading treatment or punishment] but there were credible reports government officials sometimes employed them. The law did not permit authorities to admit coerced confessions into evidence, but the United Nations and NGOs reported authorities used torture to coerce confessions.

‘Authorities allegedly also used torture to extort money or as summary punishment. There were reports that police beatings resulted in custodial deaths. According to HRW’s annual World Report, police allegedly used torture, other mistreatment, and arbitrary detentions to obtain forced or false confessions. In some cases, police reportedly held suspects without registering their arrests and denied detainees access to sufficient food and water. The NHRC registered 107 deaths in police custody and 1,372 deaths in judicial custody in the first eight months of the year.’¹³²

6.6.27 In regard to enforced disappearances, the same report stated:

‘There were reports of enforced disappearances by or on behalf of government authorities. There were allegations police failed to file required arrest reports for detained persons, resulting in unresolved disappearances. Police and government officials denied these claims...

‘On July 26 [2024], the UN’s Working Group on Enforced or Involuntary Disappearance reported the country had 444 outstanding cases of enforced disappearances as of May 10 [2024] ...’¹³³

6.6.28 In regard to arbitrary arrest, the same report noted:

‘... The law prohibited arbitrary arrest and detention and provided for the right of any person to challenge the lawfulness of their arrest or detention in court. The government generally observed these requirements, but there were numerous reports of arbitrary arrests and several instances where police used special laws to postpone judicial reviews of arrests...

‘... police reportedly arrested persons arbitrarily, particularly under the Unlawful Activities Prevention Act (UAPA). There were reports of police detaining individuals for custodial interrogation without identifying themselves or providing arrest warrants.’¹³⁴

6.6.29 In regard to torture in police custody, Redress, a UK based NGO which pursues legal claims on behalf of survivors of torture¹³⁵, on 10 June 2025 published a report on torture in India (Redress 2025 report) based on ‘... desk-based and open-source research, drawing on publications, statements, and reports from national bodies, UN bodies, national and international NGOs, and media outlets. Case studies were selected based on publicly available information.’¹³⁶ which noted:

‘Police and security forces routinely use torture and ill-treatment as a tool of law enforcement. Instances of physical and sexual violence, as well as other

¹³² USSD, [2024 Country Reports on Human Rights Practices: India](#) (section 3a), 12 August 2025

¹³³ USSD, [2024 Country Reports on Human Rights Practices: India](#) (section 3c), 12 August 2025

¹³⁴ USSD, [2024 Country Reports on Human Rights Practices: India](#) (section 3c), 12 August 2025

¹³⁵ Redress, [About Us](#), no date

¹³⁶ Redress, [Torture Normalised: State Violence in India](#) (page 5), 10 June 2025

forms of custodial abuse, are far too common. Alarming rates of deaths in custody have been recorded for years, yet they remain largely unaddressed. Extrajudicial killings in so-called police ‘encounters’, during counter-terrorism operations, and in specific regions of the country, are similarly prevalent. Torture is commonly employed by authorities during investigations to extract confessions or information from alleged offenders, or to target individuals from marginalised communities.’¹³⁷ The same report provided case studies of torture in police custody, for details see full [Redress 2025 report](#).

6.6.30 The same report noted:

‘Given that there is no definition of torture in Indian law, statistics pertaining to cases of torture are difficult to obtain through official Government agencies like the National Crime Records Bureau (NCRB) and the Bureau of Police Research and Development. Although the NCRB recorded a number of torture cases registered against the police between 2017 and 2022... the number is significantly low compared to the relevant data recorded by the NHRC and Indian civil society... Besides civil society organisations’ (CSOs) reports, the data compiled by the NHRC provide evidence linked to instances of torture. The NHRC provides a detailed overview of cases of human rights violations reported to it each year, and has consistently illustrated that custodial torture by authorities has become normalised across the country... Yet, the NHRC’s statistics are limited to cases of deaths in custody and do not include all cases of torture... Underreporting is also an issue, since in most cases, the victim’s lawyer, CSOs or human rights defenders are the ones who report incidents of torture to the NHRC, and many individuals in custody do not have access to legal representation or civil society advocacy...there are no official records or other statistics recording all cases of torture in police and judicial custody in India, making it difficult to determine the full scale of the problem. However, in many instances, torture in police custody results in death, and such deaths are recorded in a significant number of cases.’¹³⁸

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6.7 Discrimination in law enforcement

6.7.1 The BTI 2024 report stated: ‘... In general, underprivileged groups are particularly affected by the limited enforcement of protection laws and the slow, inefficient judicial system. Disadvantaged social groups possess access to equal justice in theory, but not in reality.’¹³⁹ The BTI report did not provide any specific examples or further details on how underprivileged groups are affected.

6.7.2 Referring to the perspectives of judges, lawyers and doctors, the SPIR 2025 report stated: ‘Interviewees said that the victims of torture are mainly people from poor and marginalised communities. A lawyer described it as “all the faceless and voiceless” are targeted. The following groups are common targets of torture: Muslims, Dalits, Adivasis, people who cannot read and write, and slum dwellers.’¹⁴⁰

¹³⁷ Redress, [Torture Normalised: State Violence in India](#) (page 6), 10 June 2025

¹³⁸ Redress, [Torture Normalised: State Violence in India](#) (page 17), 10 June 2025

¹³⁹ BTI, [India Country Report 2024](#) (Rule of Law), 19 March 2024

¹⁴⁰ Common Cause & Lokniti, [Status of Policing in India Report 2025](#) (page 136), 2025

6.7.3 The 2025 Redress report stated:

‘Marginalised communities, particularly Scheduled Castes (Dalits) and Scheduled Tribes (Adivasis), are significantly impacted by State violence. Despite constitutional and legislative protections, these groups continue to experience systemic discrimination, torture, and other forms of violence. Discriminatory social norms drive civilian violence against them and impunity for such acts further exposes them to abuse by police and security forces. Reports detail severe beatings, sexual violence, caste-based verbal abuse, and other forms of ill-treatment in custody – some of which result in death. Religious minorities, including Muslims, Christians, and Sikhs, also face heightened risks of torture, extrajudicial killings, and other forms of abuse by State actors. Discriminatory and nationalist rhetoric and policies have made such violence increasingly acceptable. Torture of individuals from religious minorities in custody remains a serious concern....’¹⁴¹

6.7.4 For more information on state treatment of and protections afforded to women, LGBTI persons and minority groups see:

- Country Policy and Information Note [India: Sexual orientation and gender identity and/or sexual expression](#)
- Country Policy and Information Note [India: Religious minorities and Scheduled Castes and Tribes](#)
- Country Policy and Information Note [India: Women fearing gender-based violence](#)

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7. Oversight and redress

7.1 National Human Rights Commission

7.1.1 The National Human Rights Commission website states: ‘...The NHRC is an embodiment of India’s concern for the promotion and protection of human rights.’¹⁴²

7.1.2 The USSD 2023 report stated:

‘The NHRC was the statutory body established by an act of parliament to investigate and remedy instances of human rights violations and to promote public awareness of human rights. It was directly accountable to parliament but worked in close coordination with the Ministry of Home Affairs and the Ministry of Law and Justice. The law authorized the NHRC to issue summonses and compel testimony, produce documentation, and requisition public records ...’¹⁴³ The USSD 2024 report did not include detailed information on the NHRC. However, the 2024 report is notably shorter than in previous years and provides less coverage of certain topics

7.1.3 The National Human Rights Commission has been accredited by the Global Alliance of National Human Rights Institutions (GANHRI) as being fully compliant with the Paris Principles^{144 145}, which set out the internationally

¹⁴¹ Redress, [Torture Normalised: State Violence in India](#) (page 7), 10 June 2025

¹⁴² NHRC, [About the Organisation](#), no date

¹⁴³ USSD, [2023 Country Reports on Human Rights Practices: India](#) (section 5), 22 April 2024

¹⁴⁴ GANHRI, [Accreditation](#), no date

¹⁴⁵ GANHRI, [Accreditation status as of 23 April 2025](#), 23 April 2025

agreed minimum standards that national human rights institutions must meet GANHRI is a worldwide network which represents over 110 national human rights institutions¹⁴⁶.

- 7.1.4 GANHRI noted in the latest accreditation status that in March 2025 it was recommended that the NHRC should be downgraded to a 'B' meaning it would only be accredited with being 'partially compliant with the Paris Principles.'¹⁴⁷
- 7.1.5 In relation to NHRC accreditation, the USSD 2023 report noted:
'... In March [2023], a UN-affiliated agency deferred the NHRC's reaccreditation for one year, making it ineligible to represent the country at the UN Human Rights Council. The NHRC's status was not reauthorized due to concerns of police involvement in NHRC investigations, political interference in appointments, and insufficient action to protect marginalized groups, among other concerns.'¹⁴⁸
- 7.1.5.1 On 2 September 2024, the UN Human Rights Committee published concluding observations on the fourth periodic report of India which noted:
'... the Committee appreciates that the National Human Rights Commission of India has been accredited with an "A" status by the Global Alliance of National Human Rights Institutions since 1999, it regrets the lack of implementation of the majority of the recommendations made by the Global Alliance, which has deferred its reaccreditation since 2023... The Committee is also concerned about the impact on the independence of the Commission of the involvement of police officers in investigations of human rights violations, by the Commission's lack of authorization to investigate human rights violations allegedly committed by the armed forces and by the one-year temporal limitation from the date of the alleged violation, applicable to complaints ...'¹⁴⁹
- 7.1.6 In regard to the NHRC accreditation status, the GANHRI Sub-Committee on Accreditation (SCA) held between 13 March-21 March 2025 report, published 3 June 2025 noted:
'... The SCA notes that the NHRC maintains A status until the SCA 47th session slated for 2026. This allows an opportunity for the NHRC to provide the documentary evidence necessary to establish its continued conformity with the Paris Principles... the SCA decided to further defer consideration of the NHRC on grounds that the majority of its previous recommendations remain unaddressed and noted that the inability of the NHRC to show the steps it has taken to address previous concerns, raised and repeated, could be interpreted as an indication of non-compliance with the Paris Principles...'¹⁵⁰
- 7.1.7 In relation to police involvement in NHRC investigations, the same report stated: '... The SCA noted that the secondment of police officers to act as investigative staff may impact on the NHRC ability to conduct impartial investigations as well as the ability of victims to access human rights justice

¹⁴⁶ GANHRI, [Mission and Identity](#), no date

¹⁴⁷ GANHRI, [Accreditation status as of 23 April 2025](#), 23 April 2025

¹⁴⁸ USSD, [2023 Country Reports on Human Rights Practices: India](#) (section 5), 22 April 2024

¹⁴⁹ UNHRC, [Concluding observations on the fourth periodic report of India](#) (paragraph 9), 2 Sept 2024

¹⁵⁰ GANHRI, [Report and Recommendations of the 45th Session of the Sub...](#) (page 18), 3 June 2025

and recommended that the capacity of government to second police officers to acts as investigative staff should be removed from the PHRA through the NHRC advocacy ...¹⁵¹

- 7.1.8 The NHRC annual report 2024, covering the period 31st March 2023 to 1st April 2024 stated: 'Through the Online Complaint Management System provided by the NHRC, people can easily file complaints from any location in any of the 22 languages included in the 8 Schedule of the Indian th[sic] Constitution. The Commission is mandated to intervene in any matter of violation of human rights, whether it is in court cases or at any other institution that is responsible for protecting or promoting human rights ...'¹⁵²
- 7.1.9 On an undated website page, the NHRC website outlines how to file an official complaint both [online](#) and via [post](#). The status of a complaint can be searched via an online portal¹⁵³.

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7.2 Investigations and outcomes

- 7.2.1 The NHRC provided statistics on the number of cases registered in regard to custodial deaths and rapes between 1 April 2021 and 31 March 2024^{154 155}
¹⁵⁶ (Table by CPIT)

Year	Police custodial deaths/rapes	Judicial custodial deaths/rapes	Defence/military custodial deaths/rapes	Encounter deaths (shot by police officer)	Total cases registered
2021-2022	175	2367	1	159	2702
2022-2023	168	2356	6	125	2655
2023-2024	160	2184	2	105	2460

- 7.2.2 In regard to the outcomes of registered cases of custodial deaths/rapes, the NHRC provided the below statistics between 2021 and 2024^{157 158 159} (Table by CPIT)

Year	Concluded after receipt (Cases completed)	Cases awaiting preliminary consideration	Cases received or awaiting from authorities (Cases in progress)

¹⁵¹ GANHRI, [Report and Recommendations of the 45th Session of the Sub...](#) (page 18), 3 June 2025

¹⁵² NHRC, [Annual Report 2023-24](#) (page 4), 2024

¹⁵³ NHRC, [Search Complaint](#), no date

¹⁵⁴ NHRC, [Annual Report 2021-22](#) (page 142), 2022

¹⁵⁵ NHRC, [Annual Report 2022-23](#) (page 82), 2023

¹⁵⁶ NHRC, [Annual Report 2023-24](#) (page 122), 2024

¹⁵⁷ NHRC, [Annual Report 2021-22](#) (pages 144 and 146), 2022

¹⁵⁸ NHRC, [Annual Report 2022-23](#) (pages 84 and 98), 2023

¹⁵⁹ NHRC, [Annual Report 2023-24](#) (pages 124 and 126), 2024

	and decision made)		
2021-2022	1316	250	3804
2022-2023	2512	36	3877
2023-2024	3404	50	2483

7.2.3 In regard to the outcomes of registered cases of encounter deaths the NHRC provided the below statistics between 2021 and 2024^{160 161 162}(Table by CPIT)

Year	Concluded after receipt	Cases awaiting preliminary consideration	Cases received or awaiting from authorities
2021-2022	188	27	359
2022-2023	170	2	342
2023-2024	214	7	219

7.2.4 The same source provided further details on the outcomes of cases during the 2023-24 period: ‘The Commission processed/ disposed of 2,556 cases of Judicial Custodial Deaths and 436 cases of Police Custodial Deaths. Further, more than 269 cases of encounter deaths were processed/ disposed of. Moreover, 26 such Rapid Action Cases (RACs) were dealt with, where immediate intervention by the Commission was required, which prevented violations of human rights.’¹⁶³

7.2.5 In regard to the death of Dhaneswar Behera, the USSD 2023 report noted: ‘... The National Human Rights Commission (NHRC) conducted an investigation into Behera’s death and on August 27, directed the Odisha government to pay compensation to Behera’s next of kin for negligence on the part of government employees.’¹⁶⁴

For more information on Dhaneswar Behera’s case see [Extrajudicial killings](#)

7.2.5.1 The same report noted: ‘... The NHRC also recommended appropriate remedies for abuses in the form of compensation to the victims of government killings or their families. The NHRC had neither the authority to enforce the implementation of its recommendations nor the power to address allegations against military and paramilitary personnel ...’¹⁶⁵

7.2.6 In relation to torture investigations, the SPIR 2025 report stated:

‘There was consensus among judges and lawyers that the NHRC is not effective in dealing with cases of torture. Three retired High Court judges reiterated this, with one describing the NHRC as a “paper tiger without any teeth”. Several lawyers expressed their grievance that “the NHRC does

¹⁶⁰ NHRC, [Annual Report 2021-22](#) (pages 144 and 146), 2022

¹⁶¹ NHRC, [Annual Report 2022-23](#) (page 84 and 98), 2023

¹⁶² NHRC, [Annual Report 2023-24](#) (pages 124 and 126), 2024

¹⁶³ NHRC, [Annual Report 2023-24](#) (page 4), 2024

¹⁶⁴ USSD, [2023 Country Reports on Human Rights Practices: India](#) (section 1a), 22 April 2024

¹⁶⁵ USSD, [2023 Country Reports on Human Rights Practices: India](#) (section 5), 22 April 2024

nothing more than award compensation” and never recommends punitive action against implicated police officials. One lawyer shared that “we need more” than only compensation. In limiting itself to this, the NHRC does not push for, or propel, measures to stop practices of human rights violations, including torture. Two lawyers similarly commented that the NHRC conducts few proactive, independent inquiries, but largely “depends on police reports” to give their findings.’¹⁶⁶

7.2.7 In regard to filing complaints, the same report stated:

‘Two lawyers emphatically said they advise their clients to avoid filing complaints with the NHRC altogether. They both spoke of the waste of time, energy, and resources of the chance for relief or remedy from the NHRC, compared to courts. One lawyer highlighted that the NHRC “should work faster than the High Court, otherwise what is the use of a human rights commission?” They both echoed experiences of filing complaints with the NHRC, waiting for at least a year just to get a report from the district police, which is only the first step in the inquiry process. One of them said at his state High Court, a writ petition usually gets listed within two to three months and the High Court can make a variety of interventions, while the NHRC “will not do anything”. The other summed it up by saying, “I advise my clients to put their resources into fighting in court where there might be some chance”.’

7.2.8 In regard to interviewees’ positive experiences with NHRC, the same report noted: ‘One lawyer observed that the NHRC’s various guidelines (on custodial deaths/rapes, and on arrests for instance) have “made some difference” because they are used as “legitimate tools” in litigation, to point to police violating the guidelines. He also highlighted that in some cases of torture or custodial death, “the courts have allowed the NHRC to visit and make reports”, which exerts some external pressure on the police.’

7.2.9 In regard to avenues of redress for persons who have been victims of torture the OMCT Global Torture Index 2025 stated:

‘Impunity for torture remains pervasive in India due to significant legal and institutional shortfalls. The country lacks comprehensive domestic legislation explicitly criminalising torture, with cases generally categorised as deaths in police or judicial custody. The absence of victim and witness protection laws severely discourages reporting, a situation only partly addressed by the Supreme Court’s 2018 judgment (Mahender Chawla & Ors. vs Union of India). Even then, victims rarely access legal aid due to protracted judicial processes, often extending over several years without resolution. Institutional mechanisms, including the National and State Human Rights Commissions, lack jurisdiction over violations by armed forces, creating further shortcomings in accountability... Cases against alleged perpetrators infrequently result in convictions, reinforcing impunity. Reprisals such as intimidation and stigmatisation of victims, witnesses and lawyers are common, and police and prosecutors often actively discourage lodging complaints.’¹⁶⁷

7.2.10 In regard to compensation for victims of torture, the same report noted: ‘... compensation for survivors of torture remains rare and inadequate; estimates indicate that only 0-25% of torture survivors receive any financial

¹⁶⁶ Common Cause & Lokniti, [Status of Policing in India Report 2025](#) (page 147), 2025

¹⁶⁷ OMCT, [Global Torture Index 2025: India Factsheet](#), 7 July 2025

reparations. The broader issue of institutional neglect and the lack of comprehensive victim support mechanisms leave most torture survivors without adequate psychological support, medical care or justice.¹⁶⁸

7.2.11 In regard to the case of Tamir Jiffry – a 30 year old who died in police custody due to police torture, the Redress 2025 report noted: ‘The case was handed over to the Central Bureau of Investigation which, in May 2024, arrested four police officers in connection with Tamir’s death. In July 2024, the All India Institute of Medical Sciences in Delhi confirmed that Tamir died as a result of custodial torture inflicted by the Kerala police.’¹⁶⁹

7.2.12 The Redress 2025 report stated:

‘Impunity for torture in India remains the norm. Although mechanisms exist to receive complaints and conduct investigations into torture and other State abuses, justice and accountability remain largely out of reach for victims and survivors. Many face harassment, intimidation, or even further violence for attempting to report complaints ... External complaints bodies such as the Police Complaints Authorities – which were meant to be independent –, where operating, continue to heavily rely on police personnel to investigate their own colleagues, undermining impartiality. Similarly, the NHRC has proven largely ineffective; despite receiving a high volume of complaints, it issues recommendations in relatively few cases, rarely calling for disciplinary action, and has not recommended prosecutions of perpetrators. Although compensation has been awarded to some victims, the NHRC is unable to enforce its recommendations.’¹⁷⁰

7.2.13 In relation to the case of Jitesh Kumar, the USSD 2024 report stated: ‘On June 28 [2024], media reported that the state-level Bihar Human Rights Commission directed the Bihar state government to pay compensation of 1.5 million Indian Rupees (INR) (\$18,000) to Kumar’s father, conduct a departmental enquiry against Patna’s senior superintendent of police, and file contempt of court charges against the Patna police. There was no information available regarding whether the Bihar state government had taken these actions.’¹⁷¹

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7.3 State bodies

7.3.1 In relation to state human rights commissions, the USSD 2023 report noted: ‘The law mandated the creation of state human rights commissions. As of September [2023], there were 26 state-level human rights commissions. Human rights groups alleged local politics influenced state committees, which they claimed were less likely to offer fair judgments than the NHRC.’¹⁷²

7.3.2 In regard to oversight bodies for investigations into public servants or politicians, the FH 2024 report stated: ‘The Lokpal and Lokayuktas Act of 2013 created independent national and state bodies tasked with receiving complaints of corruption against public servants or politicians, investigating

¹⁶⁸ OMCT, [Global Torture Index 2025: India Factsheet](#), 7 July 2025

¹⁶⁹ Redress, [Torture Normalised: State Violence in India](#) (page 17), 10 June 2025

¹⁷⁰ Redress, [Torture Normalised: State Violence in India](#) (page 7), 10 June 2025

¹⁷¹ USSD, [2024 Country Reports on Human Rights Practices: India](#) (section 1a), 12 August 2025

¹⁷² USSD, [2023 Country Reports on Human Rights Practices: India](#) (section 1a), 22 April 2024

claims, and pursuing convictions through the courts. However, state-level Lokayuktas frequently operate with few staff members, key vacancies go unfilled for long periods, and Lokayuktas hear few complaints.¹⁷³

- 7.3.3 In regard to punishment for extrajudicial killings, the same report stated: ‘In March [2023], a military court convicted a captain for a “staged encounter” of three individuals in Amshipura of ... [J and K] in July 2020 and recommended life imprisonment. As of November 15 [2023], the sentence remained pending.’¹⁷⁴
- 7.3.4 As of 22 November 2024, every state except Mizoram has a state human rights commission¹⁷⁵.
- 7.3.5 The IJR 2025 report stated:
‘SHRCs [State Human Rights Commissions – ‘... a statutory body in India, stands at the forefront in the noble pursuit of safeguarding, protecting, and promoting human rights across the State ...’¹⁷⁶] were set up to be front line soldiers who effectively defend human rights and spread its culture into the population at large. As quasi-judicial bodies, they have a very wide-ranging mandate and powers. An SHRC can act on an individual petition, a direction of any court, or of its own volition to look into allegations of violation, abetment and even negligence in prevention of a violation by any agent of the state. It can intervene in matters pending before a court, visit any jail or other state institution where people are detained to study the living conditions of inmates. It can review laws and recommend measures for the effective implementation of human rights as well as review the factors that inhibit their enjoyment and recommend remedial measures ...’¹⁷⁷
- 7.3.6 In relation to the capacity of SHRC’s, the same report found: ‘From the outset however, these institutions have been chronically disabled by a lack of financial and human resources. Vacancies in key positions—such as chairpersons, members, secretaries, and investigating staff, along with mismatches in budgets all undermine their ability to function ...’¹⁷⁸
- 7.3.7 On 20 March 2025, the Times of India reported following a ruling from the High Court, the state government of Mizoram has begun to set up a State Human Rights Commission creating 16 posts, searching for members to appoint and searching for premises¹⁷⁹. In the sources consulted, CPIT could not find any further update on the formation of Mizoram’s State Human Rights Commission (see [Bibliography](#)).

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8. Rule of law and judiciary

8.1 Court structure

- 8.1.1 BYJU’S, described as India’s largest education tech company, website page on the Indian Judiciary noted: ‘India has a single integrated judicial system. The judiciary in India has a pyramidal structure with the Supreme Court (SC)

¹⁷³ Freedom House, [Freedom in the World 2025: India](#) (section C2), 26 February 2025

¹⁷⁴ USSD, [2023 Country Reports on Human Rights Practices: India](#) (section 5), 22 April 2024

¹⁷⁵ NHRC, [State Human Rights Commission](#), 22 November 2024

¹⁷⁶ NextIAS, [State Human Rights Commission \(SHRC\)](#), 8 June 2024

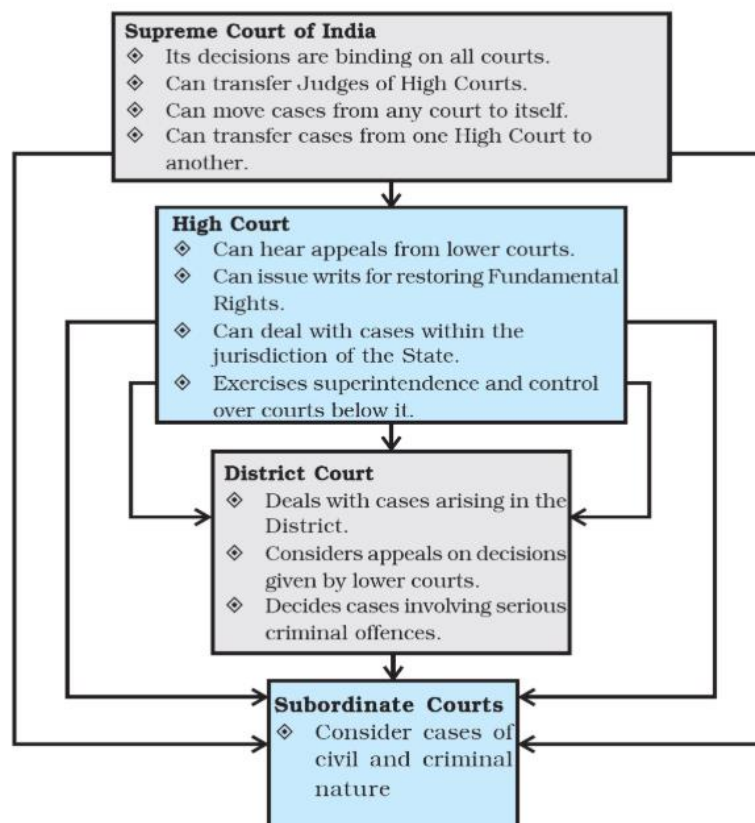
¹⁷⁷ IJR, [India Justice Report 2025](#) (page 142), April 2025

¹⁷⁸ IJR, [India Justice Report 2025](#) (page 142), April 2025

¹⁷⁹ Times of India, [Efforts on to establish Mizoram human rights commission...](#), 20 March 2025

at the top. High Courts are below the SC, and below them are the district and subordinate courts. The lower courts function under the direct superintendence of the higher courts.’¹⁸⁰

8.1.2 The same source included the below diagram showing the structure and organisation of the judicial system¹⁸¹:



8.1.3 On 27 June 2022, Vaish Associates Advocates, an Indian based law firm¹⁸², article stated:

‘The Supreme Court has original, appellate and advisory jurisdiction. Its exclusive original jurisdiction includes any dispute between the Centre and State(s) or between States as well as matters concerning enforcement of fundamental rights of individuals...

‘High Courts have jurisdiction over the States in which they are located. There are at present, 25 High Courts in India. However, few of the High Courts have jurisdiction over more than one State or Union Territories: ... High Courts can exercise only writ and appellate jurisdiction, but a few High Courts have original jurisdiction and can try suits. High Court decisions are binding on all the lower courts of the State over which it has jurisdiction.

‘District Courts in India take care of judicial matters at the District level. Headed by a judge, these courts are administratively and judicially controlled by the High Courts of the respective States to which the District belongs. The District Courts are subordinate to their respective High Courts. All appeals in

¹⁸⁰ BYJUS, [Introduction to Indian Judiciary](#), no date

¹⁸¹ BYJUS, [Introduction to Indian Judiciary](#), no date

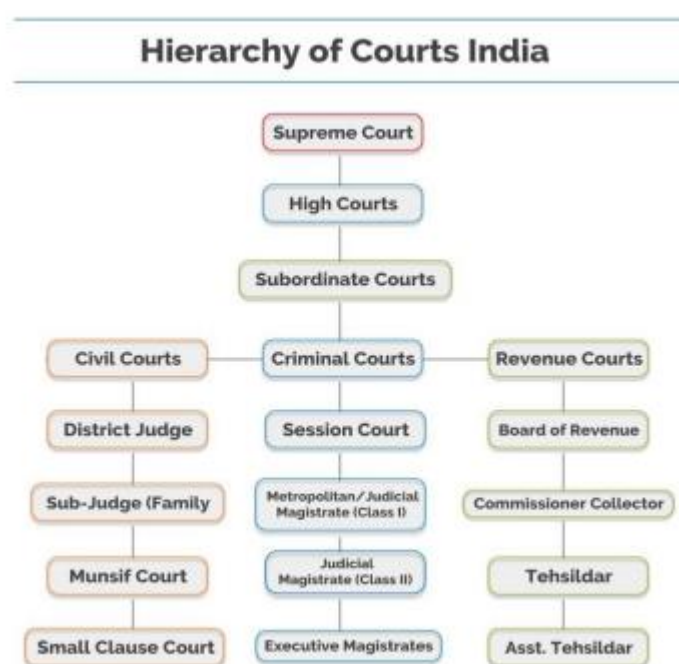
¹⁸² Lexology, [Vaish Associates Advocates](#), no date

civil matters from the District Courts lie to the High Court of the State...

'In some states, there are some lower courts (below the district courts) called Munsif's courts and small causes courts. These courts only have original jurisdiction and can try suits up to a small amount.

'...An interesting feature of the Indian legal system is the existence of voluntary agencies called Lok Adalats (Peoples' Courts). These forums resolve disputes through methods like Conciliation and Negotiations and are governed by the Legal Services Authorities Act, 1987. Every award of Lok Adalats shall be deemed to be a decree of a civil court and shall be binding on the parties to the dispute.'¹⁸³

8.1.4 The source included the below diagram on the hierarchy of courts in India¹⁸⁴:



8.1.5 The DFAT 2023 report stated: 'The judiciary in India is separate from the legislature and executive. The Indian judicial system, ...is inherited from British Common Law, and senior courts in particular are known for considered judgements in a similar style to Australian courts. Judgements may be written in English.'¹⁸⁵

8.1.6 The DFAT 2023 report stated: 'Some rural communities have village courts (sometimes called nyaya panchayat) which some Indians prefer to the formal legal system. Decisions are quicker, community-based, and often less subject to corruption. However, sources told DFAT that the decisions can be unpredictable and tend to disadvantage minorities and women because individual needs of diverse people may not be considered, as they would be when using formal laws and procedures.'¹⁸⁶

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¹⁸³ Lexology, [Hierarchy of Courts in India](#), 27 June 2022

¹⁸⁴ Lexology, [Hierarchy of Courts in India](#), 27 June 2022

¹⁸⁵ DFAT, [DFAT Country Information Report India](#) (paragraph 5.9), 29 September 2023

¹⁸⁶ DFAT, [DFAT Country Information Report India](#) (paragraph 5.12), 29 September 2023

8.2 Capacity and efficacy

8.2.1 The USSD 2023 report noted:

‘Court capacity hampered the right to a timely trial. The judicial system had significant numbers of vacant positions for judges, remained seriously overburdened, and lacked modern case management systems, often leading to delayed or denied justice....’¹⁸⁷ The USSD 2024 report did not include information on the capacity of the judiciary. However, the 2024 report is notably shorter than in previous years and provides less coverage of certain topics.

8.2.2 The UNHRC 2024 report noted: ‘... The Committee takes note of the measures adopted by the State party to facilitate timely judicial proceedings, but is concerned about the extraordinarily lengthy pretrial detention periods, judicial delays and case backlogs, as well as the insufficient number of judges and magistrates ...’¹⁸⁸

8.2.3 The WJP Rule of Law Index 2024 Criminal Justice factor which ‘... evaluates a country’s criminal justice system ...’¹⁸⁹ scored India as outlined in the table below (Table by CPIT based on data from WJP Rule of Law Index 2024):

Factor	Score (0 is low and 1 is high)
8. Criminal Justice	0.38
Sub-factor	
8.1 Criminal justice system is effective	0.26
8.2 Criminal adjudication system is timely and effective	0.36
8.3 Correctional system is effective in reducing criminal behaviour	0.37

8.2.4 The IJR 2025 report noted: ‘The benchmark laid out by the Law Commission in 1987 recommended 50 judges per million people ...’¹⁹⁰

8.2.5 In regard to the functioning of the criminal justice system, the SPIR 2025 report found 66% of respondents agreed with the statement that the system has its problems but still addresses crimes whereas 28% agreed with the statement that the criminal justice system is too weak and slow to address crimes¹⁹¹.

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8.3 Caseloads and convictions

8.3.1 The NCRB 2022 report noted that out of a total of 4,367,588 persons charged under IPC crimes in 2022 (the NCRB report did not specify if the

¹⁸⁷ USSD, [2023 Country Reports on Human Rights Practices: India](#) (section 1e), 22 April 2024

¹⁸⁸ UNHRC, [Concluding observations on the fourth periodic report...](#) (paragraph 37), 2 Sept 2024

¹⁸⁹ WJP, [Rule of Law Index: India](#) (Criminal Justice), 23 October 2024

¹⁹⁰ IJR, [India Justice Report 2025](#) (page 22), April 2025

¹⁹¹ Common Cause & Lokniti, [Status of Policing in India Report 2025](#) (page 64), 2025

charges were based on crimes committed in 2022 or years prior), 1,055,181 persons were convicted, 981,194 persons were acquitted, and 152,787 persons were discharged¹⁹².

- 8.3.2 The same report provided the below statistics on criminal trials across India and convictions for specific crimes in 2022¹⁹³ (Table by CPIT):

Crime	Total cases for trial	Total cases convicted	Conviction rate
Murder	263,960	6904	43.8
Rape	198,285	5067	27.4
Kidnapping & abduction	324,480	5167	33.9
Hurt (inc. acid attack)	3,651,991	79,644	35.9
Rioting	563,696	5939	24.9

- 8.3.3 The WJP Rule of Law Index 2024 Criminal Justice factor, subfactors on corruption scored India as outlined in the table below¹⁹⁴ (Table compiled by CPIT based on WJP Rule of Law Index 2024 data):

Subfactor	Score
8.3 Correctional system is effective in reducing criminal behaviour	0.37
8.4 Criminal system is impartial	0.36
8.5 Criminal system is free of corruption	0.46
8.6 Criminal system is free of improper government influence	0.49
8.7 Due process of the law and rights of the accused	0.38

- 8.3.4 In regard to caseloads, the IJR 2025 report stated:

‘The average workload per judge has significantly increased as case pendencies have risen. At the end of 2024, most high courts, apart from Sikkim, Tripura, and Meghalaya, averaged over 1,000 cases per judge, with Allahabad and Madhya Pradesh high court judges’ workloads amounting to an astonishing 15,000 cases each.

‘At the district court level, the average workload rose to 2,200 cases per judge, with substantial state variations. Twenty-eight states/UTs saw an average of 500-plus cases per judge, with Karnataka judges managing nearly 1,750, Kerala judges managing 3,800, and Uttar Pradesh judges 4,300. Only seven states/UTs maintained workloads below 300 cases per judge.’¹⁹⁵

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¹⁹² NCRB, [Crime in India 2022 Volume I](#) (page xvii), 1 December 2023

¹⁹³ NCRB, [Crime in India 2022 Volume I](#) (page xvi and xvii), 1 December 2023

¹⁹⁴ WJP, [Rule of Law Index: India](#) (Criminal Justice), 23 October 2024

¹⁹⁵ IJR, [India Justice Report 2025](#) (page 108), April 2025

8.4 Staffing and backlogs

- 8.4.1 The BTI 2023 report stated: ‘... A huge problem in the Indian judiciary is its limited functional operability, which is mainly due to understaffing. This leads to massive delays in hearing cases. Worldwide, India is the country with the sixth highest share of pre-trial detainees, who mostly belong to marginalized communities ...’¹⁹⁶

The USSD 2023 report noted: ‘... Net numbers of unresolved criminal cases continued to rise, with approximately 1.4 million new cases instituted each month against a disposition rate of approximately 1.2 million cases [as at 25 October 2023].’¹⁹⁷

- 8.4.2 As of 16 July 2025, the National Judicial Data Grid listed a total of 35,476,410 pending criminal cases, of which 23,894,963 were more than 1 year old, 4,545,788 criminal cases pending were 3 to 5 years old and 3,671,878 were above 10 years old¹⁹⁸.
- 8.4.3 In regard to the number of disposals in criminal cases, the same source stated a total of 11,332,041 criminal cases were disposed and 70% of cases (7,986,322) were disposed within 1 year¹⁹⁹
- 8.4.4 In regard to the reason for delays, the same source reported 4,997,096 were due to counsel not being available and 3,580,132 cases the accused was absconding²⁰⁰.

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8.5 Independence of the judiciary

- 8.5.1 In regard to the functioning of the judiciary, the DFAT 2023 report noted: ‘As in many countries, long delays are common, in part due to understaffing, inefficiency and (more commonly in lower courts) corruption. Some sources claim that lawyers can be incentivised to make unnecessary applications for interlocutory injunctions to the court for legal actions to increase their pay, especially when they are paid by the hour ...’²⁰¹
- 8.5.2 The same report assessed: ‘... People in India may still turn to bribes, especially when bureaucracy and decision making is slow or arbitrary, for example in the judiciary or with the police. DFAT understands that the level of corruption differs from state to state.’²⁰²
- 8.5.3 The USSD 2023 report noted: ‘The law provided for an independent judiciary, and the government generally respected judicial independence... The central government and state governments generally adhered to Supreme Court and High Court rulings even when the courts ruled against government positions.’²⁰³ The USSD 2024 report did not include information on the judiciary or the criminal justice process. However, the 2024 report is notably shorter than in previous years and provides less coverage of certain topics. This reduction in reporting should not be interpreted as indicating a

¹⁹⁶ BTI, [India Country Report 2024](#) (Rule of Law), 19 March 2024

¹⁹⁷ USSD, [2023 Country Reports on Human Rights Practices: India](#) (section 1e), 22 April 2024

¹⁹⁸ District Court of India, [National Judicial Data Grid](#), 16 July 2025

¹⁹⁹ District Court of India, [National Judicial Data Grid](#), 16 July 2025

²⁰⁰ District Court of India, [National Judicial Data Grid](#), (Delay Reason), 16 July 2025

²⁰¹ DFAT, [DFAT Country Information Report India](#) (paragraph 5.10), 29 September 2023

²⁰² DFAT, [DFAT Country Information Report India](#) (paragraph 2.13), 29 September 2023

²⁰³ USSD, [2023 Country Reports on Human Rights Practices: India](#) (section 1e), 22 April 2024

decline in the independence of the judiciary.

8.5.4 The same report noted:

‘According to assessments of the country’s judicial independence, however, the executive, in some instances, attempted to use its powers to reject or delay judicial appointments it found unfavorable. Academic experts noted the government tried to use the incentive of postretirement appointments to influence judges to pass judgements favorable to the ruling political party. Certain cases such as the Citizenship Amendment Act (CAA) and the validity of electoral bonds (a system of anonymous political donations instituted in 2017) had been on the Supreme Court docket for several years.’²⁰⁴

8.5.5 In regard to corruption, the USSD 2023 report noted: ‘... the judicial system experienced... allegations of corruption at lower levels ...’²⁰⁵

8.5.6 The same report noted: ‘The law provided for the right to a fair and public trial, except in proceedings that involved official secrets or state security, and the judiciary generally enforced this right.’²⁰⁶

8.5.7 The BTI 2023 report stated: ‘Formally, the Indian judiciary is institutionally differentiated and largely independent from the legislative and executive branches. Yet, during the review period, there was a high number of instances in which the Supreme Court ruled in line with the positions of the BJP-led government or Hindu nationalist organizations close to it... The judiciary is often also under attack by the executive, as are the appointment procedures through the collegium system ...’²⁰⁷

8.5.8 The FH 2024 report stated: ‘The judiciary is formally independent of the political branches of government. Judges, particularly in the Supreme Court, have traditionally displayed autonomy ... The government has also made judicial appointments that observers consider political in nature.’²⁰⁸

8.5.9 In regard to prosecution of security services, the same report noted: ‘... The criminal procedure code requires that the government approve the prosecution of security personnel; approval is rarely granted, leading to impunity.’²⁰⁹

8.5.10 The FH 2024 report stated: ‘... lower levels of the judiciary suffer from corruption, and the courts have shown signs of increasing politicization ...’²¹⁰

8.5.11 The UNHRC 2024 report stated: ‘...The Committee is concerned..., that, according to information received, corruption is still an important problem at all levels, including in ... the judiciary...’²¹¹

8.5.12 On 21 March 2025, a Business Standard article stated:

‘Senior advocate and Rajya Sabha MP Kapil Sibal on Friday flagged the issue of corruption within the judiciary as "serious", saying that it has continued for years.

²⁰⁴ USSD, [2023 Country Reports on Human Rights Practices: India](#) (section 1e), 22 April 2024

²⁰⁵ USSD, [2023 Country Reports on Human Rights Practices: India](#) (section 1e), 22 April 2024

²⁰⁶ USSD, [2023 Country Reports on Human Rights Practices: India](#) (section 1e), 22 April 2024

²⁰⁷ BTI, [India Country Report 2024](#) (Rule of Law), 19 March 2024

²⁰⁸ Freedom House, [Freedom in the World 2025: India](#) (F1), 26 February 2025

²⁰⁹ Freedom House, [Freedom in the World 2025: India](#) (F3), 26 February 2025

²¹⁰ Freedom House, [Freedom in the World 2025: India](#) (F1), 26 February 2025

²¹¹ UNHRC, [Concluding observations on the fourth periodic report of India](#) (para. 11), 2 Sept 2024

"Corruption within the judiciary is a very serious issue. This is not something that has been articulated by senior councils and lawyers in the country for the first time. It has been going on for years,"... He suggested that the apex court must address the issues in the process of appointing judges. Sibal added that corruption remains an issue in society at large and not only in the judiciary.

"It is time for the Supreme Court to start looking at issues of how the appointment process takes place. The appointment process should be more transparent and carefully done. Corruption is also a very serious issue in society, and the corruption has increased despite what the PM has said," Sibal said ...^{'212}

- 8.5.13 In regard to a recent example of potential corruption in the judiciary, on 27 March 2025, a Bloomberg article reported: '... On March 14, firefighters and police found [piles of burnt currency notes](#) when responding to a blaze in an outhouse on the periphery of Justice Yashwant Varma's residence... The judge says he's being framed for corruption. [In a letter](#) to the Chief Justice of India published on the Supreme Court website, Varma denies having anything to do with the cash found. The jury—a three-judge investigation committee—is still out on his innocence.'²¹³

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8.6 Legal aid

- 8.6.1 The DFAT 2023 report noted: '... DFAT understands prisoners generally get... access to free legal aid of variable quality ...'²¹⁴
- 8.6.2 The same report stated: 'Judicial action is unaffordable to most Indians. Even criminal defendants who are entitled to a lawyer often get poor representation, according to sources. Sources told DFAT that clients who are unable to pay lawyers for better representation are unlikely to receive good quality legal advice and some might refuse legal advice, seeing it as just another debt they cannot pay.'²¹⁵
- 8.6.3 The USSD 2023 report stated: 'The constitution specified the state should provide free legal counsel to defendants who could not afford it, but sometimes capacity constraints led to limited access to competent counsel...'²¹⁶
- 8.6.4 The UNHRC 2024 report noted: '... The Committee is concerned by the fact that, despite the efforts made by the State party to strengthen the legal aid framework, individuals accused of criminal offences have limited access to legal aid, particularly in police stations. It is also concerned about initiatives for non-lawyers to provide legal aid and reports of poor-quality legal aid ...'²¹⁷
- 8.6.5 The SPIR 2025 report noted that in in-depth interviews with doctors, lawyers and judges:

²¹² Business Standard, [Corruption in judiciary: Sibal seeks 'transparency' in...](#), 21 March 2025

²¹³ Bloomberg, [A Fire in India's Judiciary](#), 27 March 2025

²¹⁴ DFAT, [DFAT Country Information Report India](#) (paragraph 5.17), 29 September 2023

²¹⁵ DFAT, [DFAT Country Information Report India](#) (paragraph 5.13), 29 September 2023

²¹⁶ USSD, [2023 Country Reports on Human Rights Practices: India](#) (section 1e), 22 April 2024

²¹⁷ UNHRC, [Concluding observations on the fourth periodic...](#) (paragraph 35), 2 Sept 2024

'Interviewees expressed mixed views on the availability of legal aid lawyers. A retired district judge said he believes "almost all courts are covered" in his state, with legal aid lawyers readily accessible. A lawyer shared her experience that she has "never seen a legal aid lawyer" in the magistrates' courts she frequents. Another lawyer remarked that the legal aid system is failing and functions "like a mafia" in magistrates' courts, "making every crime an opportunity for their existence". She illustrated by describing the race by lawyers to increase the number of bail applications they file without following up with real efforts to secure bail, a gap she often bridges for arrested persons who reach out to her despite a legal aid lawyer initially taking their case. These variations indicate the inconsistency of the legal aid system across states. While talking about the quality of legal aid lawyers, a lawyer said while he has come across good legal aid lawyers, he believes that "good legal aid lawyers are still less in number than what is needed".'²¹⁸

- 8.6.6 In regard to rural access to legal aid, the IJR 2025 report stated: '... regulations require a clinic to "serve a village or a cluster of villages". Between 2017 and 2024, the national average of villages per clinic has increased four times from 42 to 163. In some states, this number is more than 500 villages per legal aid clinic.'²¹⁹

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8.7 Witness protection

- 8.7.1 The Witness Protection Scheme 2018, section 3 outlines:

'Categories of Witness as per threat perception:

'Category 'A': Where the threat extends to life of witness or his family members, during investigation/trial or thereafter.

'Category 'B': Where the threat extends to safety, reputation or property of the witness or his family members, during the investigation/trial or thereafter.

'Category 'C': Where the threat is moderate and extends to harassment or intimidation of the witness or his family member's, reputation or property, during the investigation/trial or thereafter.'²²⁰

- 8.7.2 The Witness Protection Scheme 2018, section 7 outlines:

'The witness protection measures ordered shall be proportionate to the threat and shall be for a specific duration not exceeding three months at a time. These may include:

- a) 'Ensuring that witness and accused do not come face to face during investigation or trial
- b) 'Monitoring of mail and telephone calls
- c) 'Arrangement with the telephone company to change the witness's telephone number or assign him or her an unlisted telephone number;
- d) 'Installation of security devices in the witness's home such as security doors, CCTV, alarms, fencing etc;
- e) 'Concealment of identity of the witness by referring to him/her with the

²¹⁸ Common Cause and Lokniti, [Status of Policing in India 2025](#) (page 141 and 142), 2025

²¹⁹ IJR, [India Justice Report 2025](#) (page 1260, April 2025)

²²⁰ MHA, [Witness Protection Scheme](#), 2018

changed name or alphabet

- f) 'Emergency contact for the witness
- g) 'Close protection, regular patrolling around the witness's house;
- h) 'Temporary change of residence
- i) 'Escort to and from the court and provision of Government vehicle or a State funded conveyance for the date of hearing;
- j) 'Holding of in-camera trials;
- k) 'Allowing a support person to remain present during recording of statement and deposition;
- l) 'Usage of specially designed vulnerable witness court rooms which have special arrangements like live video links, one way mirrors and screens apart from separate passages for witnesses and accused, with option to modify the image of face of the witness and to modify the audio feed of the witness' voice, so that he/she is not identifiable;
- m) 'Ensuring expeditious recording of deposition during trial on a day to day basis without adjournments;
- n) 'Awarding time to time periodical financial aids/grants to the witness from Witness Protection Fund for the purpose of re-location, sustenance or starting a new vocation/profession, as may be considered necessary.
- o) 'Any other form of protection measures considered necessary.'

8.7.3 The Bharatiya Nagarik Suraksha Sanhita 2023, Section 398 sets out: 'Every State Government shall prepare and notify a Witness Protection Scheme for the State with a view to ensure protection of the witnesses.'²²¹

8.7.4 In regard to witness protection the MHA press release on the criminal laws stated '... Witness Protection Scheme: The new laws mandate all State Government to implement Witness Protection Scheme to ensure the safety and cooperation of witnesses, enhancing the credibility and effectiveness of legal proceedings ...'²²²

8.7.5 On 4 October 2024, the New Indian Express, an India based English language newspaper²²³ reported: 'The Supreme Court recently expressed concern over the "pathetic" state of witness protection programme in India. The top court lamented the lack of effective implementation of the Witness Protection Scheme, 2018. The judiciary underscored how witnesses are often coerced, threatened, or bribed by powerful people, undermining justice.'²²⁴

8.7.6 The same article contained an interview with Niharika Karanjawala-Misra, a lawyer in India who opined: '... While testifying in trials against powerful or influential accused persons, witnesses can be faced with both inducements to deviate from the truth, as well as threats to their lives and the lives of their families... A lack of resources and corruption in law: enforcement are the main hurdles, in my opinion, to the success of any witness protection

²²¹ Gol, [Bharatiya Nagarik Suraksha Sanhita](#), 25 December 2023

²²² MHA, [Highlights of New Criminal Laws](#), 30 July 2024

²²³ The New Indian Express, [About Us](#), no date

²²⁴ The New Indian Express, ['Protection of witnesses will ensure fair trials'](#), 4 October 2024

program.’²²⁵

8.7.7 The OSAC 2024 report noted ‘Even those who witness crimes avoid getting involved in a judicial process that is painfully slow, inconvenient, and ineffective ...’²²⁶

8.7.8 On 25 July 2025, the Times of India article reported:

‘... [in July 2025] armed assailants shot dead a double murderer witness inside his car in southwest Delhi.

In the last one year, witnesses in three cases have been killed and several have faced intimidation... Cops say that they take a lot of measures and precautions ranging from naming the witnesses in codewords in charge-sheets and providing them security cover if required.

‘However, sources said that a more robust threat analysis of witnesses needed to be carried out in critical cases and measures taken to secure them...

‘Delhi govt notified the new witness protection scheme in April this year. It categorises witnesses into three threat levels-high, moderate and low- and provides tailored protection measures accordingly.

‘These measures include physical security enhancements, identity concealment, relocation assistance and special court arrangements.

“‘The scheme is financed through a state witness protection fund, which is supported by budgetary allocations, court-imposed costs, donations and CSR contributions. Witnesses or their representatives can file applications for protection with the authority concerned, who will then prepare a threat analysis report and recommended protection measures,”, an officer explained...

‘The scheme emphasises confidentiality and record preservation, with stakeholders required to maintain strict secrecy and preserve records until legal proceedings conclude.’²²⁷

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8.8 Pre-trial detention

8.8.1 The FH 2024 report stated: ‘... The justice system is severely backlogged and understaffed, leading to lengthy pretrial detention for suspects, many of whom remain in jail longer than the duration of any sentence they might receive if convicted. A number of security laws allow detention without charge or based on vaguely defined offenses.’²²⁸

8.8.2 In relation to treatment while in detention, the same report noted: ‘... Abuses by prison staff against people in custody, particularly those belonging to marginalized groups, are common.’²²⁹

8.8.3 In regard to deaths in detention, the USSD 2023 report stated: ‘There were allegations that police or prison guards killed prisoners and these killings were sometimes misclassified as suicides or deaths from natural causes. On

²²⁵ The New Indian Express, [‘Protection of witnesses will ensure fair trials’](#), 4 October 2024

²²⁶ OSAC, [India Country Security Report](#), 4 October 2024

²²⁷ Tol, [Witnesses shot, silenced, ignored: SC flags ‘eyes and ears’ of...](#), 25 July 2025

²²⁸ Freedom House, [Freedom in the World 2025: India](#) (F2), 26 February 2025

²²⁹ Freedom House, [Freedom in the World 2025: India](#) (F3), 26 February 2025

February 5, police allegedly killed Dhaneswar Behera, accused of poaching, while in custody in Odisha's Cuttack District. On February 6, the Odisha Forest Department arrested six officials for their involvement in the death ...²³⁰ For more information on the investigation into this incident see [Number of investigations and outcomes](#)

8.8.4 The USSD 2024 report stated: 'There were allegations police or prison guards killed prisoners, and these killings were sometimes misclassified as suicides or deaths from natural causes. The NHRC reported 1,372 judicial custodial deaths as of August [2024]...' ²³¹

8.8.5 The USSD 2024 report noted: 'Reports noted that lengthy arbitrary detentions remained a significant problem due to a lack of legal safeguards and overburdened and underresourced court systems...' ²³²

8.8.6 For more information on arrest and detention rights see [Legal framework](#)

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8.9 Death penalty

8.9.1 The DFAT 2023 report stated:

'India retains the death penalty under both national and state legislation. At the time of writing there were 488 people on death row. Between 2000 and 2020 (2020 the last year that an execution took place at the time of writing), eight people were executed by hanging: five for sexual assault and murder, and three for terror-related charges. The death penalty can also be imposed for treason, mutiny, kidnapping, drug offences and 'dacoity', a South Asian term for robbery in company or banditry. The death penalty can be imposed for sexual assault where the victim is younger than 12 years of age, is a woman who, as a result of her injuries, is left in a persistent vegetative state, or where the offender is a recidivist. The production of 'spurious liquor' (moonshine, drinking of which can lead to blindness or death in some cases) is also punishable by death in some states. According to sources, a large proportion of new death sentences relate to sexual assault cases.' ²³³

8.9.2 The same report noted: 'Death sentences need to be confirmed by the High Court in the relevant state. This can lead to extended waits on death row while a sentence is confirmed. Sources told DFAT that the poor and marginalised are more likely to end up on death row.' ²³⁴

8.9.3 The same report stated:

'Sources claim that the number of death sentences handed down has increased in recent years and that some public prosecutors have been incentivised through government rewards programs to seek the death penalty in court, and that in other cases the death penalty has been promoted because it is politically popular. While lower courts regularly impose the death penalty, particularly for sexual assault and murder, higher courts have tended to commute most sentences to life in prison.

'DFAT understands that the death penalty is broadly popular in India, and

²³⁰ USSD, [2023 Country Reports on Human Rights Practices: India](#) (section 1a), 22 April 2024

²³¹ USSD, [2024 Country Reports on Human Rights Practices: India](#) (section 1a), 12 August 2025

²³² USSD, [2024 Country Reports on Human Rights Practices: India](#) (section 2c), 12 August 2025

²³³ DFAT, [DFAT Country Information Report India](#) (paragraph 4.17), 29 September 2023

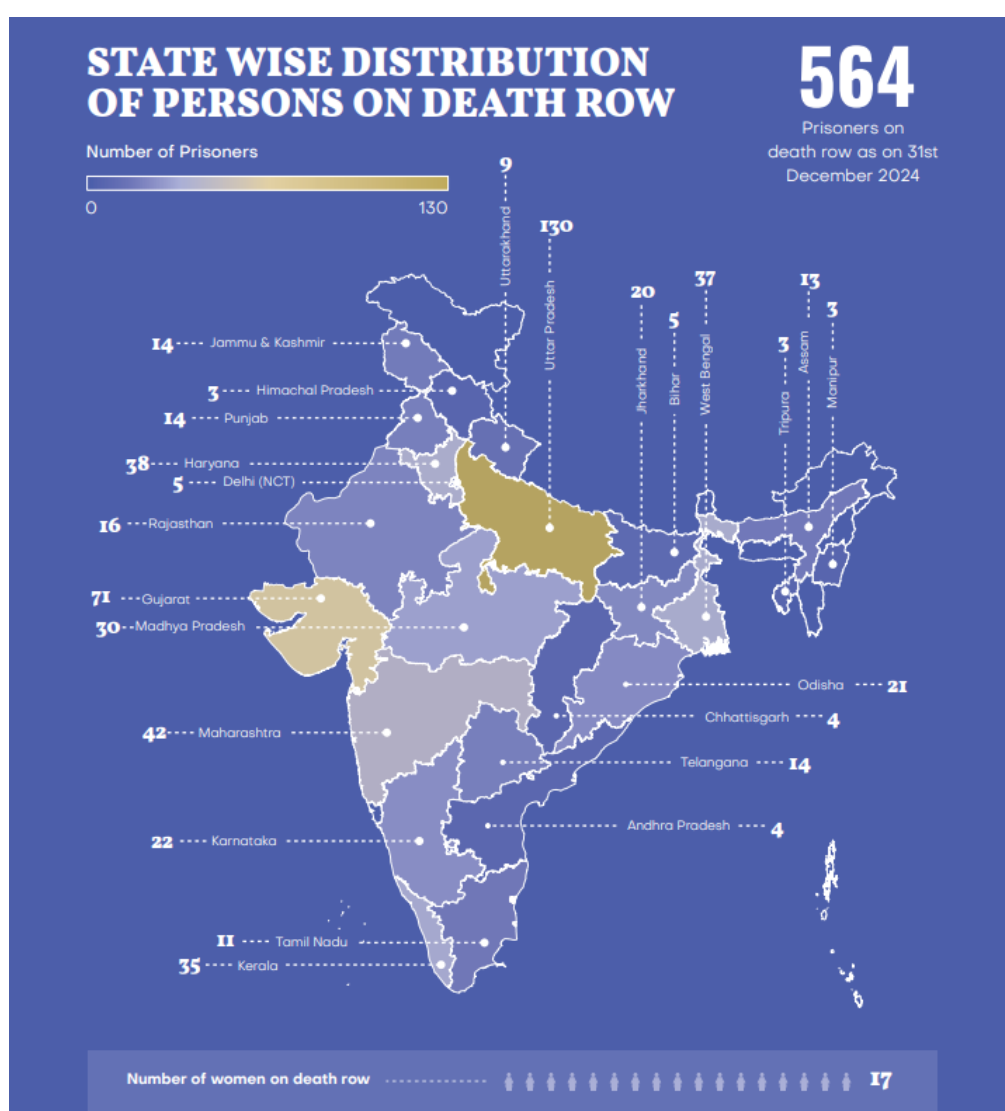
²³⁴ DFAT, [DFAT Country Information Report India](#) (paragraph 4.18), 29 September 2023

this aligns with widespread public outrage about sexual assault, including mass protests against brutal assaults ...²³⁵

- 8.9.4 Project 39A, a law clinic based in NALSAR University of Law, Hyderabad²³⁶, annual report on death penalty statistics in India, published January 2025 covering events in 2024 noted:

‘At the end of 2024, 564 people were living under a sentence of death in India. This marks the highest number of people on death row since the turn of this century... Murder simpliciter [non-accidental] dominated the offences for which death sentences were imposed (62.60% of all death sentences). This indicates a change in the offences for which death sentences are imposed, given that sexual offences had comprised the majority of death sentences and cases between 2019 to 2023 ...’²³⁷

- 8.9.5 The same report included the below map on the distribution of persons on death row across India²³⁸:



²³⁵ DFAT, [DFAT Country Information Report India](#) (paragraphs 4.18 and 4.19), 29 September 2023

²³⁶ Project 39A, [About](#), no date

²³⁷ Project 39A, [Annual Statistics Report 2024](#) (page 6), January 2025

²³⁸ Project 39A, [Annual Statistics Report 2024](#) (page 10), January 2025

- 8.9.6 In regard to Supreme Court decisions, the same report stated: 'The Supreme Court heard and decided 5 death penalty criminal appeals, involving 5 prisoners, in 2024, commuting the death sentences of 4, and acquitting 1 prisoner of all charges.... The Supreme Court did not confirm any death sentence in 2024, carrying forward this trend from 2023.'²³⁹
- 8.9.7 In regard to changes to the death penalty, the same report stated: '... The IPC punishes 11 offences with the death penalty (including murder, dacoity with murder, kidnapping with murder, rape resulting in death or persistent vegetative state, gang-rape of children below the age of 12 years and waging war against India). The BNS expands the offences punishable with death from 15 to 18... These offences include organised crime, terrorist act, and murder committed by a life convict.'²⁴⁰
- 8.9.8 The same source did not report any executions in 2024²⁴¹ and the Amnesty International Global Report 2024 did not record any executions in 2024²⁴².
- 8.9.9 On 13 February 2025, an India Today report noted: 'In India, capital punishment, also known as the death penalty, is carried out by "hanging by the neck until death", as per the Bharatiya Nagarik Suraksha Sanhita (BNSS) that replaced the Code of Criminal Procedure (CrPC)... Capital punishment, which the Supreme Court has repeatedly stated should be used only in the rarest of rare cases, was [last carried out in 2020](#) when four convicts in the 2012 Delhi gang rape and murder case, also known as the Nirbhaya case, were hanged.'²⁴³

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²³⁹ Project 39A, [Annual Statistics Report 2024](#) (page 69), January 2025

²⁴⁰ Project 39A, [Annual Statistics Report 2024](#) (page 77), January 2025

²⁴¹ Project 39A, [Annual Statistics Report 2024](#), January 2025

²⁴² Amnesty International, [Death Sentences and Executions 2024](#) (page 21), 8 April 2025

²⁴³ India Today, [Black warrant reality check: Is India skipping the noose?](#), 13 February 2025

Research methodology

The country of origin information (COI) in this note has been carefully selected in accordance with the general principles of COI research as set out in the [Common EU \[European Union\] Guidelines for Processing Country of Origin Information \(COI\)](#), April 2008, and the Austrian Centre for Country of Origin and Asylum Research and Documentation's (ACCORD), [Researching Country Origin Information – Training Manual](#), 2024. Namely, taking into account the COI's relevance, reliability, accuracy, balance, currency, transparency and traceability.

Sources and the information they provide are carefully considered before inclusion. Factors relevant to the assessment of the reliability of sources and information include:

- the motivation, purpose, knowledge and experience of the source
- how the information was obtained, including specific methodologies used
- the currency and detail of information
- whether the COI is consistent with and/or corroborated by other sources

Commentary may be provided on source(s) and information to help readers understand the meaning and limits of the COI.

Wherever possible, multiple sourcing is used and the COI compared to ensure that it is accurate and balanced, and provides a comprehensive and up-to-date picture of the issues relevant to this note at the time of publication.

The inclusion of a source is not, however, an endorsement of it or any view(s) expressed.

Each piece of information is referenced in a footnote.

Full details of all sources cited and consulted in compiling the note are listed alphabetically in the [bibliography](#).

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Terms of Reference

The 'Terms of Reference' (ToR) provides a broad outline of the issues relevant to the scope of this note and forms the basis for the [country information](#).

The following topics were identified prior to drafting as relevant and on which research was undertaken:

- Legal framework:
 - Constitution
 - Penal code/criminal code
 - Laws, policies or programmes applicable to protection
- State apparatus
 - Structure and size - resourcing, pay, equipment and training
 - Centralised Indian Police Service (IPS)
 - State police force
 - Armed forces
- Capabilities
 - Numbers of investigations, arrests, and prosecutions
 - Occurrence of corruption, misconduct and human rights violations
 - accessibility – existence (or lack of) barriers to obtaining protection for particular groups, by location or other factors
 - application – discrimination in enforcement of law against particular groups, by or other factors
- Oversight bodies of security forces:
 - National Human Rights Commission
 - process for raising complaints
- numbers of investigations and outcomes, including any evidence of investigations and punishment
- Judiciary:
 - structure, size and composition, including juvenile, family and military courts
 - fair trial – availability of legal aid and representation: open and public trial;
 - accessibility - existence (or lack) of barriers to accessing the judicial process for particular groups, by location (different provinces or rural/urban) or other factors
 - occurrence of corruption, misconduct and human rights violations
 - numbers of cases, outcomes including convictions and acquittals
 - death penalty

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Bibliography

Sources cited

- Amnesty International, [Death Sentences and Executions 2024](#), 8 April 2025. Accessed: 16 July 2025
- Australian Department of Foreign Affairs and Trade (DFAT), [DFAT Country Information Report India](#), 29 September 2023. Accessed: 23 June 2025
- Bloomberg, [A Fire in India's Judiciary](#), 27 March 2025. Accessed: 16 July 2025
- Bertelsmann Stiftung Index (BTI),
[Methodology](#), no date. Accessed: 2 July 2025
[India Country Report 2024](#), 19 March 2024. Accessed: 2 July 2025
- Bloomberg, [A Fire in India's Judiciary](#), 27 March 2025. Accessed: 16 July 2025
- Bureaucrats India, [India's top services face officer crunch: Over 1,300 IAS and 586 IPS vacancies revealed](#), 13 December 2024. Accessed: 22 July 2025
- Bureau of Police Research and Development (BPRD), [Data on Police Organisations](#), 1 April 2024. Accessed: 1 July 2025
- Business Standard, [Corruption in judiciary: Sibal seeks 'transparency' in judges' appointment](#), 21 March 2025. Accessed: 16 July 2025
- BYJUS, [Introduction to Indian Judiciary](#), no date. Accessed: 21 August 2025
- Central Intelligence Agency (CIA) World Factbook, [India](#), 21 July 2025. Accessed: 22 July 2025
- Common Cause, [Who We Are](#), no date. Accessed: 2 July 2025
- Common Cause & Lokniti, [Status of Policing in India Report 2025](#), 2025. Accessed: 2 July 2025
- District Court of India, [National Judicial Data Grid](#), 16 July 2025. Accessed: 16 July 2025
- Freedom House, [Freedom in the World 2025: India](#), 26 February 2025. Accessed: 25 July 2025
- GANHRI,
[Accreditation](#), no date. Accessed: 2 July 2025
[Accreditation status as of 23 April 2025](#), 23 April 2025. Accessed: 2 July 2025
[Mission and Identity](#), no date. Accessed: 2 July 2025
[Report and Recommendations of the 45th Session of the Sub-Committee on Accreditation](#), 3 June 2025. Accessed: 25 June 2025
- Grey Dynamics,
[Our story](#), no date. Accessed: 21 August 2025
[Research and Analysis Wing \(R&AW\): Inside India's Foreign Intelligence Agency](#), 7 May 2025. Accessed: 21 August 2025
- Government of India (GoI),
[Bharatiya Sakshya Adhiniyam](#), 25 December 2023. Accessed: 23 June 2025

[Constitution of India](#), 1 May 2024. Accessed: 23 June 2025

[Highlights Of New Criminal Laws](#), 30 July 2024. Accessed: 23 June 2025

The Hindu,

[About Us](#), no date. Accessed: 11 July 2025

[All 17,130 police stations in the country linked through centralised online platform](#), 18 December 2024. Accessed: 11 July 2025

India Justice Report (IJR),

[About](#), undated. Accessed: 29 September 2025

[India Justice Report 2025](#), April 2025. Accessed: 29 September 2025

India Today, [Black warrant reality check: Is India skipping the noose?](#), 13 February 2025. Accessed: 16 July 2025

Indian Police Service, [Home](#), undated. Accessed: 1 July 2025

International Journal of Criminal, Common and Statutory Law (IJCCSL), [Home](#), no date. Accessed: 21 August 2025

Jagran Josh Education Web Portal,

[About us](#), undated. Accessed: 7 July 2025

[List of Intelligence Agencies in India](#), 10 July 2023. Accessed: 7 July 2025

JPL, [Group profile](#), undated. Accessed: 7 July 2025

Lexology,

[Hierarchy of Courts in India](#), 27 June 2022. Accessed: 21 August 2025

[Vaish Associates Advocates](#), no date Accessed: 21 August 2025

Moolchandani, Anushka, [A paradigm shift in Indian criminal law: Comparative analysis of the Indian penal code, 1860 and the Bharatiya Nyaya Sanhita, 2023](#), 26 June 2024. Accessed: 21 August 2025

Ministry of Home Affairs (MHA), [Highlights of New Criminal Laws](#), 30 July 2024. Accessed: 21 August 2025

Ministry of Personnel, [Public Grievances & Pensions, Parliament Question: Strength of IAS, IPS and IFS Officers](#), 12 December 2024. Accessed: 21 August 2025

National Crime Records Bureau (NCRB),

[Crime and Criminal Tracking Network & Systems \(CCTNS\)](#), no date. Accessed: 16 July 2024

[Crime in India 2022 Volume I](#), 1 December 2023. Accessed 1 July 2025

[Crime in India 2022 Volume III](#), 1 December 2023. Accessed: 1 July 2025

National Human Rights Commission (NHRC),

[About the Organisation](#), no date. Accessed: 4 July 2025

[Annual Report 2021-22](#), 2022. Accessed: 4 July 2025

[Annual Report 2022-23](#), 2023. Accessed: 4 July 2025

[Annual Report 2023-24](#), 2024. Accessed: 4 July 2025

[Search Complaint](#), no date. Accessed: 4 July 2025

[State Human Rights Commission](#), 22 November 2024. Accessed: 25 June 2025

NextIAS, [State Human Rights Commission \(SHRC\)](#), 8 June 2024. Accessed: 21 August 2025

The New Indian Express,

[About Us](#), no date. Accessed: 4 July 2025

[‘Protection of witnesses will ensure fair trials’](#), 4 October 2024. Accessed: 4 July 2025

OHCHR, [Status of ratification interactive dashboard](#), no date. Accessed: 23 June 2025

OSAC, [India Country Security Report](#), 4 October 2024. Accessed: 1 July 2025

Redress,

[About Us](#), no date. Accessed: 21 August 2025

[Torture Normalised: State Violence in India](#), 10 June 2025. Accessed: 21 August 2025

The Pioneer,

[About Us](#), no date. Accessed: 21 August 2026

[Revamping India's intelligence network](#), 26 February 2024. Accessed: 21 August 2025

Project 39A,

[About](#), no date. Accessed: 16 July 2025

[Annual Statistics Report 2024](#), January 2025. Accessed: 16 July 2025

Times of India (ToI),

[About Us](#), no date. Accessed: 9 July 2025

[Top 10 Indian states with highest crimes rates](#), 6 May 2025. Accessed: 9 July 2025

[Efforts on to establish Mizoram human rights commission, 16 posts created](#), 20 March 2025. Accessed: 25 June 2025

[Witnesses shot, silenced, ignored: SC flags ‘eyes and ears’ of justice system, seeks real protection beyond schemes](#), 25 July 2025. Accessed: 21 August 2025

UN Human Rights Committee (UNHRC), [Concluding observations on the fourth periodic report of India](#), 2 September 2024. Accessed: 25 June 2025

US State Department (USSD),

[2023 Country Reports on Human Rights Practices: India](#), 22 April 2024. Accessed: 1 July 2025

[2024 Country Reports on Human Rights Practices: India](#), 12 August 2025. Accessed: 21 August 2025

World Justice Project (WJP),

[Methodology](#), no date. Accessed: 1 July 2025

[Rule of Law Index: India](#) (Order & Security), 23 October 2024. Accessed: 1 July 2025

Vajiram&Ravi,

[About Us](#), 1 February 2025. Accessed: 4 July 2025

[IPS Salary 2025, Grade Pay, Perks & Allowances, Per Month Salary](#), 3 June 2025. Accessed: 29 September 2025

Xe.com, [Convert Indian Rupees to British Pounds](#), 4 July 2025. Accessed: 4 July 2025

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Sources consulted but not cited

Amnesty International, [India: GANHRI must review the national accreditation status of the National Human Rights Commission of India: Joint Letter](#), 27 November 2024. Accessed: 2 July 2025

Human Rights Watch, [World Report 2025: India](#), 17 January 2025. Accessed: 7 July 2025

MASUM, [Annual Report 2023](#), 22 January 2024. Accessed: 9 July 2025

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- valid from **1 October 2025**

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