

BUDGETS FOR JUSTICE

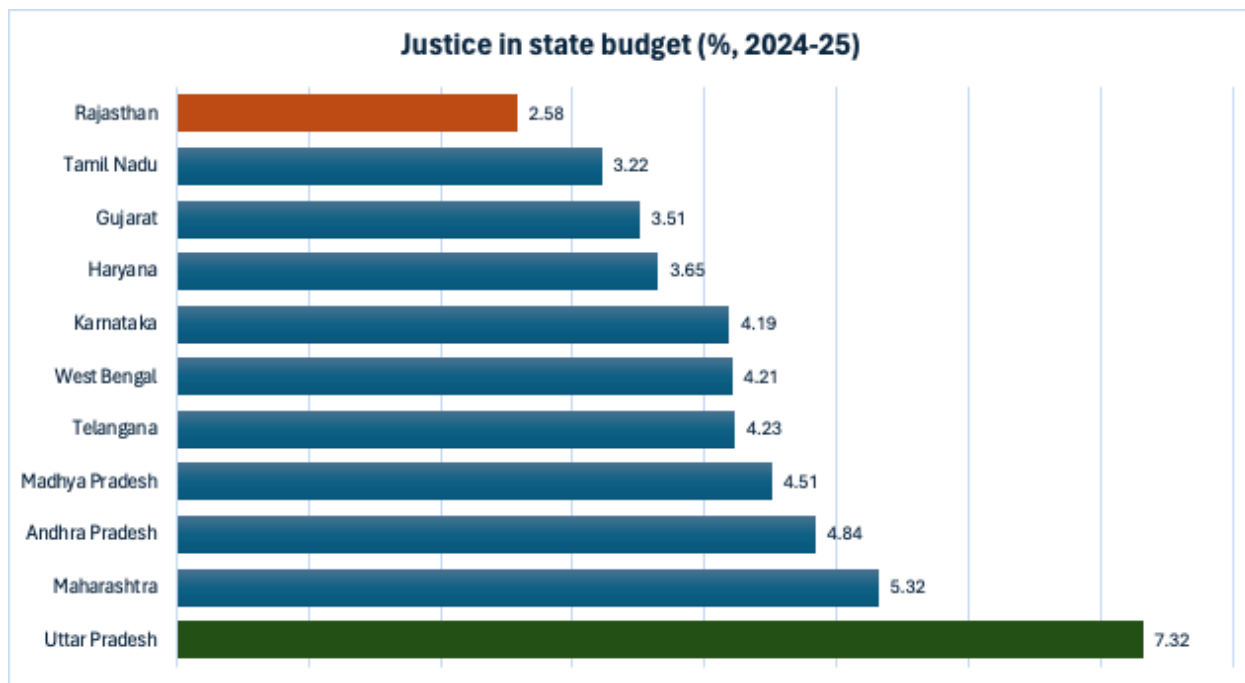
A Pilot Study of Justice Sector Allocations in 11 States with the Highest GSDPs

This unique pilot study by the IJR provides an in-depth analysis of budgetary allocations and expenditures for the justice system across eleven high-GDP states in India. The states included are Andhra Pradesh, Gujarat, Haryana, Karnataka, Madhya Pradesh, Maharashtra, Rajasthan, Tamil Nadu, Telangana, Uttar Pradesh, and West Bengal. The analysis is based on budget documents for FY 2023-24 and 2024-25.

1. The eleven high GDP states allocated Rs. 19.70 lakh crore towards justice in 2024-25(BE). This has gone up by 25% since 2022-23.

| Total Spend on Justice (Rs. crore) | | | |
|---|---------------------|---------------------|---------------------|
| | 2022-23 (RE) | 2022-23 (AE) | 2024-25 (BE) |
| Eleven high GDP states | 157963 | 144569 | 196962 |

2. **As share of state budget:** This makes an average of 4% of state budgets for this year.



3. The budget allocated to Justice in comparison to other metrics is very low.

| Expenditure on various metrics as Share of State Budgets of Eleven High GDP States (%) | |
|--|---------------------|
| | 2024-25 (BE) |
| Social Sector Expenditure ¹ | 42.3 |
| Expenditure on Education - As percent of Aggregate Expenditure ² | 12.8 |
| Expenditure on Medical and Public Health and Family Welfare - As percent of Aggregate Expenditure ³ | 5.4 |
| Justice ⁴ | 4.6 |

4. Of the pillars of justice, police receive the lion’s share: 80% of the justice budget, followed by judiciary, prisons and legal aid.

| Total Pillar Spend (Rs. crore) | | | | Share of Pillars in Justice Budget (%) | | |
|---------------------------------------|----------------|----------------|----------------|---|----------------|----------------|
| Pillars | 2022-23 | 2022-23 | 2024-25 | 2022-23 | 2022-23 | 2024-25 |
| | | | | | | |

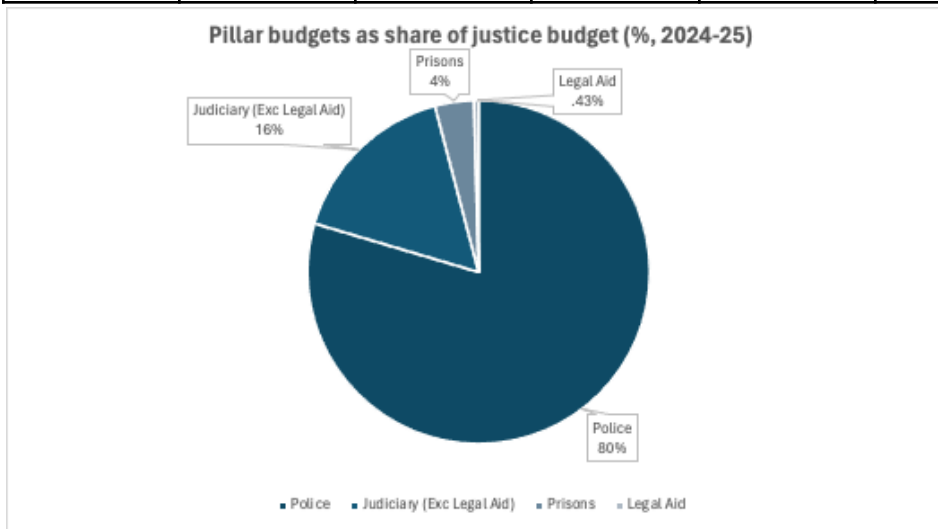
¹ Includes expenditure on social services, rural development and food storage and warehousing under revenue expenditure, capital outlay and loans and advances by the State Governments.

² Includes expenditure on Sports, Art and Culture under revenue expenditure and capital outlay.

³ It includes revenue expenditure and capital outlay

⁴ It includes expenditure on Police, Judiciary, Prisons and Legal Aid.

| | (RE) | (AE) | (BE) | (RE) | (AE) | (BE) |
|-----------------------------|---------|---------|--------|-------|-------|-------|
| Police | 128637 | 120928 | 156719 | 81 | 84 | 80 |
| Judiciary (Excl. Legal Aid) | 23752 | 18400 | 32147 | 15.03 | 12.72 | 16.32 |
| Prisons | 4982.50 | 4740.12 | 7247 | 4.19 | 2.60 | 4.58 |
| Legal Aid | 591.11 | 501.84 | 849.30 | 0.37 | 0.35 | 0.43 |



4.1 Per Capita Spend on Justice: On average, the eleven states reported a per capita expenditure of Rs. 2056.14 on justice in 2024-25. However, this amount varied across different pillars. The per capita expenditure on police was Rs. 1667, while the per capita expenditure on legal aid was Rs. 10. SHRCs spent just Rs. 0.16.

4.2 Per Capita Spend on Pillars

| Per Capita Spends (Rs.) | |
|--------------------------|--------------|
| | 2024-25 (BE) |
| Police | 1667 |
| Judiciary | 353 |
| Prisons | 67 |
| Legal Aid | 10 |

4.3 Per Capita Spend on SHRC (Rs.)

| | |
|-----------------|------|
| SHRC (5 States) | 0.16 |
|-----------------|------|

5. Data availability: Key Observations

The exercise gathered data from the respective state budget documents (The Detailed Demand for Grants of Departments of Various States) for the years 2023-24 and 2024-25. It focused on the Department of Home (covering Police and Prisons) and the Department of Law and Justice (covering Justice, including legal aid). The exercise delved up to the subhead level and, wherever necessary, the object and detailed head level. During the data collection process, it was observed that the budget allocation is not uniform across states.

For example:

1. Police:

- a. CCPWC: The budget for cyber crime prevention against women and children was only available in 7 of the 11 states. (Seven states: Andhra Pradesh, Gujarat, Haryana, Karnataka, Maharashtra, Telangana, Uttar Pradesh).
- b. Safe City: Similarly for Gujarat, despite Ahmadabad being a safe city, it does not provide its allocation in the state budget documents in Home or Administration of justice department.
- c. Budgets for “Construction of Residential Buildings for Police” are not provided in Andhra Pradesh and Haryana.

2. Judiciary:

- a. The states provide budgets for high courts and civil and sessions courts under different sub minor heads. In West Bengal the different courts such as criminal courts, Small Causes Courts etc are provided as minor heads with different sub-minor heads. This enables more granular view and transparency in budget allocation whereas Gujarat, UP club all these under the minor head of civil and sessions courts.
- b. Similarly, Rajasthan , Haryana and Andhra Pradesh do not provide a disaggregated budget of FTSCs.

3. Prisons:

- a. States do not provide a clear disaggregation of whether the allocation is going towards central or district prisons. For example, Madhya Pradesh clubs together the allocation for state and central prisons, Tamil Nadu provides for “Jails (other than Sub-Jails)”, Haryana for “Central District Jails including Borstal Institute and Juvenile Jail” etc. Andhra Pradesh, Karnataka, Telangana West Bengal and Uttar Pradesh do not provide any allocations for central and distinct prisons upto sub minor head level.
Only Gujarat, Haryana, Maharashtra and Rajasthan clearly disaggregate data for district and central prisons.

- b. **On modernisation of prisons:** 6 (Haryana, Karnataka, Madhya Pradesh, Maharashtra, Uttar Pradesh, West Bengal) of 11 states provide budgets. Only two provide for prison staff housing (Rajasthan and Uttar Pradesh).

4. Legal aid:

- a. The budget for legal aid is provided within the judiciary budget for all 11 states. There is no separate Major head for legal aid per se.
- b. Only 6 (Haryana, Karnataka, Madhya Pradesh, Tamil Nadu, Telangana, Uttar Pradesh) of the 11 states provided budgets for victim compensation in the law and justice department or social security and welfare department. For ADR and mediation too, only 6 (Karnataka, Madhya Pradesh, Maharashtra, Tamil Nadu, Telangana, Uttar Pradesh) of the eleven states provided budget data.

Without uniformity in recording the budget allocation, it is challenging to make meaningful comparisons across states. For example, if a comparison is intended between allocations towards central and district prisons, the lack of disaggregated data impedes the process. Similarly, limited legal aid data allows drill down only up to a certain level. Disaggregated data are also essential for understanding how resources are utilised.

1. Police

1. Rs 1.57 lakh crore: **Total allocation to police in 2024-25(BE)** across eleven states, an average increase of 18% since 2022-23 (RE).
2. Less than 2%: **Share of training budget in police budget 2024-25**, indicating a national trend of low investment in training.
3. Rs 6449 crore: **Allocation for police housing** across eleven states in 2024-25.
4. 21%: The average drop in allocation between 2022-23 and 2024-25 towards **Cyber Crime Prevention against Women and Children (CCPWC)** scheme (from 38 crore to Rs 13 crore).

| Table xx: Police- Highest and Lowest Allocations (2024-25 BE) | | | |
|--|--------------------------------|---------------------------------|--------------------------------|
| Highest allocation states | 2024-25 (BE)(Rs. crore) | Lowest allocation states | 2024-25 (BE)(Rs. crore) |
| Uttar Pradesh | 39425 | Gujarat | 8837 |
| Maharashtra | 30127 | Andhra Pradesh | 7869 |
| Tamil Nadu | 12090 | Haryana | 6287 |

2. Judiciary

1. **38%:** Increase in the total budget allocation by eleven states. Together these states allocated Rs **32996 crore** to the judiciary in 2024-25(BE).
2. **<1%:** In 2024-25, all eleven states except UP allocated less than 1% of their judiciary budget to training.
3. **3X:** As of 2024-25, subordinate courts received three times the budget of High Courts (Rs 19,064 crore vs. Rs 6,186 crore), yet handle over 7 times the caseload.
4. **46%: Average increase in the budget for Advocate General's office** between 2022-23 RE (Rs 840 crore) to Rs 1138 crore in 2024-25 BE.

| Judiciary: Highest and lowest allocations (2024-25) | | | |
|--|--------------------------------|---------------------------------|--------------------------------|
| Highest allocation states | 2024-25 (BE)(Rs. crore) | Lowest allocation states | 2024-25 (BE)(Rs. crore) |
| Uttar Pradesh | 8828 | Andhra Pradesh | 1585 |
| Maharashtra | 4590 | West Bengal | 1464 |
| Madhya Pradesh | 3608 | Haryana | 1372 |

3. Prison

1. **28%:** The increase in the budget allocated by eleven highest GDP states between 2024-25(BE) (Rs **7247 crore**) and 2022-23 (RE).

2. **Rs 0.23** : Average amount spent on training of prison staff out of every 100 Rs spent on prison in 2024-25.
3. **2%**: Average share of prison budget allocated towards modernisation of prisons in 2024-25 (BE). Together, these states allocated Rs. 115 crore (BE) in 2024-25 to modernisation.

| Prison: Highest and lowest allocations | | | |
|---|--------------------------------|---------------------------------|--------------------------------|
| Highest allocation states | 2024-25 (BE)(Rs. crore) | Lowest allocation states | 2024-25 (BE)(Rs. crore) |
| Uttar Pradesh | 2753 | Rajasthan | 315 |
| Maharashtra | 912 | Andhra Pradesh | 237 |
| Madhya Pradesh | 727 | Telangana | 160 |

4. Legal Aid

1. **00.49%**: The average share of the legal aid budget in the justice budget in 2024-25 BE.
2. **Rs. 7**: On average, these eleven states spent Rs. 7 per capita (AE) on legal aid (2022-23), growing to an average of Rs 10 in 2024-25 (BE).
3. **Rs 1.71**: In 2024-25, Haryana spent the highest- Rs 25 per capita and West Bengal the lowest Rs 1.71.

| Legal aid budget | | | |
|----------------------------------|--------------------------------|---------------------------------|--------------------------------|
| Highest allocation states | 2024-25 (BE)(Rs. crore) | Lowest allocation states | 2024-25 (BE)(Rs. crore) |
| Uttar Pradesh | 211.83 | Telangana | 39.10 |
| Madhya Pradesh | 116.43 | Tamil Nadu | 37.60 |
| Gujarat | 93.15 | West Bengal | 17.0 |

5. Forensics

1. **< 1%**: The average share of the forensic budget in police in 2024-25.
2. **40%-68%**: Average vacancies across SFSLs (40%) RFSLs (60%) and DMFUs (68%).

3. **Rs. 13 crore:** lowest of 11 eleven states in 2024-25 (Telangana).
4. **54%:** Gujarat budget noted the lowest utilization (54%) in 2022-23.

| Forensic budget | | | |
|----------------------------------|--------------------------------|---------------------------------|--------------------------------|
| Highest allocation states | 2024-25 (BE)(Rs. crore) | Lowest allocation states | 2024-25 (BE)(Rs. crore) |
| Uttar Pradesh | 284.53 | Madhya Pradesh | 48.85 |
| West Bengal | 227.46 | Haryana | 34.58 |
| Maharashtra | 171.47 | Telangana | 12.88 |

6. SHRC

1. **13%:** Between 2022-23 to 2024-25, the budget for SHRCs in these five states increased marginally by 13% on average (Rs. 42 crore in 2024-25).
2. **43%:** Nationally, SHRCs reported a vacancy rate of 43%. Gujarat and Uttar Pradesh with 71% and 62%, respectively exceeded the national average in 2020-21.
3. In 5 states, SHRC budgets are a small fraction of the police budget.

| SHRC | | | |
|----------------------------------|--------------------------------|---------------------------------|--------------------------------|
| Highest allocation states | 2024-25 (BE)(Rs. crore) | Lowest allocation states | 2024-25 (BE)(Rs. crore) |
| Uttar Pradesh | 10.18 | Karnataka | 6.74 |
| West Bengal | 9.38 | Gujarat | 6.14 |
| Haryana | 9.02 | | |