

**INDIA JUSTICE REPORT 2020**

The India Justice Report 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, workload, diversity and 5 year trends of police, prisons, judiciary and legal aid in each state, against its own declared standards. This first of its kind study is an initiative of Tata Trusts undertaken in partnership with Centre for Social Justice, Common Cause, Commonwealth Human Rights Initiative (CHRI), DAKSH, TISS-Prayas and Vidhi Centre for Legal Policy.

**Methodology**

IJR 2020 brings together 87 indicators related to the justice. It uses the latest data drawn from various official documents and departments as available in the public domain at the time of publication. These data sets are brought together and collated to assess the capacity of 4 pillars– police, prisons, legal aid, and judiciary–of each state’s justice system to effectively deliver justice. Each theme - infrastructure, budgets, human resources, workload and diversity as well as trends - is in itself is a commentary on a key facet of the pillar and combines with other metrics to compute an aggregate score for each pillar and finally a rank for the state. Each indicator has a different unit, to enable comparison, we rebased values to score the state’s performance in a band of 1 to 10. The data show how the state compares on each indicator, against the other 17 large and mid-states. The higher the score, the better the state is doing. ‘Worst value’ and ‘Best value’ point to the highest and lowest results in that indicator. The green and red dots indicate change over IJR 2019.



**West Bengal**

**IJR 2020 Rank among 18 large & mid states**

Overall

17th

Prisons

12th

Police

17th

Judiciary

16th

Legal Aid

17th

**IJR 2019 Rank**

13th

10th

4th

16th

12th

**POLICE – 17th** **SCORE** **–** **3.75/10**

|  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- |
| Themes & Indicators | IJR 2019 value | IJR 2020 value | State score(out of 10) | Worst value | Best value | State rank |  |
|  |  |
| **Budgets** |  |
| Modernisation fund used (%, 2019-20) | 56 | 129 |  | 10.00 | 0 | 129 | 1 | *Only large and mis-state* *to utilize 100 per cent of its modernisation grant* |
| Spend on police per person (Rs, 2017-18) | 546 | 570 |  | 1.49 | 500 | 1,786 | 17 |  |
| Spend on training per personnel (Rs, 2019-20) | NA | 983 |  -- | 1.56 | 0 | 15,745 | 16 |  |
|  |  |  |  |  |  |  |  |  |
| **Human** **Resources** |  |
| Constables, vacancy (%, Jan 2020)  | 31.3 | 39.9 |  | 1.04 | 40.1 | 2.9 | 17 | *Ranked in the bottom half* *in officer & constable vacancy. But 1 out of 4* *civil police is an officer.* |
| Officers, vacancy (%, Jan 2020) | 26.1 | 28.1 |  | 4.81 | 48.8 | 8.6 | 13 |
| Officers in civil police (%, Jan 2020) | 27.5 | 25.8 |  | 9.32 | 9.7 | 27.1 | 2 |  |
|  |  |  |  |  |  |  |  |  |
| **Diversity** |  |
| Share of women in police (%, Jan 2020) | 7.6 | 9.7 |  | 3.05 | 5.1 | 25.3 | 8 |  |
| Share of women in officers (%, Jan 2020) | 3.1 | 4.6 |  | 1.88 | 2.4 | 24.8 | 14 |  |
| SC officers, actual toreserved ratio (%, Jan 2020) | 58 | 64 |  | 4.78 | 39 | 163 | 12 |  |
| SC constables, actual to reserved ratio (%, Jan 2020) | NA | 90 |  -- | 8.00 | 56 | 127 | 9 |  |
| ST officers, actual to reserved ratio (%, Jan 2020) | 45 | 51 |  | 5.55 | 0 | 186 | 13 |  |
| Themes & Indicators | IJR 2019 value | IJR 2020 value | State score(out of 10) | Worst value | Best value | State rank |  |
|  |  |  |  |  |  |  |  |  |
| **Diversity** |  |
| ST constables, actual to reserved ratio (%, Jan 2020) | NA | 104 |  -- | 10.00 | 0 | 259 | 1 | *The state was unable to* *meet declared reservation* *figures except the ST quota at constabulary level.* |
| OBC officers, actual to reserved ratio (%, Jan 2020) | 18 | 31 |  | 1.08 | 30 | 164 | 17 |
| OBC constables, actual to reserved ratio (%, Jan 2020) | NA | 62 |  -- | 1.48 | 60 | 214 | 17 |  |
|  |  |  |  |  |  |  |  |  |
| **Infrastructure** |  |
| Population per police station (rural) (Jan 2020) | 232,896 | 253,476 |  | 1.00 | 253,476 | 30,213 | 18 | *On average, police* *stations serve large areas and large populations.* |
| Population per police station (urban) (Jan 2020)  | 108,152 | 140,934 |  | 6.62 | 299,159 | 45,724 | 15 |  |
| Area per police station (rural) (sq. km, Jan 2020) | 313 | 337 |  | 6.91 | 695 | 82 | 10 |  |
| Area per police station (urban) (sq. km, Jan 2020)  | 19 | 21 |  | 8.55 | 75 | 11 | 12 |  |
| Services provided by state's citizen portals (%, 2020) | NA | 42 |  -- | 4.47 | 5 | 89.6 | 15 |  |
| Personnel per training institute (number, Jan 2020) | NA | 15,307 |  -- | 7.25 | 37,756 | 5,433 | 10 |  |
|  |  |  |  |  |  |  |  |  |
| **Workload** |  |
| Population per civil police (persons, Jan 2020) | 1,209 | 1,284 |  | 3.19 | 1,548 | 462 | 17 |  |
|  |  |  |  |  |  |  |  |  |
| **Trends** |  |
| Women in total police (pp, CY '15-'19)  | 0.87 | 0.51 |  | 1.76 | 0.15 | 4.40 | 8 |  |
| Themes & Indicators | IJR 2019 value | IJR 2020 value |  | State score(out of 10) | Worst value | Best value | State rank |  |
|  |  |
| **Trends** |  |
| Women officers in total officers (pp, CY '15-'19) | 0.30 | 0.44 |  | 3.40 | -0.13 | 1.99 | 10 |  |
| Constable vacancy (pp, CY '15-'19) | 0.39 | -0.60 |  | 5.07 | 4.74 | -7.06 | 8 |  |
| Officer vacancy (pp, CY '15-'19) | -1.52 | -3.55 |  | 8.14 | 5.52 | -5.91 | 2 |  |
| Difference in spend: policevs state (pp, FY '14-'18) | -3.92 | -3.21 |  | 3.91 | -4.75 | 1.53 | 12 |  |

Data sources: *Data on Police Organizations, Bureau of Police Research and Development (BPR&D); Combined Finance and Revenue Accounts of the Union and State Governments in India, Comptroller and Auditor General of India; Primary Census Abstract, Census 2011; Open Budgets India; India Budget Documents; Digital Police Portal, Ministry of Home Affairs; National Commission on Population.*

Notes: *1. Data for ‘Jan 2020’ is as of January 1, 2020. 2. SC: Scheduled castes; ST: Scheduled tribes; OBC: Other backward classes. 3. pp: percentage points (the difference between two percentages). 4. NA: Not available. 5. CY: Calendar year; FY: Financial year. 6. Civil police includes district armed reserve police. 7. Data for modernisation fund used (%, 2019-20) and Spend on training per personnel (Rs, 2019-20), as described by BPR&D, is “tentative”. 8. Data for the indicator ‘Services provided by state's citizen portals (%, 2020)’ is a quantitative assessment of state police citizen portals on 10 counts: whether they include each of the 9 services listed by the Ministry of Home Affairs and whether the portal was available in a state language (other than English). 9. West Bengal’s police citizen portal was unresponsive when submitting the sign up form.*

**PRISONS** **-** **12th SCORE** **- 4.58/10**

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| Themes & Indicators | IJR 2019value | IJR 2020 value | State score(out of 10) | Worst value | Best value | State rank |  |
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| **Budgets** |  |
| Spend per inmate (Rs, 2019-20)  | 37,224 | 44,206 |  | 2.37 | 16,186 | 200,871 | 5 |  |
| Prison budget utilised (%, 2019-20) | 99 | 99 |  | 9.51 | 76 | 103 | 2 |  |
|  |  |  |  |  |  |  |  |  |
| **Human Resources** |  |
| Officers, vacancy (%, Dec 2019)  | 18.1 | 13.9 |  | 8.34 | 75.3 | 0.6 | 5 |  |
| Cadre staff, vacancy (%, Dec 2019)  | 20.1 | 27.8 |  | 6.06 | 63.6 | 7.1 | 11 | *Extremely high vacancies at the level of medical officers and* *medical staff. One in 3 sanctioned correctional staff and Cadre staff positions* *vacant.* |
| Correctional staff, vacancy (%, Dec 2019)  | 32.8 | 29.5 |  | 7.34 | 100 | 0 | 6 |
| Medical staff, vacancy (%, Dec 2019)  | 75.0 | 72.8 |  | 1.07 | 73.4 | -32.1 | 17 |
| Medical officers, vacancy (%, Dec 2019) | 85.0 | 85.0 |   | 2.35 | 100 | -34.3 | 17 |  |
| No. of personnel trained (%, Dec 2019) | *NA* | 8 |  -- | 1.76 | 0 | 92 | 11 |  |
|  |  |  |  |  |  |  |  |  |
| **Diversity** |  |
| Women in prison staff (%, Dec 2019) | 10.1 | 8.6 |  | 3.09 | 3.3 | 26.2 | 11 |  |
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| Themes & Indicators | IJR 2019 value | IJR 2020 value | State score(out of 10) | Worst value | Best value | State rank |  |
|   |  |  |  |  |  |  |  |
| **Infrastructure** |  |
| Prison occupancy (%, Dec 2019) | 110 | 106 |  | 9.20 | 168 | 63 | 10 |  |
| Jails with V-C facility (%, Dec 2019) | NA | 32 | -- | 3.33 | 9 | 100 | 16 |  |
|  |  |  |  |  |  |  |  |  |
| **Workload** |  |
| Inmates per officer (persons, Dec 2019)  | 118 | 112 |  | 7.66 | 381 | 17 | 9 |  |
| Inmates per cadre staff (persons, Dec 2019)  | 8 | 9 |  | 8.81 | 25 | 5 | 8 |  |
| Inmates per correctional staff (persons, Dec 2019) | 560 | 537 |  | 9.93 | 50,649 | 163 | 7 |  |
|  |  |  |  |  |  |  |  |  |
| **Trends** |  |
| Officer vacancy (pp, CY '15-'19)  | -1.59 | -1.43 |  | 7.89 | 4.26 | -3.17 | 5 |  |
| Cadre staff vacancy (pp, CY '15-'19)  | -0.95 | -1.39 |  | 5.33 | 4.26 | -7.47 | 9 |  |
| Share of women in prison staff (pp, CY '15-'19)  | 0.25 | 0.27 |  | 3.48 | -0.59 | 2.55 | 13 |  |
| Inmates per prison officer (%, CY '15-'19)  | 2.1 | 0.4 |  | 8.07 | 53.7 | -14.2 | 5 |  |
| Inmates per cadre staff (%, CY '15-'19)  | 1.7 | 0.2 |  | 4.65 | 7.2 | -10.0 | 10 |  |
| Share of undertrial prisoners (pp, CY '15-'19)  | -0.09 | 0.27 |  | 4.77 | 1.84 | -1.91 | 8 | *Jails functioned beyond capacity and**over 5 years, share of UTPs has also increased.* |
| Spend per inmate (%, FY '16-'20)  | 11.4 | 5.1 |  | 2.14 | -9.2 | 103.1 | 11 |
|  |  |  |  |  |  |  |  |  |
| Themes & Indicators | IJR 2019 Value | IJR 2020 value | State score (out of 10) | Worst value | Best value | State rank |  |
|  |  |  |  |  |  |  |  |  |
| **Trends** |  |
| Prison budget used (pp, FY '16-'20)  | 0.59 | 0.82 |  | 4.97 | -4.29 | 7.29 | 4 | *The state had made the improvement in utilising its prison budget over a 5 year* *period.* |
| Difference in spend: prisons vs state (pp, FY '14-'18) | -6.4 | -6.15 |  | 2.37 | -7.2 | 2.2 | 14 |

*Data sources: Prison Statistics India (PSI), National Crime Records Bureau (NCRB); Combined Finance and Revenue Accounts of the Union and State Governments in India, Comptroller and Auditor General of India; Primary Census Abstract, Census 2011; Open Budgets India; India Budget Documents.*

*Notes: 1. Data for ‘Dec 2019’ is as of December 31, 2019. 2. pp: percentage points (the difference between two percentages). 3. NA: Not available. 4. CY: Calendar year; FY: Financial year.*

**JUDICIARY** **-** **16th**  **SCORE -** **3.69/10**

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| Themes & Indicators | IJR 2019value | IJR 2020 value | State score(out of 10) | Worst value | Best value | State rank |  |
|  |  |
| **Budgets** |  |
| Per capita spend on judiciary (Rs, 2017-18) | 52 | 58 |  | 1.00 | 58 | 230 | 18 |  |
|  |  |  |  |  |  |  |  |  |
| **Human** **Resources** |  |
| Population per High Court judge (2018-19)  | 2,380,693 | 2,600,187 |  | 6.14 | 4,755,909 | 979,278 | 13 |  |
| Population per sub. court judge (2018-19)  | 101,643 | 103,869 |  | 2.30 | 113,224 | 48,468 | 16 |  |
| High Court judge vacancy (%, 2018-19)  | *46.5* | 47.9 |  | 3.86 | 70.3 | 18.3 | 16 | *High vacancies of judges. Nearly 1 in 2* *High Court judge posts* *vacant.* |
| Sub. court judge vacancy (%, 2018-19)  | 11.0 | 7.4 |  | 8.28 | 38.5 | 2.1 | 3 |
| High Court staff vacancy (%, 2018-19) | 31.1 | 39.5 |  | 3.59 | 55.6 | -8.7 | 17 |  |
|  |  |  |  |  |  |  |  |  |
| **Diversity** |  |
| Women judges (High Court) (%, Aug 2020)  | 17.9 | 13.2 |  | 7.22 | 0.0 | 19.0 | 9 |  |
| Women judges (sub. court) (%, Nov 2019) | 28.5 | 36.4 |  | 7.43 | 12.1 | 46.2 | 9 |  |
|  |  |  |  |  |  |  |  |  |
| **Infrastructure** |  |
| Courthall shortfall (%, 2018-19, Jan 2020) | NA | NA | -- | NA | 28.8 | -8.5 | NA |  |
|  |  |  |  |  |  |  |  |  |
| Themes & Indicators | IJR 2019 value | IJR 2020 value | State score(out of 10) | Worst value | Best value | State rank |  |
|  |  |
| **Workload** |  |
| Cases pending (5-10 years) (sub. court) (%, July 2020)  | 19.47 | 21.04 |  | 1.42 | 22.01 | 0.98 | 16 | *At the lower court level, nearly 1 in 3* *cases has been* *pending for more than 5years.* |
| Cases pending (10+ years) (sub. court) (%, July 2020)  | 12.61 | 15.81 |  | 1.00 | 15.81 | 0.06 | 18 |
| Average sub. court pendency (years, June 2020)  | 6.1 | 5.8 |  | 1.81 | 6.2 | 1.5 | 17 |  |
| Case clearance rate (High Court) (%, 2018-19) | 101 | 93 |  | 9.02 | 38 | 113 | 5 |  |
| Case clearance rate (sub. court) (%, 2018-19) | 91 | 87 |  | 6.547 | 65 | 112 | 15 |  |
|  |  |  |  |  |  |  |  |  |
| **Trends** |  |
| Cases pending (per High Court judge) (%, FY '15-'19)  | -6.8 | -1.9 |  | 6.08 | 16.9 | -16.5 | 6 |  |
| Cases pending (per sub. court judge) (%, FY '15-'19)  | -2.8 | -7.6 |  | 10.00 | 4.0 | -7.6 | 1 |  |
| Total cases pending (High Court) (%, FY '15-'19)  | -8.4 | -4.3 |  | 7.70 | 12.8 | -10.2 | 3 |  |
| Total cases pending (sub. court) (%, FY '15-'19)  | 0.0 | -5.3 |  | 8.31 | 7.8 | -8.3 | 2 |  |
| Judge vacancy (High Court) (pp, FY '15-'19)  | 3.53 | 3.81 |  | 1.81 | 4.58 | -4.05 | 12 |  |
| Judge vacancy (sub. court) (pp, FY '15-'19)  | -1.00 | -1.78 |  | 8.47 | 5.43 | -3.26 | 7 |  |
| Case clearance rate (High Court) (pp, FY '15-'19)  | 3.50 | -6.66 |  | 1.00 | -6.66 | 8.22 | 16 | *Over 5 years, with decreasing CCR rate at both the high court & subordinate court levels, adding to backlog.* |
| Case clearance rate (sub. court) (pp, FY '15-'19) | -3.32 | -4.16 |  | 3.05 | -6.47 | 3.70 | 15 |
|  |  |
| Themes & Indicators | IJR 2019 value | IJR 2020 value | State score(out of 10) | Worst value | Best value | State rank |  |
|  |  |
| **Trends** |  |
| Difference in spend: judiciary vs state (pp, FY '14-'18) | -9.66 | -6.36 |  | 1.25 | -6.54 | 3.96 | 15 |  |

Data sources: *Court News, Supreme Court of India; National Judicial Data Grid; eCourts Services; DAKSH Database. The DAKSH database is based on data collected from eCourts for a sample set of districts across India; Combined Finance and Revenue Accounts of the Union and State Governments in India, Comptroller and Auditor General of India; Primary Census Abstract, Census 2011; Application under Right to Information (RTI) Act filed by Vidhi Centre for Legal Policy; Open Budgets India; India Budget Documents; Department of Justice; Department of Justice; National Commission on Population, 2019*

Notes: *1. Data for ‘July 2020’ is as of July 1, 2020; for ‘Aug 2020’ is as of August 1, 2020; for ‘Nov 2019’ is as of November, 2019. 2. Sub. Court: subordinate court. 3. pp: percentage points (the difference between two percentages). 4. NA: Not available. 5. CY: Calendar year; FY: Financial year. . 6. Since West Bengal and Andaman & Nicobar Islands share a High Court, they have been assigned the same values for High Court indicators. 7. Courthall shortfall: Indicator not used as Court News aggregated data on sanctioned number of subordinate court judges for West Bengal and Andaman & Nicobar Islands. 8. The raw data given for West Bengal and Andaman & Nicobar Islands was clubbed for 7 subordinate court indicators: population per judge; judge vacancy (2016-17 and 5-year trend); case clearance rate (2016-17 and 5-year trend); cases pending; total cases pending. Hence, their values for these 7 indicators are the same.*

**LEGAL AID** **-** **17th**  **SCORE –** **3.63/10**

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| --- | --- | --- | --- | --- | --- | --- | --- |
| Themes & Indicators | IJR 2019 value | IJR 2020 value | State score(out of 10) | Worstvalue | Bestvalue | Staterank |  |
|  |  |
| **Budgets** |  |
| NALSA fund utilised (%, 2019-20)  | 77 | 89 |  | 7.14 | 66 | 99.9 | 9 |  |
| State's share in legal aid spend(%, 2019-20) | 59 | 18 |  | 1.00 | 18 | 90 | 18 |  |
|  |  |  |  |  |  |  |  |  |
| **Human Resources** |  |
| DLSA secretary vacancy (%, Mar 2020)  | 0.0 | 9.1 |  | 8.29 | 47.8 | 0.0 | 14 |  |
| PLVs per lakh population (number, Mar 2020)  | 2.0 | 2.0 |  | 2.20 | 1.0 | 8.4 | 16 |  |
| Sanctioned secretaries as % of DLSAs (%, Mar 2020) | 100 | 100 |  | 10.00 | - | 103 | 1 |  |
| Panel lawyers trained (%, Mar 2020) | NA | 9 |  -- | 1.00 | 9 | 435 | 18 | *West Bengal trained less than 10 per cent of their lawyers on average in a year.* |
|  |  |  |  |  |  |  |  |
| **Diversity** |  |
| Women panel lawyers (%, Mar 2020)  | 20.5 | 18.8 |  | 4.14 | 7.2 | 40.4 | 8 | *Poorest representation* *of women among legal aid providers and para legal volunteers* |
| Women PLVs (%, Mar 2020) | 37.6 | 18.0 |  | 1.00 | 18.0 | 65.7 | 18 |
|  |  |  |  |  |  |  |  |  |
| **Infrastructure** |  |
| DLSAs as % of state judicial districts (%, Mar 2020)  | 83 | 96 |  | 2.66 | 95 | 110 | 17 |  |
| Villages per legal services clinic (number, Mar 2020)  | 64 | 51 |  | 9.16 | 520 | 2 | 9 |  |
| Themes & Indicators | IJR 2019value | IJR 2020 value | State score(out of 10) | Worst value | Best value | State rank |  |
|  |  |
| **Infrastructure** |  |
| Legal services clinic per jail (number, Mar 2020) | 0.83 | 1.00 |  | 10.00 | 0.58 | 1.63 | 1 |  |
| Presence of front offices in LSIs (%, Mar 2020) | NA | 97 |  -- | 9.66 | 15 | 99 | 6 |  |
|  |  |  |  |  |  |  |  |  |
| **Workload** |  |
| PLA cases: settled as % of received (%, 2019-20)  | 0 | 0 |  | 1.00 | 0 | 84 | 18 |  |
| Total LAs: Pre-litigation cases disposed (%, 2019-20) \*  | 92.1 | 64.8 |  | 7.25 | 7.8 | 89.9 | 5 |  |
| SLSA LAs: Pre-litigation in cases taken up (%, 2019-20) \*\* | 93.8 | 13.7 |  | 2.67 | 0 | 74.1 | 5 | *State Lok Adalat took very few pre-litigation cases.* |

*Full indicators: \* NLAs + SLSA LAs: Share of pre-litigation cases in disposed cases (%, 2019-20); \*\* SLSA LAs: Pre-litigation cases disposed as % of total cases taken up (%, 2019-20).*

Data sources: *National Legal Services Authority (NALSA); Primary Census Abstract, Census 2011; National Commission on Population, 2019; Prison Statistics India (PSI), National Crime Records Bureau (NCRB).*

Notes: *1. DLSA: District Legal Services Authority; LA: Lok Adalat; PLA: Permanent Lok Adalat; PLV: Para-Legal Volunteer; SLSA: State Legal Services Authority; LSI: Legal service institutions. 2. Every state is mandated by law to establish a PLA. Currently, West Bengal remains the only large and mid-sized state that has no Permanent Lok Adalat.*



**About India Justice Report 2020**

The India Justice Report 2020 remains the only comprehensive quantitative index that ranks the capacity of the formal justice system operating in various states. This ranking was supported and facilitated by Tata Trusts in partnership with DAKSH, Commonwealth Human Rights Initiative, Common Cause, Centre for Social Justice, Vidhi Centre for Legal Policy and TISS-Prayas.

The second edition of the India Justice Report is all about comparisons and tracking the rise and falls in each state’s structural and financial capacity to deliver justice. Using the latest available government figures the first ever ranking was published in November 2019. The ranking is based on quantitative measurements of budgets, human resources, infrastructure, workload, diversity across police, judiciary, prisons and legal aid in 18 large and medium sized states with a population of over 1 crore and 7 small states. Data for 7 Union Territories (UTs) and 4 other unranked states is also provided. The IJR 2020 not only provides pillar and theme wise comparisons between similarly situated states one against another, but also allows for an understanding of what improvements and shortfalls have been made within each state’s own pillars and themes since IJR 2019 and over 5 years. These mark out clear discernible trends and directions.

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*Contact Us:- Email Id:* *indiajusticereport@tatatrusts.org* *Phone No.: 9717676029 / 9958303311*