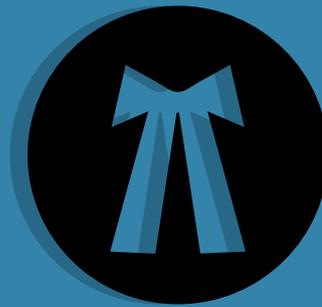
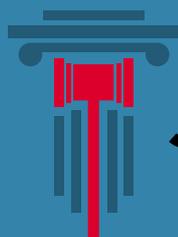


INDIA JUSTICE REPORT



Ranking States on Police, Judiciary,
Prisons & Legal Aid

National Factsheet



**India
Justice**
Report | 2020

Supported by **TATA TRUSTS**



I want to congratulate Tata Trusts and all their partners and collaborators in bringing out the first India Justice Report. It is a unique report that brings together for the first time disparate, hitherto siloed information about the justice system in India. It's a commendable work that has been done and I am sure it will go a long way in improving the understanding, accountability and impact of the justice system on our society and economy. I endorse this report and look forward to NITI Aayog working with the Tata Trusts to take this forward

Dr. Rajiv Kumar
Vice Chairman, NITI Aayog



The commendable purpose of the Report is to attract the attention of the stakeholders in the system to two important areas of national concern—access to justice, and the health of our institutions responsible for justice delivery. The fulfillment of our civilizational aspirations is contingent on laws that give effect to constitutional provisions, and the law-abiding spirit of citizens of the country. Strong laws are by themselves inadequate in ensuring the welfare of the people. Collective human experience shows that every power has the intrinsic tendency towards excess and a mere majoritarian democracy, without the architecture of an inclusive society, tends towards electoral despotism. If a sizeable section of people lose faith in their governance structures and in the justice dispensation in society, a socially negative critical mass occurs, which can result in sweeping cynicism that unleashes a power of destruction. The Report, in highlighting how various actors in the justice system function, conveys a message of caution.

M.N. Venkatachaliah
Former Chief Justice of India



Human rights, civil liberties and statutory rights are the bedrock values of our democracy. Each and every action of the justice system must be guided only by these principles. Police must be better connected to the communities it serves; the judiciary must stand up for the rights of the vulnerable and design itself to be much more easily accessible to all; prisons must transform into correctional facilities instead of merely places of detention; and legal aid and services must be available at the doorstep. The India Justice Report fosters competition between states but more importantly, they place the state in competition with itself to provide its people with the best possible justice delivery. Justice reform cannot wait. It must be taken up on a war. The new year presents fresh opportunities to focus on quick and realistic solutions that can be implemented in the coming year.

Justice (Retd.) Madan B Lokur

Introduction

*To acquire wealth:
make the people prosper:
To make the people prosper,
justice is the means.
Kirti Narayana! They say that
justice is the treasury of kings.*

Baddena 12th - 13th c.

This second India Justice Report 2020, tracks the progress states have made in capacitating their structures to effectively deliver justice to all. It takes account of the latest statistics and situations as they existed in pre-COVID times. It records the changes in budgets, vacancy levels, diversity, workload, and infrastructure within four sub-systems of the justice system—police, judiciary, legal aid and prisons—and determines the new positions of twenty-five states in the ranking. It compares changes in relation to: other states; over the last five years and since the previous year's report. These comparators provide a measure of understanding each state's efforts and intention to improve their respective justice delivery systems.

The report adds ten new indicators in addition to the earlier seventy-eight. These include: spend on training per police personnel, the number of police personnel per training institute, the share of prison staff trained, and the share of panel lawyers trained. To measure accessibility and outreach, it looks at capacities for video conferencing in prisons and the completeness and accessibility of citizen's portals which are expected to be gateways to universal information based on nine basic services as mandated under the Crime and Criminal Tracking Network & Systems (CCTNS). Adding to the diversity indicator, the report disaggregates social diversity in the police force by measuring the extent to which Scheduled Caste, Scheduled Tribe,

and Other Backward Classes quotas are met for constables.

Although the delivery of justice is—and must be valued as being—as vital as food health or safety, whether in normal or extraordinary times, governments continue to discount its importance as an essential service that must be adequately resourced. Hence, findings show that the overall pathologies of earlier years have little changed. Vacancies persist across the board in all sub-systems—sometimes ranging from 9 per cent to 42 per cent. Of particular concern is the shortfalls in medical staff in prisons. This has gone up by 6 percentage points since 2016 to 41 per cent. States continue to show scant desire to increase expenditure on prison, and the stated objective becoming reformative institutions remains still born.

Meanwhile, overcrowding has increased and a disproportionately high percentage (69 per cent) of the prison population continues to comprise of people trapped in the system while awaiting the tortuous processes of investigation and trial. At court, the ingress of cases combining as it does with the paucity of judges, poor supporting infrastructure, and low budgets show an accelerating accumulation of cases, going up by 10 per cent and 5 per cent in over two years in the High Courts and subordinate courts respectively. Police modernization funds remain underutilized. With courts, police stations, and legal aid institutions situated in urban areas, overall access to institutions of justice remains skewed against rural populations. Nationally, legal aid structures have the potential to provide representation conciliation and counselling services to 80 per cent of the population. Their mandate extends to intervening during moments of disaster. Yet, undervalued and under resourced legal aid clinics are often left to ad hoc and irregular function and the ability to help ease the burden on the court

system and provide doorstep justice solutions to underserved populations right at the taluka level remains unrealized with direct implications for people's faith in the rule of law.

The good news is despite challenges of money and manpower, there are scattered improvements to be seen in different states and different areas. Illustratively, among the 25 ranked states, overall women representation has improved in 22 states in police, 18 states in prisons and 20 states for subordinate court judges. Likewise, all ranked states except Kerala and Meghalaya have reduced average five-year vacancies in at least one post. Even slight advancements in one or other facet have a knock-on effect on others, work to substantially improve the overall ranking of the states, offer examples for replication and most importantly improve on-the-ground service delivery to the population. (See box)

Behind Chhattisgarh's Rise

Chhattisgarh's 8-spot jump in judicial capacity to 4th place among 18 large and mid-sized states was contributed to by efforts made as a result of a 2017 High Court notification directing disposal of cases pending for over 5 years in subordinate courts. The subordinate court case clearance rate improved from 100 per cent (2016-17) to 101 per cent (2018-19). The average time that cases remain pending is 2 years, and as of July 2020, only 4 per cent of cases older than 5 years were left to be cleared, compared to 10 per cent in August 2018.

Diversity

The justice system's own commitment to equity and equality is demonstrated by the diversity of representation in these institutions. Ideally, official data should record various types of diversity

(caste, tribe, language, religion, and gender) at all levels in each institution, but it does not. At present, publicly available official measurement is limited to capturing only the inclusion of castes and women. Here too only the lower echelons are enumerated while the make-up of higher-level personnel including high court judges is left undocumented. Nor is caste data so uniformly collected that it can be compared across all states and subsystems. Even the sparse data gathering on religious diversity by the National Crime Records Bureau (NCRB) has been discontinued since 2013. Available data suggests that by and large the representation of women across the sub-systems has improved marginally. Still, the aspirations of gender parity in the justice system remain elusive. Even as institutions attempt to raise the share of women personnel up to 33 per cent, increases are slow. Illustratively, the share of women personnel in each of prisons, police and the judiciary has gone up by just 3 percentage points. Inevitably the few women there are, are clustered at the lower end. At the high end, women's inclusion remains in dismal single digits and so, patriarchy and its violent impacts remain unchallenged.

Data

With the availability of data, technology, and the imperatives of the Right to Information Act, 2005, the trend toward using statistics to build evidence and policy is strong and growing.

Nevertheless, statistical measurements of structure are neither endorsements of better performance on the ground, nor translate into improved response or public satisfaction. But they do point to essential areas that require attention repair and reform. Data can at best tell half a story and sometimes a misleading one. Uttar Pradesh, for instance, which had 53 per cent vacancies in the constabulary and 63 per cent among officers in 2017 has jumped three spots in the police ranking to fifteenth, owing largely to recruitment drives that have reduced vacancies. This has had a positive impact on the share of officers in the police and improved the number of women personnel.

Mathematical measures cannot take account of the textures of performance, nor of empathy, culture, attitudes, bias, or public perception. In short, they can at best present the more obvious long bones of the skeleton but not the flesh, the blood, the nerves or even the tiny synapses that make up the whole. But they point towards essential areas that require attention repair and reform.

In bringing together scattered data, the IJR presents an analysis of some essential preconditions for ensuring duty holders have the resources to perform the tasks required in any sub-system and reveals some areas that require urgent intervention from policymakers.

Official data, though, continues to be collected at different times and in varied formats, transmitted to collection centres without rigorous verification, is subject to sudden category changes and disappearance of detail. It is also often recorded in non-machine-readable forms, siloed within departments, and selectively shared with the public. Incomplete, delayed, or contradictory data that does not align with fiscal, recruitment, and planning cycles negatively impacts on its ability to be of optimum use for holistic and last mile oriented policy planning.

Illustratively, prior to 2016, the National Crime Records Bureau's report, Crime in India, detailed various categories of complaints against personnel (it's a different matter they do not conform to other collection points such as the human rights commissions that dot the country) and the number of cases registered against police personnel for human rights violations. It also described the different kinds of human rights violations. Presently, the data limits itself to the national number of complaints registered against the police.

Data Challenges

Efforts at collating and compiling data for the India Justice Report faced numerous challenges. This included constraints in accessing archival materials from the National Judicial Data Grid, discrepancies in data between the NALSA website and its dashboard, and lack of standardization of BPR&D report categories between years. Illustratively, the Jan 2018 and 2019 Data on Police Organizations report lacks caste data on Inspector and Dy. SP ranks, but these categories are re-introduced in the latest 2020 report. In the absence of data from West Bengal, the most recent Prison Statistics India report is forced to rely on two year old figures. Till the time of going to press, information requests for updates to the state remained unanswered. This means that an exact comparison that does justice to the present situation on the ground is not possible across states.

The pandemic has highlighted the need for speedier incorporation of technology into the justice system. Although restricted to examining only some pre-COVID applications, the increasing reliance on technological solutions prompted the inclusion of indicators on the number of jails with video-conferencing facilities and the online services offered by state police citizen portals.

On average, less than half of all states/UTs have 90 per cent of their jails equipped with video-conferencing facilities. Among the large and

“Mathematical measures (...) can at best present the more obvious long bones of the skeleton but not the flesh, the blood, the nerves or even the tiny synapses that make up the whole. But they point towards essential areas that require attention repair and reform.”

mid-sized states, five¹ had less than 50 per cent. Statistics cannot capture their level of maintenance, frequency of use, or quality of transmission. Nor has the routinized use of video conferencing for remand been properly evaluated to assess whether it has done anything to reduce the numbers or duration of people incarcerated in pre-trial detention or whether it works to keep up the façade of fair trial while the substance of the inmate's right to be present before the court is being substantively eroded.

Government's big bets on technology will undoubtedly grease the wheels of justice delivery however, technology is not value neutral and must be evaluated to see whether it works to increase the power imbalance between citizen and state or whether it affirms and furthers citizens' rights. Presently, of the approximately 4,00,000 CCTVs deployed around the country², more than 60 per cent of them are in Telangana alone—primarily for surveillance and security rather than for ensuring accountability. The recent judgment in the Paramvir³ case that requires all police stations to have CCTV cameras in place promises to redress that imbalance and is a major practical contribution to the cause of more law upholding policing.

To achieve more transparency, every state must have a citizen portal that offers nine basic online services. These range from filing complaints to obtaining various verifications and no objection certificates. Despite this push to promote accessibility⁴, no portal offered all nine services; Punjab and Himachal Pradesh were the only states to score 90 per cent. Bihar did not have a portal.

Future

The role the justice system has to play in the coming time will be of even greater significance. The elongating COVID era, beyond creating

additional internal strains for the delivery of justice, will be asked to respond to acute societal challenges. Widening income disparities, competition for scarce resources, broken social cohesion, contended space for civic participation, the asymmetries of power between individual communities and the state, and individual desperation, will all create ever more demand for adjudication, compensation, restitution, and speedy processes and fair civil and criminal outcomes.

In building back better, not only must the entire system be people-centric and ensure that basic human rights and justice for all are upheld, but design itself as an enabler: to restore social cohesion, political and public morality, and economic equity in the context of this enormous disruption. Keeping equality, empathy and humanitarianism at its core, it must act now to anticipate the consequences of the virus and adapt itself to the needs of individuals, communities, and businesses.

Solutions

Finding the way forward from a past of inadequate capacity and performance, accumulated caseload, and mounting backlog at a time of increased financial stringency and competition will not be easy. Yet moving with honest speed, the justice system must remedy old malaise and embrace bold innovations. Doing more with less, it will have to: prioritize available spends towards the localization of justice so that resources go first to the lower courts, police stations, and taluka legal aid desks rather than to headquarters; invest in filling vacancies at these levels; rapidly skill up magistrates, constables, panel lawyers, paralegals and jailors who are first responders; ensure reliable timely data is widely available and affords a firm basis for fashioning future solutions; embrace technology—not as a product that glosses over the

1 Karnataka, Kerala, Rajasthan, Tamil Nadu, West Bengal

2 BPR&D (Jan 2020).

3 Paramvir Singh Saini Vs Baljit Singh [Slp (Criminal) No. 3543 of 2020]. Available at: <https://www.livelihood.in/top-stories/cctv-camera-every-police-station-supreme-court-directives-166709>

4 Including the availability of the portal in a state language

It is as well to remind ourselves then, that justice is a heart dwelling belief and its delivery is not a pity-plea but a right—and there is manifest duty to deliver it.

cracks to provide second-class solutions, but as a means of maximizing transparency, accountability, inclusion, and service delivery that can, through its induction reorient internal cultures; redouble efforts to build infrastructure that supports trustworthy mediation and conflict resolution; codify and monitor the role of paralegals and train and incentive them to partner with civil society and people to create widespread knowledge of rights and duties; and demonstrate its commitment to equity and equality by being representative of the population it serves.

With old certainties shattered, the hope for a

brighter future will be anchored in the decisions of today. For the edifice of rule of law to remain unscarred by the consequences of the past, access to justice—easy, efficient and every day—cannot pause for natural calamity but be the antidote that reduces its worst effects. It is as well to remind ourselves then, that justice is a heart dwelling belief and its delivery is not a pity-plea but a right—and there is manifest duty to deliver it.

Maja Daruwala,
Chief Editor, India Justice Report



Designate the justice delivery system as an essential service and enhance, enlarge and equip it as a first responder able to provide effective justice delivery at all times at the local level. The COVID-19 pandemic has highlighted the obligation and the demand for this.

Undertake a cost-benefit analysis that quantifies the cost of increasing human resources against the economic price of failing to address registered crime, disorder, incarceration and judicial delay caused by high workloads and inadequate manpower.

Fill vacancies on an urgent footing. When filling vacancies (and otherwise), ensure that the representation of underrepresented groups such as women, SCs, OBCs, STs, and religious minorities is increased to assure that the make-up of the justice system reflects the diversity of the society it serves.

Nudges for the future

The data on police, prisons, legal aid and the judiciary that the India Justice Reports 2019 and 2020 bring together provides strong evidence that the whole system requires urgent repair. The segmentation of the data into budgets, human resources, infrastructure, workload and diversity pinpoints areas of infirmity where quick improvements can be made with relative ease and have the real potential to cause knock on effects that will spur improvements down the line.

We provide 'nudges' that will stimulate change and assist each state in creating momentum for reform, improve its future ranking and most importantly improve access to justice for all. Where some efforts have been made to address these areas significant changes can be seen in IJR 2020.

Increase the availability of justice services—access to and infrastructure in courts, police stations, legal aid clinics in rural areas so as to reduce the present disparity in accessing justice that exists between rural and urban populations. This includes prioritizing the availability of trained lawyers and paralegals across poorly served areas.

Ensure budgetary allocations to every segment of the justice system keep pace with increases in costs, are proportionate to increases elsewhere and do not fall disproportionately behind other allocations, as is evidenced in this report.

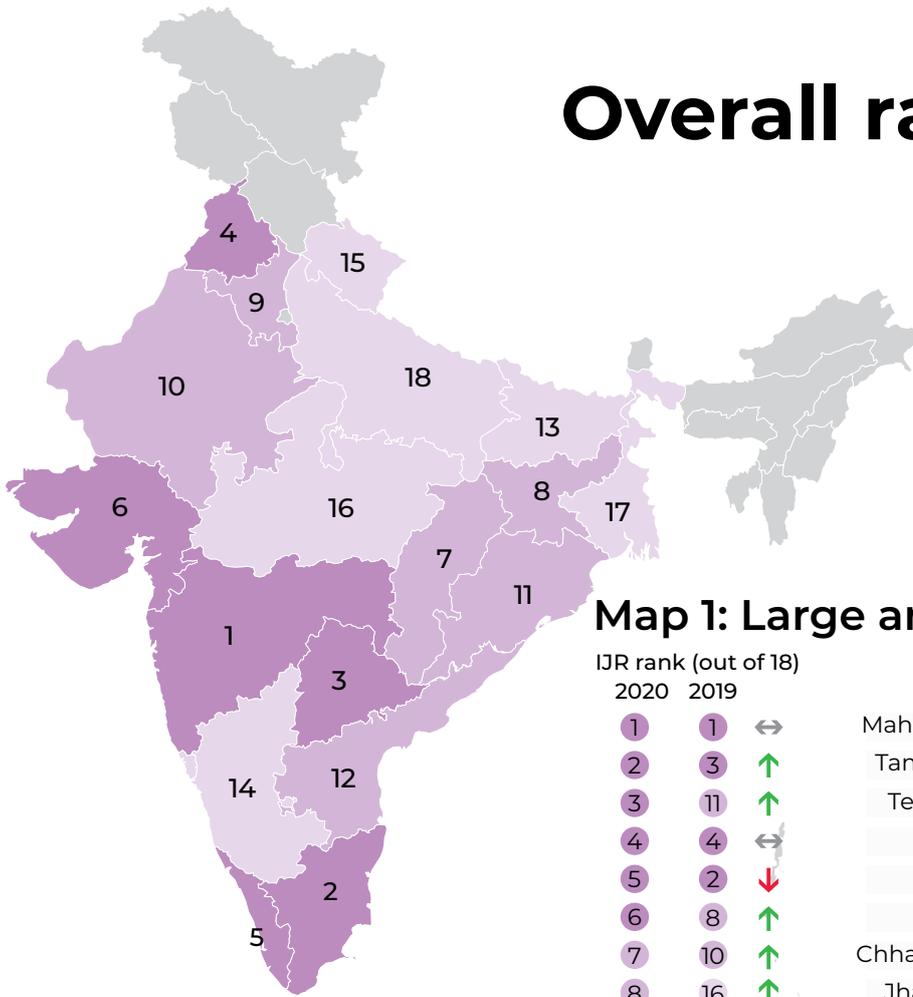
Each pillar must have open systems to periodically review performance; identify issues that must be tackled; arrive at short-term and long-term plans of action through a consultative process with experts and key stakeholders, closely monitor the implementation of the plan; and regularly report on the activities it undertakes.

Improve transparency all the way through the justice system by ensuring the publication of verified, disaggregated, accurate and timely data that is seamlessly serviceable for informing policy and practice across governance. At the outset, each cog of the criminal justice system can begin by visible and complete compliance to the obligation to pro-active disclosure under Section 4 of the Right to Information Act, 2005.

Ensure that periodic empirical research is sanctioned by the government to be undertaken in an independent manner, to study different facets of the justice system in India, to ensure a better informed, and evidence-based approach to policymaking.

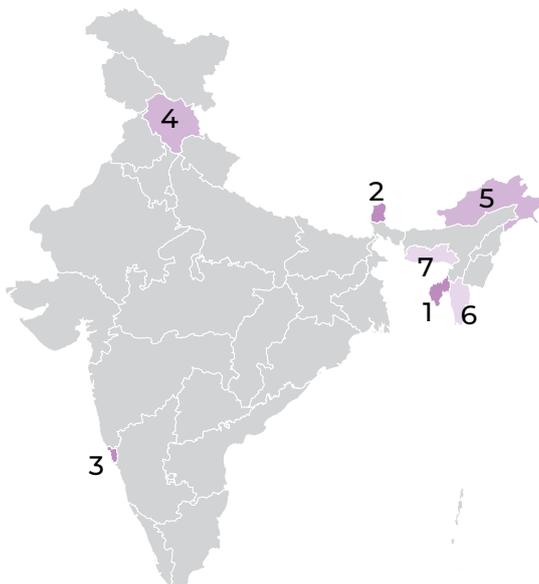
Overall ranking *

* Composite ranking across police, prisons, judiciary and legal aid



Map 1: Large and mid-sized states

IJR rank (out of 18)			State	Score (out of 10)
2020	2019			
1	1	↔	Maharashtra	5.77
2	3	↑	Tamil Nadu	5.73
3	11	↑	Telangana	5.64
4	4	↔	Punjab	5.41
5	2	↓	Kerala	5.36
6	8	↑	Gujarat	5.17
7	10	↑	Chhattisgarh	5.13
8	16	↑	Jharkhand	5.12
9	5	↓	Haryana	4.94
10	14	↑	Rajasthan	4.93
11	7	↓	Odisha	4.90
12	13	↑	Andhra Pradesh	4.81
13	17	↑	Bihar	4.65
14	6	↓	Karnataka	4.59
15	15	↔	Uttarakhand	4.48
16	9	↓	Madhya Pradesh	4.39
17	12	↓	West Bengal	3.89
18	18	↔	Uttar Pradesh	3.15



Map 2: Small states

IJR rank (out of 7)			State	Score (out of 10)
2020	2019			
1	7	↑	Tripura	4.57
2	2	↔	Sikkim	4.48
3	1	↓	Goa	4.42
4	3	↓	Himachal Pradesh	4.37
5	6	↑	Arunachal Pradesh	4.04
6	4	↓	Mizoram	3.88
7	5	↓	Meghalaya	3.11

Note: Calculated basis population size (18 large and mid-sized states have a population above 10 million, and seven small states below 10 million).

How each ranked state fared in its cluster across the 4 pillars of justice

Table 1: Rank and score for large and mid-sized states

	Overall rank (out of 18)			IJR 2020 pillar ranks (out of 18)				IJR 2020 scores (out of 10)				
	IJR 2020	IJR 2019		Police	Prisons	Judiciary	Legal aid	Overall	Police	Prisons	Judiciary	Legal aid
	 Ranks 1 to 6 Ranks 7 to 12 Ranks 13 to 18											
Maharashtra	1	1	↔	13	4	5	1	5.77	4.62	5.45	6.40	6.90
Tamil Nadu	2	3	↑	5	6	1	11	5.73	5.40	5.28	7.22	5.22
Telangana	3	11	↑	10	2	6	6	5.64	4.89	5.69	6.14	5.93
Punjab	4	4	↔	12	13	2	3	5.41	4.72	4.20	6.78	6.35
Kerala	5	2	↓	14	5	3	7	5.36	3.89	5.45	6.68	5.84
Gujarat	6	8	↑	8	10	8	9	5.17	5.14	4.63	5.56	5.39
Chhattisgarh	7	10	↑	2	11	4	15	5.13	5.63	4.58	6.56	4.11
Jharkhand	8	16	↑	6	15	9	4	5.12	5.36	3.90	5.30	6.18
Haryana	9	5	↓	9	16	7	5	4.94	4.99	3.39	5.82	6.07
Rajasthan	10	14	↑	16	1	10	13	4.93	3.75	6.32	5.27	4.71
Odisha	11	7	↓	3	9	15	8	4.90	5.59	4.67	3.91	5.64
Andhra Pradesh	12	13	↑	4	7	14	14	4.81	5.43	5.25	4.28	4.37
Bihar	13	17	↑	11	3	18	2	4.65	4.73	5.67	2.66	6.57
Karnataka	14	6	↓	1	14	12	16	4.59	5.71	4.02	4.75	4.08
Uttarakhand	15	15	↔	7	18	13	10	4.48	5.30	3.14	4.61	5.25
Madhya Pradesh	16	9	↓	18	8	11	12	4.39	3.17	4.78	5.05	4.86
West Bengal	17	12	↓	17	12	16	17	3.89	3.75	4.58	3.69	3.63
Uttar Pradesh	18	18	↔	15	17	17	18	3.15	3.80	3.24	3.16	2.54

States arranged in decreasing order of overall rank in cluster

Table 2: Rank and score for small states

	Overall rank (out of 7)			IJR 2020 pillar ranks (out of 7)				IJR 2020 scores (out of 10)				
	IJR 2020	IJR 2019		Police	Prisons	Judiciary	Legal aid	Overall	Police	Prisons	Judiciary	Legal aid
	 Ranks 1 to 3 Ranks 4 to 5 Ranks 6 to 7											
Tripura	1	7	↑	5	2	6	2	4.57	3.95	4.80	4.80	4.82
Sikkim	2	2	↔	1	6	1	3	4.48	4.89	3.45	5.84	4.10
Goa	3	1	↓	7	4	4	1	4.42	3.90	3.76	4.92	5.30
Himachal Pradesh	4	3	↓	2	1	2	6	4.37	4.51	5.10	5.14	3.07
Arunachal Pradesh	5	6	↑	4	3	5	7	4.04	3.96	4.79	4.80	2.92
Mizoram	6	4	↓	6	7	3	4	3.88	3.92	2.94	4.94	4.00
Meghalaya	7	5	↓	3	5	7	5	3.11	4.03	3.47	2.15	3.13

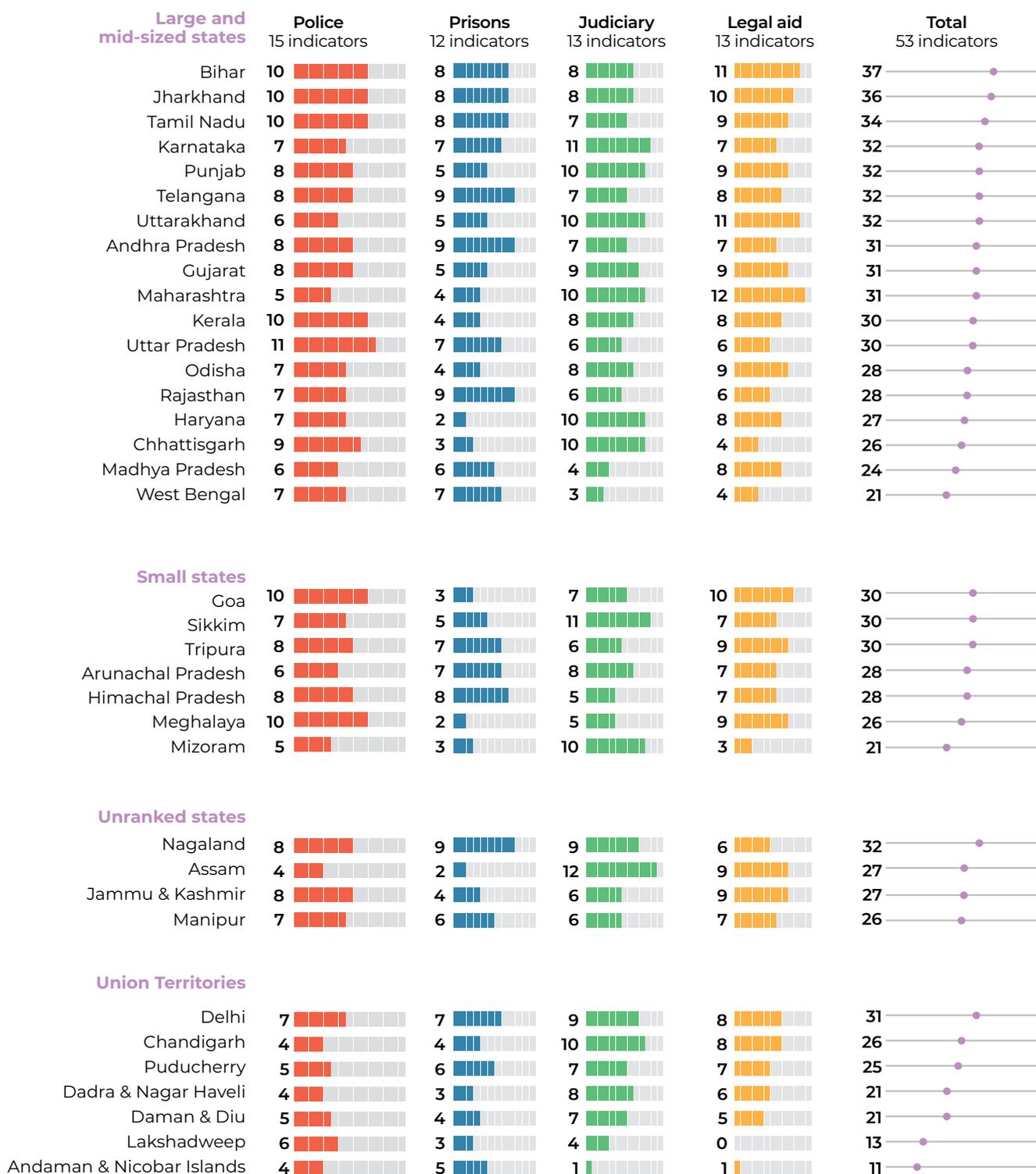
States arranged in decreasing order of overall rank in cluster

Note: For reasons of readability, the score is shown up to 2 decimals. While 2 or more states may show the same score in the table, one is ranked above the other on the third decimal. This happens in the following instances:

1. Police: Rajasthan above West Bengal (3.753 versus 3.748)
2. Prisons: Chhattisgarh above West Bengal (4.584 versus 4.576), Maharashtra above Kerala (5.451 versus 5.446)
3. Judiciary: Arunachal Pradesh above Tripura (4.801 versus 4.796)

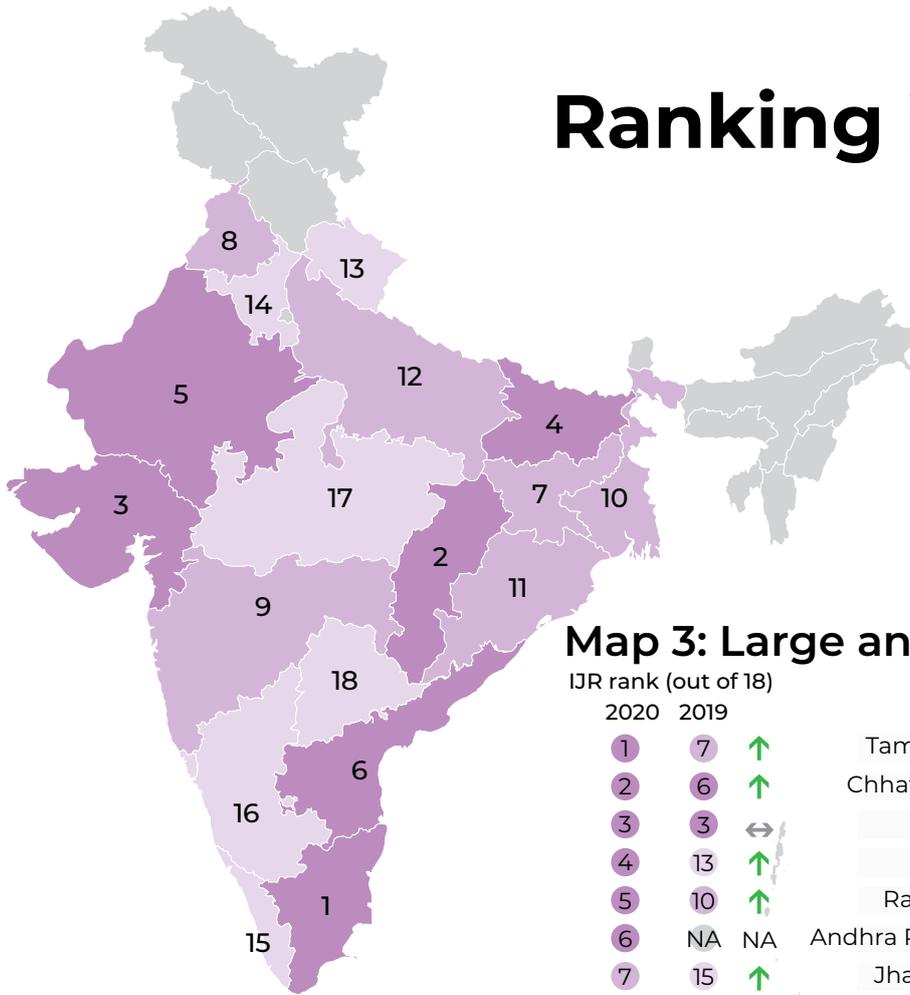
Figure 1: The improvement scorecard between IJR 2019 and IJR 2020

Of the 53 non-trend indicators common in both years, in how many did a state improve in IJR 2020 compared to IJR 2019?



Methodology: Count of indicators on which a state has improved over IJR 2019. Only non-trend indicators present in both IJR 2019 and IJR 2020 have been considered. For indicators with benchmarks, if a state met the benchmark, it was marked as an improvement even if its value declined within the benchmark. If a state didn't meet the benchmark but its value improved, it was marked as an improvement. Where an indicator value was not available for one or both years, that indicator was not considered.

Ranking intention*

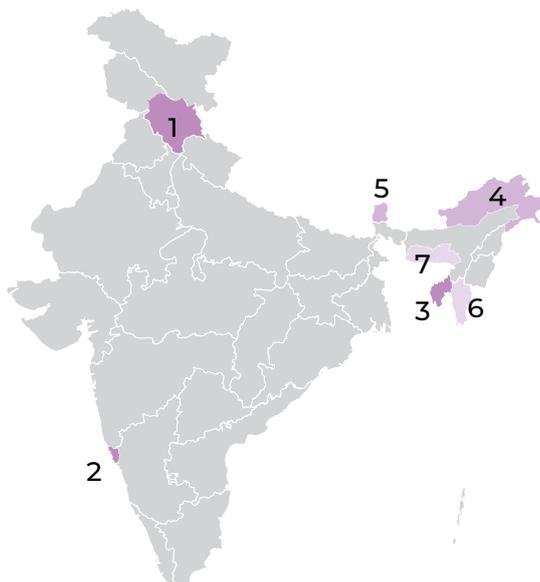


* What the trends show based on 5-year data for 23 indicators across police, prisons and judiciary. Indicators listed on Page 27.

Map 3: Large and mid-sized states

IJR rank (out of 18)

2020	2019	Trend	State	Score (out of 10)
1	7	↑	Tamil Nadu	5.63
2	6	↑	Chhattisgarh	5.34
3	3	↔	Gujarat	5.16
4	13	↑	Bihar	4.91
5	10	↑	Rajasthan	4.79
6	NA	NA	Andhra Pradesh	4.68
7	15	↑	Jharkhand	4.61
8	5	↓	Punjab	4.55
9	2	↓	Maharashtra	4.52
10	1	↓	West Bengal	4.13
11	8	↓	Odisha	4.08
12	9	↓	Uttar Pradesh	3.92
13	16	↑	Uttarakhand	3.84
14	4	↓	Haryana	3.69
15	12	↓	Kerala	3.68
16	14	↓	Karnataka	3.60
17	11	↓	Madhya Pradesh	3.51
18	NA	NA	Telangana	3.07



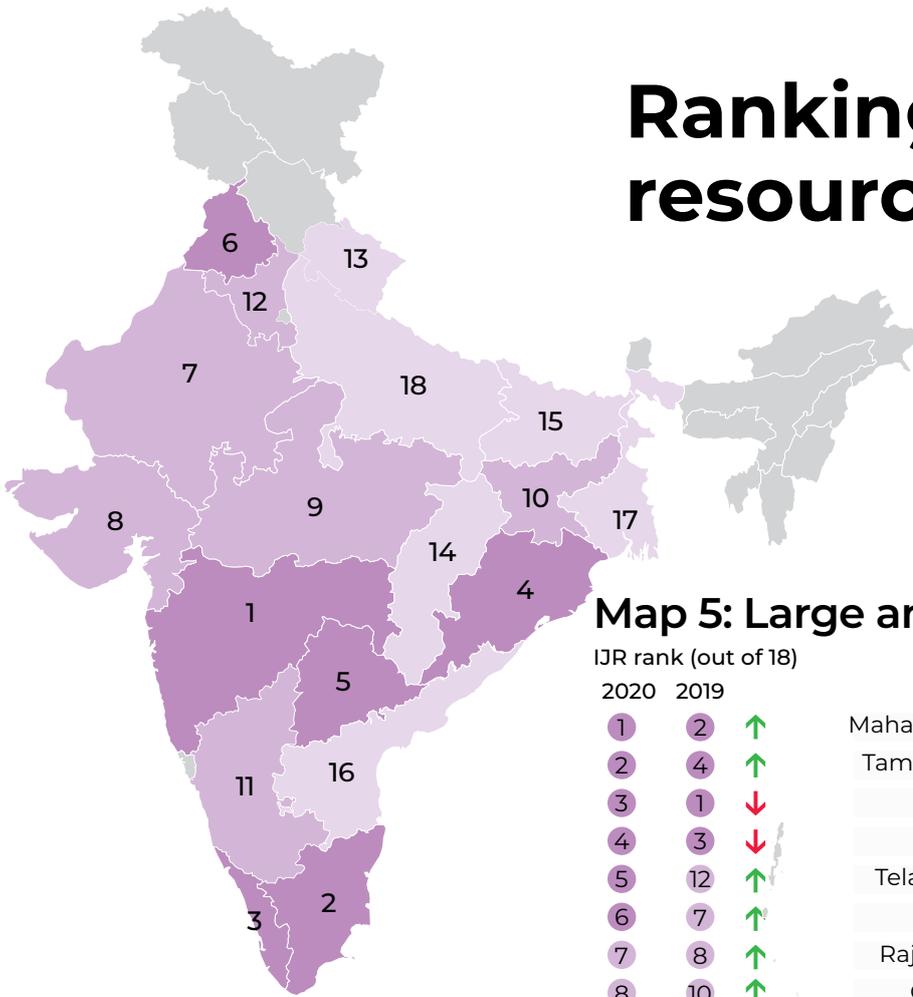
Map 4: Small states

IJR rank (out of 7)

2020	2019	Trend	State	Score (out of 10)
1	3	↑	Himachal Pradesh	5.63
2	1	↓	Goa	5.17
3	5	↑	Tripura	4.57
4	7	↑	Arunachal Pradesh	4.15
5	4	↓	Sikkim	4.10
6	6	↔	Mizoram	3.64
7	2	↓	Meghalaya	3.41

Note: Andhra Pradesh and Telangana were not included in 2019 as 5-year data for these states was not available separately.

Ranking human resources*

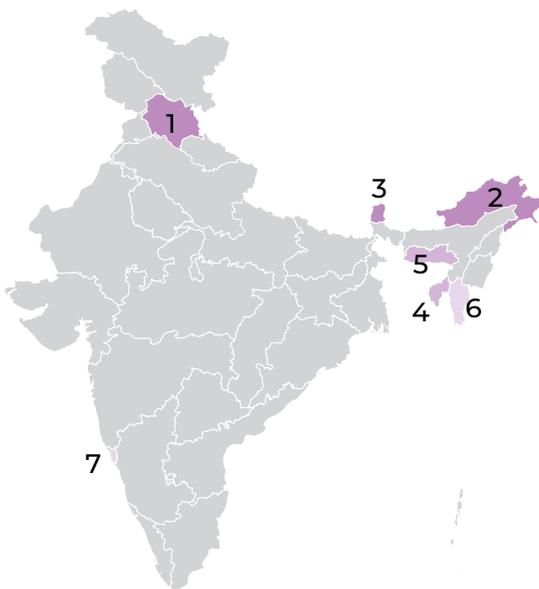


* How do the police, prisons, judiciary and legal aid score on 18 indicators? Indicators listed on Page 27.

Map 5: Large and mid-sized states

IJR rank (out of 18)

2020	2019		State	Score (out of 10)
1	2	↑	Maharashtra	7.04
2	4	↑	Tamil Nadu	6.26
3	1	↓	Kerala	6.17
4	3	↓	Odisha	6.07
5	12	↑	Telangana	5.89
6	7	↑	Punjab	5.68
7	8	↑	Rajasthan	5.34
8	10	↑	Gujarat	5.32
9	5	↓	Madhya Pradesh	5.27
10	16	↑	Jharkhand	4.94
11	6	↓	Karnataka	4.89
12	9	↓	Haryana	4.75
13	15	↑	Uttarakhand	4.40
14	14	↔	Chhattisgarh	4.24
15	17	↑	Bihar	4.02
16	13	↓	Andhra Pradesh	3.85
17	11	↓	West Bengal	3.76
18	18	↔	Uttar Pradesh	3.43



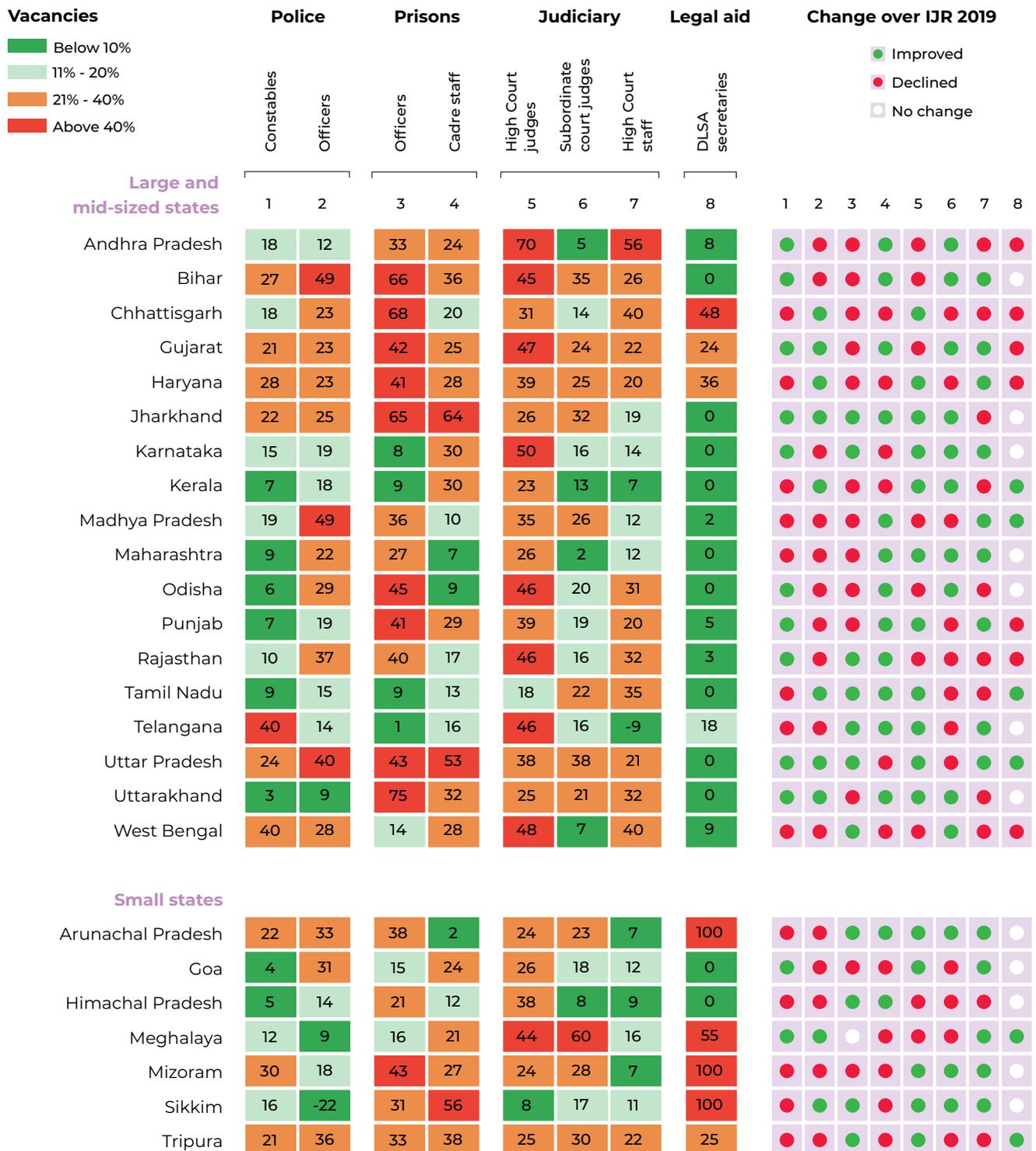
Map 6: Small states

IJR rank (out of 7)

2020	2019		State	Score (out of 10)
1	1	↔	Himachal Pradesh	5.43
2	6	↑	Arunachal Pradesh	3.80
3	4	↑	Sikkim	3.79
4	5	↑	Tripura	3.57
5	3	↓	Meghalaya	3.27
6	7	↑	Mizoram	3.08
7	2	↓	Goa	3.08

Figure 2: How do states fare on vacancies?

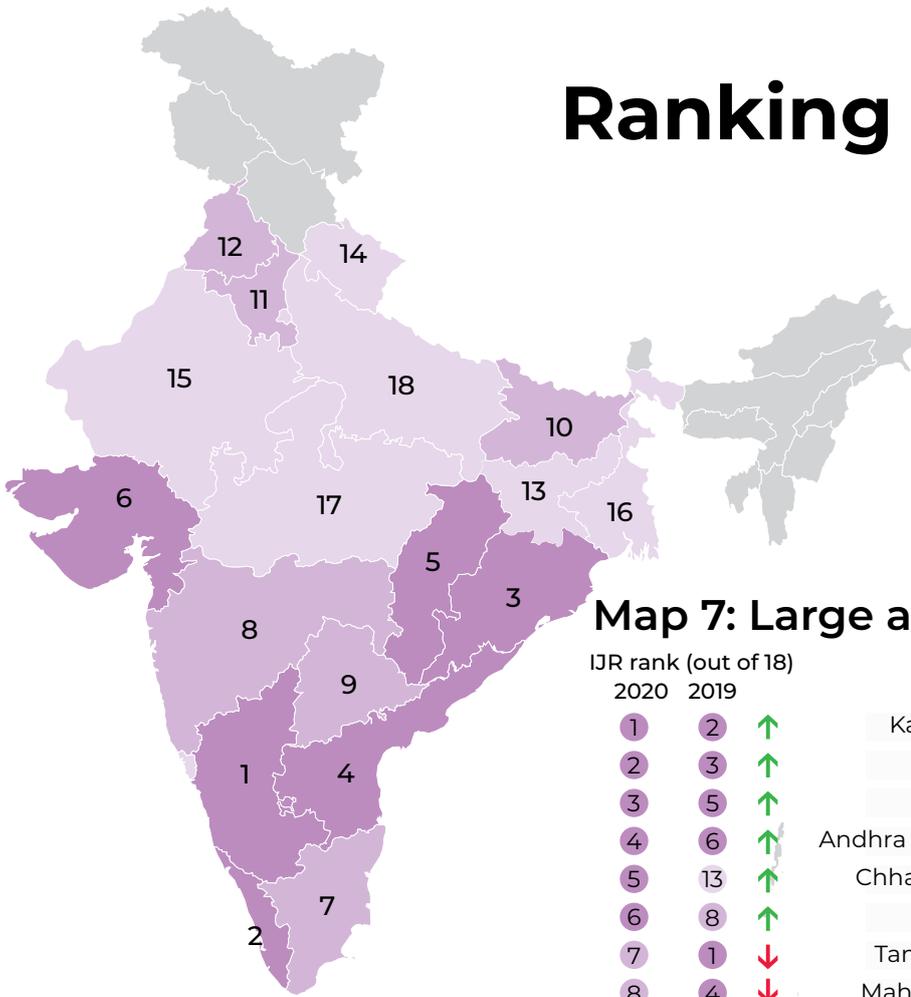
We looked at vacancies on 8 key personnel counts across the 4 pillars. Many states, of all sizes, have vacancies that exceed 25% of the state's own sanctioned strength. The chart pinpoints vacancies across all four pillars and maps states' performance in relation to IJR 2019.



Data as of January 2020 (for police), December 2019 (for prisons), 2018-19 (for judiciary) and 31 March, 2020 (for legal aid).

Source: Bureau of Police Research & Development; Prisons Statistics India; Court News, Supreme Court of India; National Legal Services Authority

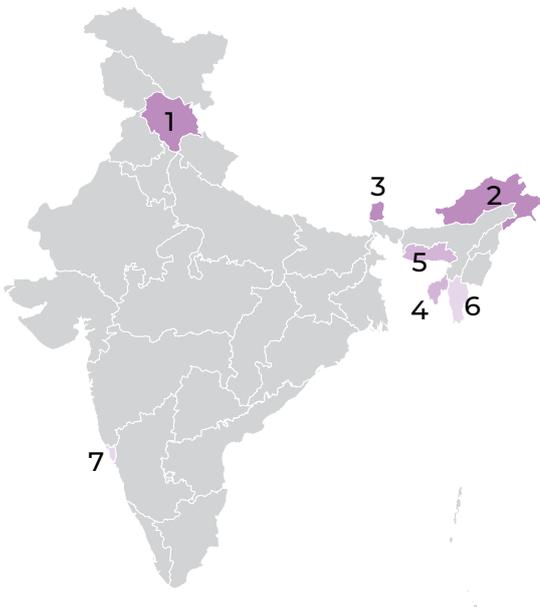
Ranking diversity*



* How do the police, prisons, judiciary and legal aid score on 13 indicators? Indicators listed on Page 27.

Map 7: Large and mid-sized states

IJR rank (out of 18)			State	Score (out of 10)
2020	2019			
1	2	↑	Karnataka	7.07
2	3	↑	Kerala	6.13
3	5	↑	Odisha	6.02
4	6	↑	Andhra Pradesh	5.83
5	13	↑	Chhattisgarh	5.75
6	8	↑	Gujarat	5.41
7	1	↓	Tamil Nadu	5.15
8	4	↓	Maharashtra	5.07
9	11	↑	Telangana	4.50
10	17	↑	Bihar	4.42
11	14	↑	Haryana	4.28
12	10	↓	Punjab	4.03
13	15	↑	Jharkhand	3.97
14	7	↓	Uttarakhand	3.88
15	16	↑	Rajasthan	3.83
16	9	↓	West Bengal	3.53
17	12	↓	Madhya Pradesh	3.07
18	18	↔	Uttar Pradesh	2.88

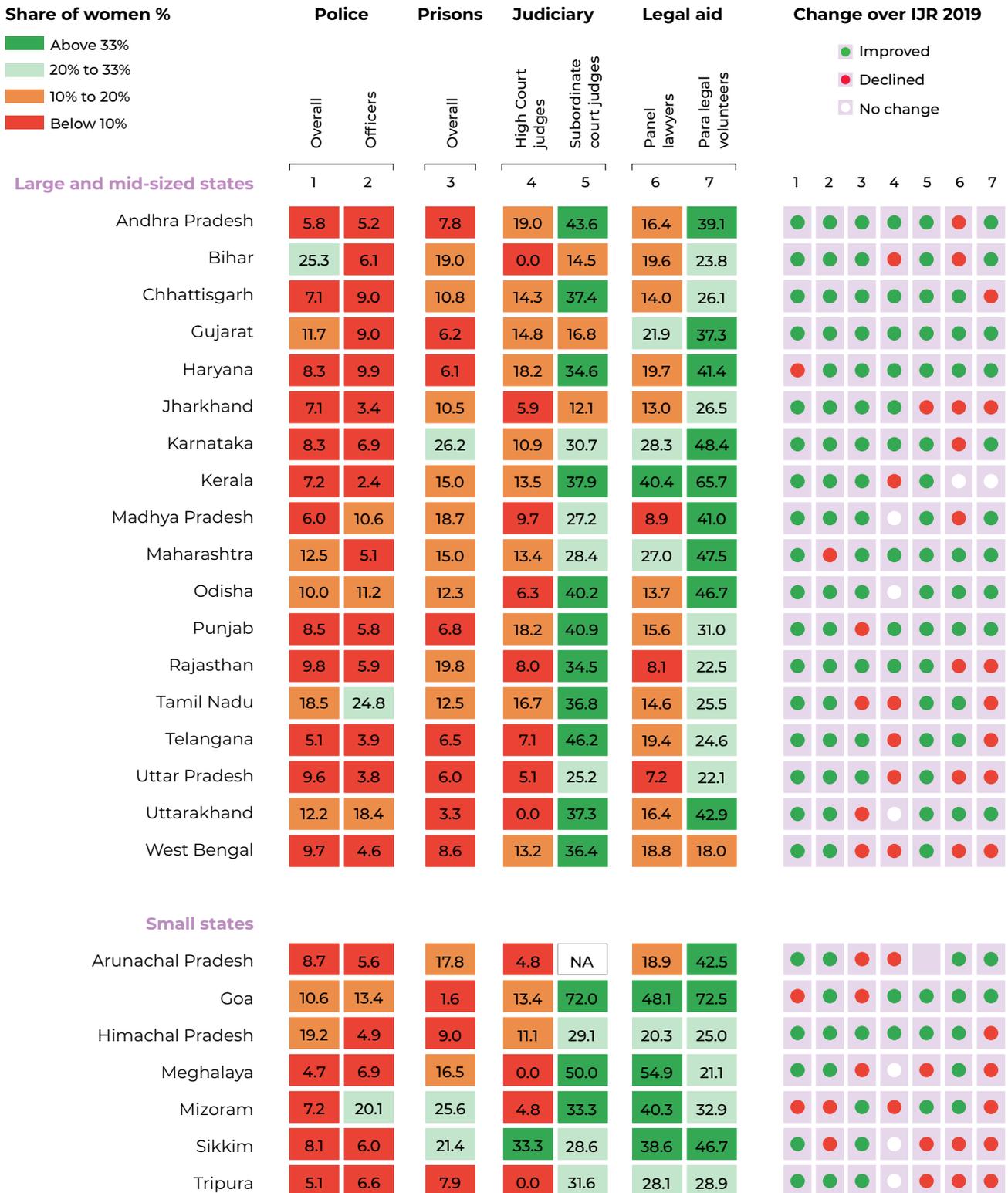


Map 8: Small states

IJR rank (out of 7)			State	Score (out of 10)
2020	2019			
1	2	↑	Mizoram	4.18
2	1	↓	Sikkim	4.03
3	6	↑	Himachal Pradesh	3.90
4	3	↓	Goa	3.58
5	5	↔	Arunachal Pradesh	3.41
6	4	↓	Meghalaya	3.28
7	7	↔	Tripura	3.25

Figure 3: How do states fare on women representation?

Between IJR 2019 and IJR 2020, there has been an improvement in women representation across pillars. However, this increase is concentrated in the lower ranks.

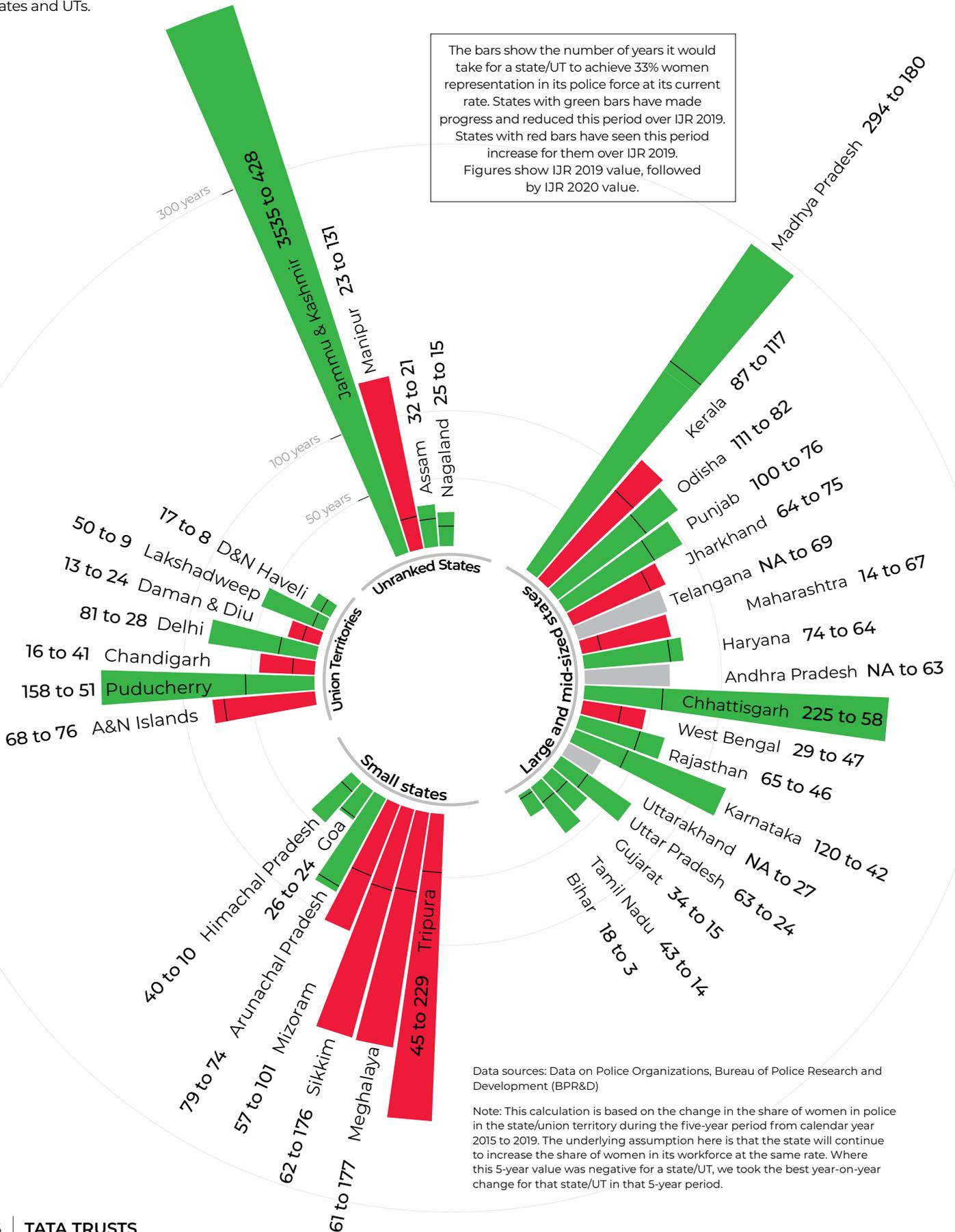


Note: 1. Data as of January 2020 (for police), December 2019 (for prisons), 2018-19 (for judiciary) and 31 March, 2020 (for legal aid). 2. Legal aid data for Kerala from IJR 2019 as latest data was not available.
 Source: Bureau of Police Research & Development; Prisons Statistics India; Department of Justice; Application under Right to Information (RTI) Act filed by Vidhi Centre for Legal Policy; National Legal Services Authority

Figure 4: How long will it take for women's share in police to hit 33%?

Compared to IJR 2019, 32 states and Union Territories have improved the representation of women in their police force in IJR 2020. Even on the basis of their 5-year average, the time it would take for women's share to reach 33% has improved for 20 states and UTs.

The bars show the number of years it would take for a state/UT to achieve 33% women representation in its police force at its current rate. States with green bars have made progress and reduced this period over IJR 2019. States with red bars have seen this period increase for them over IJR 2019. Figures show IJR 2019 value, followed by IJR 2020 value.

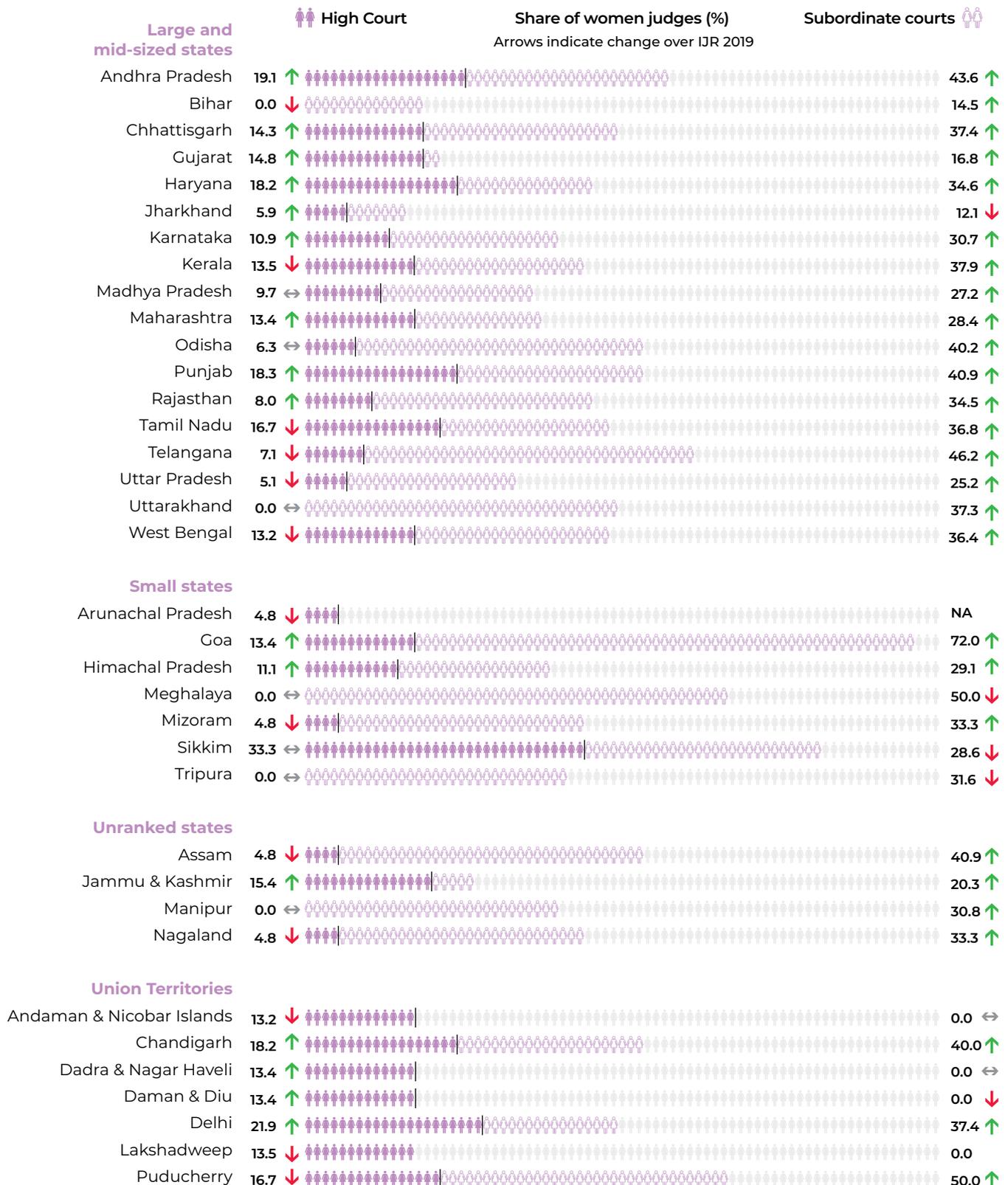


Data sources: Data on Police Organizations, Bureau of Police Research and Development (BPR&D)

Note: This calculation is based on the change in the share of women in police in the state/union territory during the five-year period from calendar year 2015 to 2019. The underlying assumption here is that the state will continue to increase the share of women in its workforce at the same rate. Where this 5-year value was negative for a state/UT, we took the best year-on-year change for that state/UT in that 5-year period.

Figure 5: The Glass Ceiling in Indian Courts

In 27 states and Union Territories, the share of women judges in subordinate courts has improved. However, in High Courts, the increase is seen less, and the glass ceiling remains.



Data source: Department of Justice (High Courts); Application under Right to Information (RTI) Act filed by Vidhi Centre for Legal Policy (subordinate courts)

Notes: 1. States and union territories are arranged in alphabetical order within respective cluster. 2. Data for subordinate courts as of November 2019 and High Courts as of August 2020. 3. Change over July 2017 for subordinate courts and over June 2018 for High Courts. 4. States and UTs that share a High Court have been assigned identical values. These are Assam, Arunachal Pradesh Mizoram and Nagaland; Kerala and Lakshadweep; Maharashtra, Goa, Dadra & Nagar Haveli, and Daman & Diu; Punjab, Haryana and Chandigarh; Tamil Nadu and Puduchery; West Bengal and Andaman & Nicobar Islands.

Figure 6: Budgets for the justice system

Like IJR 2019, in most states, the increase in spending on these pillars of justice is not keeping pace with the increase in the size of the overall state expenditure. So, for example, the average 5-year increase in Bihar's police spend was 11.93%, while its overall expenditure increased 15.56%—a difference of -3.63 percentage points. In the graphic below, a higher rate of increase in allocation is highlighted in purple—as shaded boxes for IJR 2020 data and as upward arrows for IJR 2019 data.

■ Increase in pillar spend exceeds increase in total state expenditure

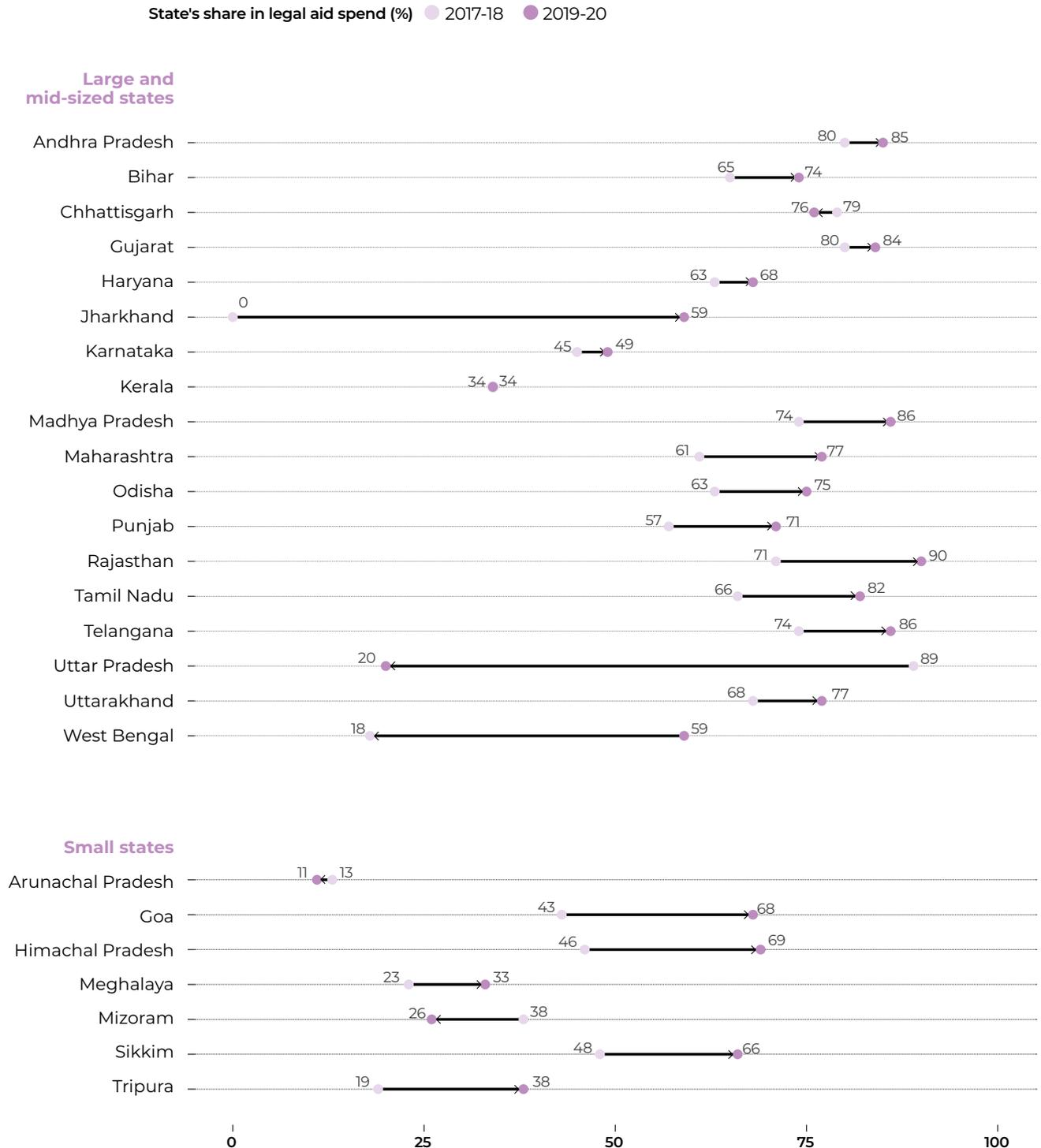
	Average difference in spend: pillar vs state (percentage points, FY '14-'18)			Performance in IJR 2019		
	Police	Prisons	Judiciary	Police	Prisons	Judiciary
Large and mid-sized states						
Bihar	-3.63	2.23	-6.54	↓	↑	↓
Chhattisgarh	-1.79	-1.68	-0.30	↓	↑	↓
Gujarat	1.53	-2.43	3.96	↓	↓	↓
Haryana	0.17	-1.12	-0.93	↓	↓	↓
Jharkhand	-4.75	0.83	-5.21	↓	↓	↓
Karnataka	-1.94	-6.69	-4.91	↓	↓	↓
Kerala	-0.88	-5.73	0.94	↑	↑	↓
Madhya Pradesh	-2.60	-7.25	-4.62	↓	↓	↓
Maharashtra	-1.87	-2.05	-1.95	↑	↑	↓
Odisha	-2.16	-6.05	-3.35	↓	↑	↓
Punjab	-1.33	-4.11	0.75	↑	↑	↑
Rajasthan	-4.47	-2.02	-4.71	↓	↓	↓
Tamil Nadu	-0.45	1.45	0.51	↓	↑	↓
Uttar Pradesh	-3.31	0.75	-3.75	↓	↓	↓
Uttarakhand	-0.32	-3.99	-4.26	↓	↑	↓
West Bengal	-3.21	-6.15	-6.36	↓	↓	↓
Small states						
Arunachal Pradesh	0.67	3.29	40.79	↑	↑	↑
Goa	4.43	-22.24	-1.10	↑	↑	↓
Himachal Pradesh	1.72	3.15	-1.00	↑	↓	↓
Meghalaya	2.44	2.2	32.04	↑	↑	↑
Mizoram	-6.15	110.22	-0.08	↓	↑	↓
Sikkim	-0.98	-5.43	3.49	↑	↑	↑
Tripura	0.74	-9.96	20.34	↓	↓	↓

Data source: Combined Finance and Revenue Accounts of the Union and State Governments in India, Comptroller and Auditor General of India; Open Budgets India

Note: Andhra Pradesh and Telangana are not included as their 5-year data was not available separately.

Figure 7: States increase their share in their legal aid spend

A state's legal aid spend comprises what it gets from the Centre (via NALSA) and what it provides. In the last two years, 14 of 18 large and mid-sized states and 5 of 7 small states have increased their contribution to their legal aid spend.



Note: Data for Kerala is from IJR 2019, as it did not share updated data with NALSA.
 Source: National Legal Services Authority (NALSA)

Map 9: Legal services clinic improve rural coverage, but long way to go

In the last two years, 22 states and Union Territories have improved their average coverage of legal services clinics in villages. Yet, there are only nine states and UTs where a legal services clinic covers, on average, less than 10 villages.

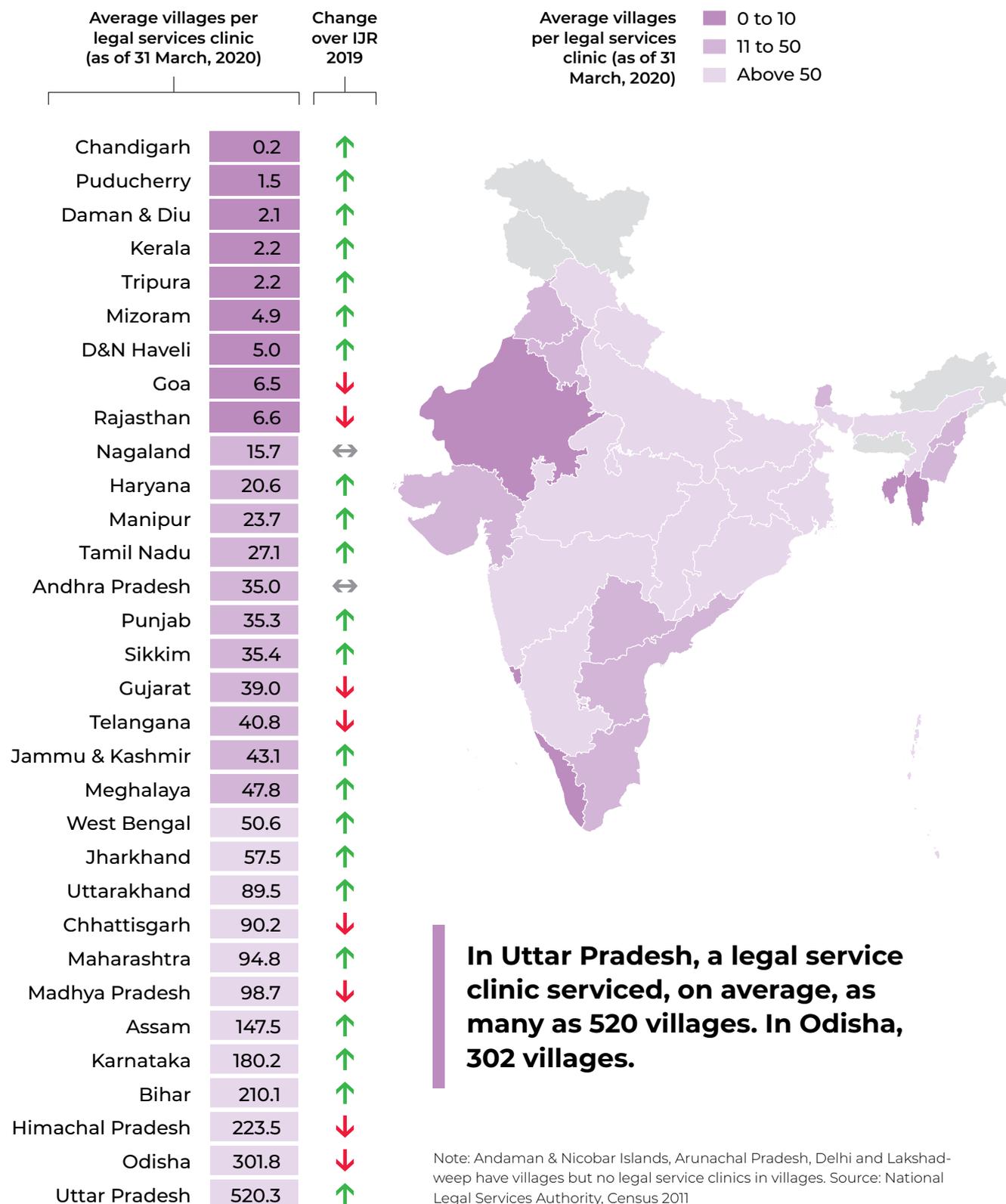
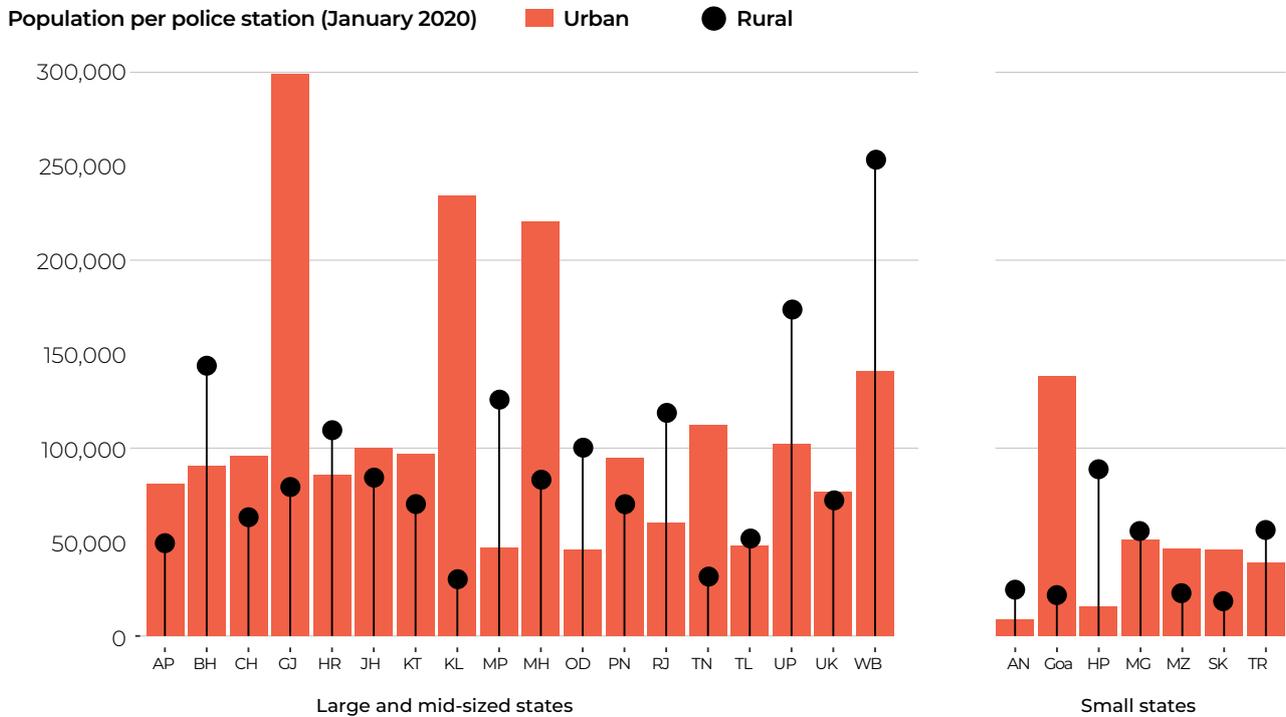


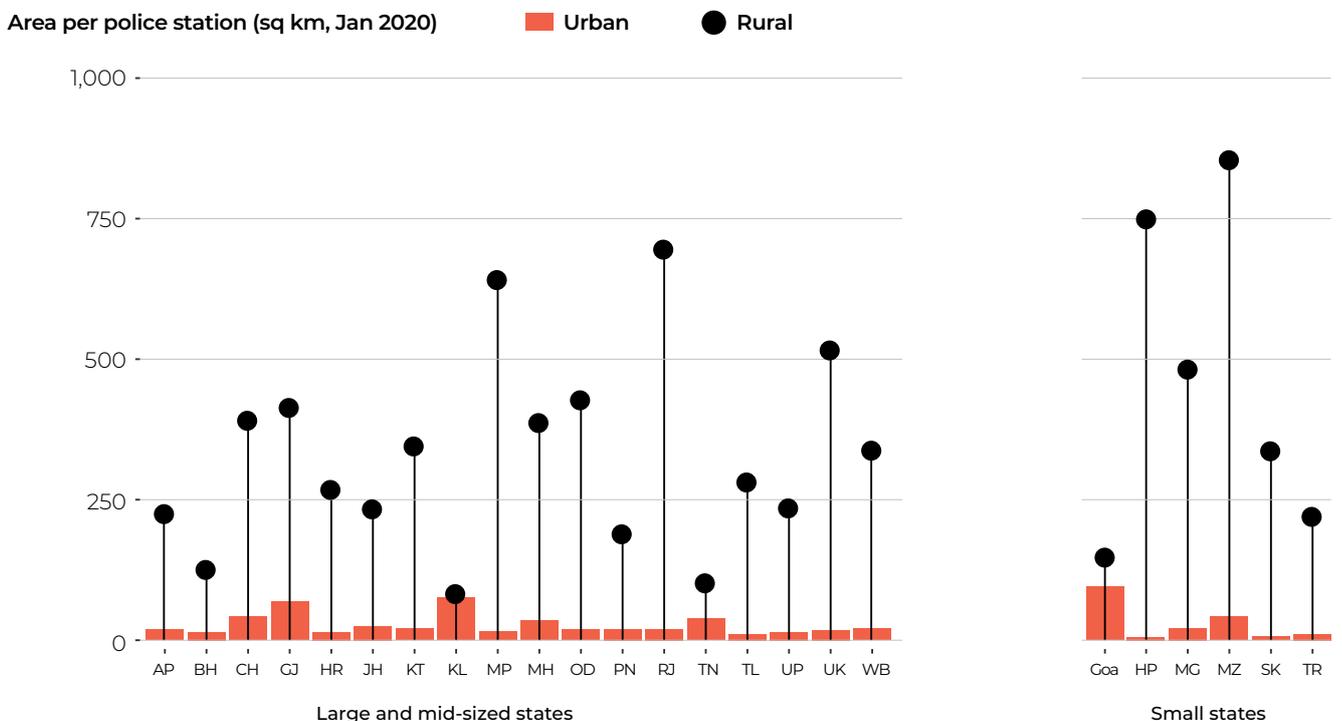
Figure 8: The rural-urban divide

In several states, the average population per police station is lower in rural locations than in urban locations. However, in nearly all states, rural police stations cover a significantly higher average area than urban police stations, the exception being Kerala.

Population per police station



Area per police station



Source: Bureau for Police Research & Development, Census 2011 ; National Commission on Population, 2019
Note: Census 2011 does not give rural-urban area breakup for Arunachal Pradesh

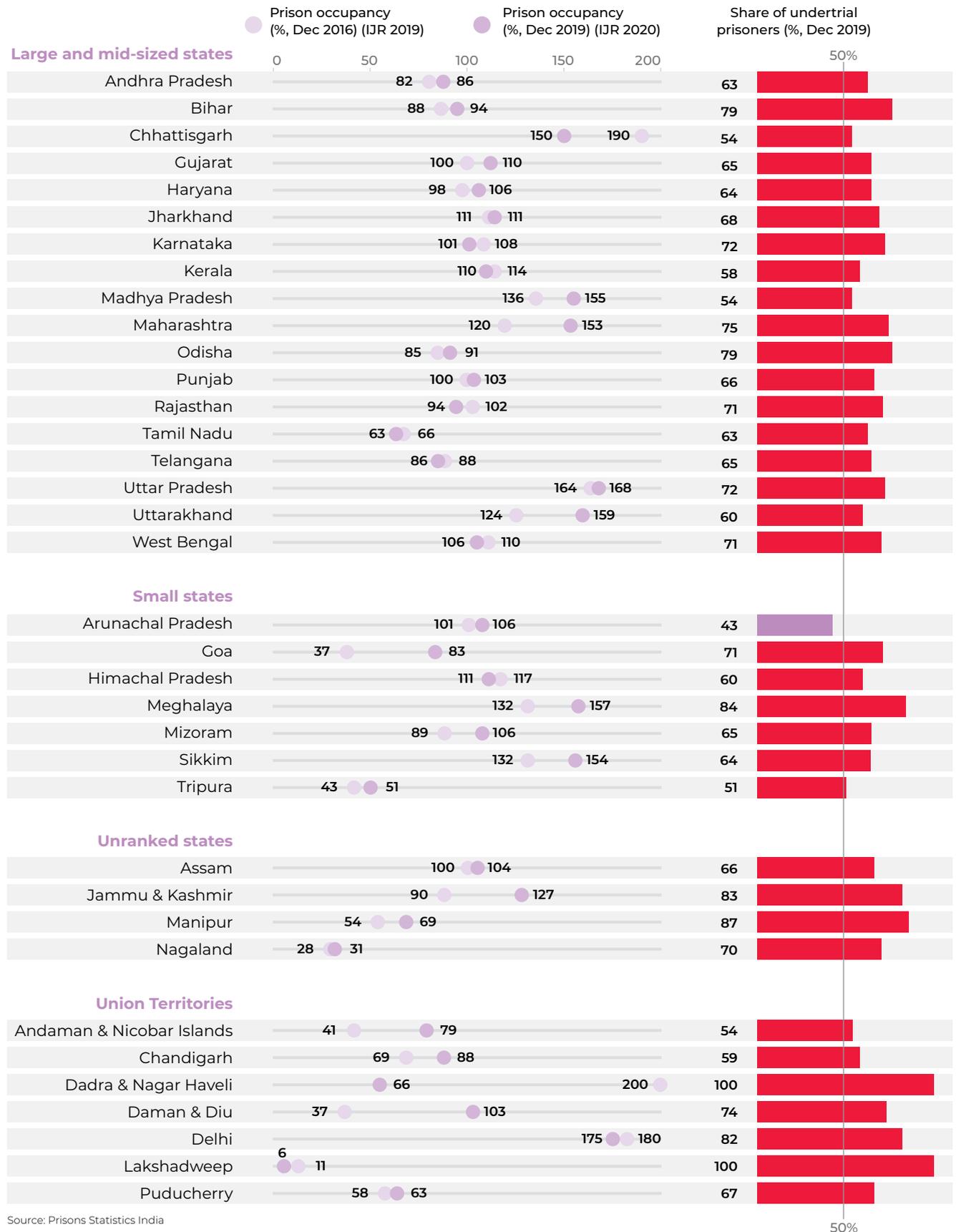
Figure 9: Comparing lower court pendency

In 21 of the 24 ranked states, cases pending in subordinate courts for above 5 years have decreased in the last 2 years. However, in 8 states, such cases still amount to over 20% of pending cases. The green and red bars signify the extent to which the share of cases pending over 5 years in subordinate courts have either reduced or increased in states, compared to IJR 2019. In West Bengal, for instance, the share of cases pending over 5 years has increased by nearly 5% to about 36.8%



Figure 10: Prison occupancy goes up, along with undertrials

Prison occupancy has increased in 25 states and Union Territories. Part of the reason is the high proportion of undertrials. In 35 of 36 states/UTs, they exceed 50% of inmates.



Source: Prisons Statistics India

Figure 11: Status of state police citizen portals

When scored for language, and availability and completeness of services, Punjab and Himachal Pradesh were the only states to have achieved a score of 90 per cent. Other states scored between this and 5 per cent. Bihar did not have a portal.

	Availability of portal	1. Filing of Complaints to the concerned Police Station.	2. Obtaining the status of the complaints.	3. Obtaining the copies of FIRs.	4. Details of arrested persons/ wanted criminals.	Whether complying with Section 41C of the CrPC, 1973? (Y/N)
Andaman & Nicobar	✓	Available	Available	Available	Available	✗
Andhra Pradesh	✓	Available	Available	Available	Available	✗
Arunachal Pradesh	Unable to sign up	Not available	Not available	Not available	Not available	NA
Assam	✓	Available	Available	Available	Partially available	NA
Bihar	✗	Not available	Not available	Available	Partially available	✗
Chandigarh	✓	Available	Available	Available	Partially available	NA
Chhattisgarh	✓	Available	Available	Available	Available	✗
Daman & Diu	✓	Available	Available	Available	Partially available	NA
Dadra & Nagar Haveli	✓	Available	Available	Available	Partially available	NA
Delhi	✓	Available	Available	Available	Available	✗
Goa	✓	Available	Available	Available	Partially available	NA
Gujarat	✓	Not available	Not available	Available	Available	✗
Haryana	✓	Available	Available	Available	Partially available	NA
Himachal Pradesh	✓	Available	Available	Available	Available	✗
Jammu & Kashmir	✓	Available	Available	Available	Available	✗
Jharkhand	✓	Available	Available	Available	Partially available	NA
Karnataka	✓	Available	Available	Available	Available	✗
Kerala	✓	Available	Available	Available	Available	✗
Lakshadweep	Unable to sign up					
Madhya Pradesh	✓	Available	Available	Available	Partially available	✗
Maharashtra	✓	Available	Available	Available	Available	✗
Manipur	Unable to sign up	Not available	Not available	Not available	Not available	NA
Meghalaya	✓	Available	Available	Available	Not available	NA
Mizoram	Unable to access the portal					
Nagaland	✓	Available	Available	Available	Partially available	NA
Odisha	✓	Available	Available	Available	Available	✗
Puducherry	✓	Available	Available	Available	Available	✗
Punjab	✓	Available	Available	Available	Available	-
Rajasthan	Unable to sign up	Not available	Not available	Not available	Not available	NA
Sikkim	Unable to sign up	Not available	Not available	Not available	Not available	NA
Tamil Nadu	✓	Available	Available	Available	Partially available	✗
Telangana	✓	Available	Available	Available	Partially available	✗
Tripura	Unable to sign up	Not available	Not available	Not available	Not available	NA
Uttar Pradesh	✓	Available	Available	Available	Partially available	✗
Uttarakhand	Unable to sign up	Not available	Not available	Available	Not available	NA
West Bengal	Unable to sign up	Available	Available	Available	Partially available	✗

NOTE: Bihar doesn't have a citizen police portal.

No state/UT provides the details of Arrested persons as mentioned in Section 41c of the IPC.

-- Unable to check Punjab's compliance with Section 41C

Section 41C encourages public oversight of arrest practices by requiring that certain information be made available to the people in general. Specifically, Section 41C of the CrPC sets out the following three mandatory requirements:1) State governments must establish Police Control Rooms (PCRs) at the state level and in each district;2) State governments must ensure that notice boards outside each district PCR display: a) names and addresses of arrested persons and b) the name(s) and designation(s) of the officers who made the arrests; and3) the Police Control Room at the State Police Headquarters must regularly collect the details of arrested persons and the nature of the offence with which they are charged, and maintain a database for the information of the general public.

Figure 11: Status of state police citizen portals

	5. Details of missing/kidnapped persons and their matching with arrested, unidentified persons and dead bodies.	6. Details of stolen/recovered vehicles, arms and other properties.	7. Submission of requests for issue/renewal of various NOCs.	8. Verification requests for servants, employment, passport, senior citizen registrations etc.	9. Portal for sharing information and enabling citizens to download required forms.
Andaman & Nicobar	Partially available	Partially available	Available	Partially available	Available
Andhra Pradesh	Available	Partially available	Available	Partially available	Available
Arunachal Pradesh	Partially available	Not available	Not available	Not available	Partially available
Assam	Partially available	Partially available	Available	Partially available	Available
Bihar	Partially available	Partially available	Not available	Not available	Available
Chandigarh	Available	Partially available	Available	Partially available	Available
Chhattisgarh	Partially available	Partially available	Available	Partially available	Available
Daman & Diu	Partially available	Partially available	Available	Partially available	Available
Dadra & Nagar Haveli	Partially available	Partially available	Available	Partially available	Available
Delhi	Partially available	Partially available	Available	Partially available	Available
Goa	Partially available	Partially available	Available	Partially available	Available
Gujarat	Partially available	Available	Available	Partially available	Available
Haryana	Partially available	Partially available	Available	Partially available	Partially available
Himachal Pradesh	Partially available	Partially available	Available	Partially available	Available
Jammu & Kashmir	Partially available	Partially available	Available	Partially available	Partially available
Jharkhand	Partially available	Partially available	Available	Partially available	Partially available
Karnataka	Not available	Partially available	Not available	Partially available	Not available
Kerala	Partially available	Partially available	Available	Partially available	Available
Lakshadweep	Unable to sign up				
Madhya Pradesh	Partially available	Partially available	Not available	Partially available	Available
Maharashtra	Partially available	Partially available	Available	Partially available	Available
Manipur	Partially available	Not available	Not available	Not available	Partially available
Meghalaya	Not Available	Not Available	Not Available	Partially available	Available
Mizoram	Unable to access the portal				
Nagaland	Partially available	Partially available	Available	Partially available	Available
Odisha	Partially available	Partially available	Available	Partially available	Partially available
Puducherry	Partially available	Partially available	Available	Partially available	Available
Punjab	Available	Partially available	Available	Partially available	Available
Rajasthan	Not available	Not available	Not available	Not available	Partially available
Sikkim	Not available	Not available	Not available	Not available	Partially available
Tamil Nadu	Partially available	Not available	Not available	Partially available	Available
Telangana	Partially available	Partially available	Not available	Partially available	Available
Tripura	Not available	Not available	Not available	Not available	Partially available
Uttar Pradesh	Partially available	Partially available	Available	Partially available	Available
Uttarakhand	Not available	Not available	Not available	Not available	Not available
West Bengal	Partially available	Partially available	Not available	Not available	Partially available

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About our partners

Centre for Social Justice (IDEAL) is an organization fighting for the rights of the marginalized and the vulnerable, principally in the sphere of access to justice. Inspired by Freirean thought, CSJ has been active in more than eight states across India, creating human rights interventions, using law as a key strategy through an intimate engagement with grassroots realities. Central to CSJ's efforts are its institutional interventions in legal reform and research, which bridge and symbiotically combine grassroots activism, law and policy-making on a wide gamut of issues concerning the rights of women, Dalits, Adivasis, minorities and other socially vulnerable groups.

Common Cause is dedicated to championing public causes, campaigning for probity in public life and the integrity of institutions. It seeks to promote democracy, good governance and public policy reforms through advocacy and democratic interventions. Common Cause is especially known for the difference it has made through a large number of Public Interest Litigations (PILs), such as recent ones on the cancellation of the entire telecom spectrum; cancellation of arbitrarily allocated coal blocks; and the Apex Court's recognition of an individual's right to die with dignity.

DAKSH is a Bengaluru based civil society organization working on judicial reforms at the intersection of data science, public policy and operations research. Under the Rule of Law Project initiated in 2014 they have been evaluating the performance of the justice system.

The Commonwealth Human Rights Initiative (CHRI) is an independent, non-governmental, non-profit organisation working for the practical realization of human rights through research, strategic advocacy and capacity building within the Commonwealth. CHRI specializes in the areas of access to justice (police and prison reforms) and access to information. It also works to advance

freedom of expression, media rights and the eradication of contemporary forms of slavery. CHRI is a Commonwealth Accredited Organisation and has a Special Consultative Status with the UN ECOSOC.

Prayas is a social work demonstration project of the Center for Criminology and Justice, Tata Institute of Social Sciences, established in 1990. Prayas's focus is on service delivery, networking, training, research and documentation, and policy change with respect to the custodial/institutional rights and rehabilitation of socio-economically vulnerable individuals and groups. Their mission is to contribute knowledge and insight to the current understanding of aspects of the criminal justice system policy and process, with specific reference to socio-economically vulnerable and excluded communities, groups and individuals who are at greater risk of being criminalized or exposed to trafficking for the purpose of sexual exploitation.

The Vidhi Centre for Legal Policy is an independent think-tank doing legal research to make better laws, and improve governance for the public good. Vidhi engages with ministries and departments of the Indian government, as well as state governments, and also collaborates with other relevant stakeholders within public institutions, and civil society members, to assist and better inform the laws and policies being effectuated. The Centre also undertakes, and freely disseminates, independent research in the areas of legal reform, which it believes is critical to India's future.

Data/design partner

How India Lives is a Delhi-based company that uses public data, analytics and technology to craft data products and consulting solutions. Its focus is to make public data useful for decision-making by companies, non-profits, researchers and governments. It also designs data-oriented research reports and does online data visualisation.

List of indicators on preceding map pages

Ranking Intention

POLICE

Women in total police (pp, CY '15-'19)
 Women officers in total officers (pp, CY '15-'19)
 Constable vacancy (pp, CY '15-'19)
 Officer vacancy (pp, CY '15-'19)
 Difference in spend: police vs state (pp, FY '14-'18)

PRISONS

Officer vacancy (pp, CY '15-'19)
 Cadre staff vacancy (pp, CY '15-'19)
 Share of women in prison staff (pp, CY '15-'19)
 Inmates per prison officer (% , CY '15-'19)
 Inmates per cadre staff (% , CY '15-'19)
 Share of undertrial prisoners (pp, CY '15-'19)
 Spend per inmate (% , FY '16-'20)
 Prison budget used (pp, FY '16-'20)
 Difference in spend: prisons vs state (pp, FY '14-'18)

JUDICIARY

Cases pending (per High Court judge) (% , FY '15-'19)
 Cases pending (per sub. court judge) (% , FY '15-'19)
 Total cases pending (High Court) (% , FY '15-'19)
 Total cases pending (sub. court) (% , FY '15-'19)
 Judge vacancy (High Court) (pp, FY '15-'19)
 Judge vacancy (sub. court) (pp, FY '15-'19)
 Case clearance rate (High Court) (pp, FY '15-'19)
 Case clearance rate (sub. court) (pp, FY '15-'19)
 Difference in spend: judiciary vs state (pp, FY '14-'18)

Ranking Human Resources

POLICE

Constables, vacancy (% , Jan 2020)
 Officers, vacancy (% , Jan 2020)
 Officers in civil police (% , Jan 2020)

PRISONS

Officers, vacancy (% , Dec 2019)
 Cadre staff, vacancy (% , Dec 2019)

Correctional staff, vacancy (% , Dec 2019)
 Medical staff, vacancy (% , Dec 2019)
 Medical officers, vacancy (% , Dec 2019)
 Personnel trained (% , Dec 2019)

JUDICIARY

Population per High Court judge (2018-19)
 Population per sub. court judge (2018-19)
 High Court judge vacancy (% , 2018-19)
 Sub. court judge vacancy (% , 2018-19)
 High Court staff vacancy (% , 2018-19)

LEGAL AID

DLSA secretary vacancy (% , Mar 2020)
 PLVs per lakh population (number, Mar 2020)
 Sanctioned secretaries as % of DLSAs (% , Mar 2020)
 Panel lawyers trained (% , Mar 2020)

Ranking Diversity

POLICE

Share of women in police (% , Jan 2020)
 Share of women in officers (% , Jan 2020)
 SC officers, actual to reserved ratio (% , Jan 2020)
 SC constables, actual to reserved ratio (% , Jan 2020)
 ST officers, actual to reserved ratio (% , Jan 2020)
 ST constables, actual to reserved ratio (% , Jan 2020)
 OBC officers, actual to reserved ratio (% , Jan 2020)
 OBC constables, actual to reserved ratio (% , Jan 2020)

PRISONS

Women in prison staff (% , Dec 2019)

JUDICIARY

Women judges (High Court) (% , Aug 2020)
 Women judges (sub. court) (% , Nov 2019)

LEGAL AID

Share of women in panel lawyers (% , Mar 2020)
 Women PLVs (% , Mar 2020)

The **India Justice Report** is a path-breaking endeavour consolidating the efforts of numerous individuals and organizations working towards the improvement of the Indian justice system. It ranks 18 large and mid-sized, and 7 small states according to their capacity to deliver justice to all. It uses government data to assess the budgets, infrastructure, human resources, workloads, diversity and 5 year trends of police, prisons, judiciary and legal aid in each state, against its own declared standards. This unique study is an initiative of Tata Trusts undertaken in partnership with Centre for Social Justice, Common Cause, Commonwealth Human Rights Initiative, DAKSH, How India Lives, TISS-Prayas and Vidhi Centre for Legal Policy.

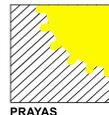
For more details, visit:

<https://www.tatatrusts.org/insights/survey-reports/india-justice-report>



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Commonwealth Human Rights Initiative



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