INDIA JUSTICE REPORT

Ranking States on Police, Judiciary,
Prisons & Legal Aid

India Justice Report | 2020

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India Justice Report: Ranking States on Police, Judiciary, Prisons and Legal Aid

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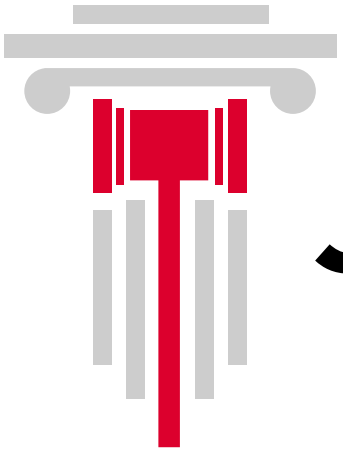

India Justice Report 2020

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Ranking States On Police, Judiciary, Prisons and Legal Aid

INDIA JUSTICE REPORT 2020:

The second edition of the India Justice Report (IJR) 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. 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. The India Justice Report is an initiative of Tata Trusts in collaboration with Centre for Social Justice, Common Cause, Commonwealth Human Rights Initiative, DAKSH, TISS–Prayas, Vidhi Centre for Legal Policy, and How India Lives. The maiden India Justice Report was announced in 2019.

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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 grassroot 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.

Foreword

'Do not look the other way; do not hesitate. Recognize that the world is hungry for action, not words. Act with courage and vision.'

-Nelson Mandela, London, 2005.

The India Justice Report 2020, analyses the structural capacity of the justice system across the country. Continuing the practice adopted in the 2019 report, it ranks states based on identified parameters across four pillars of justice—judiciary, police, prisons and legal aid. While ranking states, the Report does not play up one state against another—it merely highlights the strengths and weaknesses of each pillar in each state thereby encouraging internal assessments for introducing positive changes in the delivery of justice. The Report fosters competition between states but more importantly, places the state in competition with itself to provide its people with the best possible justice delivery.

The Report gives food for thought and is timely in that it consolidates a vast amount of digested information in one place especially in the backdrop of an extraordinary year in which we faced a complete lockdown followed by a cautious opening up with requirements of social distancing—all this, due to the highly infectious COVID-19 virus.

These developments immeasurably disrupted the delivery of justice in ways that no one could have imagined. The poorest of the poor—migrant workers and their families were left to fend for themselves. According to the ILO, informal workers in the unorganized sector suffered wage losses to the tune of ₹63,553 crore (₹635.53 billion), which is nearly the same amount as the annual Union Budget allocated for the employment guarantee scheme MGNREGA in 2020–21.[1] Industrial and other workers suddenly found themselves without a job although employers were requested to pay their wages, not many could really afford to do so. According to the All India Manufacturers Organisation, by June 2020[2] about 35 per cent MSMEs and 37 per cent self-employed individuals had started shutting shop.

It was during this time that human rights, civil liberties and statutory rights—the bedrock values of our democracy—should have guided each and every action but they were overlooked even as myriad problems surfaced, including the dismal state of our public health and school education systems.

In short, along with other essential public services, the rule of law and delivery of justice—both inescapable necessities—suffered breakdown in more ways than one This dealt a body blow from which it is going to be hard to recover.
Why did this happen?

True, the pandemic was unexpected, but it would be too much to blame only the virus. As the first edition of the India Justice Report showed none of the sub-systems in the country were working at their optimal capacity and thus, when the pandemic struck, they were found sorely wanting. Based on the weaknesses pointed out in the previous report, one has to wonder what the outcome would have been if the many recommendations made by the Law Commission of India, the National Police Commission and the All India Committee on Jail Reforms (Mulla Committee) and several other committees had been implemented and the four pillars strengthened. For instance, the police would have

1 Global Wage Report 2020–21: Wages and minimum wages in the time of COVID-19. International Labour Office – Geneva: ILO, 2020. Radheshyam Jadhav, 'Covid-19 lockdowns: How much did the unorganised sector lose?', Hindu Business Line, 4 January 2021

2 Nishtha Saluja, 'Over one-third MSMEs start shutting shop as recovery amid Covid-19 looks unlikely: AIMO survey,' Economic Times, 2 June 2020.

been better connected to the communities it serves, the judiciary more accessible, the prisons better managed without the huge shortfalls in medical resources that they are dealing with today and all first responders, including police and legal aid personnel better trained and skilled. Justice delivery then, even in the midst of the pandemic, might have looked different.

Even now, those older recommendations and the India Justice Report 2019 present a springboard for change as does the present Report. Yet again, we have been provided reasons to change and we should not miss the opportunity a second time around, more so now that public health experts have advised that a more virulent variant of the coronavirus is on the prowl.

So, how do we bring about the required changes and what will these changes be? To begin with, it is necessary to acknowledge that some existing laws and practices are antiquated and deserve to be in the dustbin of time. For example, the strengthening of the 'prison pillar' could start by completely overhauling the Prisons Act, 1894 and the Prisoners Act, 1900, in light of changed times and several judgments of the Supreme Court delivered over the last nearly four decades. We have to transform prisons into correctional facilities instead of merely places of detention. For this, there has to be a dedicated cadre of prison administrators trained in the ethos of rehabilitation. The unshakeable problem of undertrial prisoners who constitute nearly 70 per cent of the prison population cannot be solved while the upper echelons of authority are in the hands of security minded police. We also need a cadre of well-trained magistrates who will continue to uphold the maxim 'bail not jail' as the norm.

Similarly, to strengthen the 'police pillar' we must revamp the Police Act, 1861 and overhaul it completely by introducing accountability in the police force so that arbitrary arrests, fake encounters and death by torture are eliminated. The implementation of the recent Supreme Court judgment relating to the installation of CCTV cameras inside all police stations[3] will be a litmus test for inculcation of transparency and accountability within the police as an institution. It is the responsibility of the police leadership to put their weight behind cleaning up the police establishment and making it a trusted service for all.

Second, every justice institution must acknowledge that despite the pandemic, more could have been achieved in 2020 but unfortunately, except in some respects, it turned out to be a partially wasted year. For example, although the legal aid authorities utilized their vast network to assist migrants but they could have been far more proactive in coming to the aid of employees left high and dry, without wages or social security. With suitable training, the large numbers of paralegals attached to legal aid institutions can be a source for spreading legal awareness and a constitutional ethos amongst our people.

The judiciary should have also have been more people-oriented in providing relief by getting the executive to coordinate their efforts and address the concerns of millions. It needed to stand up for the rights of the vulnerable and ensure them easy access to justice. Video conferencing, a life-saver in the period after lockdown, could have been streamlined for glitch-free hearings and communicating with prisoners and so on. Given that we are unlikely to revert to the pre-COVID 'normal' in the foreseeable future, the judiciary

The Report does not play up one state against another—it merely highlights the strengths and weaknesses of each pillar in each state thereby encouraging internal assessments for introducing positive changes in the delivery of justice.

3 'Special Leave Petition (Criminal) No. 3543 of 20202: Paramvir Singh Saini vs Baljit Singh and Ors', available at: https://www.theleaflet.in/wp-content/uploads/2020/12/13346_2020_33_1501_24909_Judgement_02-Dec-2020.pdf.

needs to urgently improve its deployment of technology to ensure access to justice.

Every pillar was indeed overwhelmed with legacy issues. But the strength of any institution lies in its capacity and capability to fight fire and douse it. One might ask, for example, why were vacancies not filled up despite every pillar being aware and forewarned? Do existing processes need re-engineering? Specific to the judiciary, while acknowledging that it is overwhelmed with pending cases, was any plan of action formulated to ensure that the caseload does not become unmanageable and unbearable? Despite any possible vaccines, the pandemic is not going to disappear; therefore, we can only hope that we have learnt our lessons well. The time has come to sit down, introspect and brainstorm, take stock of the grim situation and conduct social audits. The new year presents the opportunity and we need to seize it.

Four main areas of concern have always plagued the pillars integral to effective justice. In some respects, these concerns were not and perhaps could not have been appropriately addressed during most of the year. For example, infrastructure development was rendered more or less impossible. But surely, notwithstanding this, other remedial steps could have been taken. Like the Boy Scouts motto it is necessary to 'be prepared' for the future and focus on some of solutions which could be implemented in the coming year.

A major area of concern has been the number of pending cases in the courts. This has spiralled out of control despite considerably fewer cases being filed due to the pandemic. At the time of writing, the National Judicial Data Grid indicates more than 35.34 million cases pending in the district courts across the country. Add to these another 4.74 million cases in all the High Courts and we arrive at an extremely disconcerting figure of more than 40 million cases pending in courts across the country.

The pandemic and ensuing lockdowns (complete and partial) rendered the judiciary incapable of holding physical hearings. The unthinkable alternative was to shut down the courts completely. But technology came to the partial rescue and the system resorted to video-conferences. Unfortunately, a lack of preparation had two fallouts. First, in the absence of a robust system being already in place—both in terms of hardware and software—there were inevitable malfunctions that left just about everybody dissatisfied. Second, no standard operating procedure had been prescribed with the result that some hearings became farcical, with one lawyer arguing a case in his vest, while another was driving his car. As the year rolled by, the situation was brought under some degree of control in a few High Courts, but many including the Supreme Court, could not come to terms with the change. The worst impacted by physical distancing were litigants in the district courts. Very few district courts provided video-conferencing facilities, though mandated as well as equipped to do so. Neither the necessary bandwidth nor skilled personnel was available in many district courts leaving a vast majority of justice-seekers in the lurch.

The potential for using technology in justice delivery is enormous, and the pandemic gave an opportunity for the justice system to scale up its response to the needs of litigants and lawyers. Information and communication technology is the future of justice delivery. It is not only the courts, but all pillars in the justice system that have the potential to harness technology in the coming year and take all actors on board as well—lawyers, court staff, litigants, police and prison officers, and legal aid lawyers.

Intersectional communication between prisons, police, courts and legal aid lawyers can streamline criminal justice delivery. Similarly, e-filing can be a game changer, particularly for indigent litigants and litigants in areas (including prisons) with limited physical connectivity and for lawyers who can be spared long distance travel. The first and foremost solution, therefore, is to invest in technology and take full advantage of its benefits while ensuring accountability and transparency. To do this, however, the state governments and the central government will have to loosen their purse strings.

The somewhat 'free time' available to constituents of the four pillars could have been gainfully utilized to conduct spring-cleaning exercises. Illustratively, there are hundreds of thousands of cases pending in courts that are essentially 'dead' cases. Weeding them out is possible, gradually, with a handful of staff, say by first categorizing and clearing 'ancient' cases—not just in courts, but also in every police station. How much time and effort is expended by investigating officers pursuing cases that will eventually lead to a dead end?

About 15 years ago, the police in Madhya Pradesh reviewed cases filed against forest-dwellers and subsequently withdrew a few hundred meaningless cases. Similar exercises, carried out on a regular basis, will go a long way in reducing numbers and make time for cases that need attention. This does not require too much effort, just some time and dedication.

About five years ago, the Supreme Court registry carried out an exercise of weeding out the records of decided cases. Within a year, an entire hall was cleared which was converted into a room for the Bar, fulfilling a long-standing demand of lawyers. Similarly, the Supreme Court Legal Services Committee had a social audit conducted a couple of years ago and about 50 per cent of the pending files were found to be those of dead cases. A housekeeping and spring-cleaning exercise of through weeding out 'deadwood' as it were, can provide a realistic assessment of the problems facing the pillars of justice, leading to meaningful planning.

During the pandemic, to prevent the spread of the coronavirus, the Supreme Court set up High Powered Committees to enable prison authorities to grant parole to select prisoners and thereby reduce the prison population. Efficient management by the HPCs and Undertrial Review Committees significantly reduced the prison population in most states, and for the first time, the overall prison population fell below 100 per cent capacity. This is a clear demonstration that regular meetings and continuous monitoring by HPCs and Undertrial Review Committees can make a long term difference to prison overcrowding.

Filling up vacancies across all pillars deserves more than a second look. There are vacancies galore at every level which have to be filled up urgently. A long-standing problem it has certainly been exacerbated by the pandemic. But it can be resolved if there is a will. For example, about a decade ago, the Supreme Court prescribed a detailed timetable for filling up vacancies among judges at the district level. The plan didn't work and the reasons were simple: firstly, the High Courts did not set up monitoring mechanisms and one delay led to another till the directions became incapable of implementation—a lack of will. Secondly, judges failed to realize that they are not managers or administrators. For any system to function efficiently, qualified personnel are necessary, particularly in matters of administration. This is true of the judiciary, police, prisons or legal aid authorities. State governments need to put in place a policy framework that takes account of realistic requirements including gender and diversity considerations, professionalism and financial support from the state government. It is true that in the allocation of funds, each of the four pillars faces huge shortages, although IJR 2020 indicates a small increase in the availability of funds to the judiciary, this is not the case for other pillars.

Simple recruitment of personnel is not the solution. Provisions need to be made for their training and other necessary infrastructure. States prioritize health, education and welfare. They must assign similar importance to justice delivery. The coming year should see a concerted effort to recruit personnel keeping gender and diversity considerations in mind and with the aid of qualified professionals. Fiscal limitations to investing in the justice sector will have to be overcome because there is a cost to not repairing gaps in the system: a robust, fair and efficient justice system has knock-on effects in other sectors that will save millions lost to violence and inefficacies. These positive effects will more than repay the costs of a well-resourced justice system many times over.

Effective and appropriate preparation of budgets

is crucial for the successful functioning of any institution. It is unfortunate that the judiciary has not taken this seriously enough. An example from the recent past suffices. The Thirteenth Finance Commission allocated ₹5,000 crores to the judiciary for a variety of activities, including recruitment of professional court managers. Unfortunately, only about 20 per cent of the total amount was utilized over a five-year period. The Fourteenth Finance Commission allocated ₹10,000 crores. While it is not clear how much has actually been gainfully utilized it is safe to assume that if the judiciary could spend about 20 per cent in the first instance, it is unlikely that it could have significantly bettered its record five years later. But we can envisage the transformation that could have been brought about if the entire allocation had been gainfully utilized.

The problem of financial management lies not only in an inability to gainfully utilize available funds, but because budgets are not prepared with adequate foresight. Line-item budgeting is an easy budgeting method but it does not lead to progress. Any mission to enhance technological capacity or to weed out 'dead' cases in courts and the police stations or to recruit staff in the four pillars will require not only vision and dedication but also long-term financial planning. While the recruitment of qualified and skilled personnel in all pillars is necessary almost no one is more important than a finance specialist. Only an expert in the field, with the guidance of the head of the institution, can make a difference. Regrettably, the pandemic has not been used to learn that lesson. In the coming year financial management as a key to success of reform must be kept in mind and explored.

Infrastructure development is the buzzword. There is no doubt that the justice system is short on good, quality infrastructure. While most court complexes are under the control of the District Judge, a large number spread across the country are housed in tenanted premises. In many court complexes, maintenance seems to be the lowest priority both for the state public works department as well as for the District Judge. Due to low rents the landlord has little interest in upkeep and therefore, these are in a dilapidated state. It is accepted that workplace ambience and environment have a symbiotic relationship with productivity and output. If judges are made to work in dank and dingy courtrooms it further compounds the difficulties of inadequate court staff and technological resources. It would then hardly be a surprise that often they are loath to work and more inclined to grant adjournments for the asking. As a result the mountain of cases will continue to grow. The present report finds that between 2016–17 and 2018–19, the average number of pending cases in High Courts has increased by 10.3 per cent and in subordinate courts by 5 per cent. Invariably, this leads to a failing criminal justice system that leaves all stakeholders including prison staff, prosecution, lawyers and the public at large dissatisfied.

A great deal can be done to improve the infrastructure in courts, police stations as well as legal aid clinics. For example, basic items of furniture can be provided and the usual moratorium against purchases can be lifted; whitewashing and sanitation facilities are just the first steps. In fact, for the judiciary, a Swachh Nyayalaya mission mode project deserves to be initiated so that a change in the work culture can be facilitated. Some other basics also need consideration particularly in courts dealing with cases pertaining to women and children. It is undoubtedly traumatic for a victim of sexual assault or trafficking to be within physical proximity of the accused and other perpetrators of a crime. Women, child and witness friendly courts are necessary if survivors of crime are to be spared re-victimization and have confidence that the justice system is there to protect and assist them.

Even now, those older recommendations and the India Justice Report 2019 present a springboard for change as does the present Report.

Over the years, the police have taken considerable initiatives to evolve justice friendly environments for women. The Bharosa Centre for women in distress in Telangana is a good example to follow. Women (and children) in distress can avail of medical facilities, counselling, legal assistance and police help all under one roof. The scheme initiated by the Government of India for one-stop centres functions on similar lines but unfortunately, it appears that the personnel at these centres are not adequately equipped to deal appropriately with complaints. Model police stations have been designed and constructed at some places. The scheme for constructing such model police stations can be expanded to cover the entire country. There is no fear of shortage of funds for programmes and schemes of this nature. In fact, as of March 2020, the 'Nirbhaya Fund' remains grossly underutilized at an average rate of just 9 per cent.[4] Only Uttarakhand and Mizoram could utilize 50 per cent of funds allocated.[5] Therefore, considerable amounts available under the fund can be gainfully employed for the benefit of women and children.

Too often existing innovative schemes, programmes and ideas are often not implemented due to lack of adequate infrastructure. But it is possible to overcome some challenges even with the existing resources. A few years ago, the National Legal Services Authority had directed all legal aid clinics to have front office available for interaction with those seeking legal assistance. Many such front offices were set up and used for a variety of purposes, including counselling and as comfort zones. However, as the present report observes, only four states/UTs[6] had a front office across all Legal Service Institutions (LSIs). Nagaland had 13 front offices across 13 LSIs, as did Delhi. Tamil Nadu, Andhra Pradesh and Telangana had 99 per cent coverage. Infrastructure development in all pillars is a real possibility. But the utilization of resources proves a challenge.

The Thirteenth Finance Commission provided one crore rupees per district for the construction of Mediation Centres. This was a real departure by the Finance Commission from its usual mandate. Many states utilized this amount for constructing Mediation Centres within the court complex with a view to encouraging alternative dispute resolution mechanisms, such as mediation, lok adalats and conciliation. However, some of these centres could not successfully encourage mediation even though its benefits are well known.

Plea bargaining can be encouraged in Mediation Centres. It is an excellent tool for amicably resolving disputes by involving the victims of crime and, thereby, can greatly assist the criminal justice system. The police and legal aid authorities, as well as the judiciary, need to take the initiative. If the process is carried out faithfully, it will help reduce the number of criminal cases pending in the courts. In some instances greater implementation of the Probation of Offenders Act, 1958 can also help the prison population. Further, a concerted effort by all the pillars is required to ensure that alternative dispute resolution mechanisms are made use of effectively and for the benefit of litigants.

These are some of the ways in which justice can be delivered efficiently and expeditiously: the introduction of case management techniques; greater and more focused use of technology; adherence to timelines; relevant training for personnel at all levels; are necessary for every pillar. The judicial and police academies can do much to enhance the image of our justice delivery system. Justice reform is essential and unless it is taken up on a war footing, the problems encountered during the pandemic and most of the year gone by will only intensify to the detriment of human rights, civil liberties and meaningful justice delivery.

Justice (retd.) Madan B. Lokur
January 15, 2021

4 PTI, 'Nirbhaya Fund remains underutilised; some schemes see less than 25% utilization,' Business Today, 20 March 2020.
5 Ibid.
6 Delhi, Daman & Diu, Nagaland and Puducherry.

Acknowledgements

The year has been difficult and unprecedented. In addition to creating a health crisis around the world, the COVID-19 pandemic has brought about major crises in social, political and economic life. It is making disparities in wealth, access to health, employment and livelihood more visible. It has become clear to many of us that while we were all in the same storm, we were not in the same boat. Particularly impacted are the marginalised and vulnerable groups—socially disadvantaged persons, those in precarious employment and poor financial conditions, those with severe health conditions, women and children.

The Tata Trusts' country-wide initiative—One Against Covid, focuses on areas of procurement, increasing community awareness and building resilience, enhancing capacities of our healthcare professionals and improving the availability of *COVID* care facilities. This is part of a tradition that has spanned over a century, where the Tata Trusts have been working to improve the quality of life of individuals, particularly the vulnerable and marginalized.

The presence of poverty, inequality and exclusion, signposts a lack of justice and rights. Through direct interventions and partnering with civil society and the government, we support efforts in a wide range of spaces: natural resources management; education; healthcare and nutrition; rural livelihoods; civil society and governance; and media, arts, crafts and culture. A well-functioning justice system underpins the progress and is the foundation for the rule of law and development. The pandemic and the ensuing lockdowns have thrown a sharp light on the ability of the justice system as a whole to function with full efficiency and effectiveness to uphold rights and liberties.

It therefore gives me great pleasure to introduce the second edition of the India Justice Report. The India Justice Report 2020 distills through statistics the capacity of states and UTs to meet their justice delivery needs and ranks them. I am particularly grateful to Srinath N, CEO, Tata Trusts for his support to this initiative.

The report is a tool to assist policymakers and duty holders, particularly at the state level, to plug gaps in the delivery of justice. It uses government data to assess 25 states on the four 'pillars' of the formal justice system: police, prisons, judiciary and legal aid. This present report not only provides pillar and theme-wise comparisons between comparable states, 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. The data used in the report is pre-COVID, but is reflective of the historically diminished capacity of the justice system.

State governments are vital partners for the Trusts. The expectations from each government is the fulfilment of demands made by their people—better infrastructure, improved healthcare and education, access to safe drinking water, and a clean environment, among others. To this list we must add improved access to accessible and fair justice.

The report is the result of 14 months of collaborations and partnership between the Tata Trusts and Centre for Social Justice, Common Cause, Commonwealth Human Rights Initiative, DAKSH, TISS-Prayas and the Vidhi Centre for Legal Policy. It would not have been possible without the unstinting cooperation and collective knowledge that Harish Narsappa, Gagan Sethi, Prof. Vijay Raghavan, Sanjoy Hazarika, Arghya Sengupta and Vipul Mudgal brought to the table.

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Lastly, and perhaps most importantly, I would like to thank the core team who have worked tirelessly and steadfastly on this report: Maja Daruwala—Senior Advisor and Chief Editor who brought her long experience and steadfast devotion to the cause of a just society to this effort, Valay Singh, who led the work and kept it on track throughout an unprecedented time, Niyati Singh, our lead researcher whose assiduousness and meticulous eye for detail assured the quality of the report, and the ever-dependable Lakhwinder Kaur who has painstakingly and repeatedly crunched numbers on which this report relies.

Others within the Tata Trusts team who contributed to the project are Steffi Itola from the Policy and Advocacy team, and Debasis Ray, Deepshikha Surendran, Dhanishta Tiwari, Bob John and the communications team for their help in outreach and dissemination.

We hope that with this second report that we can impress upon all stakeholders the ineffable criticality of a well-functioning justice system to the progress of our democracy.

Shloka Nath
Head, Policy and Advocacy, Tata Trusts

Abbreviations

Addl. DGP	Additional Director General of Police
Addl. SP	Additional Superintendent of Police
AFSPA	Armed Forces Special Powers Act
AIGP	Assistant Inspector General of Police
AIMO	All India Manufacturers Organisation
ASI	Assistant Sub-Inspector of Police
ASP	Assistant Superintendent of Police
BPR&D	Bureau of Police Research and Development
BRICS	Brazil, Russia, India, China and South Africa
CAG	Comptroller and Auditor General of India
CCR	Case Clearance Rate
CCTNS	Crime and Criminal Tracking Network & Systems
CrPC	Code of Criminal Procedure
DGP	Director General of Police
DIG	Deputy Inspector General
DLSA	District Legal Service Authority
Dy. SP	Deputy Superintendent of Police
FY	Financial Year
HPC	High Powered Committee
IGP	Inspector General of Police
ILO	International Labour Organization
LSI	Legal Services Institution
MGNREGA	Mahatma Gandhi National Rural Employment Guarantee Act
MHA	Ministry of Home Affairs
MPF	Modernisation of State Police Forces Scheme
MSME	Ministry of Micro, Small and Medium Enterprises
NALSA	National Legal Services Authority
NCRB	National Crime Records Bureau
NJDG	National Judicial Data Grid
NPC	National Police Commission
NRC	National Register of Citizens
OBC	Other Backward Classes
PLA	Permanent Lok Adalat
PLV	Paralegal Volunteer
PP	Percentage Points
PSI	Prison Statistics India
RTI	Right to Information
SC	Scheduled Caste
SI	Sub-Inspector
SLSA	State Legal Services Authority
SP	Superintendent of Police
Spl. DGP	Special Director General of Police
SSP	Senior Superintendent of Police
ST	Scheduled Tribe
UT	Union Territory
UTP	Undertrial Prisoner
UTRC	Under Trial Review Committees

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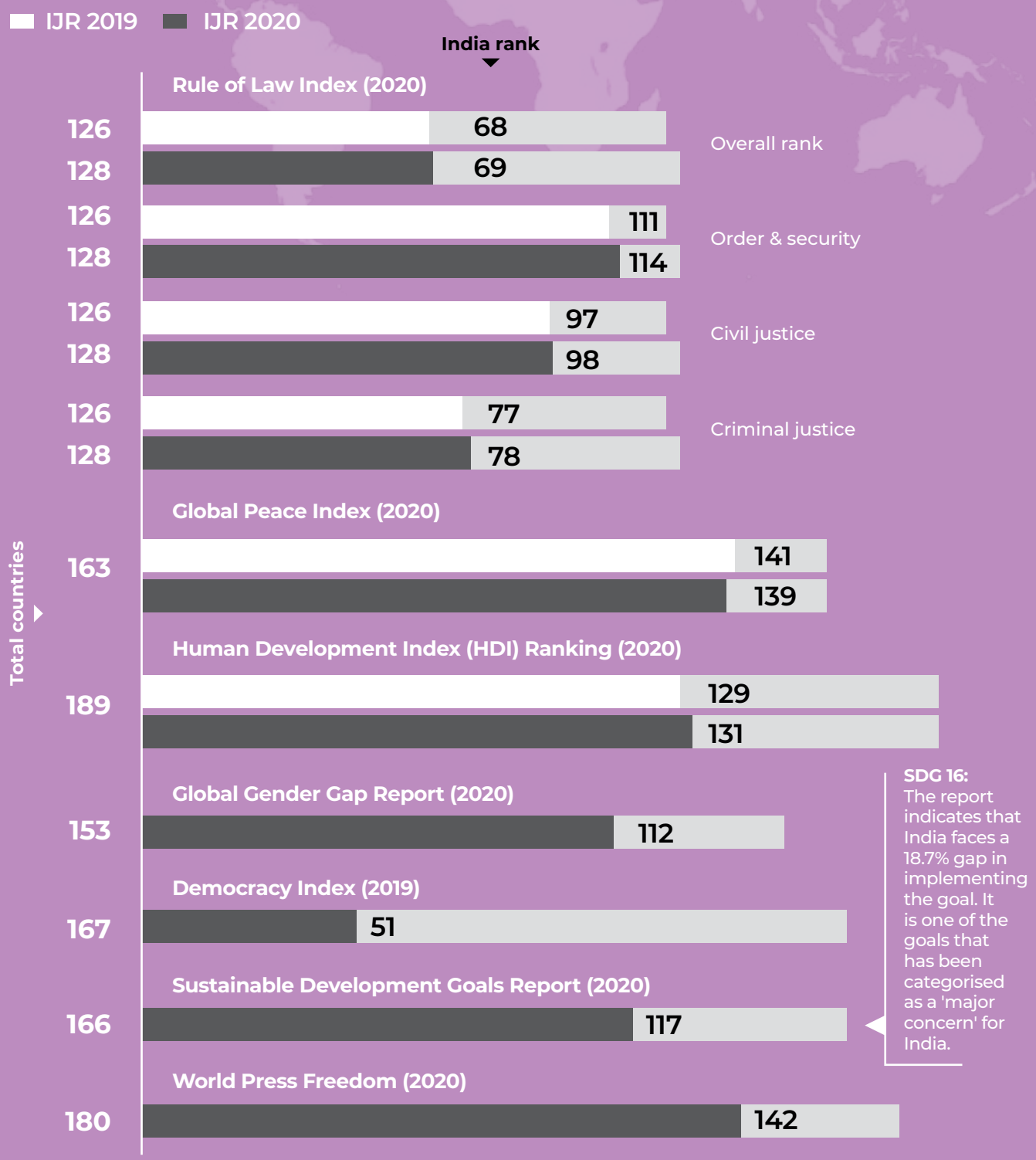
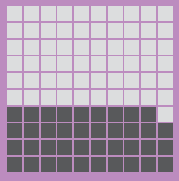
India in the World

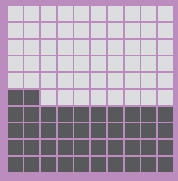


SDG 16: The report indicates that India faces a 18.7% gap in implementing the goal. It is one of the goals that has been categorised as a 'major concern' for India.

Global Corruption Barometer-Asia



39%
India has the highest overall bribery rate in Asia



42%
of people who had contact with the police and paid a bribe in the last 12 months

Introduction

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, five[1] 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 country[2], 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 Paramvir[3] 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 accessibility[4] , 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

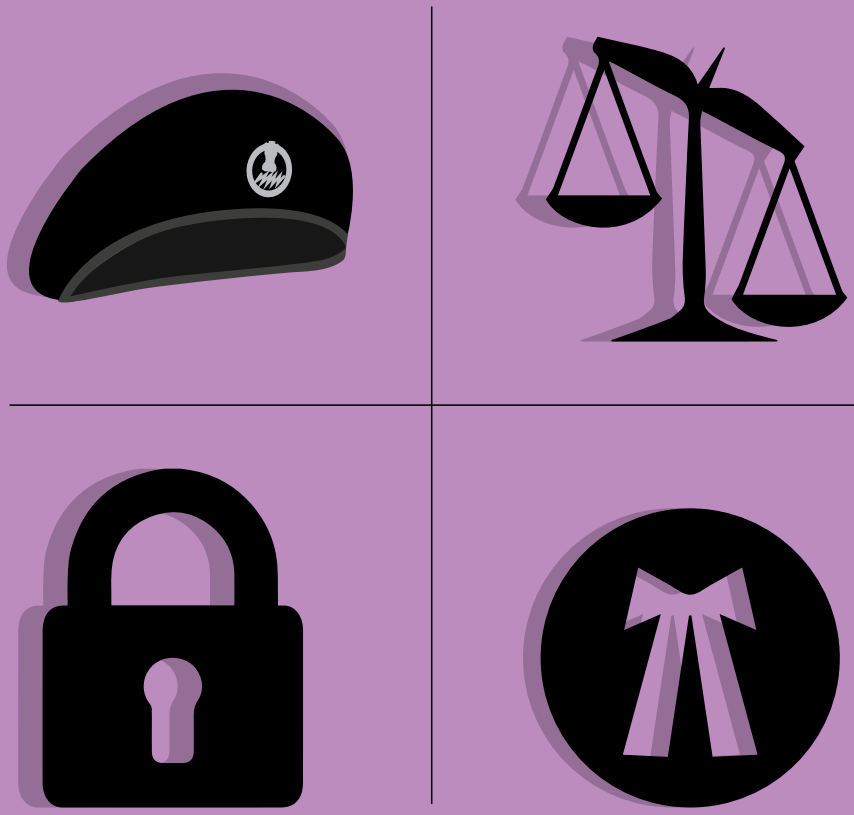
1 Karnataka, Kerala, Rajasthan, Tamil Nadu, West Bengal
2 BPR&D (Jan 2020).
3 Paramvir Singh Saini Vs Baljit Singh [Slp (Criminal) No. 3543 of 2020]. Available at: https://www.livelaw.in/top-stories/cctv-camera-every-police-station-supreme-court-directives-166709
4 Including the availability of the portal 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.

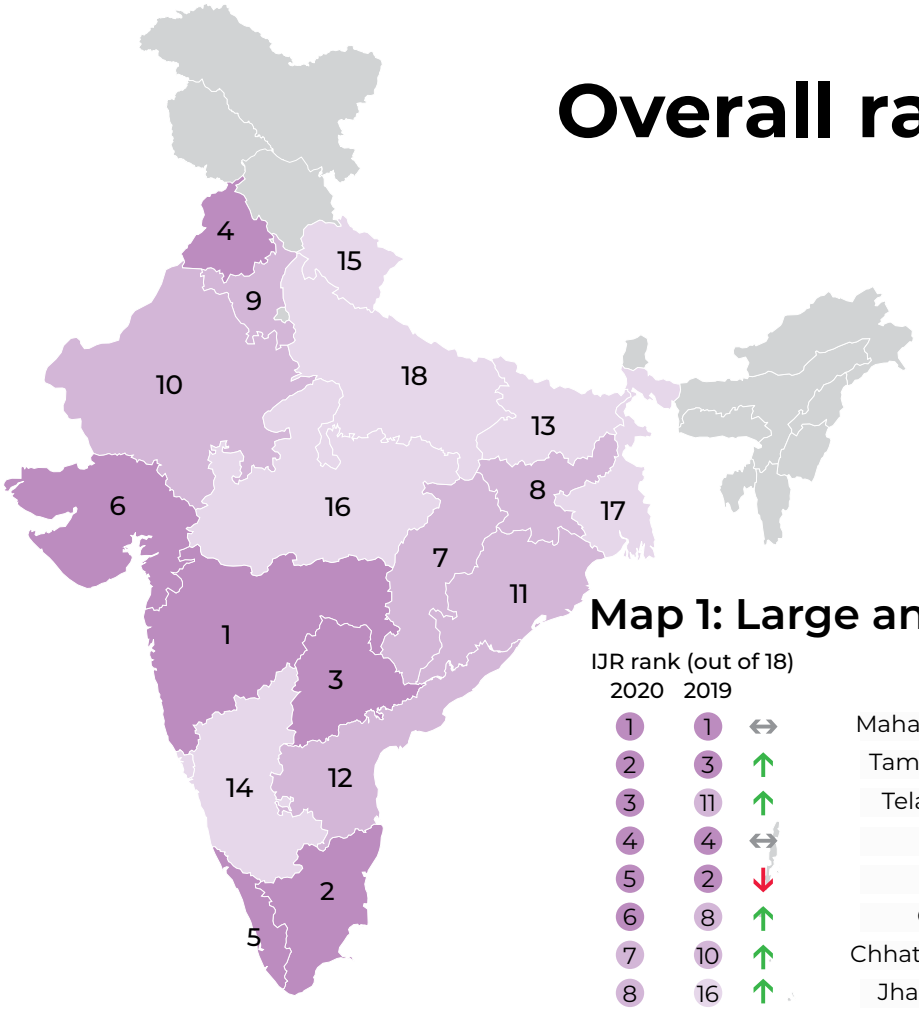
With old certainties shattered, the hope for a brighter future will be anchored in the decisions of today. For the edifice of rule of law to remain unscarred by the consequences of the past, access to justice—easy, efficient and every day—cannot pause for natural calamity but be the antidote that reduces 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



Findings

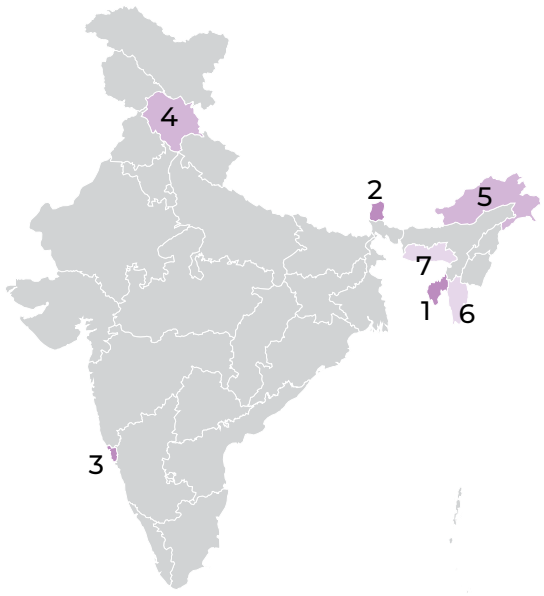
Overall ranking *



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

Map 1: Large and mid-sized states

IJR rank (out of 18) 2020	2019		State	Score (out of 10)
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) 2020	2019		State	Score (out of 10)
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

Ranks 1 to 6 | Ranks 7 to 12 | Ranks 13 to 18

	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
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

Ranks 1 to 3 | Ranks 4 to 5 | Ranks 6 to 7

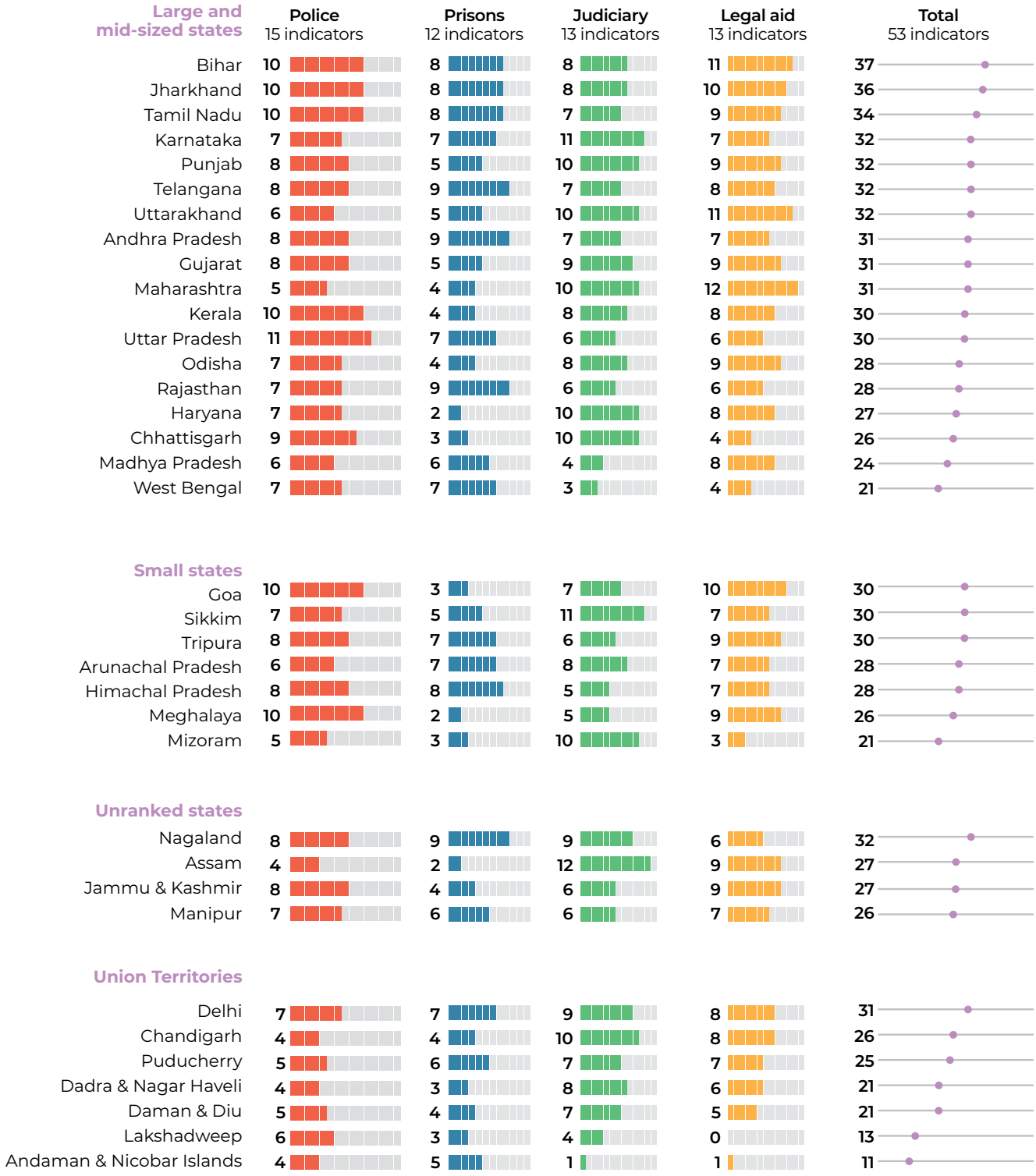
	Overall rank (out of 7)			IJR 2020 pillar ranks (out of 7)				IJR 2020 scores (out of 10)				
	IJR 2020	IJR 2019		Police	Prisons	Judiciary	Legal aid	Overall	Police	Prisons	Judiciary	Legal aid
Tripura	1	7	↑	5	2	6	2	4.57	3.95	4.80	4.80	4.82
Sikkim	2	2	↔	1	6	1	3	4.48	4.89	3.45	5.84	4.10
Goa	3	1	↓	7	4	4	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)

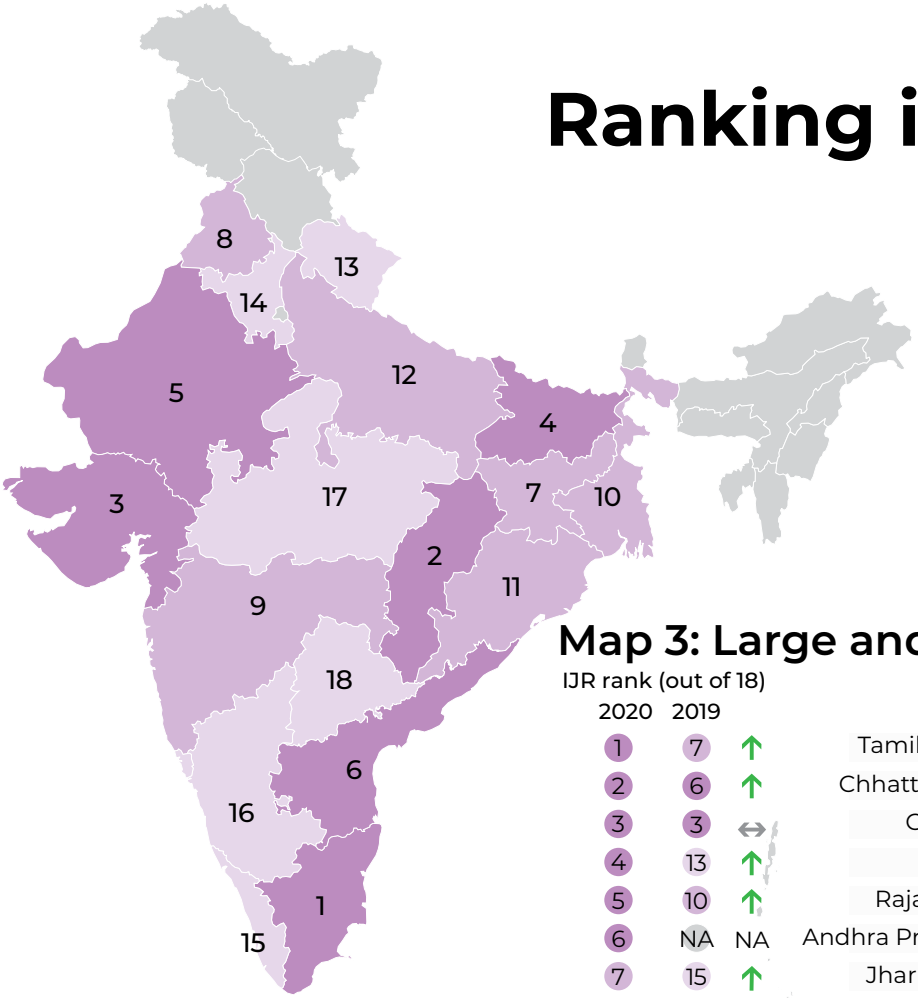
Figure 1: The improvement scorecard between IJR 2019 and IJR 2020

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.

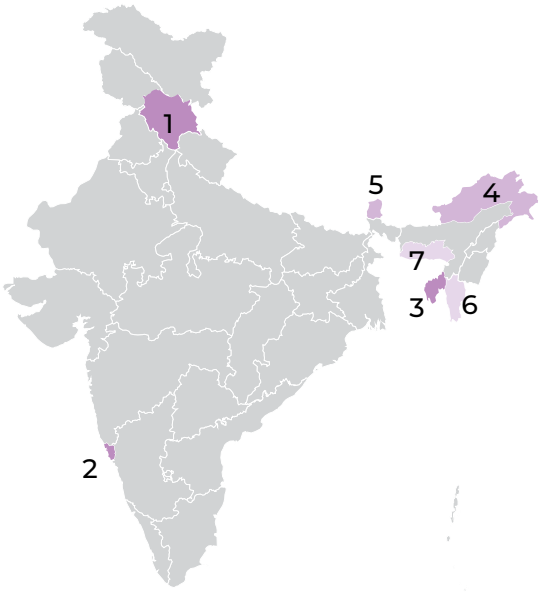
Ranking intention*



* What the trends show based on 5-year data for 23 indicators across police, prisons and judiciary. Indicators listed on Page 15.

Map 3: Large and mid-sized states

IJR rank (out of 18) 2020	2019		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

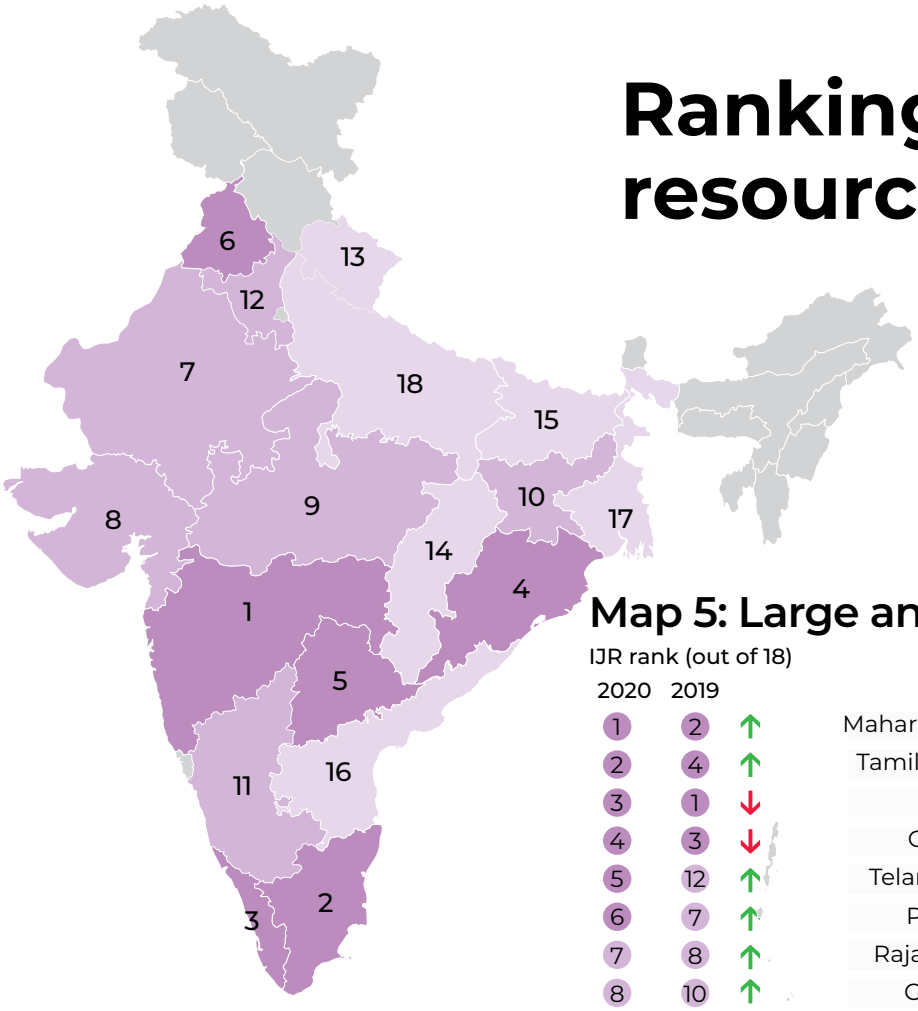


Map 4: Small states

IJR rank (out of 7) 2020	2019		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*

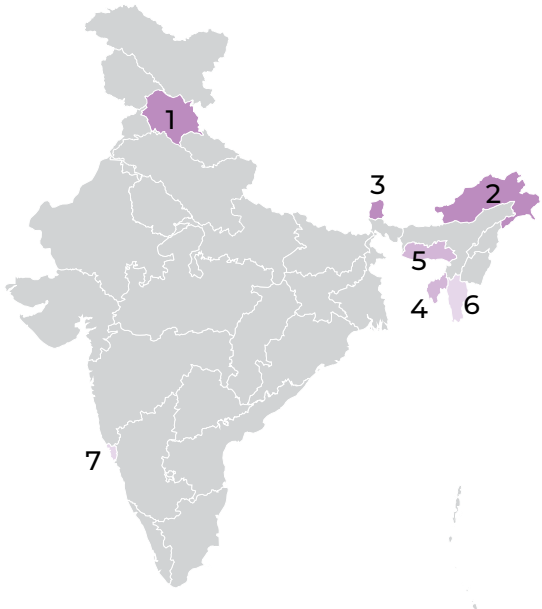


* How do the police, prisons, judiciary and legal aid score on 18 indicators? Indicators listed on Page 15.

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.

Vacancies

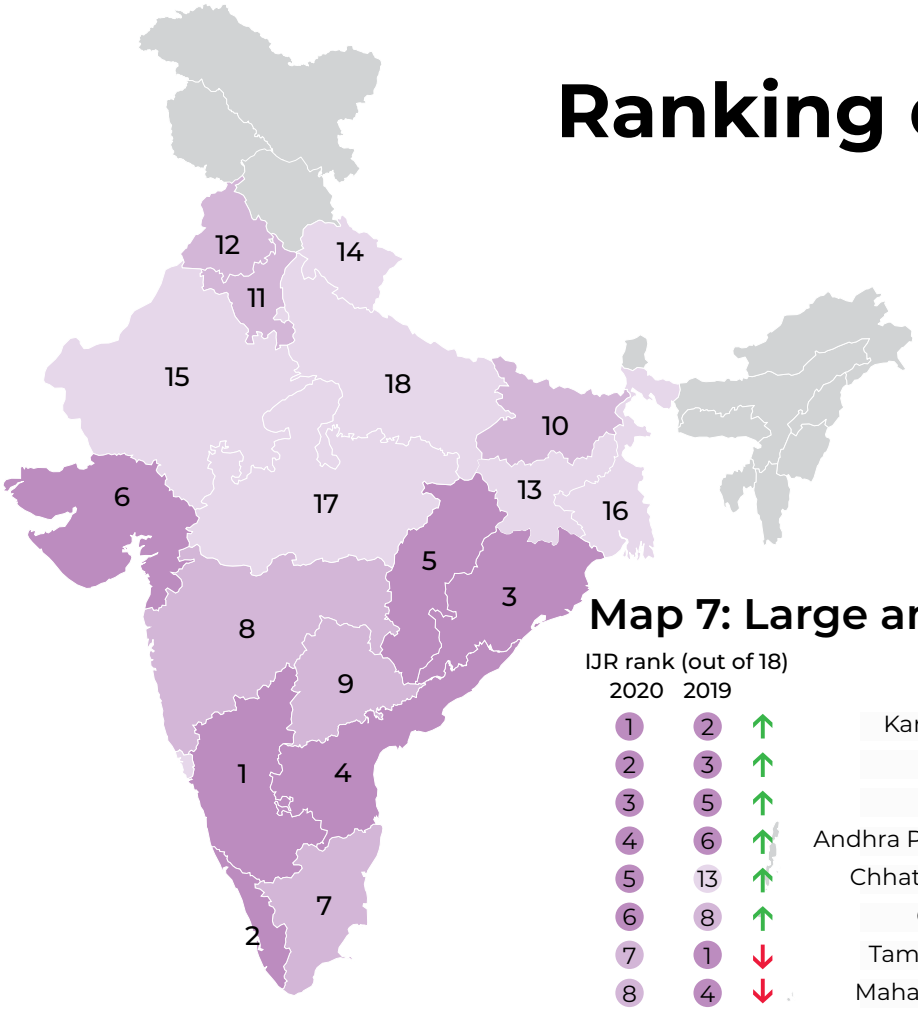
- Below 10%
- 11% - 20%
- 21% - 40%
- Above 40%

	Police		Prisons		Judiciary			Legal aid	Change over IJR 2019							
	Constables	Officers	Officers	Cadre staff	High Court judges	Subordinate court judges	High Court staff	DLSA secretaries								
Large and mid-sized states	1	2	3	4	5	6	7	8	1	2	3	4	5	6	7	8
Andhra Pradesh	18	12	33	24	70	5	56	8	●	●	●	●	●	●	●	●
Bihar	27	49	66	36	45	35	26	0	●	●	●	●	●	●	●	○
Chhattisgarh	18	23	68	20	31	14	40	48	●	●	●	●	●	●	●	●
Gujarat	21	23	42	25	47	24	22	24	●	●	●	●	●	●	●	●
Haryana	28	23	41	28	39	25	20	36	●	●	●	●	●	●	●	●
Jharkhand	22	25	65	64	26	32	19	0	●	●	●	●	●	●	●	○
Karnataka	15	19	8	30	50	16	14	0	●	●	●	●	●	●	●	○
Kerala	7	18	9	30	23	13	7	0	●	●	●	●	●	●	●	●
Madhya Pradesh	19	49	36	10	35	26	12	2	●	●	●	●	●	●	●	●
Maharashtra	9	22	27	7	26	2	12	0	●	●	●	●	●	●	●	○
Odisha	6	29	45	9	46	20	31	0	●	●	●	●	●	●	●	○
Punjab	7	19	41	29	39	19	20	5	●	●	●	●	●	●	●	●
Rajasthan	10	37	40	17	46	16	32	3	●	●	●	●	●	●	●	●
Tamil Nadu	9	15	9	13	18	22	35	0	●	●	●	●	●	●	●	●
Telangana	40	14	1	16	46	16	-9	18	●	●	●	●	●	●	●	○
Uttar Pradesh	24	40	43	53	38	38	21	0	●	●	●	●	●	●	●	●
Uttarakhand	3	9	75	32	25	21	32	0	●	●	●	●	●	●	●	○
West Bengal	40	28	14	28	48	7	40	9	●	●	●	●	●	●	●	●
Small states																
Arunachal Pradesh	22	33	38	2	24	23	7	100	●	●	●	●	●	●	●	○
Goa	4	31	15	24	26	18	12	0	●	●	●	●	●	●	●	○
Himachal Pradesh	5	14	21	12	38	8	9	0	●	●	●	●	●	●	●	○
Meghalaya	12	9	16	21	44	60	16	55	●	●	○	●	●	●	●	●
Mizoram	30	18	43	27	24	28	7	100	●	●	●	●	●	●	●	○
Sikkim	16	-22	31	56	8	17	11	100	●	●	●	●	●	●	●	○
Tripura	21	36	33	38	25	30	22	25	●	●	●	●	●	●	●	●

Improved ● Declined ● No change

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

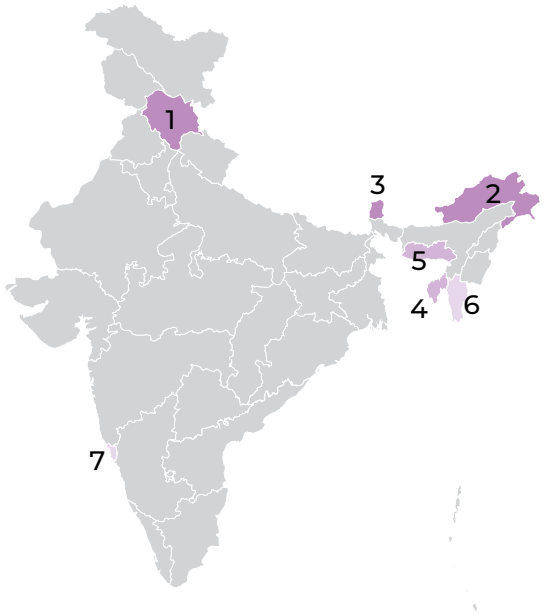
Ranking diversity*



* How do the police, prisons, judiciary and legal aid score on 13 indicators? Indicators listed on Page 15.

Map 7: Large and mid-sized states

IJR rank (out of 18) 2020	2019		State	Score (out of 10)
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) 2020	2019		State	Score (out of 10)
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

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)

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.

Share of women %

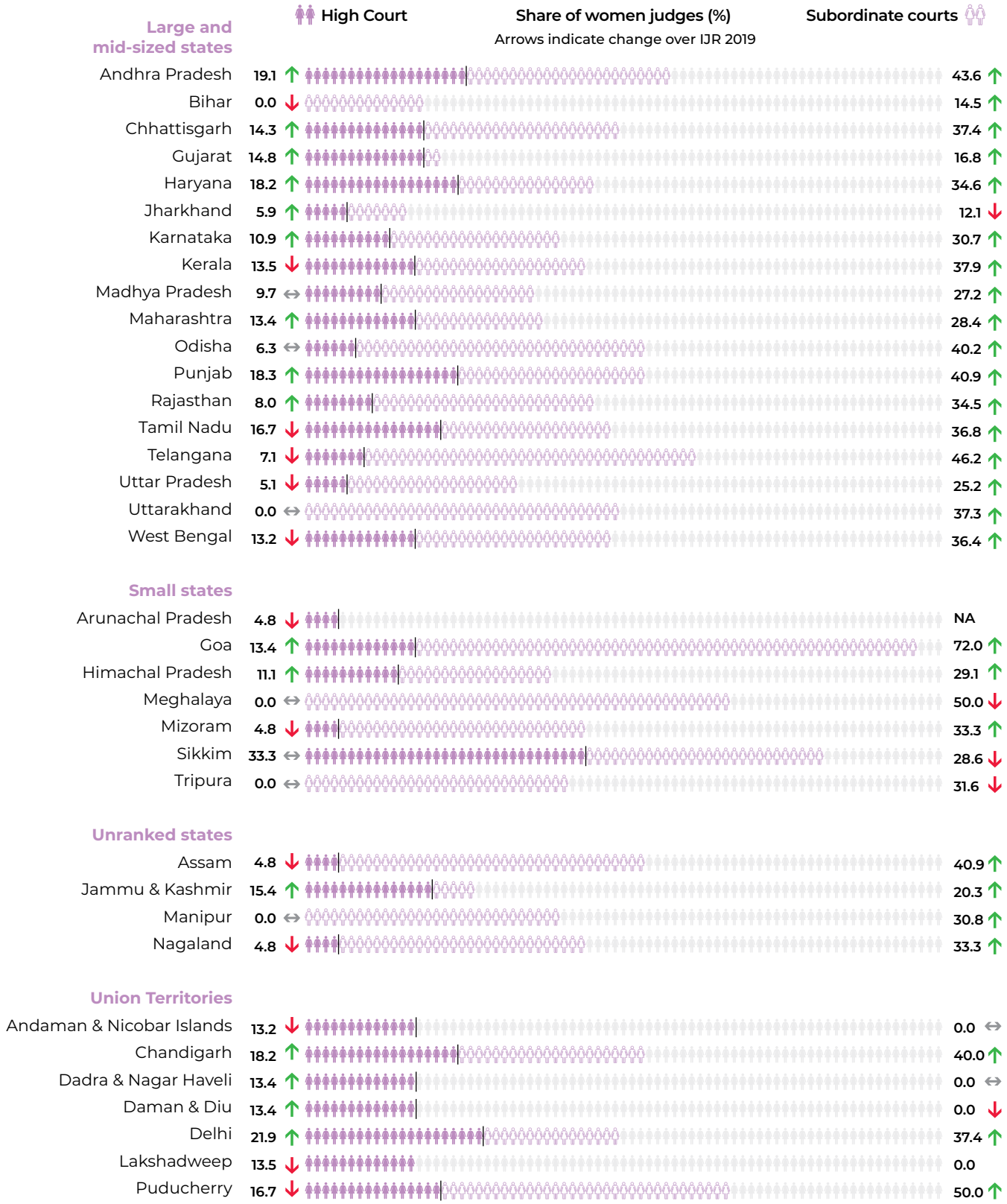
- Above 33%
- 20% to 33%
- 10% to 20%
- Below 10%

	Police		Prisons	Judiciary		Legal aid		Change over IJR 2019						
	Overall	Officers	Overall	High Court judges	Subordinate court judges	Panel lawyers	Para legal volunteers	1	2	3	4	5	6	7
Large and mid-sized states	1	2	3	4	5	6	7							
Andhra Pradesh	5.8	5.2	7.8	19.0	43.6	16.4	39.1	●	●	●	●	●	●	●
Bihar	25.3	6.1	19.0	0.0	14.5	19.6	23.8	●	●	●	●	●	●	●
Chhattisgarh	7.1	9.0	10.8	14.3	37.4	14.0	26.1	●	●	●	●	●	●	●
Gujarat	11.7	9.0	6.2	14.8	16.8	21.9	37.3	●	●	●	●	●	●	●
Haryana	8.3	9.9	6.1	18.2	34.6	19.7	41.4	●	●	●	●	●	●	●
Jharkhand	7.1	3.4	10.5	5.9	12.1	13.0	26.5	●	●	●	●	●	●	●
Karnataka	8.3	6.9	26.2	10.9	30.7	28.3	48.4	●	●	●	●	●	●	●
Kerala	7.2	2.4	15.0	13.5	37.9	40.4	65.7	●	●	●	●	●	○	○
Madhya Pradesh	6.0	10.6	18.7	9.7	27.2	8.9	41.0	●	●	●	○	●	●	●
Maharashtra	12.5	5.1	15.0	13.4	28.4	27.0	47.5	●	●	●	●	●	●	●
Odisha	10.0	11.2	12.3	6.3	40.2	13.7	46.7	●	●	●	○	●	●	●
Punjab	8.5	5.8	6.8	18.2	40.9	15.6	31.0	●	●	●	●	●	●	●
Rajasthan	9.8	5.9	19.8	8.0	34.5	8.1	22.5	●	●	●	●	●	●	●
Tamil Nadu	18.5	24.8	12.5	16.7	36.8	14.6	25.5	●	●	●	●	●	●	●
Telangana	5.1	3.9	6.5	7.1	46.2	19.4	24.6	●	●	●	●	●	●	●
Uttar Pradesh	9.6	3.8	6.0	5.1	25.2	7.2	22.1	●	●	●	●	●	●	●
Uttarakhand	12.2	18.4	3.3	0.0	37.3	16.4	42.9	●	●	●	○	●	●	●
West Bengal	9.7	4.6	8.6	13.2	36.4	18.8	18.0	●	●	●	●	●	●	●
Small states														
Arunachal Pradesh	8.7	5.6	17.8	4.8	NA	18.9	42.5	●	●	●	●		●	●
Goa	10.6	13.4	1.6	13.4	72.0	48.1	72.5	●	●	●	●	●	●	●
Himachal Pradesh	19.2	4.9	9.0	11.1	29.1	20.3	25.0	●	●	●	●	●	●	●
Meghalaya	4.7	6.9	16.5	0.0	50.0	54.9	21.1	●	●	●	○	●	●	●
Mizoram	7.2	20.1	25.6	4.8	33.3	40.3	32.9	●	●	●	●	●	●	●
Sikkim	8.1	6.0	21.4	33.3	28.6	38.6	46.7	●	●	●	○	●	●	●
Tripura	5.1	6.6	7.9	0.0	31.6	28.1	28.9	●	●	●	○	●	●	●

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: The Glass Ceiling in Indian Courts

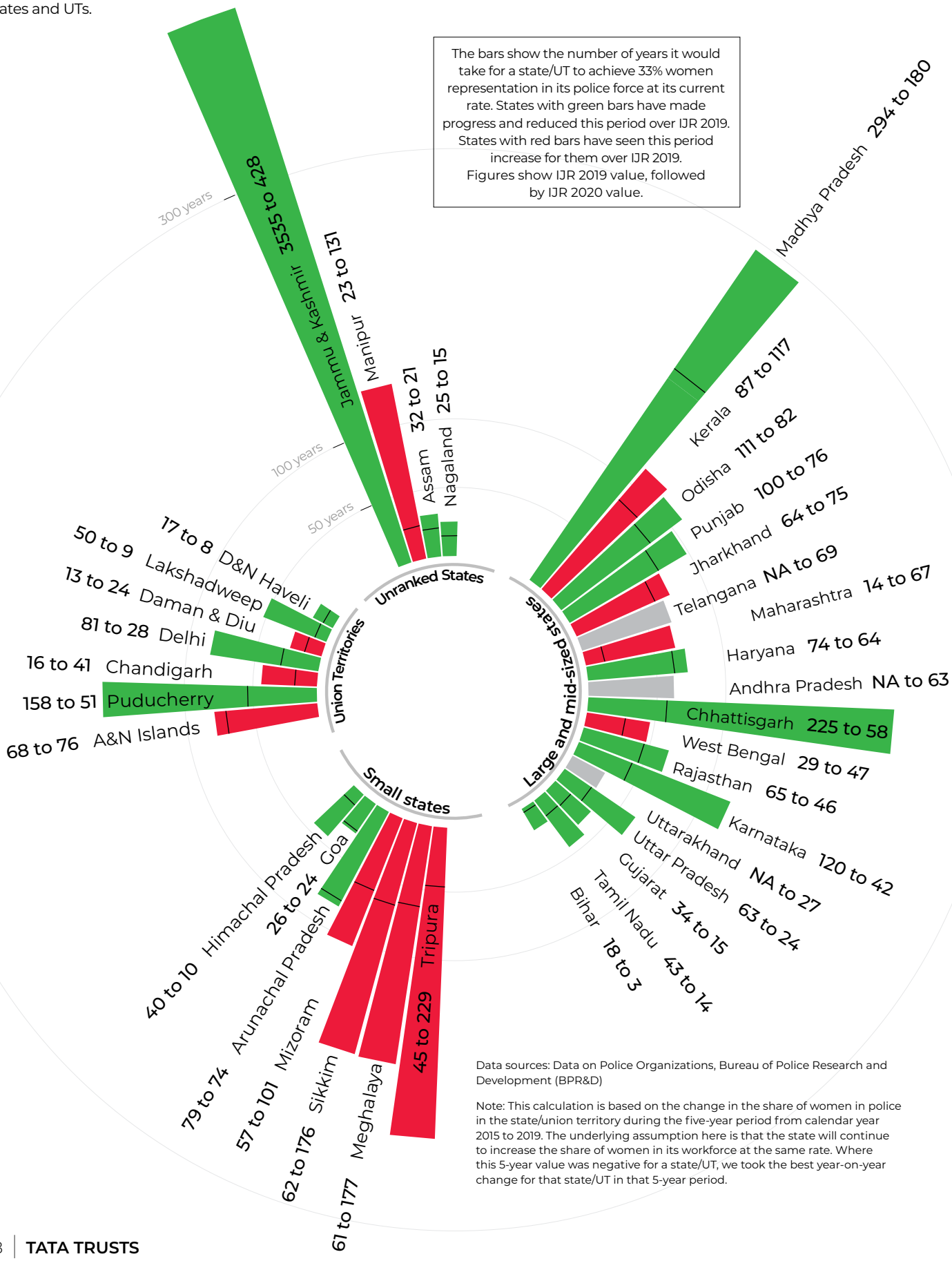
In 27 states and Union Territories, the share of women judges in subordinate courts has improved. However, in High Courts, the increase is seen less, and the glass ceiling remains.



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 Puducherry; West Bengal and Andaman & Nicobar Islands.

Figure 5: 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.

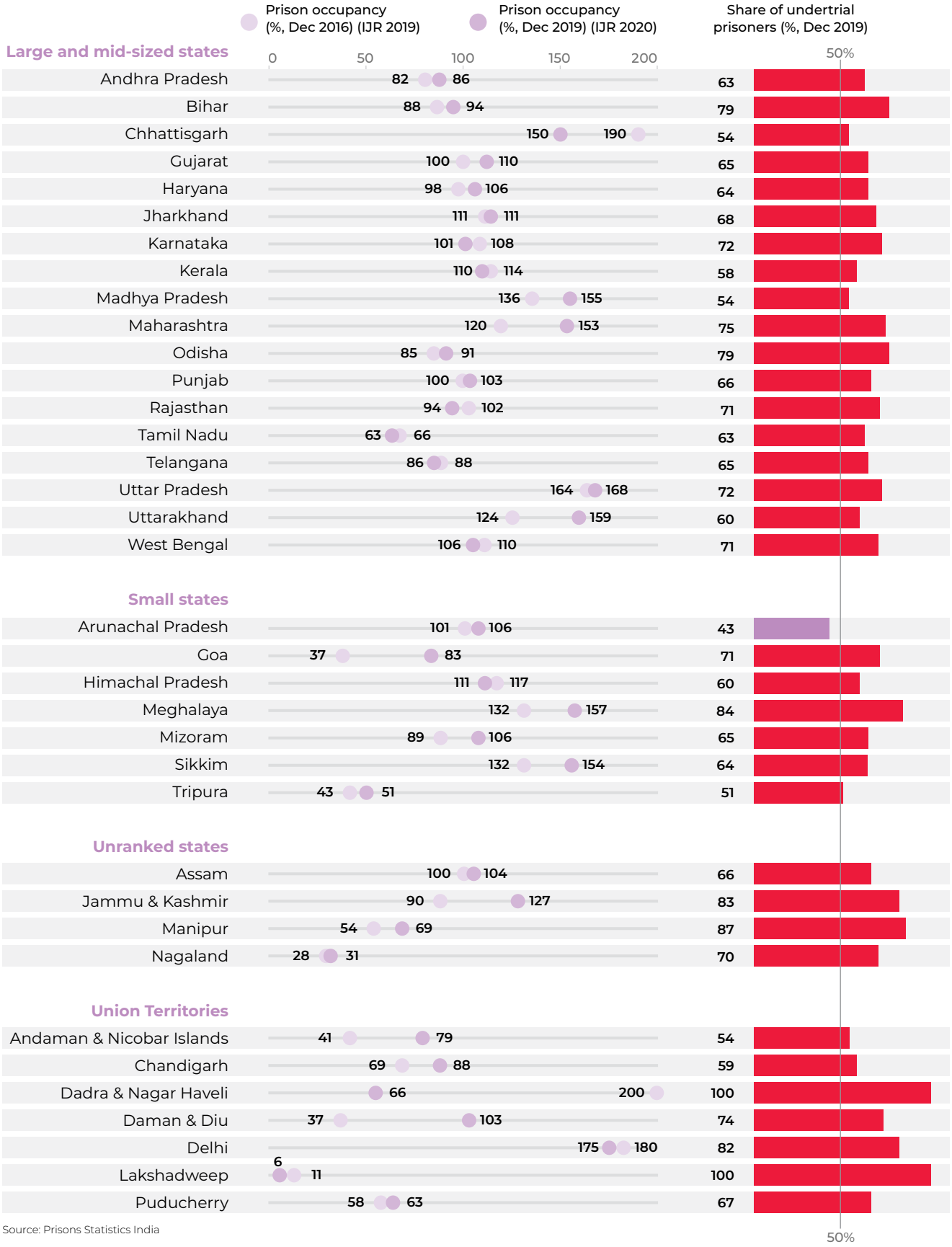


Data sources: Data on Police Organizations, Bureau of Police Research and Development (BPR&D)

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 6: 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 7: 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

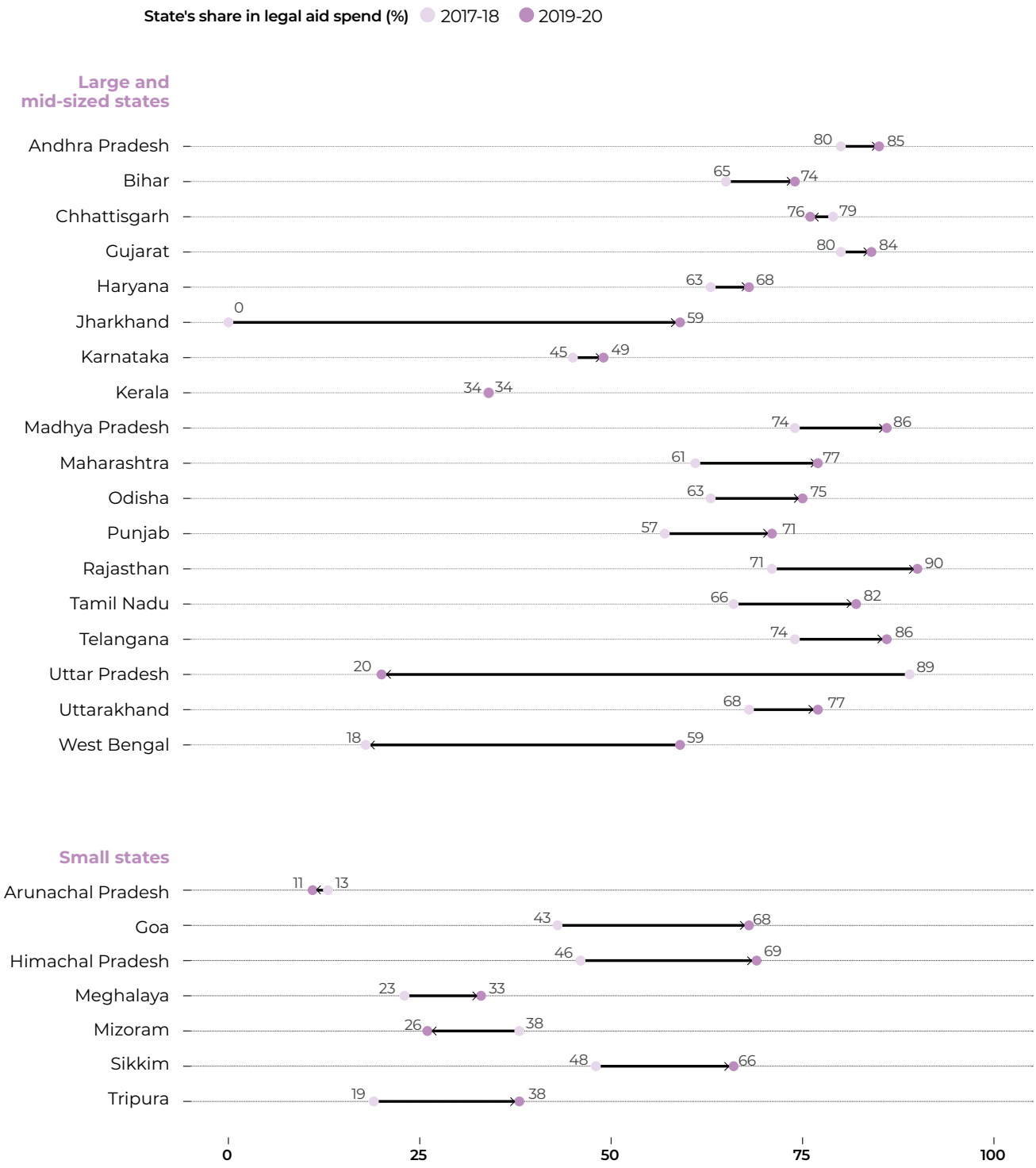
Large and mid-sized states	Average difference in spend: pillar vs state (percentage points, FY '14-'18)			Performance in IJR 2019		
	Police	Prisons	Judiciary	Police	Prisons	Judiciary
Bihar	-3.63	2.23	-6.54	↓	↑	↓
Chhattisgarh	-1.79	-1.68	-0.30	↓	↑	↓
Gujarat	1.53	-2.43	3.96	↓	↓	↓
Haryana	0.17	-1.12	-0.93	↓	↓	↓
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	Police	Prisons	Judiciary	Police	Prisons	Judiciary
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 8: 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.

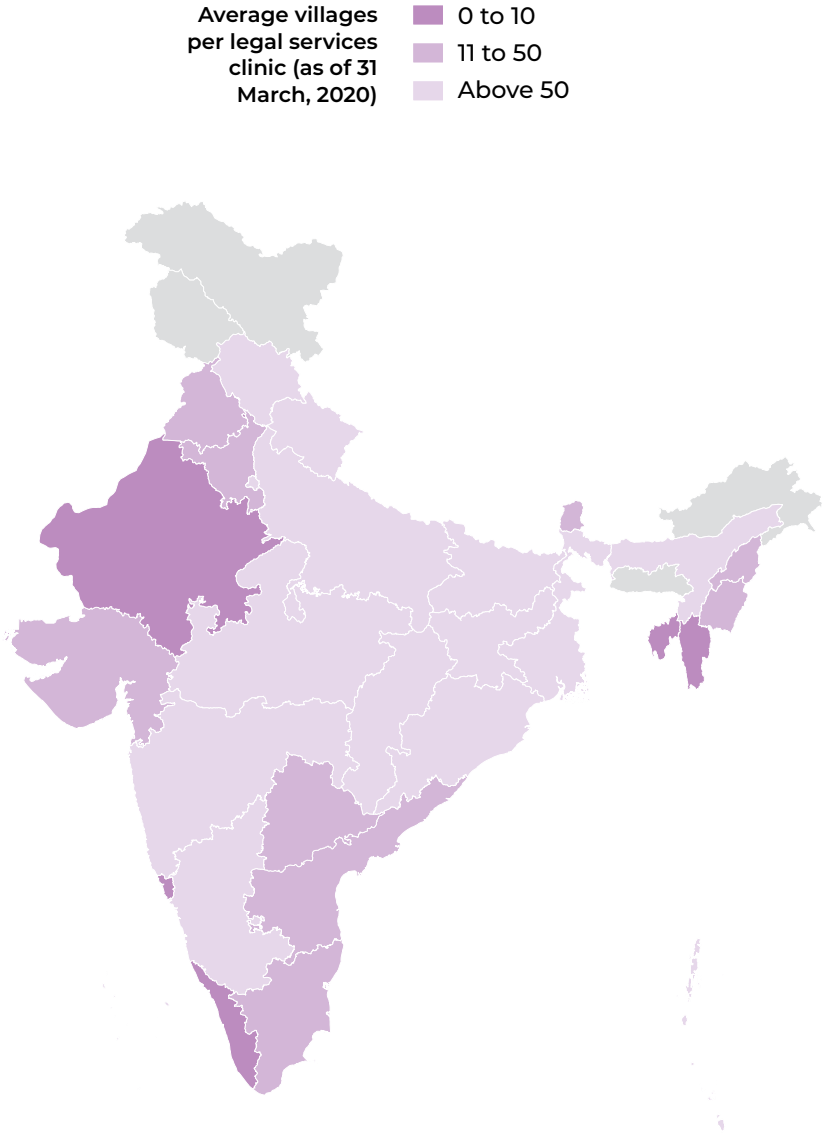


Note: Data for Kerala is from IJR 2019, as it did not share updated data with NALSA.
Source: National Legal Services Authority (NALSA)

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.

	Average villages per legal services clinic (as of 31 March, 2020)	Change over IJR 2019
Chandigarh	0.2	↑
Puducherry	1.5	↑
Daman & Diu	2.1	↑
Kerala	2.2	↑
Tripura	2.2	↑
Mizoram	4.9	↑
D&N Haveli	5.0	↑
Goa	6.5	↓
Rajasthan	6.6	↓
Nagaland	15.7	↔
Haryana	20.6	↑
Manipur	23.7	↑
Tamil Nadu	27.1	↑
Andhra Pradesh	35.0	↔
Punjab	35.3	↑
Sikkim	35.4	↑
Gujarat	39.0	↓
Telangana	40.8	↓
Jammu & Kashmir	43.1	↑
Meghalaya	47.8	↑
West Bengal	50.6	↑
Jharkhand	57.5	↑
Uttarakhand	89.5	↑
Chhattisgarh	90.2	↓
Maharashtra	94.8	↑
Madhya Pradesh	98.7	↓
Assam	147.5	↑
Karnataka	180.2	↑
Bihar	210.1	↑
Himachal Pradesh	223.5	↓
Odisha	301.8	↓
Uttar Pradesh	520.3	↑



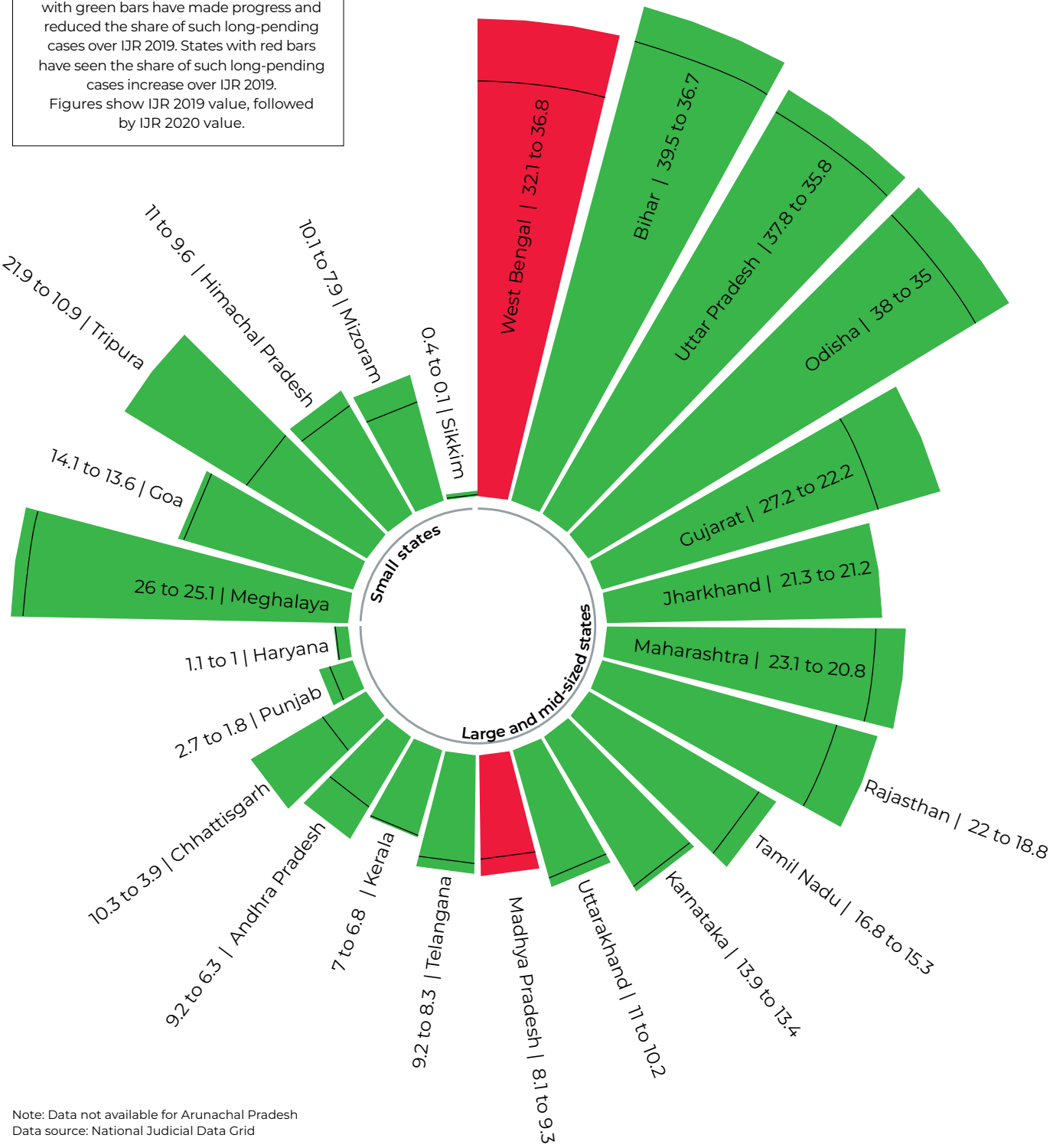
In Uttar Pradesh, a legal service clinic serviced, on average, as many as 520 villages. In Odisha, 302 villages.

Note: Andaman & Nicobar Islands, Arunachal Pradesh, Delhi and Lakshadweep have villages but no legal service clinics in villages. Source: National Legal Services Authority, Census 2011

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%

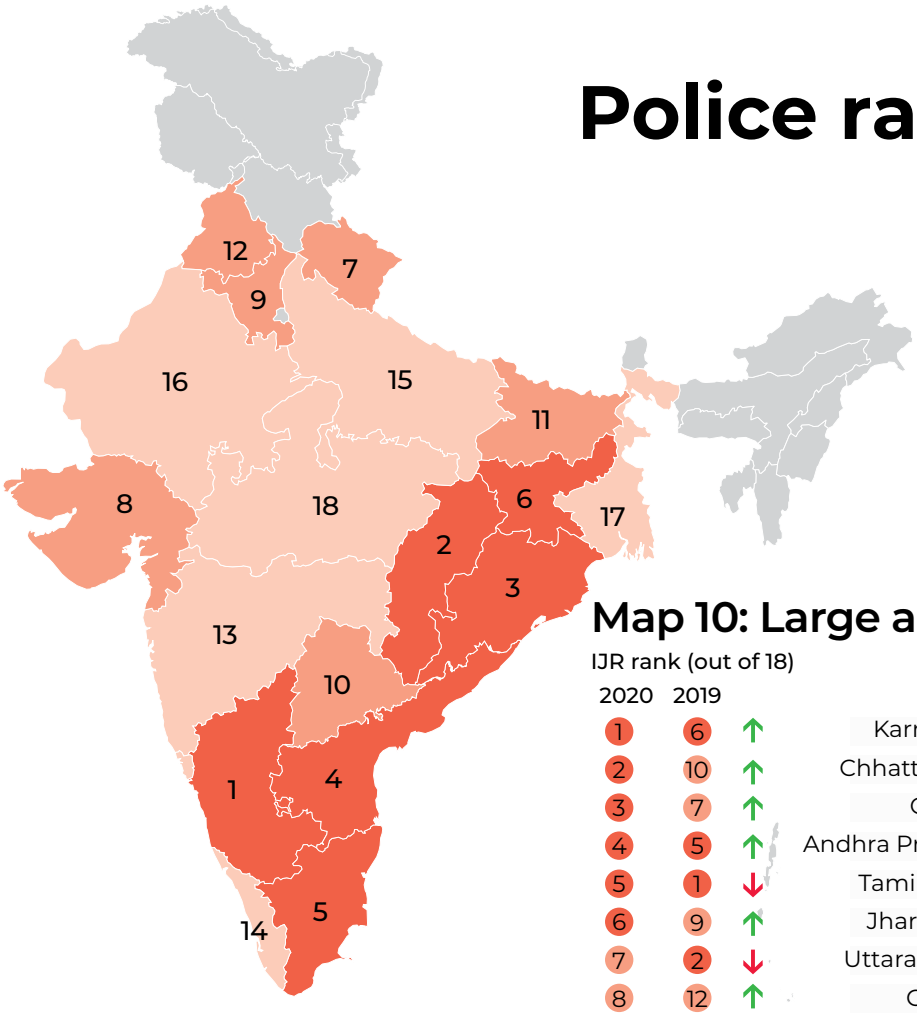
The bars show the share of cases pending in subordinate courts for over 5 years. States with green bars have made progress and reduced the share of such long-pending cases over IJR 2019. States with red bars have seen the share of such long-pending cases increase over IJR 2019. Figures show IJR 2019 value, followed by IJR 2020 value.



Note: Data not available for Arunachal Pradesh
Data source: National Judicial Data Grid

Police

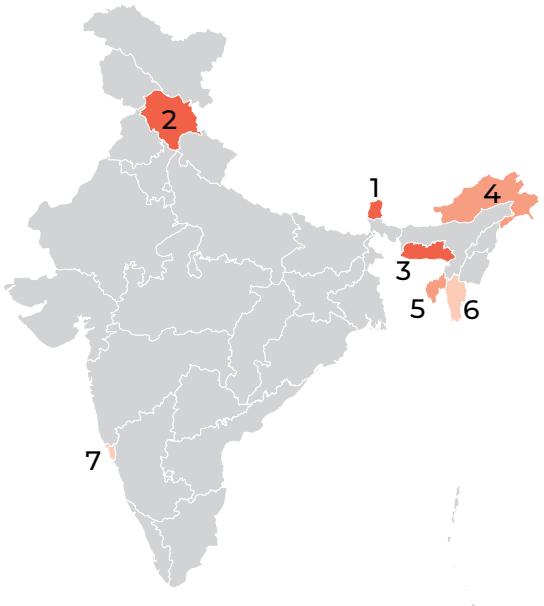
Police ranking



Map 10: Large and mid-sized states

IJR rank (out of 18)

2020	2019		State	Score (out of 10)
1	6	↑	Karnataka	5.71
2	10	↑	Chhattisgarh	5.63
3	7	↑	Odisha	5.59
4	5	↑	Andhra Pradesh	5.43
5	1	↓	Tamil Nadu	5.40
6	9	↑	Jharkhand	5.36
7	2	↓	Uttarakhand	5.30
8	12	↑	Gujarat	5.14
9	8	↓	Haryana	4.99
10	11	↑	Telangana	4.89
11	14	↑	Bihar	4.73
12	3	↓	Punjab	4.72
13	4	↓	Maharashtra	4.62
14	13	↓	Kerala	3.89
15	18	↑	Uttar Pradesh	3.80
16	17	↑	Rajasthan	3.75
17	16	↓	West Bengal	3.75
18	15	↓	Madhya Pradesh	3.17



Map 11: Small states

Rank (out of 7)

2020	2019		State	Score (out of 10)
1	1	↔	Sikkim	4.89
2	6	↑	Himachal Pradesh	4.51
3	5	↑	Meghalaya	4.03
4	2	↓	Arunachal Pradesh	3.96
5	4	↓	Tripura	3.95
6	7	↑	Mizoram	3.92
7	3	↓	Goa	3.90

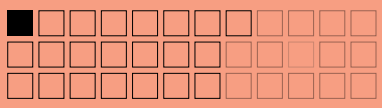
Note: For reasons of readability, the score is shown up to 2 decimals. While 2 or more states may show the same score in the table, one is ranked higher on the third decimal. Thus, Rajasthan is ranked above West Bengal (3.753 versus 3.748).

The Capacity Deficits

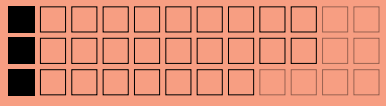
Meeting Data available

Modernization

IJR 2019: 1 / 22



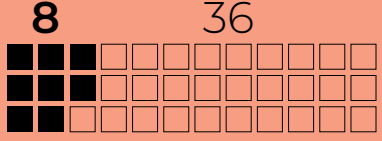
IJR 2020: 3 / 29



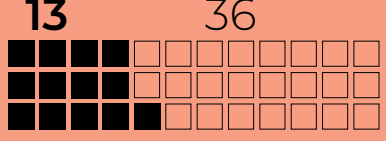
Number of states and Union Territories that fully utilised their police modernisation fund.

Women staff

8 / 36



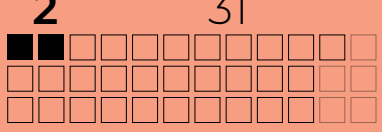
13 / 36



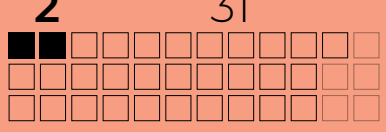
Number of states and Union Territories where women account for more than 10% of the police force.

Reservation

2 / 31



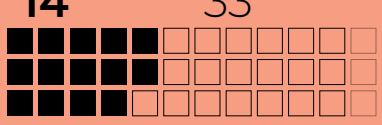
2 / 31



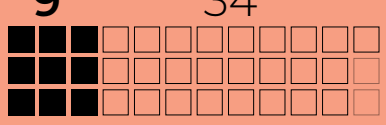
Number of states and Union Territories that have met at least 80% of their declared quotas.

Budgets

14 / 33



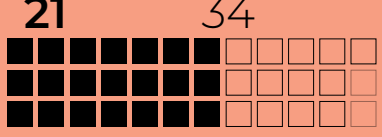
9 / 34



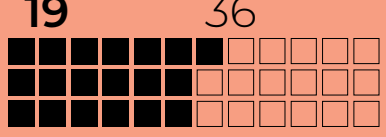
Number of states and Union Territories whose police expenditure grew more than their state expenditure, over 5 years

Filling vacancies

21 / 34

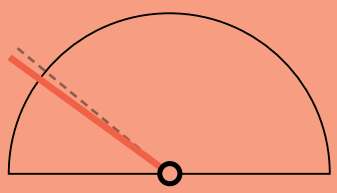


19 / 36



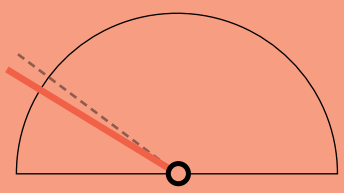
Number of states and Union Territories that have reduced constable vacancies, over 5 years.

The vacancies



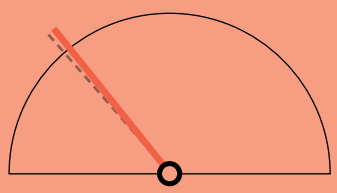
IJR 2019 22% ↓ IJR 2020 20%

Total police force



IJR 2019 21% ↓ IJR 2020 18%

Constables



IJR 2019 28% ↑ IJR 2020 29%

Officers

Police: Investigating Capacity

Police, often the first points of entry into the criminal justice system has in recent times assumed a much larger role. From custodians of law and order to one of the frontline service providers during the pandemic, the police's role has been far-reaching. The India Justice Report 2020, as in the previous year's report assesses capacities of state police forces based on indicators such as the structural availability of resources, staff, diversity, budget allocation and usage, to name just a few. By and large, we see that rising vacancies, inadequate diversity and poor accessibility continue to plague the structures that support policing capacity.[1]

Andhra Pradesh (fifth to fourth) and Tamil Nadu (first to fifth) were the only large and mid-sized states to have remained in the top five. In major shifts, Karnataka and Chhattisgarh jumped five and eight spots respectively to come in first and second followed by Odisha (seventh to third).

Punjab (third to twelfth) and Maharashtra (fourth to thirteenth) saw the largest upsets, mainly due to poor utilization of the Modernisation Fund, and five year trends in which officer and constable vacancies increased, and the increase in average spend on police trailed the increase in the overall state spend. Among the seven small states, Sikkim retained first position, followed by Himachal Pradesh and Meghalaya. Goa, with its low diversity in personnel and relatively poor coverage of police stations in urban areas dropped four spots to last place. States that started out from low baseline indicators benefitted considerably through small improvements in just one or two indicators. Illustratively, Uttar Pradesh jumped from eighteenth to fifteenth place, aided by a significant reduction in vacancies between 2017 and 2020. Its vacancies went down from 53 per cent to 24 per cent for constables and from 63 per cent to 40 per cent for officers.

Human Resources

Human resources covers three aspects as a measure of police capacity: available police strength measured against sanctioned strength assess existing vacancies; the availability of training institutes against the sanctioned police strength as an indicator of training capacity; and the police to population ratio assesses police strength against the population. Taken together, the picture that emerges is a police that remains understaffed, insufficient in numbers against the population and inadequately trained.

Number of personnel: Each state fixes its sanctioned police strength (from Dy. SP to constable) based on budget availability, population, area coverage and crime incidence, among other factors. At the start of 2020, vacancy at the national level stood at 20 per cent, reflecting a drop of 2 percentage points since 2017. This improvement, however, is concentrated at the constabulary level.

Officers: It remains a concern that nationally, about one in three officers[2]—tasked with investigation, supervision and planning—are missing from the

NOTE: This report concerns itself with the civil police (which includes the district armed reserve) that is primarily tasked with the core police work of law enforcement, protection of life and property, and crime registration and investigation.

1 Data comparisons are between BPRD (January 2017) (as referred to in IJR 2019) and BPRD (January 2020) (as referred to in IJR 2020)

2 Officers include the ranks of DGP/ Spl. DGP, Addl. DGP, IGP, DIG, AIGP/ SSP/ SP/ Commandant, Addl. SP/ Dy. Commandant, ASP/ Dy. SP, Inspector, SI and ASI

police. In more than half of all states/UTs, the vacancies amongst officers have in fact increased significantly, with Madhya Pradesh (19 per cent to 49 per cent), Jammu and Kashmir[3] (14 per cent to 34 per cent) and Arunachal Pradesh (18 per cent to 33 per cent), showing the largest jumps over three years. Bihar and Madhya Pradesh, with one out of every two officer posts unfilled have the most vacancies. At the other end of the spectrum, Sikkim has 22 per cent more officers than its sanctioned strength. Eleven states/UTs[4] are functioning with an officer vacancy of 30 per cent or more. In other words, in eleven states/ UTs, the police force is working with less than two-thirds of its sanctioned staff. Only seven states/UTs[5] work with vacancies below 10 per cent.

Over the five years between 2015–19, seventeen states/UTs show a trend of increasing vacancy at the level of supervisory staff. Five out of seven small states similarly display a steadily increasing trend in vacancies.

Constabulary (Constable and Head Constable ranks): As of 2020, approximately one out of every five constable posts remains vacant nationally. Telangana and West Bengal have the highest vacancy at 40 per cent each. The states with the least vacancy include Uttarakhand (3 per cent), Himachal Pradesh (5 per cent) and Goa (4 per cent). Nagaland has hired 15 per cent above sanctioned numbers. Only in eleven states/ UTs[6] are constabulary vacancies less than 10 per cent.

This report notes a steady effort by states/UTs to reduce shortfalls at the constabulary level. Over a five-year period (2015–2019), shortfalls at this level reduced in as many as nineteen states/UTs.

In fact, from 2015 to 2019, fifteen states/UTs[7] reduced vacancies at both the officer and constabulary levels. This figure was ten in IJR 2019. Despite this encouraging trend, the gap between police at the officer (ASI to DG ranks) and constabulary ranks remains concerning. Against the advised standard of 1:4 teeth-to-tail ratio (officer per constable),[8] the national average currently stands at 1:6. In a pyramidal structure, this chasm inevitably affects the quality of administrative supervision and oversight of performance related to the control of crime, its detection and services rendered to the public.

Police–population ratio: Workloads can be estimated in part through the data on the number of police personnel per head of population. Nationally, on average, one police person is responsible for the safety of 858 persons, an upswing of over 75 people compared to 2017. Illustratively, its BRICS partners, Russia[9] and South Africa,[10] with far smaller populations, have better ratios. Averages also hide worse realities and stark contrasts between states. Bihar, for instance, has one police person for 1,548 persons. This is however, a reduction by 115 persons from three years ago;[11] West Bengal has one for every 1,284; and Assam[12] one for every 1,243. Punjab, at one for nearly 462 persons has the lowest ratio amongst large and mid-sized states. Manipur, under the Armed Forces Special Powers Act (AFSPA), has one police person for every 202. This low is unique and not comparable to other states but is attributable rather to its law and order apparatus being augmented by other armed forces.

Diversity

Diversity in the police is a practical necessity as well as a statutory obligation. The IJR measures diversity

3 Not ranked
4 Bihar, Madhya Pradesh, Puducherry (not ranked), Uttar Pradesh, Rajasthan, Daman & Diu (not ranked), Tripura, Jammu & Kashmir (not ranked), Arunachal Pradesh, Manipur (not ranked) Goa
5 Dadra & Nagar Haveli (not ranked), Meghalaya, Uttarakhand, Chandigarh (not ranked), Nagaland (not ranked), Delhi (not ranked), Sikkim
6 Nagaland (not ranked), Uttarakhand, Jammu & Kashmir (not ranked), Goa, Himachal Pradesh, Odisha, Punjab, Kerala, Manipur (not ranked), Maharashtra, Tamil Nadu
7 Andhra Pradesh, Uttarakhand, Jharkhand, Chhattisgarh, West Bengal, Himachal Pradesh, Sikkim, Tamil Nadu, Haryana, Dadra and Nagar Haveli (not ranked), Gujarat, Nagaland (not ranked), Karnataka, Manipur (not ranked), Uttar Pradesh
8 'Recruitment to constabulary should be restricted till a teeth-to-tail ratio of 1:4 is reached', quoted in the Padmanabhaiah Committee for Police Reforms, 2000
9 riharsha Devulapalli and Vishnu Padmanabhan, 'India's police force among the world's weakest', Livemint, 19 June 2019.
10 'Question NW2456 to the Minister of Police', Parliamentary Monitoring Group, available at: https://pmg.org.za/committee-question/6947/
11 As of January 2017, one police personnel in Bihar served a population of 1,663 people—IJR 2019
12 Not ranked

against state-specified reservations for Scheduled Castes (SC), Scheduled Tribes (ST), Other Backward Classes (OBC) and women. SC, ST and OBC quotas are set in proportion to their populations and applied in entry-level direct recruitment.

Women: Reservations for women vary from 10 to 38 per cent. Following the 2009 Government of India advisory nearly all UTs[13] and nine[14] states adopted a target of 33 per cent reservation for women. Ten states[15] set their quota at 10 or less than 10 per cent and eight[16] have no reservations. Tamil Nadu is the only state to have reduced its target from 33 to 30 per cent since 2017. Bihar stands out with the highest target at 38 per cent.

In terms of actual numbers, though, the national average for women remains a lowly 10 per cent. This is a marginal increase from the 7 per cent seen in 2017. Nevertheless, over three years, all states show an increased hire, with only Haryana, Mizoram, Goa and Dadra & Nagar Haveli bucking this trend, albeit by a difference of less than 1 percentage point. Between 2015 and 2019, Bihar showed the most intention to increase women's representation in police (from 7 per cent to 25 per cent), followed by Himachal Pradesh (from 12 per cent to 19 per cent) and Gujarat (from 4 per cent to 12 per cent). Just two states/UTs[17] showed a declining five-year trend of inducting women.

Bihar's 16 percentage points increase means that one out of every four police persons is a woman. In Himachal Pradesh one out of every five is a woman. Both states, however, also exemplify the manifest problem of the glass ceiling. Despite having the highest share of women only 6 per cent in Bihar are at the officer level; in Himachal this is 5 per cent. Nationally, with women officers averaging just 7 per cent, the glass ceiling remains very much in place everywhere.

While IJR 2019 looked at the fulfilment of caste quotas for officers, IJR 2020 further disaggregates caste diversity data to assess the levels to which quotas are met. The data indicates a similar continuing pattern for caste categories—the inclusion of scheduled castes and tribes and other backward classes was better at the constabulary level than amongst officer cadres.

Inconsistencies in standardization of categories affects policymakers' ability to map patterns or gauge the extent to which reservations have been actualized. Illustratively, in the BPR&Ds Data on Police Organizations (Jan 2018 and 2019), the caste composition of two crucial ranks: Inspector and Dy. SP, were not reported. Without this, it is not possible to measure the extent of shortfall against the reservation target at the officers' level. These categories have been brought back in the latest report. Similarly, in 2017, the BPRD collected aggregated data of women in civil and district armed reserve police but the 2018 data consolidated all women personnel in one block category for district armed reserve police, before disaggregating it once again for the 2019 and 2020 reports.

Karnataka is the only state to have met both its officer and constable SC, ST and OBC quotas.

Officers: Among the eighteen large and mid-sized states, the median value (the midpoint of a dataset) for scheduled caste officers against their sanctioned number was 67 per cent. In other words, while nine states have filled 67 per cent or more of the scheduled caste officer quotas, another nine had done less than 67 per cent. For SC constables, the median value was 90 per cent, suggesting that states were more responsive in

13 Not ranked: Andaman and Nicobar Islands (33 per cent horizontal reservation), Chandigarh, Dadra & Nagar Haveli, Daman & Diu, Delhi Puducherry
14 Andhra Pradesh, Gujarat, Jharkhand, Madhya Pradesh, Maharashtra, Nagaland, Odisha, Punjab, Sikkim Telangana
15 Arunachal Pradesh, Meghalaya, Tripura
16 Goa, Haryana, Himachal Pradesh, Kerala, Jammu & Kashmir (not ranked), Manipur (not ranked), Mizoram West Bengal
17 Dadra & Nagar Haveli (not ranked), Lakshadweep (not ranked)

filling these vacancies at the constabulary level than at the officer level.

In 2017 no state had been able to fill its reservation quotas at officer levels let alone exceed them, however at 2020 only Karnataka has been able to fill, and indeed its SC, ST and OBC quotas by 26, 86 and 64 per cent respectively.

Six states/ UTs[18] meet or exceed their SC quota while seven states/UTs[19] met or exceed their ST officer quota. Eight states[20] reached or exceeded their OBC officer quota. None of the UTs were able to meet their quotas.

Constabulary: As of 2020, only Karnataka and Chhattisgarh have met and exceeded their constabulary SC, ST and OBC reservations.

Eight states/UTs[21] meet and exceed their SC constable quota while twelve states/UTs managed to reach or exceed their ST[22] and OBC[23] constable quota.

Budget

The India Justice Reports look at police budgets from the point of view of: spend on one police person per capita population whether police budgets keep pace with increases in the overall state budgets; what percentage of the Centre's Modernisation Scheme a state actually utilizes; and how much each state spends on training. These indicate to some measure police capacity to respond to mandate.

Most large and mid-sized states spent between 3 per cent and 5 per cent of their total budget on policing. Certain states,[24] owing to their special circumstances, spent as much as 6-13 per cent.

Per capita spend: In 2019, the average all-India per capita spend on policing was ₹912, an increase of ₹54 from 2017. Large and mid-sized states spent between ₹500 (Bihar) and ₹1,786 (Punjab). As of 2017–18, the seven smaller states spend between ₹1,497 (Himachal Pradesh) and ₹5,826 (Arunachal Pradesh). Except Punjab, all the large and mid-sized states spend less than Himachal Pradesh, which spent the lowest amongst the small states. In a category all its own, Nagaland, at ₹6,759 per capita spent the highest of any state.

Police and state budgets: State allocations to the police are indicative of the priority accorded to it. Between 2012 and 2016, the increase in the police expenditure of ten[25] states/UTs outpaced their overall increase in state expenditure. However, between 2014 and 2018, only eight states[26] were able to do so. The increase in Goa was the largest nationally, outpacing the state's overall spend by 4.4 percentage points. This means that if Goa's overall state expenditure grew by an average of 12.6 per cent in the five-year block, its expenditure on policing grew by an average of 17 per cent.

Modernization Fund: The Ministry of Home Affair's Modernisation Scheme assists state forces to meet capital expenditure, such as the construction of new buildings and acquisition of technology and equipment.[27] Data for utilization in 2019–20[28] shows an overall decline in the average utilization compared to 2017—falling from 75 per cent to 41 per cent.

West Bengal, Mizoram and Nagaland were the only states able to utilize 100 per cent of the fund. Odisha (10 per cent) and Tripura (2 per cent) could utilize 10 per cent or less while Manipur, Meghalaya,

21 Daman & Diu (not ranked), Dadra & Nagar Haveli (not ranked), Karnataka, Gujarat, Manipur (not ranked), Chhattisgarh, Himachal Pradesh, Andhra Pradesh
22 Bihar, Jammu & Kashmir (not ranked), Lakshadweep (not ranked), Karnataka, Himachal Pradesh, Odisha, Meghalaya, Chhattisgarh, Telangana, Rajasthan, West Bengal, Kerala
23 Odisha, Jammu & Kashmir (not ranked), Andhra Pradesh, Chhattisgarh, Karnataka, Puducherry (not ranked), Daman & Diu (not ranked), Punjab, Jharkhand, Bihar, Assam (not ranked), Delhi (not ranked)
24 Nagaland, Assam, Manipur and Jammu & Kashmir—unranked
25 Sikkim, Punjab, Arunachal Pradesh, Manipur (not ranked), Goa, Meghalaya, Jammu & Kashmir (not ranked), Himachal Pradesh, Kerala, Maharashtra
26 Goa, Meghalaya, Himachal Pradesh, Gujarat, Manipur (not ranked), Tripura, Arunachal Pradesh, Haryana
27 The MPF is a central scheme administered by the Ministry of Home Affairs, Government of India, aimed at assisting states in strengthening police infrastructure. Since September 2017, the MPF covers schemes such as Crime and Criminal Tracking Networks and Systems (CCTNS), inter-state police wireless, e-Prisons and programmes for upgrading police infrastructure including forensic laboratories and equipment. For more information, see Government of India, Ministry of Home Affairs, Umbrella Scheme of Modernization of Police Forces, available at: https://mha.gov.in/sites/default/files/MPF_19022018.pdf.
28 n BPRD Jan 2020, Table 4.1.4(B) titles this as 'tentative'.

Punjab, Chhattisgarh, Andhra Pradesh and Madhya Pradesh did not use any.

Training: Training accounts for a mere 1.13 per cent[29] of the total national spend on policing or roughly ₹8,000[30] per police person. This varies a great deal from state to state. Mizoram, with a force of over 5,406, spends the highest at about ₹32,310 per head. This is followed by Delhi (₹24,809) and Bihar (₹15,745). According to BPR&D data, Kerala, with nearly 53,000 personnel, spends nothing[31] while Tamil Nadu spends ₹2. Among the small states Himachal Pradesh spends the least (₹511).

Infrastructure

The infrastructure is measured by the geographical area and population covered by a police station, which constitutes a basic unit of policing infrastructure. Premised on the assumption that accessibility is key and police assistance must be available within reasonably easy reach of all, availability is gauged by the geographical area and the population covered. Since 2017, the number of police stations has increased from 15,579 to 16,833 across the country with over 9,600 located in rural areas and 4,700 in urban areas. Earlier in 2017, over 10,000 were located in rural areas and nearly 5,000 in urban.

Area: Three years ago, rural India had poorer access to policing than urban India. The situation continues today. In 1981, the National Police Commission suggested the average area covered per rural police station should be 150 sq. km. Although four decades old, it is the only available benchmark. The range amongst large and mid-sized states varies. Illustratively, the area coverage of a rural police station in Rajasthan (695 sq. km) was nearly 35 times its urban counterpart (20 sq. km), while in Tamil Nadu this was 2.6 times (101 sq. km) the coverage of urban police stations (39 sq. km). Kerala was the only state where urban police stations served an area only marginally smaller (75 sq. km) than rural ones (82 sq. km).

Rural police stations serve larger areas in all small states for which data was available. In hilly/ mountainous Himachal Pradesh, for instance, rural police stations serve areas 125 times larger than urban ones. In Goa where the terrain is more level this differential is smaller—rural police stations cover about 1.5 times the area of urban ones. Some rural police stations in small states continue to service areas larger than their counterparts in large and mid-sized states. Compared to three years ago, the area to be covered by one rural police station has increased in sixteen states/ UTs.

Population: The population covered by one police station varies greatly from state to state. The range among large and mid-sized states for urban police stations varies between nearly 3,00,000 persons (Gujarat) to over 45,000 (Odisha). Similarly, one rural police station covers between about 30,000 people (Kerala) and over 250,000 people (West Bengal).

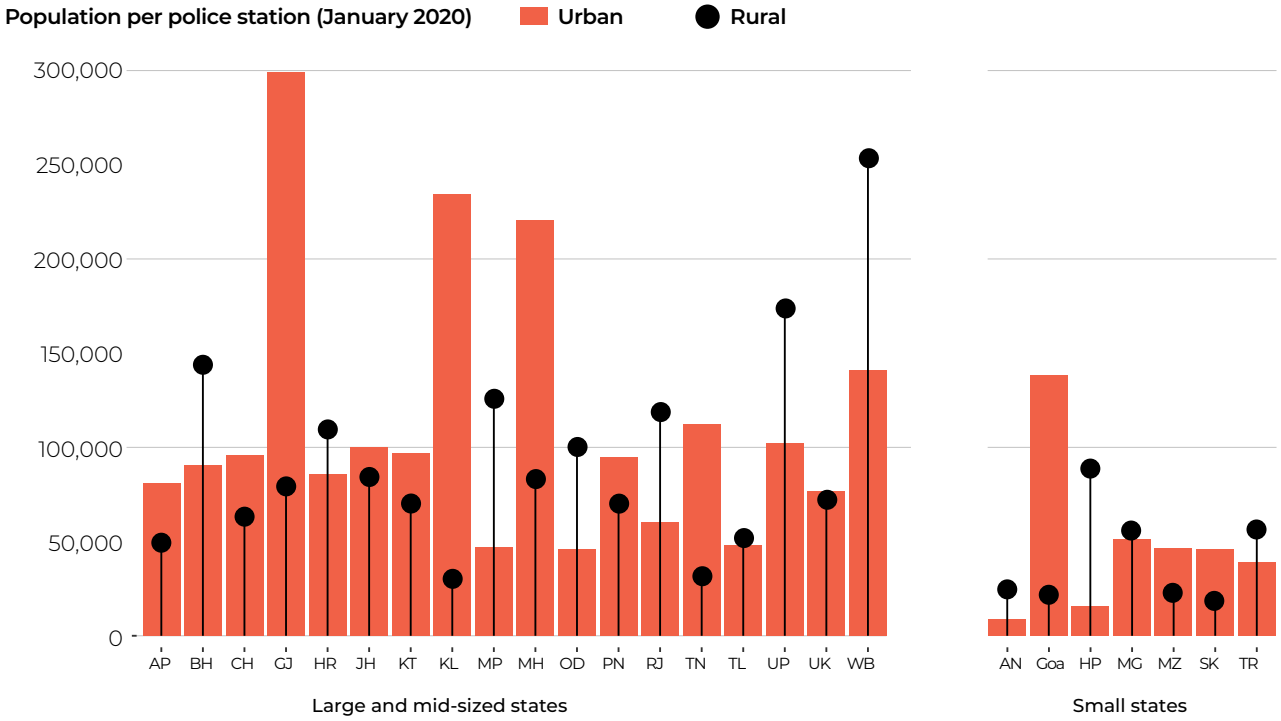
Number of training institutes: Given its importance to capacity building, IJR 2020 adds police personnel per training institute as an indicator to measure the adequacy of training institutes.[32] Without exploring the content, duration, and quality of training, the data indicates that large numbers must be put through training[33] —induction, in-service as well as other specialized trainings—in few facilities. Illustratively, on average, each of the 11 training institutes in Uttar Pradesh has an average workload burden to train over 37,700 personnel while Manipur's sole training institute is intended to handle about 35,000 trainees. In comparison, Tamil Nadu's 23 institutes are to train an average of about 5,400 personnel each. Among small states, the range varies from 3,244 personnel (Sikkim) to 18,849 personnel (Himachal Pradesh) annually.

29 Data on Police Organizations, 2020, p. 154, available online at: https://bprd.nic.in/WriteReadData/userfiles/file/20201229125022070 3686DOPO29.12.2020.pdf
30 Training budget and expenditure figures are 'tentative' as stated in BPRD Jan 2020
31 As per BPRD, Kerala's spend (tentative) on policing was 0 crores (2019–2020), Table 4.1.3, p. 155
32 Data on Police Organizations, 2020, Appendix- 1, as on 1 January 2020, available at: https://bprd.nic.in/WriteReadData/userfiles/file/20201229125022070 3686DOPO29.12.2020.pdf
33 These institutions cater to the basic training of the newly recruited police personnel, in-service training to the personnel at different ranks, specialized training to those deployed for specialized work and assignments like the Special Task Force (STF), Special Investigation Teams (SITs), Commandos, etc. Data on Police Organizations, 2020, Appendix-1.

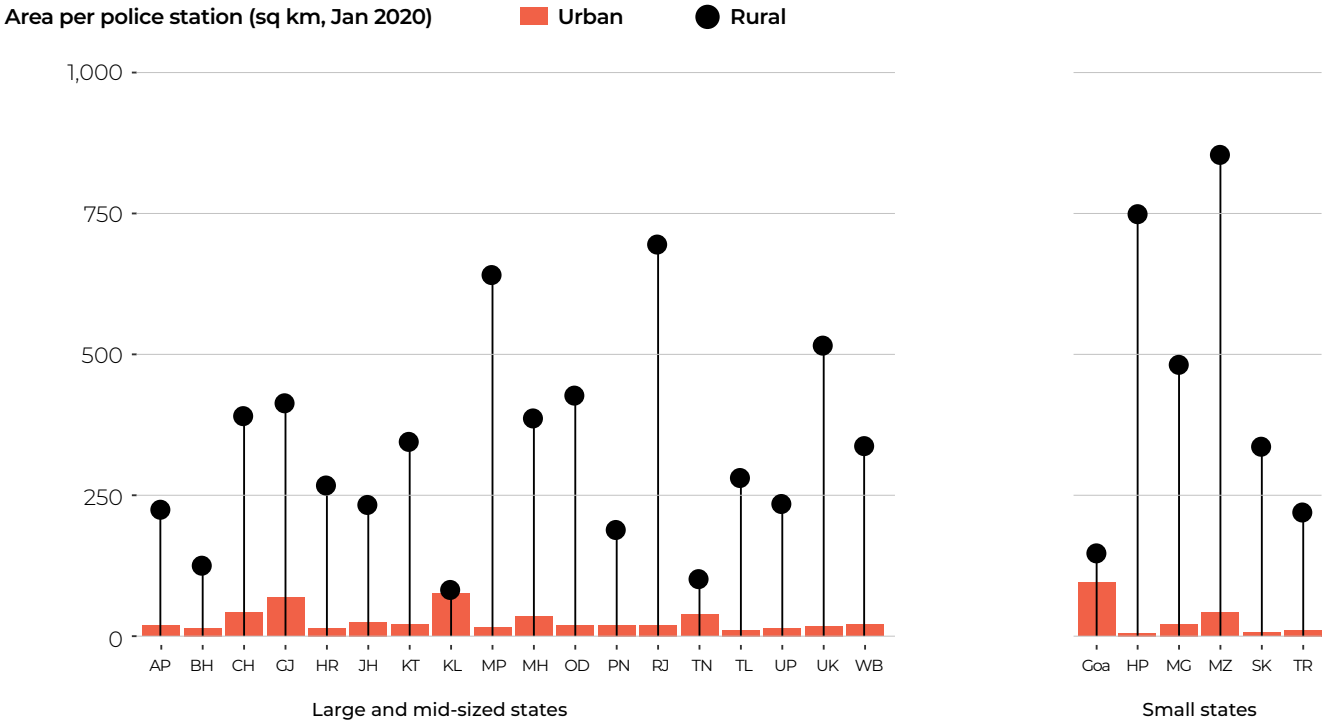
Figure 10: The rural-urban divide

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

The effect of the crunch in training facilities is felt most acutely in ensuring in-service training. For example, over five years (2012–16) on average, only 6.4 per cent of the police have received in-service training. [34] That means that over 90 per cent personnel, including those who deal with the public on a day-to-day basis, do not receive regular up-to-date specialized training after the first induction course.

Evaluating technology

Technology has been recognized as an integral component of efficient policing.[35] Whether the use of technology has indeed improved people's access to, and experience of, basic policing services requires rigorous assessment. This report makes a beginning by looking at state police citizen portals from user's point of view—a SMART policing initiative of the Ministry of Home Affairs[36] and an objective under the Crime and Criminal Tracking Network & Systems (CCTNS). IJR 2020 measures compliance by assessing whether states have indeed developed the citizen's portal; whether they include each of the nine services[37] listed by the MHA; and whether the information provided under each is easy to access. It did not assess whether the information was current, complete or accurate.

The portals were checked thrice from June to October 2020 and were scored on whether each of the nine services was complete in content and whether the portal was available in a state language (other than English).

Despite the push for digitization, no state offered the complete bouquet of services it is required to; and even with the same service, there are variations in what is provided. Scored for services and language, Punjab and Himachal Pradesh provided 90 per cent of expected services. This was followed closely by Chhattisgarh (88 per cent), Maharashtra (88 per cent) and Andhra Pradesh (86 per cent). Six states provided less than or equal to 10 per cent of these services.[38] Bihar was the only state which did not have a portal, however it did offer some of the nine on its police website.

Users face numerous problems of accessibility to these services. A number of portals did not work despite repeated attempts over three

Box 1: Rise: **Odisha**

Odisha's five-spot jump to second place in police ranking is the result of the state's efforts to improve deficits in the policing capacity since 2017. It has made efforts to improve not only the caste diversity amongst officers but has also increased the presence of women personnel (9 per cent to 10 per cent) and the share of women officers (8 per cent to 11 per cent). Over a five-year period (2015–2019), while the state shows a decrease in constable vacancies, it has registered an increase in vacancies at the officer level. Odisha also utilized only 10 per cent of its Modernisation Fund, over 40 percentage points less than in 2017.

34 'Status of Policing in India Report, 2019: Policy Adequacy and Working Conditions', available at: https://www.commoncause.in/uploadimage/page/Status_of_Policing_in_India_Report_2019_by_Common_Cause_and_CSDS.pdf
35 MHAs policing initiative and Karnail Singh, SC, 2009
36 'Digital Police', available at: https://digitalpolice.gov.in/portal.html.
37 Filing of complaints in the concerned police station, obtaining the status of the complaints, obtaining the copies of FIRs, details of arrested persons/wanted criminals, details of missing/kidnapped persons and their matching with arrested, details of stolen/recovered vehicles, arms and other properties, submission of requests for issue/renewal of various NOCs, verification requests for servants, employment, passport, senior citizen registrations etc., portal for sharing information and enabling citizens to download required forms
38 Uttarakhand, Manipur (not ranked), Arunachal Pradesh, Rajasthan, Tripura, Sikkim

Box 2: Fall: **Punjab**

Punjab's fall from third to twelfth position is indicative of the consequences of states faltering in the pace of improvements. While over five years, it has been able to improve the share of women in its force and female officers it has done so at a slower pace than other states. It also shows a 5 year trend of increased constable and officer vacancies. Since 2017, officer vacancies have risen from 10 per cent to 19 per cent. As well, it shows a slower rise in spend on policing compared to its total spend, even though it continues to the lead all large and mid-sized states in how much of its overall budget it spends on policing.

months. These states include: Mizoram, Rajasthan, Lakshadweep, Uttarakhand, Arunachal Pradesh, Sikkim and Tripura. Some that were accessible, suggested the use of a specific browser (West Bengal and Uttarakhand recommended the use of Firefox). Elsewhere, for instance, in Sikkim, the Captcha did not allow a log in. West Bengal's portal was unresponsive when submitting the sign up form. Others, like Himachal Pradesh's, did not work until the third attempt: even after signing up, it stated that the request could not be processed.

Most sites were available in English or Hindi, but not necessarily in the state language. The Delhi portal, for instance, was available only in English while in Jharkhand and Punjab, only certain sections of the site or one of the services were in Hindi or Gurmukhi respectively. For Jammu and Kashmir, there was no ready option to translate the page and for access, the site requested the user to download the Urdu script.

Due to these gaps, the citizen portals in their existing form are falling short of their objective of enabling easy access to select policing services.

Devika Prasad, Commonwealth Human Rights Initiative
Devyani Srivastava, Commonwealth Human Rights Initiative
Radhika Jha, Common Cause
Lakhwinder Kaur, Tata Trusts
Niyati Singh, Tata Trusts

Table 3: Indicator-wise data, state scores and ranks

Theme							Budgets		
Indicator		Rank in cluster		2020 Score (out of 10)	Indicators improved on (out of 15) [1]		Modernisation fund used (%, 2019-20) [2]	Spend on police per person (Rs, 2017-18)	Spend on training per personnel (Rs, 2019-20) [2]
Scoring guide		2020	2019				Higher, the better	Higher, the better	Higher, the better
Large and mid-sized states									
Andhra Pradesh	↑	4	5	5.43		8	0	898	7,355
Bihar	↑	11	14	4.73		10	28	500	15,745
Chhattisgarh	↑	2	10	5.63		9	0	1,080	5,805
Gujarat	↑	8	12	5.14		8	27	701	5,232
Haryana	↓	9	8	4.99		7	NA[3]	1,320	8,332
Jharkhand	↑	6	9	5.36		10	86	1,152	9,064
Karnataka	↑	1	6	5.71		7	20	696	5,520
Kerala	↓	14	13	3.89		10	58	1,005	0
Madhya Pradesh	↓	18	15	3.17		6	0	673	15,529
Maharashtra	↓	13	4	4.62		5	33	930	7,206
Odisha	↑	3	7	5.59		7	10	680	7,366
Punjab	↓	12	3	4.72		8	0	1,786	7,937
Rajasthan	↑	16	17	3.75		7	68	621	12,708
Tamil Nadu	↓	5	1	5.40		10	25	794	2
Telangana	↑	10	11	4.89		8	50	1,430	7,464
Uttar Pradesh	↑	15	18	3.80		11	14	645	3,328
Uttarakhand	↓	7	2	5.30		6	22	1,455	4,909
West Bengal	↓	17	16	3.75		7	129	570	983
Small states									
Arunachal Pradesh	↓	4	2	3.96		6	NA[4]	5,826	15,543
Goa	↓	7	3	3.90		10	27	3,174	2,239
Himachal Pradesh	↑	2	6	4.51		8	55	1,497	511
Meghalaya	↑	3	5	4.03		10	0	2,047	3,069
Mizoram	↑	6	7	3.92		5	100	4,259	32,310
Sikkim	↔	1	1	4.89		7	36	4,368	8,630
Tripura	↓	5	4	3.95		8	2	2,895	5,533
Unranked states									
Assam		Not ranked				4	13	1,107	15
Jammu & Kashmir		Not ranked				8	25	3,839	13,997
Manipur		Not ranked				7	0	4,163	6,841
Nagaland		Not ranked				8	100	6,759	12,613
Union Territories									
Andaman & Nicobar Islands		Not ranked				4	NA[4]	255	6,927
Chandigarh		Not ranked				4	NA[4]	115	1,971
Dadra & Nagar Haveli		Not ranked				4	NA[4]	281	NA[5]
Daman & Diu		Not ranked				5	NA[4]	46	NA[5]
Delhi		Not ranked				7	NA[4]	3,416	24,809
Lakshadweep		Not ranked				6	94	1,163	NA[5]
Puducherry		Not ranked				5	11	1,209	NA[5]

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; Digital Police Portal, Ministry of Home Affairs; National Commission on Population; Open Budgets India.

Common notes: i. States arranged by clusters in alphabetical order. Data for Ladakh is included in Jammu & Kashmir as most data is for the period when they were one entity. Data for Daman & Diu and Dadra & Nagar Haveli is shown separately as most data is for the period when they separate entities. **ii.** Data for 'Dec 2019' is as of December 31, 2019. **iii.** pp: percentage points (the difference between two percentages). **iv.** NA: Not available. **v.** CY: Calendar year; FY: Financial year. **vi.** SC: Scheduled castes; ST: Scheduled tribes; OBC: Other backward classes. **vii.** Civil police includes district armed reserve police.

Notes: 1. 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. **2.** Data, as described by BPR&D, is "tentative". **3.** Data not provided. **4.** No modernisation grant received. **5.** Expenditure data on police training not provided.

Table 3: Indicator-wise data, state scores and ranks

Theme	Human resources			Diversity				
Indicator	Constables, vacancy (%, Jan 2020)	Officers, vacancy (%, Jan 2020)	Officers in civil police (%, Jan 2020)	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)
Scoring guide	Lower, the better	Lower, the better	Higher, the better	Higher, the better	Higher, the better	Higher, the better	Higher, the better	Higher, the better
Large and mid-sized states								
Andhra Pradesh	18.1	11.8	16.3	5.8	5.2	82	102	100
Bihar	27.1	48.8	24.3	25.3	6.1	55	79	160
Chhattisgarh	17.9	23.5	13.1	7.1	9.0	93	106	69
Gujarat	20.8	22.6	18.1	11.7	9.0	163	124	91
Haryana	28.3	23.2	17.3	8.3	9.9	57	67	NA[7]
Jharkhand	22.3	24.8	27.1	7.1	3.4	66	95	56
Karnataka	15.2	19.2	13.7	8.3	6.9	126	127	186
Kerala	7.4	18.3	10.2	7.2	2.4	67	89	83
Madhya Pradesh	19.4	48.8	17.5	6.0	10.6	45	56	48
Maharashtra	9.4	22.3	15.8	12.5	5.1	78	86	75
Odisha	5.7	29.4	20.3	10.0	11.2	76	93	60
Punjab	6.8	18.9	11.4	8.5	5.8	70	99	0.03
Rajasthan	10.4	37.3	10.3	9.8	5.9	61	86	63
Tamil Nadu	9.4	15.0	10.3	18.5	24.8	67	66	51
Telangana	40.1	14.2	18.0	5.1	3.9	95	64	135
Uttar Pradesh	23.5	40.4	13.4	9.6	3.8	50	59	33
Uttarakhand	2.9	8.6	9.7	12.2	18.4	39	92	39
West Bengal	39.9	28.1	25.8	9.7	4.6	64	90	51
Small states								
Arunachal Pradesh	22.1	32.8	13.0	8.7	5.6	NA[6]	NA[6]	78
Goa	4.4	30.6	9.8	10.6	13.4	129	45	58
Himachal Pradesh	4.5	14.5	15.3	19.2	4.9	82	104	116
Meghalaya	11.9	8.7	16.7	4.7	6.9	10	3	92
Mizoram	29.7	18.4	27.9	7.2	20.1	NA[6]	NA[6]	NA[7]
Sikkim	15.5	-22.3	24.3	8.1	6.0	81	47	79
Tripura	20.7	35.8	12.4	5.1	6.6	94	93	78
Unranked states								
Assam	22.6	25.6	16.5	7.6	4.1	81	88	59
Jammu & Kashmir	3.8	33.8	14.2	3.6	2.3	57	93	117
Manipur	9.3	30.7	16.6	9.1	8.1	126	110	55
Nagaland	-15.6	6.9	15.3	9.7	17.8	NA[6]	NA[6]	70
Union Territories								
Andaman & Nicobar Islands	14.6	22.8	10.5	12.9	11.8	NA[6]	NA[6]	62
Chandigarh	13.5	8.2	10.8	18.8	4.8	51	63	NA[7]
Dadra & Nagar Haveli	10.3	10.0	8.5	6.1	10.0	167	159	19
Daman & Diu	16.8	36.6	10.6	13.9	15.6	343	466	82
Delhi	11.6	2.8	21.2	12.3	10.9	87	78	95
Lakshadweep	16.0	25.9	7.5	10.5	0.0	NA[6]	NA[6]	128
Puducherry	21.1	47.2	11.9	7.6	5.0	72	76	NA[7]

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; Digital Police Portal, Ministry of Home Affairs; National Commission on Population; Open Budgets India.

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Notes: 6. BPR&D shows 0% SC reservation. **7** BPR&D shows 0% ST reservation.

Table 3: Indicator-wise data, state scores and ranks

Theme	Diversity			Infrastructure			
Indicator	ST constables, actual to reserved ratio (%, Jan 2020)	OBC officers, actual to reserved ratio (%, Jan 2017)	OBC constables, actual to reserved ratio (%, Jan 2020)	Population per police station (rural) (Jan 2020)	Population per police station (urban) (Jan 2020)	Area per police station (rural) (sq km, Jan 2020)	Area per police station (urban) (sq km, Jan 2020)
Scoring guide	Higher, the better	Higher, the better	Higher, the better	Lower, the better	Lower, the better	Lower, the better	Lower, the better
Large and mid-sized states							
Andhra Pradesh	94	143	175	49,397	80,788	224	19
Bihar	259	59	106	143,833	90,547	125	15
Chhattisgarh	109	107	160	63,213	95,974	390	42
Gujarat	99	66	79	79,289	299,159	413	69
Haryana	NA[7]	69	72	109,519	85,843	267	15
Jharkhand	86	115	130	84,283	99,990	233	25
Karnataka	178	164	158	70,191	97,034	345	21
Kerala	104	91	96	30,213	234,406	82	75
Madhya Pradesh	53	30	72	125,789	46,954	641	15
Maharashtra	91	62	60	83,173	220,606	386	34
Odisha	121	98	214	100,213	45,724	427	19
Punjab	0.02	133	141	70,134	94,727	188	20
Rajasthan	105	31	71	118,743	60,083	695	20
Tamil Nadu	46	98	67	31,607	112,436	101	39
Telangana	107	127	92	51,856	47,851	281	11
Uttar Pradesh	35	77	87	173,736	102,312	235	15
Uttarakhand	92	48	92	72,176	76,440	516	18
West Bengal	104	31	62	253,476	140,934	337	21
Small states							
Arunachal Pradesh	91	NA[8]	NA[8]	24,630	8,905	NA[12]	NA[12]
Goa	42	19	17	21,750	138,500	147	96
Himachal Pradesh	141	28	79	88,743	15,915	749	6
Meghalaya	117	120	80	55,848	51,000	481	22
Mizoram	NA[7]	NA[8]	NA[8]	22,792	46,286	854	42
Sikkim	25	97	31	18,524	46,000	336	6
Tripura	89	NA[8]	NA[8]	56,413	39,083	219	11
Unranked states							
Assam	87	94	102	164,135	35,388	434	9
Jammu & Kashmir	189	243	198	60,316	75,491	1,399	24
Manipur	73	17	24	39,481	57,588	410	11
Nagaland	82	NA[8]	NA[8]	24,170	46,000	308	13
Union Territories							
Andaman & Nicobar Islands	66	15	24	NA[9]	NA[10]	NA[9]	NA[10]
Chandigarh	NA[7]	55	77	NA[9]	69,294	NA[9]	6
Dadra & Nagar Haveli	56	67	43	NA[9]	374,000[11]	NA[9]	47[11]
Daman & Diu	98	60	143	NA[9]	374,000[11]	NA[9]	47[11]
Delhi	85	23	100	NA[9]	109,822	NA[9]	6
Lakshadweep	181	NA[8]	NA[8]	444	NA[10]	1	NA[10]
Puducherry	NA[7]	90	143	41,727	55,579	30	8

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; Digital Police Portal, Ministry of Home Affairs; National Commission on Population; Open Budgets India.

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Notes: 7. BPR&D shows 0% ST reservation. **8.** BPR&D shows 0% OBC reservation. **9.** BPR&D shows 0 rural police stations. **10.** BPR&D shows 0 urban police stations. **11.** BPR&D shows combined figures for Daman & Diu and Dadra & Nagar Haveli. Hence, they have assigned the same value. **12.** Census 2011 does not give rural/urban area break-up.

Table 3: Indicator-wise data, state scores and ranks

Theme	Infrastructure		Workload	Trends				
Indicator	Services provided by state's citizen portals (%, 2020)[13]	Personnel per training institute (number, Jan 2020)	Population per civil police (persons, Jan 2020)	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)
Scoring guide	Higher, the better	Lower, the better	Lower, the better	Higher, the better	Higher, the better	Lower, the better	Lower, the better	Higher, the better
Large and mid-sized states								
Andhra Pradesh	86	18,474	1,034	0.44	0.49	-0.02	-0.77	NA[15]
Bihar	37	34,740	1,548	4.40	0.90	-2.44	1.93	-3.63
Chhattisgarh	88	6,305	758	0.46	1.00	-0.26	-2.85	-1.79
Gujarat	71	22,285	1,048	1.57	0.97	-2.25	-0.96	1.53
Haryana	78	23,283	657	0.40	1.00	-2.07	-1.60	0.17
Jharkhand	73	13,713	806	0.35	0.18	-0.17	-1.33	-4.75
Karnataka	57	7,471	915	0.61	0.16	-3.28	-1.91	-1.94
Kerala	81	31,286	773	0.22	-0.07	1.95	5.51	-0.88
Madhya Pradesh	71	7,277	1,167	0.15	0.23	1.91	5.52	-2.60
Maharashtra	88	18,717	626	0.31	-0.13	0.99	1.77	-1.87
Odisha	80	5,513	1,211	0.29	0.76	-0.88	0.75	-2.16
Punjab	90	16,050	462	0.33	0.46	1.20	2.07	-1.33
Rajasthan	5	10,060	975	0.52	0.37	1.41	0.78	-4.47
Tamil Nadu	66	5,433	770	1.18	1.14	-1.23	-3.42	-0.45
Telangana	59	13,062	909	0.44	0.39	4.74	-0.25	NA[15]
Uttar Pradesh	85	37,756	1,094	1.04	0.03	-7.06	-2.16	-3.31
Uttarakhand	10	5,521	696	0.83	1.99	-0.14	-5.91	-0.32
West Bengal	42	15,307	1,284	0.51	0.44	-0.60	-3.55	-3.21
Small states								
Arunachal Pradesh	10	15,283	238	0.34	0.09	2.35	4.29	0.67
Goa	76	10,184	263	1.00	1.57	-0.42	0.86	4.43
Himachal Pradesh	90	18,849	632	1.59	0.49	-0.70	-0.56	1.72
Meghalaya	56	5,500	416	0.16	-0.02	0.68	1.77	2.44
Mizoram	0	11,286	349	0.26	0.54	3.46	1.17	-6.15
Sikkim	5	3,244	270	0.14	-0.32	-0.72	-3.19	-0.98
Tripura	5	7,429	413	0.12	0.24	0.47	2.41	0.74
Unranked states								
Assam	85	17,392	1,243	1.30	0.27	0.55	2.51	-1.81
Jammu & Kashmir	78	13,372	275	0.07	-0.002	-1.99	3.78	-0.03
Manipur	10	35,044	202	0.18	0.31	-5.06	-0.27	0.92
Nagaland	83	8,913	235	1.70	2.27	-3.25	-1.11	-1.81
Union Territories								
Andaman & Nicobar Islands	90	4,988	118	0.27	1.29	1.32	1.61	-40.57
Chandigarh	76	8,902	197	0.36	-0.47	0.99	-0.25	-29.27
Dadra & Nagar Haveli	80	928	1,759	-0.67	-0.35	-2.21	-6.67	-6.49
Daman & Diu	85	NA[14]	998	0.85	1.57	0.84	2.04	-24.66
Delhi	83	15,327	271	0.78	0.27	1.31	-0.37	0.82
Lakshadweep	0	NA[14]	255	-0.001	-0.63	1.77	-3.18	-25.52
Puducherry	88	4,462	772	0.51	0.04	1.80	5.94	-2.63

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; Digital Police Portal, Ministry of Home Affairs; National Commission on Population; Open Budgets India.

Common notes: i. States arranged by clusters in alphabetical order. Data for Ladakh is included in Jammu & Kashmir as most data is for the period when they were one entity. Data for Daman & Diu and Dadra & Nagar Haveli is shown separately as most data is for the period when they separate entities. **ii.** Data for 'Dec 2019' is as of December 31, 2019. **iii.** pp: percentage points (the difference between two percentages). **iv.** NA: Not available. **v.** CY: Calendar year; FY: Financial year. **vi.** SC: Scheduled castes; ST: Scheduled tribes; OBC: Other backward classes. **vii.** Civil police includes district armed reserve police.

Notes: 13. 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). Bihar does not have a police citizen portal, but it provides some of these services through its state portal. **14.** BPR&D shows 0 training institutes. **15.** For Andhra Pradesh and Telangana, 5-year data was not available separately.

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.

Available
Partially available
Not available

	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 Arrected 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 district7;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

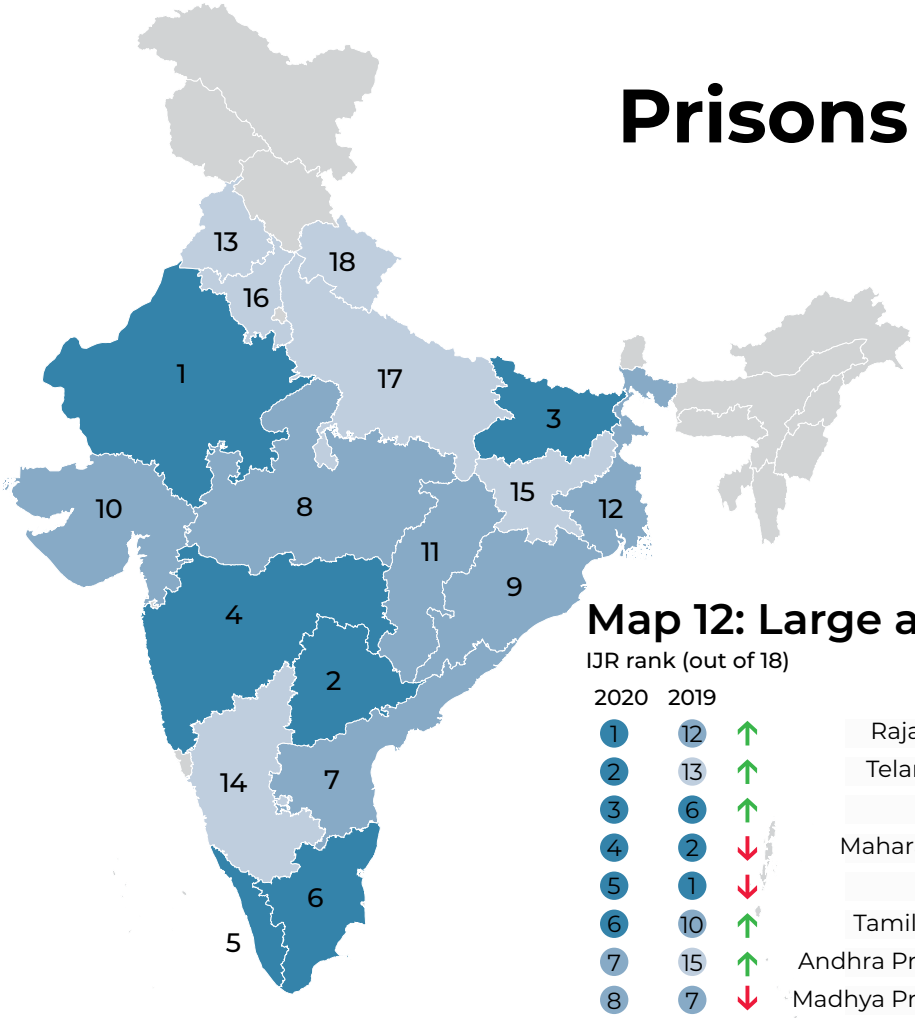
Available
Partially available
Not available

	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

NOTE: Bihar doesn't have a citizen police portal.
No state/UT provides the details of Arrected 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 district7;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.

Prisons

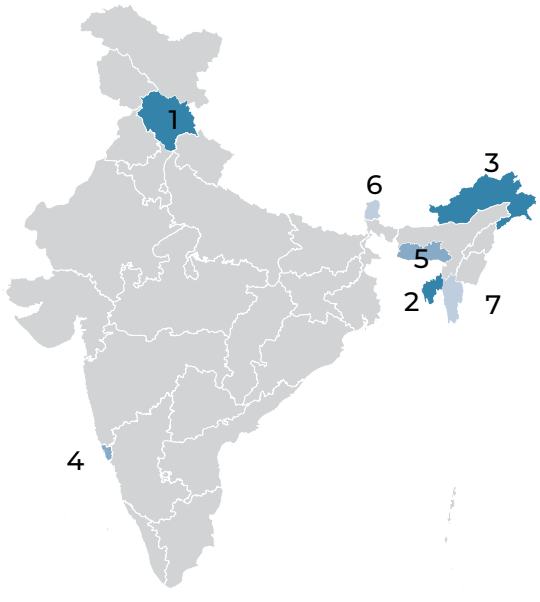
Prisons Ranking



Map 12: Large and mid-sized states

IJR rank (out of 18)

2020	2019		State	Score (out of 10)
1	12	↑	Rajasthan	6.32
2	13	↑	Telangana	5.69
3	6	↑	Bihar	5.67
4	2	↓	Maharashtra	5.45
5	1	↓	Kerala	5.45
6	10	↑	Tamil Nadu	5.28
7	15	↑	Andhra Pradesh	5.25
8	7	↓	Madhya Pradesh	4.78
9	5	↓	Odisha	4.67
10	9	↓	Gujarat	4.63
11	8	↓	Chhattisgarh	4.58
12	4	↓	West Bengal	4.58
13	16	↑	Punjab	4.20
14	3	↓	Karnataka	4.02
15	18	↑	Jharkhand	3.90
16	11	↓	Haryana	3.39
17	14	↓	Uttar Pradesh	3.24
18	17	↓	Uttarakhand	3.14



Map 13: Small states

Rank (out of 7)

2020	2019		State	Score (out of 10)
1	6	↑	Himachal Pradesh	5.10
2	5	↑	Tripura	4.80
3	3	↔	Arunachal Pradesh	4.79
4	1	↓	Goa	3.76
5	2	↓	Meghalaya	3.47
6	7	↑	Sikkim	3.45
7	4	↓	Mizoram	2.94

Note: For reasons of readability, scores are shown up to 2 decimals. While they both show the same score, Maharashtra is ranked above Kerala on the third decimal (5.451 versus 5.446) and Chhattisgarh above West Bengal (4.584 versus 4.576).

The Capacity Deficits

Meeting | Data available

	IJR 2019	IJR 2020
Overcrowding	17 / 36	15 / 36
Women staff	17 / 34	17 / 34
Correctional staff	5 / 23	5 / 36
Spending on inmates	19 / 35	22 / 36
Budget utilization	20 / 35	18 / 36

Number of states and Union Territories whose prison occupancy was up to 100%.

Number of states and Union Territories where the share of women in prison staff was above 10%.

Number of states and Union Territories where correctional staff vacancy was below 20%.

Number of states and Union Territories that spent, on average, more than ₹30,000 a year—₹2,500 a month—per inmate on food, clothing, medical, vocational and welfare activities.

Number of states and Union Territories that used at least 90% of their annual budget.

The other deficits

60%

Of the 1,350 jails across India, only 808 had a video-conferencing facility.

50,649

Number of inmates that each of the 2 correctional staff in Uttar Pradesh is responsible for.

Prisons: Reforms Barred?

Despite some appreciable improvements made in a few states, by and large, the glaring gaps in prison capacity remain. Rajasthan rose from twelfth position to first. Telangana jumped from thirteenth to second, and Bihar at third place, entered the top five. Common contributors for these jumps were reduced prison occupancy and a comparatively better inmate-to-staff ratio. Elsewhere, however, low percentage share of women staff, spend per inmate, high vacancies, and utilization of annual budgets in the data of three years ago between 2016 and 2019* remain unrepaired. At the same time, occupancy rates mostly remain well above the permissible limit.

The largest upsets were seen in the southern states: Kerala fell from the first to fifth and Karnataka from third to fourteenth. Relative to those that rose, they had done little to prioritize expenditure on prisons, as reflected in their increase in average spend on inmates trailing other states, the decreasing utilization of budgets over five years (2015-16 to 2019-20) and the increase in prison spend not keeping pace with the increase in overall state expenditure.

Infrastructure

Prison occupancy: Infrastructure has not kept pace with the growing inmate population. While the overall prison population has grown to 4,78,600 (PSI 2019) from 4,33,003 (PSI 2016) the number of prisons has come down from 1,412 to 1,350. Several unsustainable sub-jails have been closed down, and their populations must now necessarily be assimilated into the nearest district or central prisons. It is no surprise then that overcrowding is at 19 per cent, a jump of 5 percentage points from 2016 figures. Unnecessary arrests, conservative approaches to granting bail, uncertain access to legal aid, delays at trial, as well as the inefficacy of monitoring mechanisms such as Under Trial Review Committees continue to contribute to overcrowding. The national average disguises the fact that occupancy in twenty-one states/UTs is over a hundred per cent. Twenty states have in fact seen an increase in occupancy in the last two years. The most overcrowded prisons are in Delhi (175 per cent), Uttar Pradesh (168 per cent), and Uttarakhand (159 per cent).

Video conferencing for remand hearings, before a charge sheet is filed[1] was legalized in 2008. Using the latest available figures,[2] IJR 2020 adds this facility as a rankable indicator. Sixteen states/UTs report that 90 per cent of their jails have video-conferencing facilities. Five of the large and mid-sized states though had less than 50 per cent; Kerala (42 per cent); Rajasthan (38 per cent); West Bengal (32 per cent); Karnataka (31 per cent); and Tamil Nadu (9 per cent). Despite the newfound significance in the wake of the COVID-19 pandemic,[3] the increasing use of this technology without rigorous oversight monitoring and evaluation of its functioning continues to throw up grave doubts about its impact on the

NOTE: Comparisons are between PSI 2016 (referred to in IJR 2019) and PSI 2019 (referred to in this report).

1 Section 167 (2) (b) CrPC

2 Prisons Statistics India, 2019

3 The Supreme Court suspended physical production of undertrials in courts vide its 23 March order in the Suo Moto Writ Petition (Civil) No 1 of 2020.

fair trial rights of accused persons.[4] Its routinized use has prompted the Bombay High Court to provide for legal aid lawyers to be present in prison whilst undertrials are produced through video conferencing and also warned that video conferencing facilities cannot be a substitute for producing an accused person before the trial court on scheduled dates. [5]

Budget

Prisons continue to be a low priority spend for states. For 17 states/ UTs, over a five-year period, the increase in prisons expenditure trailed the increase in total state expenditure. Out of the 16 states/UTs where the increase in prison expenditure is more, only four, Bihar (2.33 pp), Tamil Nadu (1.45 pp), Jharkhand (0.83 pp) and Uttar Pradesh (0.75 pp) are amongst the large and mid-sized states with populations over 10 million.

Nationally, the **average spend per prisoner** has, however, gone up by nearly 45 per cent. Andhra Pradesh, at ₹2,00,000 for over 7,500 inmates in 106 prisons records the highest annual spend. Fifteen out of thirty-six states/ UTs spent less on a prisoner in 2019-20 than in 2016-17. In 2019-20, seventeen states/ UTs spent below ₹35,000 annually, or less than ₹100 a day per person. But the lowest spends per prisoner have gone down further: in 2016-17 Rajasthan at ₹14,700 spent the least per inmate but, currently, at ₹11,000 Meghalaya spends the least per inmate.

Prison fund utilized: Utilization of allocated funds fluctuates between beyond 100 per cent (Telangana) to as low as 50 per cent (Meghalaya). Overall though, over a three-year period states/ UTs have done worse in terms of utilization: Gujarat fell from 95 per cent to 80 per cent; Uttar Pradesh from 94 per cent to 83 per cent; and Meghalaya from 88 per cent to 50 per cent. By contrast, Telangana (92 per cent to 103 per cent), Tripura (75 per cent to 99 per cent), and Andhra Pradesh (77 per cent to 88 per cent) are amongst the states to have improved their utilisation.

Human Resources & Workload

Prison staff are divided into officers, cadre staff, correctional staff, and medical staff. Nationally, over three years average vacancy levels across all prison staff remains at a little over 30 per cent. Some vacancies may appear to have increased because the sanctioned strength has gone up. For instance, in December 2016, Chandigarh had no vacancies at the officer level. However, now the UT has one out of two officers missing because it increased the sanctioned officer strength from the earlier four to ten.

Officer: At officer level, half the states/UTs have about one in three positions vacant. Vacancies range from 75 per cent in Uttarakhand to less than 1 per cent in Telangana. In eight states/ UTs, vacancies have consistently remained at 40 per cent or above.[6] In only four large and mid-sized states, do officer vacancies stand at less than 10 per cent: Telangana (0.6 per cent); Karnataka, (7.8 per cent); Tamil Nadu (9 per cent); and Kerala (9.5 per cent).

Cadre staff: Nationally, cadre staff vacancies stand at 29 per cent. Amongst states, vacancies range from 64 per cent in Jharkhand to none in Nagaland.[7] While Bihar and Uttarakhand have nearly halved their vacancies, in about half of all states/ UTs, vacancy levels have increased steadily.

Share of staff trained: Given its importance in building capacity, IJR 2020 adds training as a new indicator.[8] As of December 2019, however, no state could provide all its personnel with sufficient training opportunities. Only Telangana provided training to 92 per cent of its officers/staff. Tamil

4 Commonwealth Human Rights Initiative. Available online at: https://www.humanrightsinitiative.org/download/Chri's%20Draft%20Note%20on%20VC%20Safeguards.pdf
5 'Video-conference not substitute to producing accused in court, says Bombay HC', Hindustan Times, 21 February 2018
6 Bihar, Chhattisgarh, Delhi (not ranked), Jharkhand, Manipur (not ranked), Rajasthan, Uttar Pradesh, Uttarakhand.
7 Not ranked
8 Prisons Statistics India, 2019, Table 11.5- figures do not include induction training.

Nadu at 55 per cent was a distant second above Maharashtra (43 per cent), and Delhi (42 per cent). In twenty-eight states, a maximum of one in four could be trained. Among prison training institutes, only three regional training institutes[9] and some state prison training institutes cater to the needs of both officers and cadre staff. The training institutes lack adequate infrastructure and human resources like regular teaching faculty and modern teaching aids to be able to ensure that prison staff undergo refresher trainings on a regular basis.

Correctional officers: In order to satisfy the aspiration that prisons must move from being custodial to correctional institutions, prison systems are required to have a special cohort of correctional staff—welfare officers, psychologists, lawyers, counsellors, social workers, among others.[10] The Model Prison Manual, 2016, specifically characterizes correctional work as a "specialized field". However, the years have seen little institutional capacity being built in this area.

The national average stands at one probation/ welfare officer per 1,617 prisoners and one psychologist/psychiatrist for every 16,503 prisoners. At the state/UT-level, this goes up to 50,649.[11] Nine states/ UTs, including Andhra Pradesh and Sikkim, have not sanctioned any posts. In the twenty-seven states/UTs that have, vacancies can range from 100 per cent to no vacancies.[12] Half of all states/UTs have about one in two posts vacant. In five states, though sanctioned posts exist no appointments have been made.[13] Telangana, Jharkhand, and Uttar Pradesh have filled all their sanctioned posts.

The Model Prison Manual, 2016, sets the standard at one correctional officer for every 200 prisoners and one psychologist/ counsellor for every 500. Only Jammu and Kashmir (194), Bihar (167), and Odisha (123) meet this benchmark. While both meet their sanctioned numbers, Uttar Pradesh, despite a prison population of over 100,000, has sanctioned only two correctional officer posts; Jharkhand, with a far lower population of 18,654 inmates has four.

Box 3: Fall: **Karnataka**

Karnataka's fall from the third to fourteenth spot is accounted for by a complex set of interactions between different indicators. Despite the highest diversity in prison administration, with about one out of every four personnel being a woman, and efforts to reduce officer level vacancies from 26 per cent (December 2016) to 8 per cent (December 2019), other factors have lowered its ranking. Karnataka increased its prison budget from ₹187.5 crores (2016-17) to ₹307.7 crores in 2019-20. However, it could utilize only 76 per cent of the increased amount as opposed to 97 per cent of the older budget. This also impacted the spend per inmate, which increased a modest 8% over three years. It increased its sanctioned correctional staff tenfold to 30 which is a positive, however despite a two year gap, it could not could fill those positions. As a result, while in December 2016 vacancies stood at 33 per cent by December 2019 vacancies among the correctional stood at 93 per cent.

9 Academy of Prisons and Correctional Administration, Vellore (Tamil Nadu); Regional Institute of Correctional Administration, Kolkata (West Bengal); and Institute of Correctional Administration, Chandigarh (Chandigarh).
10 Model Prison Manual, 2016. Available online at: https://mha.gov.in/MHA1/PrisonReforms/NewPDF/PrisonManual2016.pdf
11 Uttar Pradesh
12 Andaman and Nicobar Islands (not ranked), Jharkhand, Telangana, Uttar Pradesh.
13 Punjab, Haryana, Manipur (not ranked), Assam (not ranked), Goa.

Box 4: Rise: **Rajasthan**

While trailing other states on several parameters like budget utilisation, spend per prisoner, video conferencing facilities and training, Rajasthan's performance taking it from 12th spot to the top is owed to efforts to reduce occupancy, and steadily fill up vacancies. Officer level vacancies that stood at 60 per cent are presently at 40 per cent. At the cadre staff level too vacancies have reduced from 45 per cent to 17 per cent. Women's share of prison staff has gone up from 11 per cent to 20 per cent. This affected related aspects such as workload. At the same time a reduction in undertrials by 24% (2016 and 2019), has meant occupancy has fallen from 102 per cent to 94 per cent. In 2016-17, one prison officer handled 162 inmates. This has reduced to 110 inmates per officer at 2019-20.

Medical officers: The Manual also mandates a minimum of one medical officer for every 300 prisoners and one full-time doctor in central prisons. In half the states/UTs about one in four positions remains empty. Nagaland, Lakshadweep, Dadra and Nagar Haveli, and Daman and Diu did not have any medical officers sanctioned while Uttarakhand was once again the only state to have none of their ten sanctioned posts for medical officers filled. Twelve states/UTs[14] have a shortfall of 50 per cent or more medical officers while Punjab and Arunachal Pradesh both have more officers than their sanctioned strength.[15]

The Manual[16] suggests numerous benchmarks including a maximum of six inmates per cadre staff.[17] As of December 2019, only thirteen states/UTs met that figure; Nagaland's 11 prisons had the lowest with one for one inmate.

Diversity

No state came close to the 33 per cent benchmark for gender diversity suggested in policy documents. Women accounted for about 13 per cent of staff across all levels[18] —up from 10 per cent in December 2016. Over the last five years (2015–2019), twenty-eight of thirty-four states/UTs made slow but steady improvements. Prominent among those that have not are Uttarakhand where the share of women fell to 3 per cent from 6 per cent; and Delhi where women staff fell from 15 down to 13 per cent. Uttarakhand with 3 per cent and Goa at 2 per cent have the lowest shares of women working in prisons.

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Lakhwinder Kaur, Tata Trusts
Niyati Singh, Tata Trusts

14 Uttarakhand, West Bengal, Goa, Karnataka, Mizoram, Jharkhand, Madhya Pradesh, Assam (not ranked), Haryana, Chhattisgarh, Chandigarh (not ranked), Tripura.
15 PSI data does not indicate if medical officers enumerated include part time and contractual staff or only full time medical government doctors
16 Model Prison Manual, 2016: https://mha.gov.in/MHA1/PrisonReforms/NewPDF/PrisonManual2016.pdf
17 Staff belonging to the categories of head warders, head matron, warders, matron and others.
18 PSI does not provide specific gender-wise distribution of prison personnel at various levels.

Table 4: Indicator-wise data, state scores and ranks

Theme							Budgets		Human resources	
Indicator							Spend per inmate (Rs, 2019-20)	Prison budget utilised (%, 2019-20)	Officers, vacancy (%, Dec 2019)	Cadre staff, vacancy (%, Dec 2019)
Scoring guide		Rank in cluster 2020	Rank in cluster 2019	2020 Score (out of 10)	Indicators improved on (out of 12) [2]		Higher, the better	Higher, the better	Lower, the better	Lower, the better
Large and mid-sized states										
Andhra Pradesh	↑	7	15	5.25		9	200,871	88	33.2	23.9
Bihar	↑	3	6	5.67		8	40,815	87	66.1	36.4
Chhattisgarh	↓	11	8	4.58[1]		3	40,989	85	67.6	19.6
Gujarat	↓	10	9	4.63		5	21,585	80	41.9	24.7
Haryana	↓	16	11	3.39		2	133,487	78	41.1	27.7
Jharkhand	↑	15	18	3.90		8	44,436	95	65.0	63.6
Karnataka	↓	14	3	4.02		7	30,424	76	7.8	30.4
Kerala	↓	5	1	5.45[1]		4	51,874	95	9.5	30.3
Madhya Pradesh	↓	8	7	4.78		6	19,075	89	36.4	10.0
Maharashtra	↓	4	2	5.45[1]		4	16,186	91	26.8	7.1
Odisha	↓	9	5	4.67		4	24,848	85	45.0	8.8
Punjab	↑	13	16	4.20		5	16,286	92	41.2	28.7
Rajasthan	↑	1	12	6.32		9	19,126	90	40.0	17.4
Tamil Nadu	↑	6	10	5.28		8	41,531	93	9.0	13.4
Telangana	↑	2	13	5.69		9	21,915	103	0.6	16.4
Uttar Pradesh	↓	17	14	3.24		7	34,507	83	43.1	52.5
Uttarakhand	↓	18	17	3.14		5	29,384	85	75.3	32.5
West Bengal	↓	12	4	4.58[1]		7	44,206	99	13.9	27.8
Small states										
Arunachal Pradesh	↔	3	3	4.79		7	47,368	96	37.5	1.5
Goa	↓	4	1	3.76		3	35,907	72	14.8	23.6
Himachal Pradesh	↑	1	6	5.10		8	23,304	100	21.4	11.8
Meghalaya	↓	5	2	3.47		2	11,046	50	15.8	20.8
Mizoram	↓	7	4	2.94		3	26,973	87	43.2	26.6
Sikkim	↑	6	7	3.45		5	38,250	100	30.8	56.2
Tripura	↑	2	5	4.80		7	28,468	99	33.3	38.3
Unranked states										
Assam		Not ranked				2	27,466	74	17.5	29.1
Jammu & Kashmir		Not ranked				4	49,553	78	38.7	37.1
Manipur		Not ranked				6	37,100	78	44.8	2.3
Nagaland		Not ranked				9	76,233	100	4.4	0.0
Union Territories										
Andaman & Nicobar Islands		Not ranked				5	31,557	99	33.3	38.4
Chandigarh		Not ranked				4	67,175	101	50.0	50.6
Dadra & Nagar Haveli		Not ranked				3	58,696	100	NA[3]	NA[4]
Daman & Diu		Not ranked				4	45,161	100	0.0	0.0
Delhi		Not ranked				7	176,811	95	49.7	45.0
Lakshadweep		Not ranked				3	125,000	100	NA[3]	NA[4]
Puducherry		Not ranked				6	29,278	83	16.7	31.3

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; Open Budgets India. **Common notes: i.** States arranged by clusters in alphabetical order. Data for Ladakh is included in Jammu & Kashmir as most data is for the period when they were one entity. Data for Daman & Diu and Dadra & Nagar Haveli is shown separately as most data is for the period when they separate entities. **ii.** Data for 'Dec 2019' is as of December 31, 2019. **iii.** pp: percentage points (the difference between two percentages). **iv.** NA: Not available. **v.** CY: Calendar year; FY: Financial year.

Notes:
1. For reasons of readability, scores are shown up to 2 decimals. While they both show the same score, Maharashtra is ranked above Kerala on the third decimal (5.451 versus 5.446) and Chhattisgarh above West Bengal (4.584 versus 4.576). **2.** 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. **3.** PSI shows 0 sanctioned prison officers for Dadra & Nagar Haveli, and 0 sanctioned and actual for Lakshadweep. **4.** PSI shows 0 sanctioned and actual cadre staff.

Table 4: Indicator-wise data, state scores and ranks

Theme	Human resources				Diversity	Infrastructure
Indicator	Correctional staff, vacancy (%, Dec 2019)	Medical staff, vacancy (%, Dec 2019)	Medical officers, vacancy (%, Dec 2019)	Personnel trained (%, Dec 2019)	Women in prison staff (%, Dec 2019)	Prison occupancy (%, Dec 2019)
Scoring guide	Lower, the better	Lower, the better	Lower, the better	Higher, the better	Higher, the better	Lower, the better
Large and mid-sized states						
Andhra Pradesh	NA[5]	25.0	22.7	33.4	7.8	86
Bihar	38.8	47.9	44.7	10.7	19.0	94
Chhattisgarh	44.9	49.1	52.3	2.0	10.8	150
Gujarat	75.0	28.7	15.4	13.1	6.2	110
Haryana	100.0	50.5	58.3	3.5	6.1	106
Jharkhand	0.0	54.0	72.9	4.9	10.5	111
Karnataka	93.3	73.4	77.8	23.9	26.2	101
Kerala	21.7	16.3	18.2	29.2	15.0	110
Madhya Pradesh	17.5	41.0	72.4	13.9	18.7	155
Maharashtra	37.4	27.0	22.7	42.7	15.0	153
Odisha	34.1	31.6	35.1	4.3	12.3	91
Punjab	100.0	-32.1	-34.3	3.4	6.8	103
Rajasthan	50.0	19.0	27.0	33.4	19.8	94
Tamil Nadu	33.7	14.0	23.3	55.1	12.5	63
Telangana	0.0	0.0	0.0	92.0	6.5	86
Uttar Pradesh	0.0	48.1	24.2	2.6	6.0	168
Uttarakhand	33.3	62.5	100.0	0.3	3.3	159
West Bengal	29.5	72.8	85.0	8.0	8.6	106
Small states						
Arunachal Pradesh	NA[5]	0.0	-50.0	9.8	17.8	106
Goa	100.0	84.6	83.3	1.1	1.6	83
Himachal Pradesh	75.0	39.1	0.0	21.0	9.0	111
Meghalaya	NA[5]	0.0	0.0	1.2	16.5	157
Mizoram	NA[5]	26.7	75.0	15.1	25.6	106
Sikkim	NA[5]	28.6	0.0	0.0	21.4	154
Tripura	71.4	33.3	50.0	11.2	7.9	51
Unranked states						
Assam	100.0	37.0	61.3	17.5	12.9	104
Jammu & Kashmir	63.5	43.9	40.0	2.4	7.8	127
Manipur	100.0	10.0	22.2	0.0	12.8	69
Nagaland	50.0	0.0	NA[7]	3.6	23.3	31
Union Territories						
Andaman & Nicobar Islands	0.0	0.0	0.0	0.0	7.9	79
Chandigarh	80.0	42.9	50.0	6.2	9.3	88
Dadra & Nagar Haveli	NA[5]	NA[6]	NA[7]	0.0	0.0	66
Daman & Diu	NA[5]	NA[6]	NA[7]	0.0	5.6	103
Delhi	66.7	59.8	12.3	41.5	12.9	175
Lakshadweep	NA[5]	NA[6]	NA[7]	NA[8]	NA[8]	6
Puducherry	NA[5]	0.0	0.0	0.0	5.6	63

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; Open Budgets India. **Common notes: i.** States arranged by clusters in alphabetical order. Data for Ladakh is included in Jammu & Kashmir as most data is for the period when they were one entity. Data for Daman & Diu and Dadra & Nagar Haveli is shown separately as most data is for the period when they separate entities. **ii.** Data for 'Dec 2019' is as of December 31, 2019. **iii.** pp: percentage points (the difference between two percentages). **iv.** NA: Not available. **v.** CY: Calendar year; FY: Financial year.

Notes:
5. PSI shows 0 sanctioned and actual correctional staff. **6.** PSI shows 0 sanctioned and actual medical staff. **7.** PSI shows 0 sanctioned and actual medical officers.
8. PSI shows 0 sanctioned and actual total staff.

Table 4: Indicator-wise data, state scores and ranks

Theme	Infrastructure	Workload			Trends		
Indicator	Jails with V-C facility (%, Dec 2019)	Inmates per officer (persons, Dec 2019)	Inmates per cadre staff (persons, Dec 2019)	Inmates per correctional staff (persons, Dec 2019)	Officer vacancy (pp, CY '15-'19)	Cadre staff vacancy (pp, CY '15-'19)	Share of women in prison staff (pp, CY '15-'19)
Scoring guide	Higher, the better	Lower, the better	Lower, the better	Lower, the better	Lower, the better	Lower, the better	Higher, the better
Large and mid-sized states							
Andhra Pradesh	71	35	5	NA[11]	2.01	0.62	1.18
Bihar	95	337	10	167	-0.94	-7.47	2.55
Chhattisgarh	94	266	13	370	0.69	-7.45	-0.36
Gujarat	80	166	7	15,089	-0.39	0.84	0.38
Haryana	100	152	9	NA[11]	4.26	4.26	0.63
Jharkhand	93	381	25	4,664	0.88	0.47	0.85
Karnataka	31	46	7	7,258	-2.28	0.89	0.74
Kerala	42	45	6	417	1.90	3.66	0.79
Madhya Pradesh	85	169	9	676	1.13	-3.36	2.23
Maharashtra	67	77	11	315	-0.72	-3.36	1.23
Odisha	58	70	10	163	3.12	-0.21	0.20
Punjab	96	201	12	NA[11]	-3.17	-1.71	0.29
Rajasthan	38	110	7	5,400	-2.42	-3.57	1.83
Tamil Nadu	9	17	5	233	0.94	-1.84	0.88
Telangana	95	39	7	6,717	0.12	2.81	0.19
Uttar Pradesh	92	268	23	50,649	-1.88	3.00	-0.03
Uttarakhand	100	331	10	2,815	-0.22	-6.39	-0.59
West Bengal	32	112	9	537	-1.43	-1.39	0.27
Small states							
Arunachal Pradesh	100	25	2	NA[11]	0.00	-1.70	0.08
Goa	100	25	4	NA[11]	-0.12	3.64	0.32
Himachal Pradesh	100	79	5	791	2.12	-1.37	0.35
Meghalaya	60	73	7	NA[11]	0.49	2.63	1.10
Mizoram	0	94	8	NA[11]	0.99	3.46	2.45
Sikkim	0	22	6	NA[11]	-4.51	7.81	0.88
Tripura	31	48	3	552	-0.67	3.17	0.22
Unranked states							
Assam	100	70	16	NA[11]	-0.11	2.97	0.37
Jammu & Kashmir	80	102	6	194	0.82	2.76	0.28
Manipur	40	24	3	NA[11]	-2.88	-5.42	-0.29
Nagaland	0	11	1	446	-0.12	0.00	0.09
Union Territories							
Andaman & Nicobar Islands	25	49	5	244	6.66	6.07	-0.11
Chandigarh	100	197	13	328	2.00	7.37	0.52
Dadra & Nagar Haveli	100	12	NA[10]	NA[11]	NA[12]	NA[14]	NA[15]
Daman & Diu	0	31	4	NA[11]	0.00	0.00	0.00
Delhi	100	78	15	1,252	1.13	-0.89	-0.62
Lakshadweep	0	NA[9]	NA[10]	NA[11]	NA[13]	NA[14]	NA[16]
Puducherry	100	29	4	NA[11]	-1.66	1.97	0.32

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; Open Budgets India. **Common notes: i.** States arranged by clusters in alphabetical order. Data for Ladakh is included in Jammu & Kashmir as most data is for the period when they were one entity. Data for Daman & Diu and Dadra & Nagar Haveli is shown separately as most data is for the period when they separate entities. **ii.** Data for 'Dec 2019' is as of December 31, 2019. **iii.** pp: percentage points (the difference between two percentages). **iv.** NA: Not available. **v.** CY: Calendar year; FY: Financial year.

Notes:
9. PSI shows 0 sanctioned and actual prison officers. **10.** PSI shows 0 sanctioned and actual cadre staff. **11**. PSI shows 0 sanctioned and actual correctional staff. **12**. PSI shows 0 sanctioned prison officers for all 5 years considered for trends and 0 actual officers for 2 years. **13**. PSI shows 0 sanctioned and actual total staff for all 5 years considered for trends. **14**. PSI shows 0 sanctioned and actual cadre staff for all 5 years considered for trends. **15**. PSI shows 0 actual total staff for 2 of the 5 years considered for trends, and no women staff for all 5 years. **16**. PSI shows 0 actual total staff and women staff for all 5 years considered for trends.

Table 4: Indicator-wise data, state scores and ranks

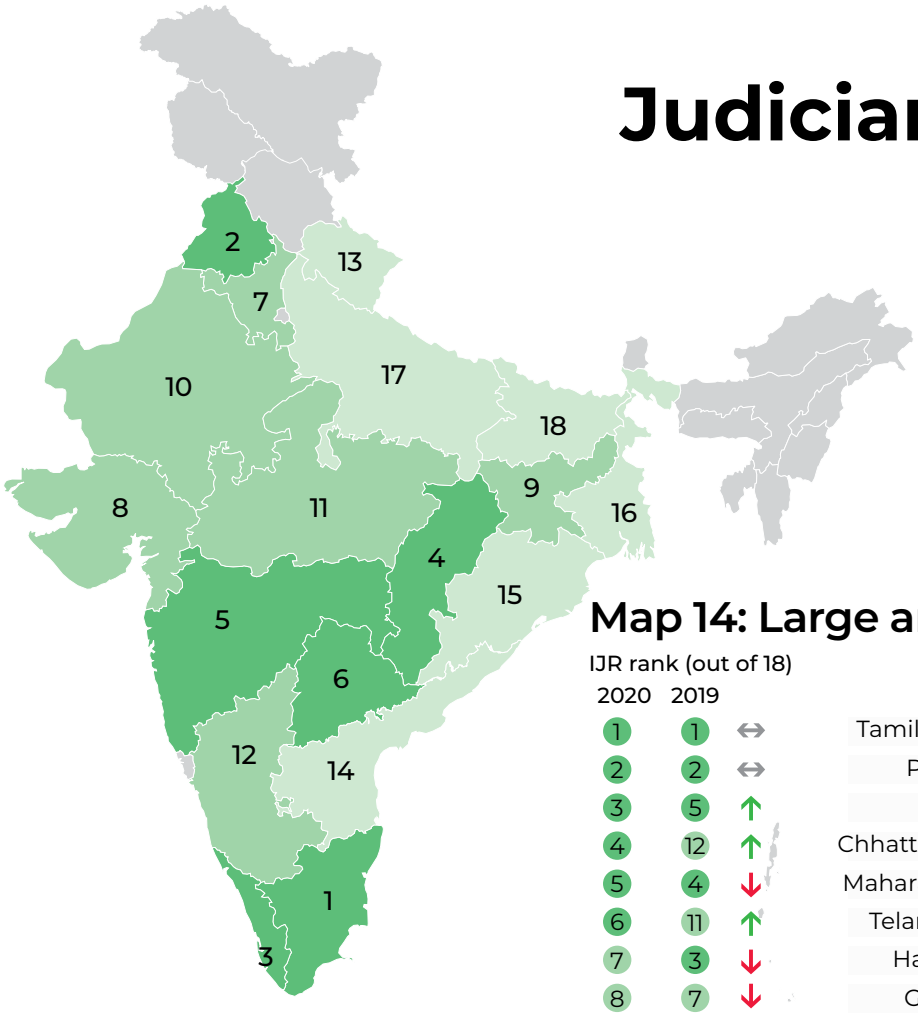
Theme	Trends					
Indicator	Inmates per prison officer (%, CY '15-'19)	Inmates per cadre staff (%, CY '15-'19)	Share of undertrial prisoners (pp, CY '15-'19)	Spend per inmate (%, FY '16-'20)	Prison budget used (pp, FY '16-'20)	Difference in spend: prisons vs state (pp, FY '14-'18)
Scoring guide	Lower, the better	Lower, the better	Lower, the better	Higher, the better	Higher, the better	Higher, the better
Large and mid-sized states						
Andhra Pradesh	2.7	1.2	-0.77	75.0	0.10	NA[22]
Bihar	16.2	-10.0	-1.42	0.9	3.48	2.23
Chhattisgarh	5.9	-5.7	-0.47	8.1	-0.13	-1.68
Gujarat	2.9	0.1	0.41	3.6	-1.12	-2.43
Haryana	6.5	5.6	0.95	103.1	-4.29	-1.12
Jharkhand	17.9	2.9	-1.91	6.6	0.28	0.83
Karnataka	-14.2	-8.2	0.67	5.6	-4.06	-6.69
Kerala	2.0	2.1	-1.09	9.4	-0.39	-5.73
Madhya Pradesh	2.6	-4.3	0.30	-2.2	-0.90	-7.25
Maharashtra	4.4	1.6	0.70	-4.1	0.41	-2.05
Odisha	11.3	3.1	0.15	-2.0	6.08	-6.05
Punjab	-7.8	-3.8	1.30	-1.4	-0.54	-4.11
Rajasthan	-3.6	-3.2	-0.11	67.3	-0.01	-2.02
Tamil Nadu	53.7	-4.0	1.19	12.0	-0.85	1.45
Telangana	7.01	5.4	0.45	-9.2	7.29	NA[22]
Uttar Pradesh	-2.4	7.2	0.32	15.1	-2.69	0.75
Uttarakhand	9.6	-0.7	1.84	14.2	-0.85	-3.99
West Bengal	0.4	0.2	0.27	5.1	0.82	-6.15
Small states						
Arunachal Pradesh	18.7	13.6	-6.38	-0.3	0.07	3.29
Goa	0.0	3.3	-0.25	68.4	2.30	-22.24
Himachal Pradesh	-3.5	-4.9	0.54	3.9	-0.83	3.15
Meghalaya	3.1	2.4	-0.31	10.6	-8.69	2.20
Mizoram	12.4	16.3	2.39	0.4	-2.58	110.22
Sikkim	-5.2	15.7	0.86	-0.1	0.26	-5.43
Tripura	11.8	8.2	1.34	6.4	1.84	-9.96
Unranked states						
Assam	1.8	6.7	0.84	1.2	-2.29	8,039.41
Jammu & Kashmir	12.2	13.9	0.04	8.1	-2.53	4.93
Manipur	-3.4	9.6	1.47	2.7	-4.21	-3.94
Nagaland	-2.3	0.6	-1.09	0.7	0.00	2.27
Union Territories						
Andaman & Nicobar Islands	-13.6	4.4	8.56	-3.4	-0.24	7.21
Chandigarh	3.2	10.4	1.76	20.3	0.20	1.01
Dadra & Nagar Haveli	NA[17]	NA[20]	0.00	74.5	4.90	13.14
Daman & Diu	NA[18]	-3.0	-1.11	27.5	0.00	11.88
Delhi	-2.0	1.1	1.72	26.6	-0.61	4.01
Lakshadweep	NA[19]	NA[20]	0.00	NA[21]	14.75	NA[23]
Puducherry	-2.4	3.2	0.10	7.1	-2.77	-1.99

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; Open Budgets India. **Common notes: i.** States arranged by clusters in alphabetical order. Data for Ladakh is included in Jammu & Kashmir as most data is for the period when they were one entity. Data for Daman & Diu and Dadra & Nagar Haveli is shown separately as most data is for the period when they separate entities. **ii.** Data for 'Dec 2019' is as of December 31, 2019. **iii.** pp: percentage points (the difference between two percentages). **iv.** NA: Not available. **v.** CY: Calendar year; FY: Financial year.

Notes:
17. PSI shows 0 actual prison officers for 2 of the 5 years considered for trends. **18**. PSI shows 0 actual officers for 1 of the 5 years considered for trends. **19**. PSI shows 0 actual prison officers for all 5 years considered for trends. **20**. PSI shows 0 actual cadre staff for all 5 years considered for trends. **21**. PSI shows 0 expenses on inmates for 1 of the 5 years considered for trends. **22**. Disaggregated data for all 5 years for Andhra Pradesh and Telangana was not available. **23**. Prison expenditure was shown as 0 for 1 of the 5 years considered for trends.

Judiciary

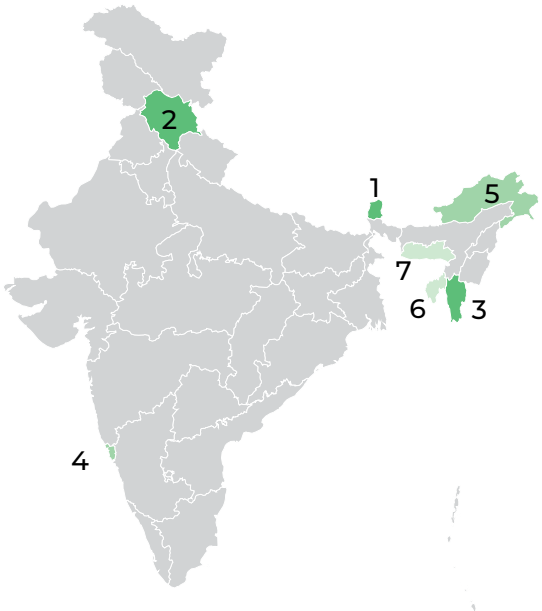
Judiciary ranking



Map 14: Large and mid-sized states

IJR rank (out of 18)

2020	2019		State	Score (out of 10)
1	1	↔	Tamil Nadu	7.22
2	2	↔	Punjab	6.78
3	5	↑	Kerala	6.68
4	12	↑	Chhattisgarh	6.56
5	4	↓	Maharashtra	6.40
6	11	↑	Telangana	6.14
7	3	↓	Haryana	5.82
8	7	↓	Gujarat	5.56
9	14	↑	Jharkhand	5.30
10	8	↓	Rajasthan	5.27
11	6	↓	Madhya Pradesh	5.05
12	16	↑	Karnataka	4.75
13	15	↑	Uttarakhand	4.61
14	13	↓	Andhra Pradesh	4.28
15	9	↓	Odisha	3.91
16	10	↓	West Bengal	3.69
17	17	↔	Uttar Pradesh	3.16
18	18	↔	Bihar	2.66



Map 15: Small states

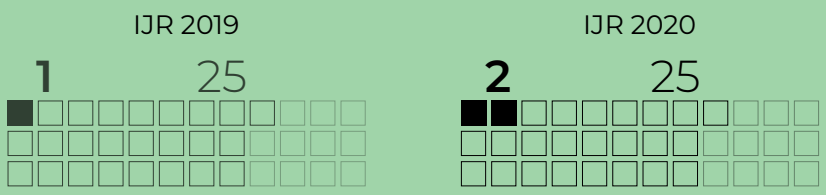
Rank (out of 7)

2020	2019		State	Score (out of 10)
1	1	↔	Sikkim	5.84
2	3	↑	Himachal Pradesh	5.14
3	5	↑	Mizoram	4.94
4	2	↓	Goa	4.92
5	7	↑	Arunachal Pradesh	4.80
6	6	↔	Tripura	4.80
7	4	↓	Meghalaya	2.15

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 higher on the third decimal. Thus, Arunachal Pradesh is ranked above Tripura (4.801 versus 4.796).

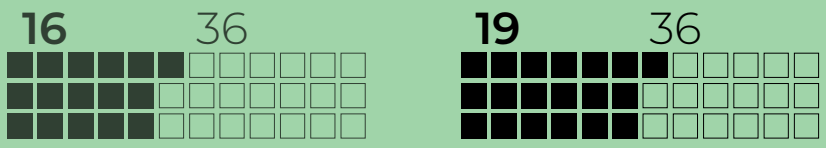
The Capacity Deficits

Judge vacancy: High Courts



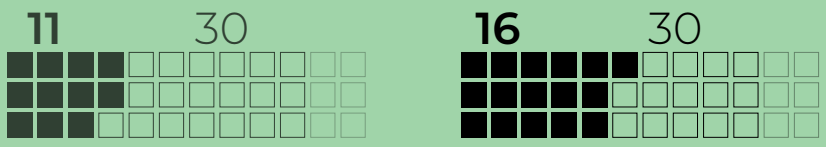
Number of High Courts where judge vacancy is below 20%.

Judge vacancy: subordinate courts



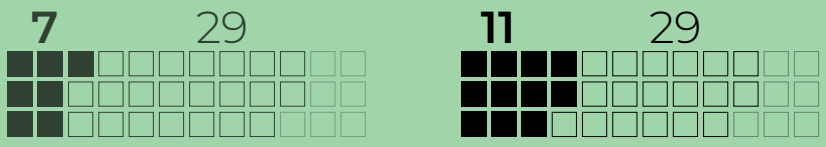
Number of subordinate courts where judge vacancy is below 20%

Courthalls



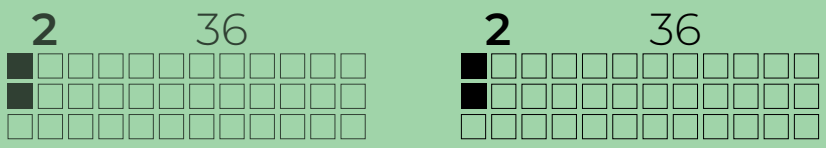
Number of states and Union Territories whose shortage in courthalls against sanctioned judges is below 10%.

Budgets



Number of states and Union Territories where the increase in spending by the judiciary exceeded the increase in the overall state expenditure.

Clearance rate



Only Jharkhand and Manipur had a case clearance rate above 100% in both High court and subordinate court levels.

The other deficits

24%

As of 2020, nearly 1 in 4 cases in the subordinate courts have been pending for over 5 years.

5

Number of states with no women judges in their High Courts

Judiciary: Evidence for Reform

The cumulative effect of persisting vacancies, strained budgets, inadequate infrastructure combined with the continuous inflow of cases inevitably impacts mounting pendency and the time taken for cases to resolve.

In 2016–17, average High Court judge vacancies were at 42 per cent, subordinate courts at 23 per cent and only four states[1] and two UTs[2] had sufficient courtrooms. Nationally, as of 2018-19, vacancies have come down to 38 per cent in the High Courts and 22 per cent in the subordinate courts. The number of court halls has moderately improved, though they remain much fewer than required. On the whole, state expenditure on the judiciary has increased by 0.02 per cent.[3] Between 2016–17 and 2018–19, the average number of pending cases in High Courts has increased by 10.3 per cent and in subordinate courts by 5 per cent.

Over the past year the assessment of each state's judicial capacity to deliver shows little churn within the top 5 ranked states. Among large and mid-sized states, Tamil Nadu and Punjab continue to occupy the top two spots. Kerala, previously in the fifth position, rose two places to third, and Maharashtra slipped one to fifth. The most dramatic shift came from Chhattisgarh, which jumped forward eight spots from twelfth to fourth position. Amongst other factors, Chhattisgarh reduced its court hall shortages and registered an increase in disposal rates at both court levels as well as reduced the number of old cases awaiting resolution for more than five years. On the other hand, Maharashtra could not hold on to its fourth place, since over the past five years, both the total number of pending cases in subordinate courts has mounted steadily and vacancies in its High Court remain unremedied.

Below the 5 top states there were several shifts in ranking: Telangana jumped five spots to sixth position; Jharkhand from fourteenth to ninth; Karnataka from sixteenth to twelfth. Various factors contributed to improvements including better case clearance rates in subordinate courts and a reduction in the number of cases pending over ten years. The most pronounced falls were seen in Haryana (third to seventh); Odisha (ninth to fifteenth), Madhya Pradesh (sixth to eleventh), and West Bengal (tenth to sixteenth). This, mainly due to the large numbers of vacancies that persist in their high courts. Uttar Pradesh and Bihar remain at the bottom of the table. A combination of frailties particularly at the subordinate court level keep them at the bottom of the table including vacancies amongst judges, cases pending for over five years, and the average number of years a case remains pending. Among smaller states, Sikkim retained its first position while Meghalaya dropped three spots. The drop can be attributed

NOTE: Comparisons are between 2016-17, 2017 and 2018 (used in IJR 2019) and 2018-19, 2019 and 2020 (used in IJR 2020)
1 Goa, Nagaland (not ranked), Arunachal Pradesh, Kerala.
2 Chandigarh, Lakshadweep (both not ranked)
3 According to CFRA, 2015–16, states/UTs (for which data is available) spent only 0.56 per cent of their total expenditure on judiciary. In 2017–18, the share increased to 0.58 per cent.
4 Assam (not ranked), Chhattisgarh, Mizoram, Sikkim.

to increasing vacancies at both court levels, lack of women judges at the High Court, and a growing deficit of court halls.

Human Resources

Nationally, average cases pending in High Courts rose from about 40.12 lakhs in 2016-17 to 44.25 lakhs in 2018-19, and in lower courts from 2.83 crores to 2.97 crores. Though the number of pending cases rose, except for Chandigarh's lower courts, no single High Court or state's lower judiciary had a full complement of judges in place. Over a five-year period, only four states[4] have reduced vacancies at both levels. On average, one in three judges in the High Court was missing and one in four among subordinate judges. In fact, in the two years between 2016-17 and 2018-19, vacancy levels increased in 10 High Courts and 15 subordinate courts. In High Courts, the range varies from 70 per cent (Andhra Pradesh) to 8 per cent (Sikkim). In sixteen out of eighteen large and mid-sized states, vacancies run at over 25 per cent.

There were some sharp contrasts as well. Even as Karnataka nearly halved its subordinate court vacancies, in Tamil Nadu (10 per cent to 22 per cent) and Uttar Pradesh (31 per cent to 39 per cent) vacancies increased significantly, while Meghalaya's went up from 42 per cent to 60 per cent.

Shortage of non-judicial staff also hampers the functioning of the judiciary. Available data (2018-19) from High Courts signposts that 8 of the 18 large and mid-sized states—Andhra Pradesh, West Bengal, Chhattisgarh, Tamil Nadu, Rajasthan, Odisha, Uttarakhand, Bihar—work with more than 25 per cent non-judicial staff vacancies.

Diversity

Despite a wide acceptance of the value of diversity for improved delivery of justice, the data on religious and social diversity amongst judges remains unavailable, particularly in the subordinate judiciary. Gender diversity is more trackable. On average, the share of women judges in the High Courts increased marginally from 11 per cent to 13 per cent, while in subordinate courts it increased from 28 per cent to 30 per cent Nevertheless, over a two-year period, twelve High Courts and twenty-seven subordinate courts improved their share of women judges. This means that while one in three judges in the subordinate courts is a woman, in the High Courts, only one in nine judges is a woman. The glass ceiling remains intact. Illustratively, at 72 per cent, Goa had the largest share of women in their subordinate courts. This drops to 13 per cent in the High Court.

The biggest improvements in gender diversity in High Courts took place in Jammu and Kashmir[5] (15 percentage points), Chhattisgarh (14 percentage points), and Himachal Pradesh (11 percentage points). Previously, none of the three states had a women judge. The largest fall of 6.3 percentage points was in Bihar, which, as of August 2020, has no woman High Court judge. Since 2018, the high courts of Manipur, Meghalaya, Tripura and Uttarakhand also continue to have no women judges.

Budget

The report uses per capita expenditure as a comparator between states to evaluate the adequacy of budgetary allocations to the judiciary. The average five-year change in expenditure, when measured against the change in the total state expenditure, is indicative of the proportion of their incremental budgets that states were able/willing to allocate. This can be interpreted as being reflective of the priority that a state accords to its judiciary.

In the large and mid-sized category, Haryana spends the most (₹230) per capita, while West Bengal at the bottom spends one-fourth of that (₹58). In the small state category, the per-capita spend ranges from ₹496 in Sikkim to one-fourth of that (₹119) in Arunachal Pradesh.

4 Assam (not ranked), Chhattisgarh, Mizoram, Sikkim.
5 Not ranked.

Looked at over five years (2013-14 to 2017-18), ten states and one UT (Delhi) registered a higher increase in budgetary spend on the judiciary against the increase in the total state expenditure. Only four[6] of these are large and mid-sized states, the remaining six are from the North-east, led by Arunachal Pradesh which averaged a differential of 41 percentage points. Of the 18 states whose increment in judiciary budgets has trailed their overall state spend, 12 are large and mid-sized states including those that had 1 in 5 cases pending for over 5 years—West Bengal, Bihar, Uttar Pradesh, Odisha, Jharkhand and Maharashtra. Bihar showed the largest trail at nearly seven percentage points which means that while its total budget during 2013-14 to 2017-18 increased on average by 16 per cent, its judiciary allocation increased on average by only 9 per cent.

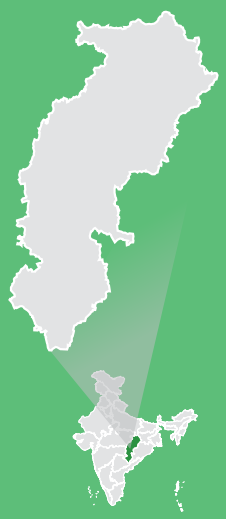
Infrastructure

Logic demands that for every judge there must be a physical courtroom. The shortage of court halls has stayed around the same levels at 14 per cent. Between 2018 and 2020 the number of functional court halls has increased from 18,444 to 19,632.

However, if the full complement of sanctioned judge strength were appointed, there would be a shortfall of 3,343 court halls. The larger states made better headway in constructing more courts but in states such as Arunachal Pradesh (0 per cent to 21 per cent), Madhya Pradesh (13 per cent to 23 per cent), and Uttar Pradesh (14 per cent to 29 per cent), shortages have increased since the previous report.

Workload

Vacancies and poor infrastructure impact judge workloads. Looked at across five years the total number of pending cases in twelve High Courts[7] and subordinate courts in seven states/UTs[8] has declined. Between 2018 and 2020, the subordinate courts of twenty-eight states/ UTs also managed to reduce the share of cases pending for more than five years. Among large and medium states, only West Bengal and Madhya Pradesh bucked this trend. In these two states pending cases in subordinate courts increased by over 14 per cent and those over 5 years in court by 37 per cent. At the national level, cases across subordinate courts are pending for three years on average. In eight states,[9] one in five cases still remains pending for



Box 5: Rise: **Chhattisgarh**

Chhattisgarh's eight-spot jump in judiciary ranking shows how changes made across a few indicators can have knock-on effects on others and, more importantly, have positive outcomes for the public. A High Court notification of July 2017[a] required all subordinate courts to: make plans to dispose of all cases pending for five years by November 2018; decide bail applications within one week; and dispose of sessions and magisterial undertrial cases within two years and six months, respectively. In the months that followed, Chhattisgarh brought up its subordinate court case clearance rate from 100 per cent to 101 per cent. The average pendency period is two years, and as of July 2020, only 4 per cent of cases older than five years remained to be cleared. With the future in mind, Chhattisgarh has also gone about building more court halls to more than meet its increased sanctioned judge strength.

a. Available online at http://highcourt.cg.gov.in/bestprectices/bast_practices.pdf

6 Gujarat, Kerala, Punjab, Tamil Nadu
7 Uttar Pradesh, Rajasthan, Jammu & Kashmir (not ranked), Maharashtra, Manipur (not ranked), Tamil Nadu, Himachal Pradesh, West Bengal, Assam (not ranked), Odisha, Meghalaya, Tripura
8 Manipur (not ranked), Gujarat, West Bengal, Tamil Nadu, Jammu & Kashmir (not ranked), Puducherry (not ranked), Lakshadweep (not ranked)
9 West Bengal, Bihar, Uttar Pradesh, Odisha, Meghalaya, Gujarat, Jharkhand, Maharashtra

Box 6: Fall: **Haryana**

Even small declines in one or other facet of the whole can mean slippage in a state's rank. In Haryana about 1 per cent of all cases in lower courts are pending for more than five years. At about 2 years, the average pendency is better than most. But a rise in subordinate judge vacancies and a consistent five year trend of case accumulations has pushed its position downwards from third to the seventh position. During 2016–2019, vacancies in the subordinate courts rose, going from one out of five to one out of four judges missing. Earlier, in 2016–17, cases pending per subordinate court judge was 1,121. But by 2018–19, this had risen to 1,460: a rise of 30 per cent.

more than five years.

The rate at which cases come in over the year and get cleared determines future accumulations and how long a matter will remain unresolved in court. Nationally, the average case clearance rate is higher in subordinate courts (93 per cent) than in High Courts (88.5 per cent). At the subordinate courts level, twelve states/UTs[10] had a case clearance rate of more than a hundred per cent, compared with only four High Courts.[11] On a five-year basis, the picture is marginally better: only eleven states/UTs' High Courts[12] and the subordinate courts of seventeen states/UTs[13] have managed to improve their case clearance rates.

On a year-on-year basis, the vacancies in Uttar Pradesh at subordinate level continue to increase. As of 2018–19, the average working strength was 1,996 judges against 3,245 sanctioned posts.[14] Courtroom shortages could be one reason for the delay appointing more judges. In 2018, 2,192 courtrooms were available. According to the latest figures, that number is 2,312. Meanwhile, between 2016-17 and 2018-19, the total pending cases in lower courts in Uttar Pradesh have increased by 15% to about 69 lakh. Thirty-six per cent of all cases in the subordinate courts have been pending for over five years (July 2020).

Illustrative of the tenuous causality between case clearance rates (CCR) and vacancy, in Meghalaya, the subordinate court judge vacancies rose from 42 per cent (2016–17) to 60 per cent (2018–19). In the same two-year period, the shortage of courtrooms increased from 42 per cent to 45 per cent. In 2018–19, on average, 13,756 cases remained pending in Meghalaya's subordinate courts. Despite missing one out of two judges, the CCR in the state is at 110 per cent (2018–19). And yet, on average, the cases in Meghalaya's subordinate courts remain pending for four years—longer than the national average.

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10 Tripura, Nagaland (not ranked), D&N Haveli (not ranked), Arunachal Pradesh, Manipur (not ranked), Gujarat, Sikkim, Meghalaya, Lakshadweep (not ranked), Jharkhand, Jammu & Kashmir (not ranked), Chhattisgarh
11 Manipur (not ranked), Odisha, Tamil Nadu, Jharkhand.
12 Odisha, Manipur (not ranked), Jharkhand, Puducherry (not ranked), Tamil Nadu, Sikkim, Lakshadweep (not ranked), Kerala, Bihar, Jammu & Kashmir (not ranked), and Uttar Pradesh.
13 Manipur (not ranked), Gujarat, West Bengal, Tamil Nadu, Jammu & Kashmir (not ranked), Chhattisgarh, Himachal Pradesh.
14 As of 2018–19, this is the average working and sanctioned strength of judges in UP as taken from Court News (2018–19).

Table 5: Indicator-wise data, state scores and ranks

Theme							Budgets	Human resources		
Indicator							Per capita spend on judiciary (Rs, 2017-18)	Population per High Court judge (2018-19)[3,4]	Population per sub. court judge (2018-19)[3,6]	High Court judge vacancy (%, 2018-19)[4]
Scoring guide		Rank in cluster 2020	Rank in cluster 2019	2020 Score (out of 10)	Indicators improved on (out of 13)[1]		Higher, the better	Lower, the better	Lower, the better	Lower, the better
Large and mid-sized states										
Andhra Pradesh[5]	↓	14	13	4.28		7	121	4,755,909	96,167	70.3
Bihar	↔	18	18	2.66		8	67	4,141,862	100,703	45.3
Chhattisgarh	↑	4	12	6.56		10	82	1,891,934	73,885	30.7
Gujarat	↓	8	7	5.56		9	130	2,459,279	60,048	46.6
Haryana	↓	7	3	5.82		10	230	1,158,068	59,122	39.1
Jharkhand	↑	9	14	5.30		8	100	2,031,405	82,427	26.0
Karnataka	↑	12	16	4.75		11	126	2,145,463	60,373	50.4
Kerala	↑	3	5	6.68		8	228	979,278	75,144	23.4
Madhya Pradesh	↓	11	6	5.05		4	96	2,412,058	59,616	35.4
Maharashtra	↓	5	4	6.40		10	135	1,792,903	54,453	25.8
Odisha	↓	15	9	3.91		8	96	3,016,000	60,487	46.3
Punjab	↔	2	2	6.78		10	203	1,158,068	54,959	39.1
Rajasthan	↓	10	8	5.27		6	109	2,847,743	69,644	45.5
Tamil Nadu	↔	1	1	7.22		7	135	1,262,498	84,424	18.3
Telangana[5]	↑	6	11	6.14		7	140	2,867,923	108,067	45.8
Uttar Pradesh	↔	17	17	3.16		6	81	2,265,333	113,224	37.7
Uttarakhand	↑	13	15	4.61		10	158	1,355,636	48,468	25.0
West Bengal	↓	16	10	3.69		3	58	2,600,187	103,869	47.9
Small states										
Arunachal Pradesh	↑	5	7	4.80		8	119	2,152,055	64,128	24.0
Goa	↓	4	2	4.92		7	444	1,792,903	33,005	25.8
Himachal Pradesh	↑	2	3	5.14		5	269	914,375	49,176	38.5
Meghalaya	↓	7	4	2.15		5	140	1,436,444	82,872	43.8
Mizoram	↑	3	5	4.94		10	275	2,152,055	25,978	24.0
Sikkim	↔	1	1	5.84		11	496	241,818	35,000	8.3
Tripura	↔	6	6	4.80		6	304	1,334,000	49,560	25.0
Unranked states										
Assam		Not ranked				12	80	2,152,055	99,116	24.0
Jammu & Kashmir		Not ranked				6	145	1,424,316	59,087	44.1
Manipur		Not ranked				6	180	957,231	77,775	35.0
Nagaland		Not ranked				9	223	2,152,055	80,561	24.0
Union Territories										
Andaman & Nicobar Islands		Not ranked				1	NA[2]	2,600,187	103,869	47.9
Chandigarh		Not ranked				10	NA[2]	1,158,068	39,467	39.1
Dadra & Nagar Haveli		Not ranked				8	NA[2]	1,792,903	185,333	25.8
Daman & Diu		Not ranked				7	NA[2]	1,792,903	141,000	25.8
Delhi		Not ranked				9	544	553,889	36,858	40.0
Lakshadweep		Not ranked				4	NA[2]	979,278	24,727	23.4
Puducherry		Not ranked				7	126	1,262,498	128,936	18.3

Data sources: Court News, Supreme Court of India; National Judicial Data Grid; eCourts Services; Websites of High Courts; Approaches to Justice in India: A Report by DAKSH; Combined Finance and Revenue Accounts of the Union and State Governments in India, Comptroller and Auditor General of India; National Commission on Population, 2019; Application under Right to Information (RTI) Act filed by Vidhi Centre for Legal Policy; Open Budgets India; Department of Justice. **Common notes: i.** States arranged by clusters in alphabetical order. Data for Ladakh is included in Jammu & Kashmir as most data is for the period when they were one entity. Data for Daman & Diu and Dadra & Nagar Haveli is shown separately as most data is for the period when they separate entities. **ii.** Sub. court: subordinate court. **iii.** pp: percentage points (the difference between two percentages). **iv.** NA: Not available. **v.** CY: Calendar year; FY: Financial year.

Notes: **1.** 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. **2.** Judiciary expenditure data not available. **3.** Population of states and UTs that share a High Court, or for which Court News shows combined data for subordinate courts, has been combined. Hence, they will show an identical value. **4.** States and UTs that share a High Court have been assigned identical values for High Court indicators. 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 Puducherry; West Bengal and Andaman & Nicobar Islands. **5.** Due to bifurcation of Andhra Pradesh and Telangana courts from January 2019, Q4 data of 2018-19 has been used for them for indicators related to subordinate courts and High Courts.

Table 5: Indicator-wise data, state scores and ranks

Theme	Human resources		Diversity		Infrastructure	Workload
Indicator	Sub. court judge vacancy (%, 2018-19)[6]	High Court staff vacancy (%, 2018-19)[4]	Women judges (High Court) (%, Aug 2020)[4]	Women judges (sub. court) (%, Nov 2019)	Courthall shortfall (%, 2018-19, Jan 2020)	Cases pending (5-10 years) (sub. court) (%, 1 Jul 2020)
Scoring guide	Lower, the better	Lower, the better	Higher, the better	Higher, the better	Lower, the better	Lower, the better
Large and mid-sized states						
Andhra Pradesh[5]	5.2	55.6	19.0	43.6	-4.9	5.40
Bihar	35.3	26.3	0.0	14.5	19.9	22.01
Chhattisgarh	14.3	39.5	14.3	37.4	-3.2	3.56
Gujarat	24.4	22.4	14.8	16.8	-0.4	11.33
Haryana	25.4	20.2	18.2	34.6	15.6	0.98
Jharkhand	31.9	18.7	5.9	12.1	11.0	17.45
Karnataka	16.3	14.3	10.9	30.7	15.8	10.90
Kerala	12.5	7.4	13.5	37.9	4.9	6.25
Madhya Pradesh	26.3	11.7	9.7	27.2	22.8	8.21
Maharashtra	2.1	11.7	13.4	28.4	1.4	13.88
Odisha	19.6	30.6	6.3	40.2	26.2	19.71
Punjab	19.2	20.2	18.2	40.9	15.2	1.66
Rajasthan	15.7	32.2	8.0	34.5	9.3	15.20
Tamil Nadu	22.2	34.8	16.7	36.8	1.9	11.87
Telangana[5]	16.5	-8.7	7.1	46.2	-8.5	6.96
Uttar Pradesh	38.5	21.0	5.1	25.2	28.8	21.54
Uttarakhand	21.1	31.6	0.0	37.3	22.1	8.59
West Bengal	7.4	39.5	13.2	36.4	NA[7]	21.04
Small states						
Arunachal Pradesh	23.0	6.5	4.8	NA	21.3	NA[8]
Goa	18.0	11.7	13.4	72.0	7.0	9.73
Himachal Pradesh	8.3	8.8	11.1	29.1	1.4	9.24
Meghalaya	59.8	15.7	0.0	50.0	45.4	16.48
Mizoram	27.8	6.5	4.8	33.3	32.5	6.91
Sikkim	17.4	11.0	33.3	28.6	-8.7	0.14
Tripura	29.9	21.6	0.0	31.6	32.3	6.63
Unranked states						
Assam	19.2	6.5	4.8	40.9	13.7	8.97
Jammu & Kashmir	24.5	19.4	15.4	20.3	33.4	14.66
Manipur	27.3	20.4	0.0	30.8	30.9	8.27
Nagaland	20.1	6.5	4.8	33.3	10.4	NA[8]
Union Territories						
Andaman & Nicobar Islands	7.4	39.5	13.2	0.0	NA[7]	19.10[8]
Chandigarh	0.0	20.2	18.2	40.0	-3.3	1.66
Dadra & Nagar Haveli	7.7	11.7	13.4	0.0	7.7	7.84
Daman & Diu	20.0	11.7	13.4	0.0	-33.3	8.96
Delhi	32.3	33.1	21.9	37.4	32.3	6.01
Lakshadweep	8.3	7.4	13.5	0.0	0.0	7.87[8]
Puducherry	54.8	34.8	16.7	50.0	-11.5	13.31[8]

Data sources: Court News, Supreme Court of India; National Judicial Data Grid; eCourts Services; Websites of High Courts; Approaches to Justice in India: A Report by DAKSH; Combined Finance and Revenue Accounts of the Union and State Governments in India, Comptroller and Auditor General of India; National Commission on Population, 2019; Application under Right to Information (RTI) Act filed by Vidhi Centre for Legal Policy; Open Budgets India; Department of Justice. **Common notes: i.** States arranged by clusters in alphabetical order. Data for Ladakh is included in Jammu & Kashmir as most data is for the period when they were one entity. Data for Daman & Diu and Dadra & Nagar Haveli is shown separately as most data is for the period when they separate entities. **ii.** Sub. court: subordinate court. **iii.** pp: percentage points (the difference between two percentages). **iv.** NA: Not available. **v.** CY: Calendar year; FY: Financial year.

Notes: **4.** States and UTs that share a High Court have been assigned identical values for High Court indicators. 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 Puducherry; West Bengal and Andaman & Nicobar Islands. **5.** Due to bifurcation of Andhra Pradesh and Telangana courts from January 2019, Q4 data of 2018-19 has been used for them for indicators related to subordinate courts and High Courts. **6.** Court News gives combined figures for subordinate courts for West Bengal and Andaman & Nicobar Islands. Hence, each pair has identical values for these indicators. **7.** States and UTs for which Court News gives combined data for subordinate courts were excluded from this indicator. **8.** Latest data not available on National Judicial Data Grid. Figures placed are from IJR 1.

Table 5: Indicator-wise data, state scores and ranks

Theme	Workload				Trends		
Indicator	Cases pending (10+ years) (sub. court) (%, 1 Jul 2020)	Average sub. court pendency (years, Jun 2020)	Case clearance rate (High Court) (%, 2018-19)[4]	Case clearance rate (sub. court) (%, 2018-19)[6]	Cases pending (per High Court judge) (%, FY '15-'19)[4,8]	Cases pending (per sub. court judge) (%, FY '15-'19)[6]	Total cases pending (High Court) (%, FY '15-'19)[4]
Scoring guide	Lower, the better	Lower, the better	Higher, the better	Higher, the better	Lower, the better	Lower, the better	Lower, the better
Large and mid-sized states							
Andhra Pradesh[5]	0.89	2.2	38	95	NA	NA	NA
Bihar	14.72	5.7	90	70	5.9	1.0	3.3
Chhattisgarh	0.30	2.0	94	101	0.8	-7.3	6.4
Gujarat	10.90	4.4	82	112	10.3	-6.6	8.1
Haryana	0.06	1.7	87	87	3.7	4.0	5.5
Jharkhand	3.80	3.8	105	102	-6.0	-0.7	4.4
Karnataka	2.54	3.0	82	95	16.9	-3.6	12.8
Kerala	0.57	2.7	89	99	4.6	1.0	7.9
Madhya Pradesh	1.12	2.9	82	99	4.3	1.0	4.9
Maharashtra	6.89	4.1	85	92	-5.6	-1.0	-2.4
Odisha	15.33	5.7	113	65	-5.0	-2.8	-9.3
Punjab	0.17	1.5	87	97	3.7	-1.4	5.5
Rajasthan	3.60	3.4	76	96	2.0	-3.9	-1.2
Tamil Nadu	3.42	3.0	108	97	-16.5	-3.8	-10.2
Telangana[5]	1.37	2.5	61	92	NA	NA	NA
Uttar Pradesh	14.31	6.2	91	86	-4.3	1.5	-2.0
Uttarakhand	1.65	2.8	85	100	11.2	3.3	10.6
West Bengal	15.81	5.8	93	87	-1.9	-7.6	-4.3
Small states							
Arunachal Pradesh	NA[8]	NA	91	114	-3.9	3.7	-1.7
Goa	3.92	2.6	85	91	-5.6	4.6	-2.4
Himachal Pradesh	0.40	2.2	85	92	-8.0	-3.0	-8.2
Meghalaya	8.60	3.7	93	110	2.3	14.3	-5.2
Mizoram	0.98	2.5	91	95	-3.9	6.9	-1.7
Sikkim	0.00	0.9	78	111	13.2	-2.0	19.8
Tripura	4.24	2.6	98	170	0.7	-0.8	-11.5
Unranked states							
Assam	1.07	2.6	91	95	-3.9	-3.7	-1.7
Jammu & Kashmir	2.73	5.4	74	102	-2.0	-3.9	-5.5
Manipur	2.74	2.5	148	113	-5.0	-14.6	-1.9
Nagaland	NA[8]	3.5	91	120	-3.9	7.8	-1.7
Union Territories							
Andaman & Nicobar Islands	8.18[8]	NA	93	87	-1.9	-7.6	-4.3
Chandigarh	0.14	1.3	87	95	3.7	-2.5	5.5
Dadra & Nagar Haveli[9]	2.42	NA	85	119	-5.6	2.7	-2.4
Daman & Diu[9]	3.32	NA	85	85	-5.6	17.9	-2.4
Delhi	0.76	2.4	89	92	5.8	6.9	3.0
Lakshadweep	7.87[8]	NA	89	105	4.6	-9.5	7.9
Puducherry	3.31[8]	NA	108	97	-16.5	-3.1	-10.2

Data sources: Court News, Supreme Court of India; National Judicial Data Grid; eCourts Services; Websites of High Courts; Approaches to Justice in India: A Report by DAKSH; Combined Finance and Revenue Accounts of the Union and State Governments in India, Comptroller and Auditor General of India; National Commission on Population, 2019; Application under Right to Information (RTI) Act filed by Vidhi Centre for Legal Policy; Open Budgets India; Department of Justice. **Common notes: i.** States arranged by clusters in alphabetical order. Data for Ladakh is included in Jammu & Kashmir as most data is for the period when they were one entity. Data for Daman & Diu and Dadra & Nagar Haveli is shown separately as most data is for the period when they separate entities. **ii.** Sub. court: subordinate court. **iii.** pp: percentage points (the difference between two percentages). **iv.** NA: Not available. **v.** CY: Calendar year; FY: Financial year.

Notes: **4.** States and UTs that share a High Court have been assigned identical values for High Court indicators. 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 Puducherry; West Bengal and Andaman & Nicobar Islands. **5.** Due to bifurcation of Andhra Pradesh and Telangana courts from January 2019, Q4 data of 2018-19 has been used for them for indicators related to subordinate courts and High Courts. Further, trend indicators for these 2 states have not been computed due to non-availability of data separately for the 5-year period. **6.** Court News gives combined figures for subordinate courts for West Bengal and Andaman & Nicobar Islands. Hence, each pair has identical values for these indicators. **7.** States and UTs for which Court News gives combined data for subordinate courts were excluded from this indicator. **8.** Latest data not available on National Judicial Data Grid. Figures placed are from IJR 1. **9.** For subordinate court trend indicators for Daman & Diu and Dadra & Nagar Haveli, 4-year trends have been calculated.

Table 5: Indicator-wise data, state scores and ranks

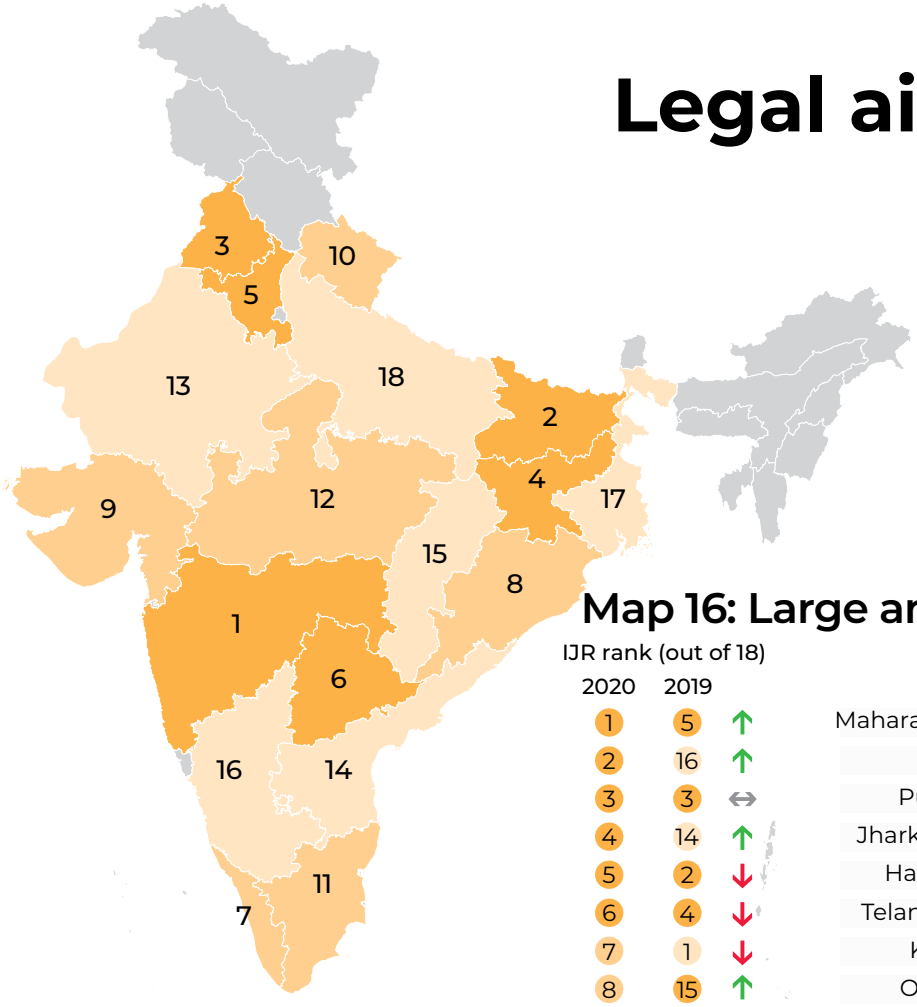
Theme	Trends					
Indicator	Total cases pending (sub. court) (%, FY '15-'19)[6]	Judge vacancy (High Court) (pp, FY '15-'19)[4]	Judge vacancy (sub. court) (pp, FY '15-'19)[6]	Case clearance rate (High Court) (pp, FY '15-'19)[4]	Case clearance rate (sub. court) (pp, FY '15-'19)[6]	Difference in spend: judiciary vs state (pp, FY '14-'18)
Scoring guide	Lower, the better	Lower, the better	Lower, the better	Higher, the better	Higher, the better	Higher, the better
Large and mid-sized states						
Andhra Pradesh[5]	NA	NA	NA	NA	NA	NA
Bihar	6.0	4.17	-0.46	0.25	-0.92	-6.54
Chhattisgarh	0.1	-1.64	-0.77	-4.74	1.22	-0.30
Gujarat	-8.3	4.09	-2.40	-1.88	3.70	3.96
Haryana	5.3	1.65	-0.22	-1.18	-2.67	-0.93
Jharkhand	1.7	-4.05	0.48	6.82	2.94	-5.21
Karnataka	4.5	4.58	-3.26	-1.14	0.18	-4.91
Kerala	4.4	0.87	1.03	0.28	2.08	0.94
Madhya Pradesh	3.5	2.42	3.02	-2.99	0.52	-4.62
Maharashtra	3.6	1.03	-2.17	-1.32	-1.49	-1.95
Odisha	2.3	3.80	1.05	8.22	-6.47	-3.35
Punjab	2.7	1.65	-1.90	-1.18	-0.93	0.75
Rajasthan	2.9	3.98	-2.92	-3.67	-0.49	-4.71
Tamil Nadu	-3.5	-1.42	2.82	5.76	0.40	0.51
Telangana[5]	NA	NA	NA	NA	NA	NA
Uttar Pradesh	3.7	-1.63	5.43	0.17	-3.39	-3.75
Uttarakhand	7.8	1.11	-1.88	-2.90	-0.99	-4.26
West Bengal	-5.3	3.81	-1.78	-6.66	-4.16	-6.36
Small states						
Arunachal Pradesh	13.2	-1.46	3.64	-0.69	3.48	40.79
Goa	6.2	1.03	0.23	-1.32	-0.55	-1.10
Himachal Pradesh	0.2	0.87	0.02	-0.91	0.60	-1.00
Meghalaya	23.1	8.75	5.80	-4.44	4.23	32.04
Mizoram	14.6	-1.46	-4.67	-0.69	-1.94	-0.08
Sikkim	7.1	-5.00	-3.38	1.98	0.91	3.49
Tripura	2.5	5.00	-0.88	-6.11	16.60	20.34
Unranked states						
Assam	2.8	-1.46	-3.56	-0.69	-1.23	-2.65
Jammu & Kashmir	-1.7	4.18	3.10	0.20	-0.31	-0.79
Manipur	-9.6	-3.00	1.67	7.91	1.59	24.76
Nagaland	8.0	-1.46	3.10	-0.69	3.02	6.57
Union Territories						
Andaman & Nicobar Islands	-5.3	3.81	-1.78	-6.66	-4.16	NA[10]
Chandigarh	1.6	1.65	-2.20	-1.18	-1.14	NA[10]
Dadra & Nagar Haveli[9]	2.4	1.03	1.63	-1.32	2.21	NA[10]
Daman & Diu[9]	8.2	1.03	5.22	-1.32	-2.95	NA[10]
Delhi	9.4	5.08	-1.02	-1.07	-2.84	7.61
Lakshadweep	1.7	0.87	-11.67	0.28	6.96	NA[10]
Puducherry	-2.4	-1.42	1.44	5.76	1.37	-2.72

Data sources: Court News, Supreme Court of India; National Judicial Data Grid; eCourts Services; Websites of High Courts; Approaches to Justice in India: A Report by DAKSH; Combined Finance and Revenue Accounts of the Union and State Governments in India, Comptroller and Auditor General of India; National Commission on Population, 2019; Application under Right to Information (RTI) Act filed by Vidhi Centre for Legal Policy; Open Budgets India; Department of Justice. **Common notes: i.** States arranged by clusters in alphabetical order. Data for Ladakh is included in Jammu & Kashmir as most data is for the period when they were one entity. Data for Daman & Diu and Dadra & Nagar Haveli is shown separately as most data is for the period when they separate entities. **ii.** Sub. court: subordinate court. **iii.** pp: percentage points (the difference between two percentages). **iv.** NA: Not available. **v.** CY: Calendar year; FY: Financial year.

Notes: **4.** States and UTs that share a High Court have been assigned identical values for High Court indicators. 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 Puducherry; West Bengal and Andaman & Nicobar Islands. **5.** Due to bifurcation of Andhra Pradesh and Telangana subordinate courts from January 2019, fourth-quarter data of 2018-19 has been used for them for indicators related to subordinate courts and High Courts. Further, trend indicators for these 2 states have not been computed due to non-availability of data separately for the 5-year period. **6.** Court News gives combined figures for subordinate courts for West Bengal and Andaman & Nicobar Islands. Hence, each pair has identical values for these indicators. **9.** For subordinate court trend indicators for Daman & Diu and Dadra & Nagar Haveli, 4-year trends have been calculated. **10.** Judiciary expenditure data was not available.

Legal Aid

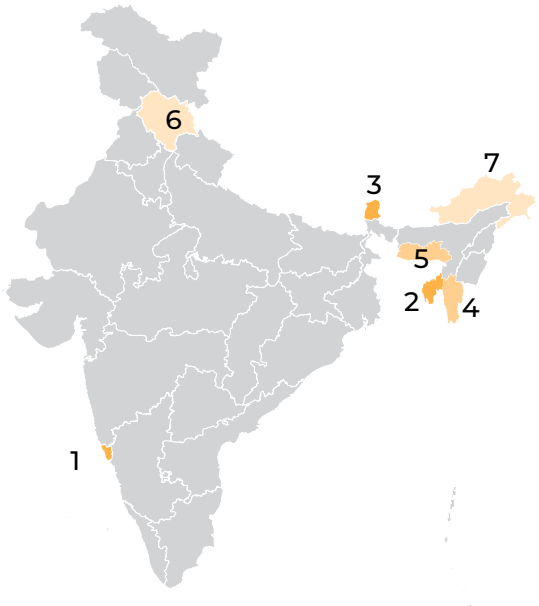
Legal aid ranking



Map 16: Large and mid-sized states

IJR rank (out of 18)

2020	2019		State	Score (out of 10)
1	5	↑	Maharashtra	6.90
2	16	↑	Bihar	6.57
3	3	↔	Punjab	6.35
4	14	↑	Jharkhand	6.18
5	2	↓	Haryana	6.07
6	4	↓	Telangana	5.93
7	1	↓	Kerala	5.84
8	15	↑	Odisha	5.64
9	6	↓	Gujarat	5.39
10	17	↑	Uttarakhand	5.25
11	12	↑	Tamil Nadu	5.22
12	9	↓	Madhya Pradesh	4.86
13	11	↓	Rajasthan	4.71
14	10	↓	Andhra Pradesh	4.37
15	8	↓	Chhattisgarh	4.11
16	7	↓	Karnataka	4.08
17	13	↓	West Bengal	3.63
18	18	↔	Uttar Pradesh	2.54



Map 17: Small states

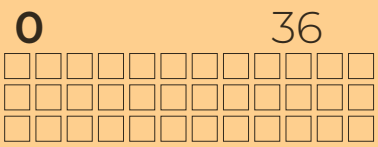
Rank (out of 7)

2020	2019		State	Score (out of 10)
1	1	↔	Goa	5.30
2	5	↑	Tripura	4.82
3	4	↑	Sikkim	4.10
4	2	↓	Mizoram	4.00
5	6	↑	Meghalaya	3.13
6	3	↓	Himachal Pradesh	3.07
7	7	↔	Arunachal Pradesh	2.92

The Capacity Deficits

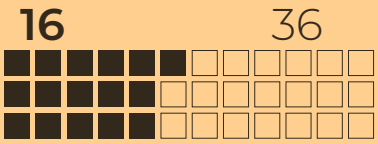
Meeting Data available

Central budgets



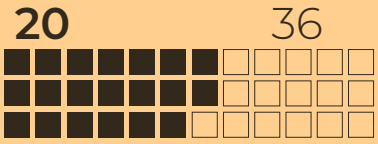
Number of states and Union Territories that used up their entire NALSA budget allocation.

State budgets



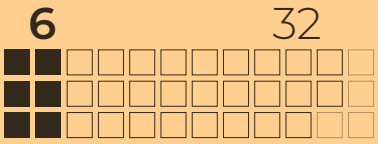
Number of states and Union Territories whose contribution to their legal aid budget was more than 50%.

Women



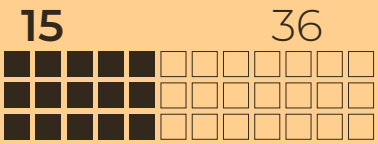
Number of states and Union Territories where the share of women among panel lawyers is above 20%.

Rural coverage



Number of states and Union Territories where the average number of villages covered by a legal aid clinic is less than 6.

Dispute resolution

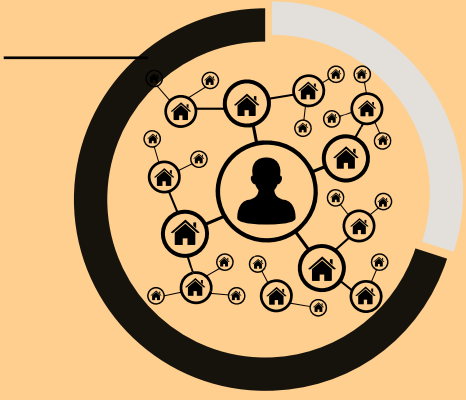


Number of states and Union Territories where Lok Adalats settled more than 50% of the pre-litigation cases they took up.

The other deficits

70%

The percentage of legal services institutions at the state, district and taluka levels that have a front office.



₹1.05

The per capita spend by the Centre on legal aid in 2019-20.

Legal aid: Access to Justice for All?

Legal aid is a vital facet of accessing justice. Its mandate goes beyond representing people at court to providing counselling, settling disputes and legal education. Improving the delivery of legal aid is essential for getting doorstep justice for all. Almost 80 per cent of India's over 1.3 billion population is eligible for free legal aid.[1] Since it came into force in 1995, the Legal Services Act, 1987, has provided services to over 1.5 crore people.[2] Over the last few years, there has been a significant increase in the number of beneficiaries with over 12 lakh persons receiving legal aid and advice in 2019.[3] However, legal services institutions remain affected by a lack of infrastructure, uneven human resource distribution, poor utilization of central funds and an inability to effectively harness Lok Adalats to ease the burden on the judiciary.

Since 2019, some of the eighteen states that have a population of over 10 million have significantly improved their capacity to deliver legal aid and have gone up in ranking. Only Maharashtra (first from fifth), Punjab (remaining third) and Haryana (fifth from second) have retained their positions among the top five states. Bihar registered the largest jump of 14 spots—from sixteenth to second position. Jharkhand similarly improved from the fourteenth to the fourth spot. Common contributions include improving infrastructure, National Legal Services Authority (NALSA) fund utilization and the share of women panel lawyers. The most pronounced falls were seen in Karnataka (seventh to sixteenth), Chhattisgarh (eighth to fifteenth) and Kerala (first to seventh). Reasons include inadequate infrastructure and the poor performance of Lok Adalats. Uttar Pradesh remains last. Amongst the smaller states, Goa remained at the top and Arunachal Pradesh at the bottom.

Human Resources

Overall, states made progress in reducing earlier gaps at the district level. As of March 2020, there are 669 district legal services authorities (DLSA). The number of sanctioned posts of full-time secretaries[4] to DLSAs stood at 629—a deficit of 40. The number of full-time secretaries in place was 573—a deficit of 96.

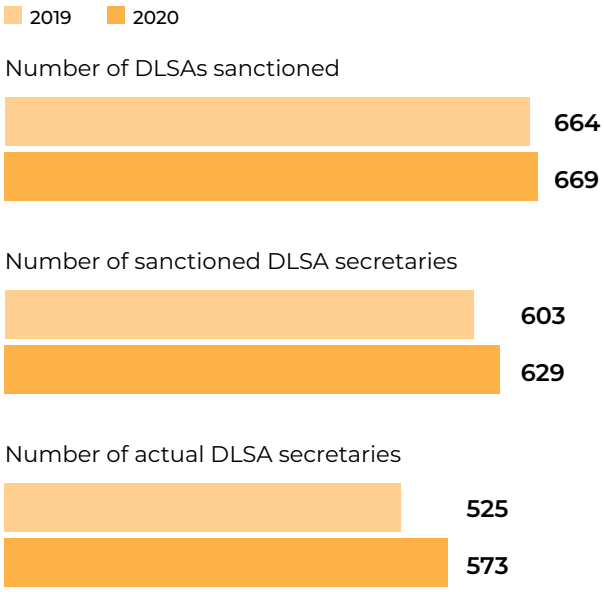
Seven states/UTs[5] are yet to sanction any full-time secretary posts in their districts. The possible reason for this may be a shortage of judicial officers in smaller jurisdictions.

Some others, like Arunachal Pradesh (5/25) and Uttar Pradesh (71/75), sanctioned fewer DLSAs than

Comparisons are between NALSA figures dated 2017–18 and Jan 2019 (referred to in IJR 2019) and NALSA figures dated 2018–19 and March 2020 (referred to in IJR 2020).
NOTE: Making best efforts not to penalize any state for not providing complete data, IJR2020 used data available from either the NALSA website (from the updated dashboard or uploaded documents) or as provided in responses to a questionnaire sent out by NALSA. Where there were discrepancies, the latest figures have been used and the cut-off has been steadied at 31 March 2020.

1 'Hope Behind Bars? Status Report on Legal Aid for Persons in Custody', Commonwealth Human Rights Initiative, 2018.
2 As per statistics available on the NALSA website www.nalsa.gov.in.
3 National Legal Services Authority, 'Annual Report 2019'.
4 According to Guidelines issued by the National Legal Services Authority for the State Legal Services Authorities, District Legal Services Authorities, Taluk Legal Services Committees and High Court Legal Services Committees. (In the light of the discussions of the working groups held at the National Judicial Academy on 17-19 December, 2011).
5 Andaman and Nicobar Islands, Dadra and Nagar Haveli, Daman and Diu, Lakshadweep, Mizoram, Puducherry and Sikkim

Figure 12: Position of DLSAs



Source: National Legal Services Authority (NALSA)

the number of districts whereas Assam (33/27) and Telangana[6] (11/10) have more DLSAs than there are districts.

Along with retainer lawyers, paralegal volunteers act as first responders for legal services institutions. Amongst other things, they connect local communities with the formal legal system and provide near at hand legal education, counselling and assistance with legal documentation. Their presence impacts overall outreach. However, twenty-five states/ UTs have reduced their use of paralegal volunteers and overall their numbers have dropped 26 per cent from last year's figure: illustratively, the total number of paralegals in Himachal has plunged from 5,700 to 270 or the state has gone from 84 to just four paralegals per lakh population. Similarly, Odisha from 12 to five per lakh population.

Well-trained legal services providers are a pre-requisite to the provision of effective legal aid. Although it is not indicative of the quality of training, IJR 2020 has added an indicator to measure the share of panel lawyers who were trained. Between April 2019 and March 2020, Haryana, Punjab and Odisha were the only three states[7] that, on average, provided training to all their lawyers at least once, while Uttar Pradesh, West Bengal and Tripura trained 10 or less than 10 per cent of their lawyers on average in a year. Meghalaya and Goa trained none.

Diversity

Outreach and access are enhanced by the diversity within the system. Unfortunately, caste and religious diversity figures for secretaries, panel lawyers and paralegals are not available. This limits the assessment of diversity to the presence of women, that too only at the level of panel lawyers and paralegals. The presence of a large number of women among legal services providers is also important for reaching out to a section that traditionally faces sociocultural barriers in accessing legal services.

Women DLSA Secretaries

As of March 2020, 145 DLSA secretaries or 28 per cent were women; roughly one out of every four. Tripura (66 per cent) and Andhra Pradesh (58 per cent) had the highest share of women amongst DLSA secretaries. The states in the Northeast, which do not have full-time secretaries, have women judicial officers. Illustratively, Mizoram with no full-time secretaries had five female judicial officers in that post.

Nationally,[8] the share of women amongst panel lawyers, for instance, has remained constant at 18 per cent. Only in Goa, Meghalaya and Nagaland, were nearly 50 per cent women. Amongst the

6 There are two DLSAs in Hyderbad City—City Civil Court Legal Services Committee and Metropolitan Legal Services Authority
7 Haryana, Punjab, Odisha
8 Excluding Kerala, West Bengal, Andaman & Nicobar Islands (not ranked), Lakshadweep (not ranked) since 2019 figures have been repeated
9 Figure as of January 2017.

eighteen large and mid-sized states, Kerala[9] (40 per cent), Karnataka (28 per cent) and Maharashtra (27 per cent) had the highest share. In a majority of large and mid-size states[10] the share of women panel lawyers was less than the least share among small states (Arunachal Pradesh with 19 per cent). In Madhya Pradesh, Rajasthan and Uttar Pradesh, only one in every ten panel lawyers is a woman.

Women's share among the paralegal volunteers has stagnated at about 35 per cent. At nearly 73 per cent, Goa had the highest share amongst all the states while West Bengal had the lowest with just one woman out of every five paralegals.

Budget

Legal aid activities receive contributions from both the NALSA and the state's own budget. NALSA funds go towards legal services activities, such as representation, Lok Adalats, counselling, legal advice and legal awareness. States' funds are generally expended on staff salaries, office expenses and other infrastructure needs.

As of 2019–20, unlike a year ago, all states have contributed towards legal services expenditure,[11] while others have increased their share. The increased willingness to contribute more towards legal aid suggests a mounting recognition of the value of this service. In seven states, this share has moved to upwards of 80 percent[12]; in IJR 2019, only Andhra Pradesh, Gujarat and Uttar Pradesh contributed this amount. With more funds to hand states' utilization has also gone up.

Over the past 12 months there has been a significant improvement in the ability to utilize NALSA funds. Nationally, utilization improved from 70.7 per cent to 94.2 per cent, while for large and mid-sized states, it moved from 77.13 percent to 96.07 percent - with seven[13] of them utilizing at least 90 per cent. Uttar Pradesh utilized nearly 100 per cent. Meghalaya was the only state to have used only roughly one-fourth of the funds allocated. However, NALSA's own budget fell from 150 Cr for 2018 - 2019 to 100 Cr for 2020 – 2021.[14]

Infrastructure

Infrastructure has been mapped in terms of both front offices and legal services clinics. A legal aid clinic can be understood as a 'single window facility'[15] offering legal services to those who need it. While the number or geographical location has not been specified, it is clear that clinics need to be set up for easy access. The suggested norm is for one legal aid clinic to serve no more than six villages.[16]

In March 2020, there were 14,159 legal aid clinics for 597,617 villages or on average one clinic for every 42 villages. Of course these are not evenly spread across the entire geography of the country and their outreach varies widely. Between 2017 and 2019, twenty-two states/UTs improved the number of clinics available. Yet, as of March 2020, only three states[17] met the norm. Kerala, with an average of about two villages per clinic, presently has the best coverage amongst large and mid-sized states. By contrast, in 2017, Uttar Pradesh, a single clinic covered 1,603 villages. In 2020 this has dropped 68% to 520 villages per clinic, but the state still fares the worst on this metric.

Every jail too must have a legal services clinic.[18] As of March 2020, seventeen states/ UTs[19] meet this

10 Uttarakhand, Andhra Pradesh, Tamil Nadu, Punjab, Chhattisgarh, Odisha, Jharkhand, Madhya Pradesh, Rajasthan, Uttar Pradesh
11 2017–18 figures have been repeated for Kerala, West Bengal, Chandigarh (not ranked), Andaman & Nicobar Islands (not ranked), Lakshadweep (not ranked)
12 Assam, Tamil Nadu, Gujarat, Andhra Pradesh, Telangana, Madhya Pradesh, Rajasthan
13 Uttar Pradesh, Haryana, Uttarakhand, Rajasthan, Punjab, Kerala, Tamil Nadu,
14 'Notes on Demands for Grants, 2020–2021, Ministry of Law and Justice, available at https://www.indiabudget.gov.in/doc/eb/sbe64.pdf.
15 Section 9 (2), NALSA (Legal Services Clinics) Regulations, 2011
16 Section 3, NALSA (Legal Services Clinics) Regulations, 2011
17 Mizoram, Tripura, Kerala
18 NALSA (Legal Services Clinics) Regulations 2011, NALSA Standard Operating Procedures for Representation of Persons in Custody 2016.
19 Arunachal Pradesh, Gujarat, Punjab, Jammu & Kashmir (not ranked), Delhi (not ranked), Assam (not ranked), Chhattisgarh, Maharashtra, West Bengal, Meghalaya, Sikkim, Haryana, Nagaland (not ranked), Goa, Dadra & Nagar Haveli, Daman & Diu, Chandigarh.

criterion. In some states, the number of clinics is higher than the number of prisons because several prisons have individual clinics for each district from where the prisoners' cases are being tried. Amongst large and mid-sized states, Gujarat has the most clinics—49 across 30 prisons—while Punjab has 26 clinics for its 24 prisons. Among small states, Arunachal Pradesh, Goa, Meghalaya and Sikkim either meet or even exceed the required number of prison clinics.

To enable easy access to legal services and information, every legal services institution is required to have a 'front office'.[20] A 'front office' is a 'one stop centre for legal aid seekers to receive aid, advice and all information about their cases and all legal services provided by the LSI'. Four states/UTs[21] had a front office in all their legal services institutions (LSIs). Nagaland had 13 front offices across 13 LSIs, as did Delhi. Tamil Nadu, Andhra Pradesh and Telangana had a coverage of 99 per cent. Illustratively, Tamil Nadu had 184 front offices across 185 LSIs.

Though not ranked, the authors of this report requested NALSA for information on the number of front offices linked to the SLSA or the e-courts system. Only Sikkim and Madhya Pradesh had this system in place. States like Gujarat, Haryana and Bihar were in the process of putting the system in place while others like Himachal Pradesh, Telangana, Odisha and Rajasthan had no such facility in place.

Workload

Permanent Lok Adalats (PLAs) are intended to settle public utility disputes. Every state is mandated by law to establish a PLA.[22] Currently, West Bengal remains the only large and mid-sized state that has no Permanent Lok Adalat. In 2019–20, these Adalats settled 1,17,850 cases compared to over 1.24 lakh cases in 2017–18.

Of the eleven states/UTs, where the settlement rate was previously above 50 per cent, nine[23] saw a drop in their rate of case resolution. Punjab (84 per cent) and Maharashtra (83 per cent) were able to settle the most number of cases. Thirteen state/UTs recorded no cases.

Lok Adalats are held under both state and national aegis. Pre-litigation cases—those in which the court requires parties to try to come to a settlement before the matter can go forward at court is part of

Box 7: Rise: Bihar

Bihar's considerable efforts have shifted its ranking 14 spots to 2nd place. In two years between 2017-19, its budget utilization of NALSA funds has gone up from 50 per cent to 88 per cent. The state's own contribution too has grown from 65 per cent to 74 per cent. While previously, on average, there was one legal clinic for every 349 villages now one clinic services 210 villages. The number of prison clinics has also increased from 55 in 58 jails (2017) to 58 in 59 jails (2020). The share of women in paralegal services has also gone up from 22 per cent to 24 per cent.

20 In 2019, they were termed One Stop Centres, primarily for assisting women—victims of domestic violence and abuse
21 Delhi, Daman & Diu, Nagaland, Puducherry
22 Section 22B–22E of the Legal Services Authorities Act, 1987: 'State Authority shall, by notification, establish Permanent Lok Adalats at such places and for exercising such jurisdiction in respect of one or more public utility services and for such areas as may be specified in the notification'.
23 Karnataka, Andaman & Nicobar Islands, Madhya Pradesh, Telangana, Kerala, Himachal Pradesh, Haryana, Delhi, Chandigarh.

Box 8: Fall: **Karnataka**

With a fall of nine spots to 16th position, Karnataka has the most pronounced decline in capacity. The state had full-time secretaries present in all DLSAs, and improved its share of women paralegal volunteers between 2017 (45 per cent) and 2020 (48 per cent). However, infrastructurally, only 15 per cent of the state's LSIs had a front office. Similarly, on workload, it was unable to adequately utilize its Lok Adalat mechanisms well, with settlements and disposals dipping below the levels in 2017.

the menu of services offered through legal services authorities. Pre-litigation matters disposed of form less than 9 per cent of 17.7 lakh cases of State Legal Services Authority (SLSA) sponsored Lok Adalats. During the same period, National Lok Adalats disposed of 52.8 lakh cases, of which 52.79 per cent were pre-litigation cases.

Bihar performed particularly well in clearing its pre-litigation cases. With a disposal rate of 90 per cent, the state was able to dispose of 2.51 lakh pre-litigation cases out of a total of 2.8 lakh. At the other end of the spectrum, states like Andhra Pradesh, Karnataka and Chhattisgarh were unable to dispose of even 10 per cent of the pre-litigation cases. (2019–20).

Nupur, Centre for Social Justice
Madhurima Dhanuka, Commonwealth Human RIghts Initiative
Lakhwinder Kaur, Tata Trusts
Niyati Singh, Tata Trusts

Table 6: Indicator-wise data, state scores and ranks

Theme							Budgets		Human resources	
Indicator							NALSA fund utilised (%, 2019-20)	State's share in legal aid spend (%, 2019-20)	DLSA secretary vacancy (%, Mar 2020)	PLVs per lakh population (number, Mar 2020)
Scoring guide		Rank in cluster 2020	Rank in cluster 2019	2020 Score (out of 10)	Indicators improved on (out of 13)[1]		Higher, the better	Higher, the better	Lower, the better	Higher, the better
Large and mid-sized states										
Andhra Pradesh	↓	14	10	4.37		7	66	85	7.7	4.1
Bihar	↑	2	16	6.57		11	88	74	0.0	3.2
Chhattisgarh	↓	15	8	4.11		4	87	76	47.8	8.4
Gujarat	↓	9	6	5.39		9	82	84	24.2	4.8
Haryana	↓	5	2	6.07		8	99	68	36.4	4.9
Jharkhand	↑	4	14	6.18		10	74	59	0.0	7.3
Karnataka	↓	16	7	4.08		7	89	49	0.0	3.2
Kerala	↓	7	1	5.84		8	94	34[2]	0.0	7.4[2]
Madhya Pradesh	↓	12	9	4.86		8	71	86	2.0	5.6
Maharashtra	↑	1	5	6.90		12	90	77	0.0	4.6
Odisha	↑	8	15	5.64		9	85	75	0.0	5.3
Punjab	↔	3	3	6.35		9	94	71	4.5	5.4
Rajasthan	↓	13	11	4.71		6	94	90	2.8	1.8
Tamil Nadu	↑	11	12	5.22		9	92	82	0.0	3.7
Telangana	↓	6	4	5.93		8	81	86	18.2	8.0
Uttar Pradesh	↓	18	18	2.54		6	100	20	0.0	1.0
Uttarakhand	↑	10	17	5.25		11	95	77	0.0	7.3
West Bengal	↓	17	13	3.63		5	89	18	9.1	2.0
Small states										
Arunachal Pradesh	↔	7	7	2.92		7	76	11	100.0	79.8
Goa	↔	1	1	5.30		10	50	68	0.0	5.2
Himachal Pradesh	↑	6	3	3.07		7	94	69	0.0	3.7
Meghalaya	↓	5	6	3.13		9	27	33	54.5	8.5
Mizoram	↑	4	2	4.00		3	75	26	100.0	18.1
Sikkim	↓	3	4	4.10		7	88	66	100.0	29.6
Tripura	↓	2	5	4.82		9	87	38	25.0	12.0
Unranked states										
Assam		Not ranked				9	89	80	0.0	3.2
Jammu & Kashmir		Not ranked				9	82	74	40.0	4.2
Manipur		Not ranked				7	85	22	60.0	23.7
Nagaland		Not ranked				6	71	25	100.0	7.3
Union Territories										
Andaman & Nicobar Islands		Not ranked				1	8[2]	0[2]	100.0	25.2
Chandigarh		Not ranked				8	39[2]	41[2]	0.0	2.7
Dadra & Nagar Haveli		Not ranked				6	8	0	100.0	2.3
Daman & Diu		Not ranked				5	14	0	100.0	4.5
Delhi		Not ranked				8	85	73	0.0	4.2
Lakshadweep		Not ranked				0	6[2]	0[2]	100.0	69.8
Puducherry		Not ranked				7	57	59	100.0	26.8

Data sources: National Legal Services Authority (NALSA); Primary Census Abstract, Census 2011; Prison Statistics India (PSI), National Crime Records Bureau (NCRB); National Commission on Population.
Abbreviations: DLSA: District Legal Services Authority; LA: Lok Adalat; PLA: Permanent Lok Adalat; PLV: Para-Legal Volunteer; SLSA: State Legal Services Authority; LSI: Legal services institutions.
Common notes: i. States arranged by clusters in alphabetical order. Data for Ladakh is included in Jammu & Kashmir as most data is for the period when they were one entity. Data for Daman & Diu and Dadra & Nagar Haveli is shown separately as most data is for the period when they separate entities. **ii.** NA: Not available.

Notes:
1. 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. **2.** Data from IJR 1 as latest data was not available.

Table 6: Indicator-wise data, state scores and ranks

Theme	Human resources		Diversity		Infrastructure
Indicator	Sanctioned secretaries as % of DLSAs (%, Mar 2020)	Panel lawyers trained (%, Mar 2020)	Share of women in panel lawyers (%, Mar 2020)	Women PLVs (%, Mar 2020)	DLSAs as % of state judicial districts (%, Mar 2020)
Scoring guide	Higher, the better	Higher, the better	Higher, the better	Higher, the better	Higher, the better
Large and mid-sized states					
Andhra Pradesh	100	14	16.4	39.1	100
Bihar	100	64	19.6	23.8	100
Chhattisgarh	100	13	14.0	26.1	100
Gujarat	103	28	21.9	37.3	100
Haryana	100	435	19.7	41.4	100
Jharkhand	100	73	13.0	26.5	100
Karnataka	100	65	28.3	48.4	100
Kerala	100	NA	40.4[2]	65.7[2]	100
Madhya Pradesh	102	34	8.9	41.0	100
Maharashtra	100	41	27.0	47.5	100
Odisha	100	113	13.7	46.7	100
Punjab	100	389	15.6	31.0	100
Rajasthan	100	83	8.1	22.5	103
Tamil Nadu	100	44	14.6	25.5	100
Telangana	100	15	19.4	24.6	110
Uttar Pradesh	100	10	7.2	22.1	95
Uttarakhand	100	41	16.4	42.9	100
West Bengal	100	9	18.8	18.0	96
Small states					
Arunachal Pradesh	25	48	18.9	42.5	80
Goa	100	0	48.1	72.5	100
Himachal Pradesh	100	10	20.3	25.0	100
Meghalaya	100	0	54.9	21.1	100
Mizoram	0	28	40.3	32.9	100
Sikkim	0	12	38.6	46.7	100
Tripura	100	2	28.1	28.9	100
Unranked states					
Assam	100	29	33.2	34.5	122
Jammu & Kashmir	100	25	21.7	35.7	100
Manipur	56	28	37.5	47.0	100
Nagaland	36	66	51.8	22.8	100
Union Territories					
Andaman & Nicobar Islands	0	NA	28.1[2]	44.8[2]	100[2]
Chandigarh	100	246	10.3	62.5	100
Dadra & Nagar Haveli	0	0	36.4	38.5	100
Daman & Diu	0	0	0.0	0.0	50
Delhi	100	212	29.3	46.7	100
Lakshadweep	0	NA	27.3[2]	66.7[2]	0[2]
Puducherry	0	114	27.8	42.6	100

Data sources: National Legal Services Authority (NALSA); Primary Census Abstract, Census 2011; Prison Statistics India (PSI), National Crime Records Bureau (NCRB); National Commission on Population.
Abbreviations: DLSA: District Legal Services Authority; LA: Lok Adalat; PLA: Permanent Lok Adalat; PLV: Para-Legal Volunteer; SLSA: State Legal Services Authority; LSI: Legal services institutions.
Common notes: i. States arranged by clusters in alphabetical order. Data for Ladakh is included in Jammu & Kashmir as most data is for the period when they were one entity. Data for Daman & Diu and Dadra & Nagar Haveli is shown separately as most data is for the period when they separate entities. **ii.** NA: Not available.

Table 6: Indicator-wise data, state scores and ranks

Theme	Infrastructure			Workload		
Indicator	Villages per legal services clinic (number, Mar 2020)	Legal services clinic per jail (number, Mar 2020)	Presence of front offices in LSIs (%, Mar 2020)	PLA cases: settled as % of received (%, 2019-20)	Total LAs: Pre-litigation cases disposed (%, 2019-20)[4]	SLSA LAs: Pre-litigation in cases taken up (%, 2019-20)[5]
Scoring guide	Lower, the better	Higher, the better	Higher, the better	Higher, the better	Higher, the better	Higher, the better
Large and mid-sized states						
Andhra Pradesh	35.0	0.78	99	25	8.4	9.1
Bihar	210.1	0.98	56	35	89.9	74.1
Chhattisgarh	90.2	1.03	86	21	9.3	0.2
Gujarat	39.0	1.63	86	8	37.3	4.1
Haryana	20.6	1.00	98	75	18.0	0.0
Jharkhand	57.5	0.93	93	41	62.4	19.1
Karnataka	180.2	0.58	15	34	7.8	1.8
Kerala	2.2	0.96	47	3	69.5	19.9
Madhya Pradesh	98.7	0.74	61	8	65.9	4.9
Maharashtra	94.8	1.00	90	83	76.4	0.6
Odisha	301.8	0.95	93	34	15.0	0.0
Punjab	35.3	1.08	97	84	20.5	1.5
Rajasthan	6.6	0.67	74	43	25.8	1.0
Tamil Nadu	27.1	0.85	99	30	11.5	4.3
Telangana	40.8	0.97	99	22	49.1	35.0
Uttar Pradesh	520.3	0.90	24	19	59.8	6.1
Uttarakhand	89.5	0.91	25	42	12.4	0.0
West Bengal	50.6	1.00	97	0	64.8	13.7
Small states						
Arunachal Pradesh	NA[3]	2.50	82	0	55.1	10.6
Goa	6.5	1.00	93	5	31.7	10.2
Himachal Pradesh	223.5	0.86	78	76	13.2	0.0
Meghalaya	47.8	1.00	62	0	64.9	0.0
Mizoram	4.9	0.90	90	0	88.5	23.1
Sikkim	35.4	1.00	60	0	73.2	25.4
Tripura	2.2	0.92	88	64	29.9	5.9
Unranked states						
Assam	147.5	1.10	84	3	30.4	1.0
Jammu & Kashmir	43.1	1.13	26	0	21.1	11.6
Manipur	23.7	0.40	82	0	95.3	90.0
Nagaland	15.7	1.00	100	0	88.2	0.0
Union Territories						
Andaman & Nicobar Islands	NA[3]	0.00	NA	0	34.1	3.2
Chandigarh	0.2	1.00	67	62	9.8	24.6
Dadra & Nagar Haveli	5.0	1.00	50	0	94.8	0.0
Daman & Diu	2.1	1.00	100	0	78.4	0.0
Delhi	NA[3]	1.13	100	71	50.7	72.3
Lakshadweep	NA[3]	0.00	NA	0	25.0	0.0
Puducherry	1.5	0.75	100	0	24.0	3.8

Data sources: National Legal Services Authority (NALSA); Primary Census Abstract, Census 2011; Prison Statistics India (PSI), National Crime Records Bureau (NCRB); National Commission on Population.
Abbreviations: DLSA: District Legal Services Authority; LA: Lok Adalat; PLA: Permanent Lok Adalat; PLV: Para-Legal Volunteer; SLSA: State Legal Services Authority; LSI: Legal services institutions.
Common notes: i. States arranged by clusters in alphabetical order. Data for Ladakh is included in Jammu & Kashmir as most data is for the period when they were one entity. Data for Daman & Diu and Dadra & Nagar Haveli is shown separately as most data is for the period when they separate entities. **ii.** NA: Not available.

Notes:
3. Arunachal Pradesh, Andaman & Nicobar Islands, Chandigarh and Delhi have villages but no legal service clinics in villages. **4.** NLAs + SLSA LAs: Share of pre-litigation cases in disposed cases (%, 2019-20). **5.** SLSA LAs: Pre-litigation cases disposed as % of total cases taken up (%, 2019-20).

Methodology

Like its predecessor, the IJR 2020 brings together eighty-seven indicators relating to the justice system. 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.

In its second iteration the IJR 2020 is unique in that it 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 states own pillars and themes since IJR 2019 and over 5 years. These mark out clear discernable trends and directions.

Step 1: Outline

Data indicators of four pillars:

1. **Police** 26 indicators
2. **Prisons** 23 indicators
3. **Judiciary** 23 indicators
4. **Legal aid** 15 indicators

Themes:

1. **Infrastructure**
2. **Budgets**
3. **Human Resources**
4. **Workload**
5. **Diversity**
6. **Trends (change over 5 years)**

Infrastructure refers to the basic physical resources available: human resources takes account of personnel sanctioned and available on the ground; budgets measure the funds received, utilized and spent per functionary or per capita; workload assesses the weight of service delivery upon a functionary within that sub-system; and diversity assesses how representative these systems are. A sixth theme, 'trends', is used to gauge improvement or deterioration over a five year period across each theme in overall.

Step 2: Clustering

In order to compare like with like and ensure that states are fairly compared, the report divides states and UTs into four clusters:

- **Cluster I (ranked):**
  Eighteen large and mid-sized states (population above 10 million).[2]

- **Cluster II (ranked):**
  Seven small-sized states (population up to 10 million): Arunachal Pradesh, Goa, Himachal Pradesh, Meghalaya, Mizoram, Sikkim, and Tripura.

1 As the latest data was not available for West Bengal it has been ranked basis previous year's data for prisons.
2 As per the report of the National Commission on Population, 2019, these states constitute about 93 per cent of India's population

- **Cluster III (not ranked):**
  Seven UTs,[3] including Delhi and Puducherry (the report provides values but does not rank them).

- **Cluster IV (not ranked):**
  Four states where Armed Forces Special Powers Act, 1958, (AFSPA) is in force: J&K,[4] Manipur, Assam, and Nagaland. (the report provides values but does not rank them).

Step 3: Filtering

Data points are selected based on whether all are evenly available and comparable across states, pillars, and themes. Where there were no benchmarks in hard law, policy pronouncements or government committee recommendations were used.

IJR 2020 has added several new indicators relating to training and technology such as jails with video-conferencing facility (%, Dec 2019), and police personnel per training institute (number, Jan 2020). In addition, certain indicators pertaining to diversity have been further disaggregated taking the number of indicators up from seventy-eight to eighty-seven indicators in IJR 2020.

Baseline

The IJR 2020 uses the latest official data available at the time of going to press. These are:

Pillar/Theme	Date/Period
Police	1 January 2020
Prisons	31 December 2020
Judiciary	2018-19 and 2020
Legal aid	2019-20, March 2020
Population figures	2019 (National Commission on Population)
Budget figures	2017-18 (Comptroller and Auditor General)

CAG documents were preferred over state budget documents due to the uneven availability of budget documents and variations in the way each records budget heads.

Step 4: Scoring basis

As with IJR 2019, raw data was rebased on a common scale so that every indicator could be scored on a scale of 1 to 10, with 1 being the lowest or least desirable status, and 10 indicating the highest or best score. The scores in-between were calibrated to show where a state stood in relation to the best and the lowest. Where a state met or exceeded the benchmark it had set for itself it received a score of 10. In cases where there were no benchmarks available, a state received a 'top' score of 10. This this does not mean that the state has reached an ideal capacity, merely that it is best in class. The scores of every indicator were aggregated and averaged to arrive at a pillar score, also scored on a scale of 1 to 10.

Averages were arrived at using geometric mean because the method is less prone to distortion by extreme outlying figures. Thus, for each pillar every state got a score out of 10, and a rank in its cluster. The pillar scores were then averaged to arrive at the overall score, also out of 10.

State Citizen Portals

These state-wise portals are expected to offer nine basic services. They were assessed for accessibility, language and completeness of services. Accessibility was checked at three different points: June, August, and October. 1 mark was given for the portal being available in more than one language; and 1 mark was given per service for completeness of content. Where a service was disaggregated into various sub-parts that mark was also subdivided. Illustratively, if the service sought to provide details on stolen/ recovered

3 The UTs of Dadra & Nagar Haveli and Daman & Diu were merged on 26 January 2020; however, this report uses data from the period they were separate entities and considers them in their erstwhile capacities.

4 Jammu & Kashmir and Ladakh have been considered as a unit for this report since the majority of data is pre- August 2019. Either way, as a UT or AFSPA state, Jammu and Kashmir, and Ladakh would not be ranked.

vehicles, arms and other properties, each of the three sub-categories was allocated a maximum score of 0.3. Partial marks were therefore still accorded to 'incomplete' services. Re-direction to other websites have also not been penalized.

Step 5: Scoring and ranking

For each cluster, the report applied the methodology outlined in Step 4 to every indicator in the pillar.

For states, whose values were missing for certain indicators due to an unavoidable reason (for example, five-year data for Andhra Pradesh and Telangana for the judiciary), the number of indicators were reduced while working out its score. In instances where data for an entire state, or certain indicators within a state were missing because these had not been submitted to the official agency concerned, the report uses the most recent available data for that state or repeats data as used in IJR 2019, as necessary.

Step 6: Uniformity in indicator counts across themes and weights

Though the indicator counts for each theme varies–diversity in police has eight indicators but judiciary has two—each indicator, theme, and pillar has been assigned equal weightage so as not to privilege any one aspect over another. The study avoids bringing in any element of subjectivity by giving one a higher of lower weightage since every data point influences the whole outcome.

Step 7: Measuring change: 2019 to 2020

A new feature in IJR 2020 measures the progress of states over IJR 2019 for indicators common to the two years. This has been done as a distinct exercise, for all ranked states, across the four pillars and on an overall basis (Page 10).

Step 8: Data checks

The data was checked down to source data at two points in time: after the preliminary set of rankings were generated, and after the final set of rankings were generated (i.e. before web and print outputs). A third round of checking was carried out on the final outputs.

OTHER POINTS

Rounding off decimals

The report looked at decimals through the ease of reading the data. Where the numbers were large, it did not include decimals and where they were small and the variance was in fractions, decimals were included—one or two places as needed.

Use of percentage points

The report uses percentage points as a unit of measurement for the trend or change indicators. This is calculated as the difference between two percentages to highlight an increase or decrease.

Union Territories and States

As in IJR 2019 data for seven Union Territories and four states has been compiled but not ranked. As of August 2019, the state of Jammu and Kashmir was reorganized into two Union Territories, namely the UT of Jammu and Kashmir, and Ladakh. Similarly, the UTs of Dadra & Nagar Haveli and Daman & Diu were merged on 26 January 2020. The IJR 2020 continues to consider these jurisdictions in their erstwhile status, aggregating the data, as relevant, to the months following August 2019.

Geometric Mean over Arithmetic Mean

In a scenario where a state scores high or low in a pillar because it is doing extremely well or extremely poorly in a handful of variables, the geometric mean tends to normalize outliers i.e. extreme variables better.

Shared court jurisdictions

For states that share court jurisdictions, the report used the same data where justifiable. For example, population per High Court judge was combined for Punjab, Haryana, and Chandigarh since the two states and the UT are serviced by the same High Court. Similarly, for the population calculation at the subordinate courts level, combined figures as given in 'Court News' have been used to arrive at a common figure for Andaman and Nicobar Islands and West Bengal. Conversely, in calculating the shortfall in available court halls, the report has excluded certain subordinate courts where data on judges was not available separately, for example, with West Bengal, and Andaman and Nicobar Islands.

Strengths and Limitations

This year's India Justice Report once again ranks the justice delivery capacity of eighteen large and seven small states. With each report, we delve deeper into the systems and, as always rely entirely on the best available official data.

The biggest strength of the IJR lies in bringing together disparate and hitherto siloed information. Its aggregations suggest how the performance of one pillar can impinge on another. At the same time, the atomization of so much data allows for pinpointing exact locations for possible intervention and remedy. Both these are valuable aids to holistic planning. Arguably, even the gaps within, related as they are to uneven data availability, signpost the urgency of creating dependable, uniform, timely, and publicly available data systems nationwide that lend themselves to cooperative internal planning for future success.

Another major strength of the report lies in its iterative and continuously consultative process. As a collaboration between several specialist civil-society organizations, the report benefits from constant checks and advice from government agencies, judges, retired DGPs police, and other specialists in these sub-systems. The involvement of these numerous and varied perspectives validates the choice of indicators and scoring.

The report is a purely quantitative exercise on selected aspects of the justice system. Its assessment is often limited by the unavailability and paucity of data and its inconsistencies. It does not aspire to capture the views of the duty holder or functionary and stakeholder that relate to the qualitative performance and functioning of each sub-system as perception studies and surveys do. Nevertheless, the assessment of the structures involved in the administration of justice point to levels of service and response.

The data delineation here is also a necessary supplement to other qualitative studies and helps indicate possible solutions to many entrenched problems. We hope that the report will encourage others to strive to go ever deeper into evaluating the structure of the justice delivery system holistically and in ever more detail.

Conclusion

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.

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.

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.

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.

Glossary

POLICE

BUDGETS

1. Modernisation fund used (%)

Formula:

$$\frac{\text{Central + state expenditure on modernisation}}{\text{Central + state allocation on modernisation}} * 100$$

Benchmark: 100%
Scoring guide: Higher, the better
Period/Date: 2019-20
Data source: Data on Police Organizations, Bureau of Police Research and Development (BPR&D), January 2020
Notes: Data, as described by BP&RD, is "tentative".

2. Spend on police per person (Rs)

Formula:

$$\frac{\text{Police expenditure}}{\text{State population}}$$

Benchmark: Not available
Scoring guide: Higher, the better
Period/Date: 2019 (State population), 2017-18 (Police expenditure)
Data source: Combined Finance and Revenue Accounts of the Union and State Governments in India, Comptroller and Auditor General of India; National Commission on Population, 2019; India budget documents

3. Spend on training per personnel (Rs)

Formula:

$$\frac{\text{Training expenditure}}{\text{Total police}}$$

Benchmark: Not available
Scoring guide: Higher, the better
Period/Date: 2019-20
Data source: Data on Police Organizations, Bureau of Police Research and Development (BPR&D), January 2020
Notes: Data, as described by BP&RD, is "tentative".

HUMAN RESOURCES

4. Constables, vacancy (%)

Formula:

$$100 - \left(\frac{\text{Actual Head Constables + Constables}}{\text{Sanctioned Head Constables + Constables}} * 100\right)$$

Benchmark: 0%
Scoring guide: Lower, the better
Period/Date: 1 January 2020
Data source: Data on Police Organizations, Bureau of Police Research and Development (BPR&D), January 2020

5. Officers, vacancy (%)

Formula:

$$100 - \left(\frac{\text{Actual officer strength}}{\text{Sanctioned officer strength}} * 100\right)$$

Benchmark: 0%
Scoring guide: Lower, the better
Period/Date: 1 January 2020
Data source: Data on Police Organizations, Bureau of Police Research and Development (BPR&D), January 2020
Notes: Officers comprise DGP/Spl DGP + Addl. DGP + IGP + DIG + AIGP/SSP/SP/COMN + Addl.SP/Dy. COMN + ASP/DY.SP./Asstt. COMN + Inspector/RI + SI/RSI + ASI/ARSI.

6. Officers in civil police (%)

Formula:

$$\frac{\text{Officers in civil police}}{\text{Total civil police}} * 100$$

Benchmark: Not available
Scoring guide: Higher, the better
Period/Date: 1 January 2020
Data source: Data on Police Organizations, Bureau of Police Research and Development (BPR&D), January 2020
Notes: Civil police includes district armed reserve police. Officers comprise DGP/Spl DGP + Addl. DGP + IGP + DIG + AIGP/SSP/SP/COMN + Addl.SP/Dy. COMN + ASP/DY.SP./Asstt. COMN + Inspector/RI + SI/RSI + ASI/ARSI.

DIVERSITY

7. Share of women in police (%)

Formula:

$$\frac{\text{Women in police}}{\text{Total police}} * 100$$

Benchmark: Not available
Scoring guide: Higher, the better
Period/Date: 1 January 2020
Data source: Data on Police Organizations, Bureau of Police Research and Development (BPR&D), January 2020

8. Share of women in officers (%)

Formula:

$$\frac{\text{Women police officers}}{\text{Total police officers}} * 100$$

Benchmark: Not available
Scoring guide: Higher, the better
Period/Date: 1 January 2020
Data source: Data on Police Organizations, Bureau of Police Research and Development (BPR&D), January 2020
Notes: Officers comprise DGP/Spl DGP + Addl. DGP + IGP + DIG + AIGP/SSP/SP/COMN + Addl.SP/Dy. COMN + ASP/DY.SP./Asstt. COMN + Inspector/RI + SI/RSI + ASI/ARSI.

9. SC officers, actual to reserved ratio (%)

Formula:

$$\frac{\text{Actual Scheduled Caste (SC) officers}}{\text{(Sanctioned officer posts * SC reservation)}} * 100$$

Benchmark: 100%
Scoring guide: Higher, the better
Period/Date: 1 January 2020
Data source: Data on Police Organizations, Bureau of Police Research and Development (BPR&D), January 2020
Notes: Officers comprise ASP/DY.SP./ Asstt. COMN + Inspector/RI + SI/RSI + ASI/ARSI.

10. SC constables, actual to reserved ratio (%)

Formula:
Actual Scheduled Caste (SC) constables
———————————— * 100
(Sanctioned constable posts * SC reservation)

Benchmark: 100%
Scoring guide: Higher, the better
Period/Date: 1 January 2020
Data source: Data on Police Organizations, Bureau of Police Research and Development (BPR&D), January 2020
Notes: Constables include head constables.

11. ST officers, actual to reserved ratio (%)

Formula:
Actual Scheduled Tribe (ST) officers
————————————* 100
(Sanctioned officer posts * ST reservation)

Benchmark: 100%
Scoring guide: Higher, the better
Period/Date: 1 January 2020
Data source: Data on Police Organizations, Bureau of Police Research and Development (BPR&D), January 2020
Notes: Officers comprise ASP/DY.SP./ Asstt. COMN + Inspector/RI + SI/RSI + ASI/ARSI.

12. ST constables, actual to reserved ratio (%)

Formula:
Actual Scheduled Tribe (ST) constables
———————————— * 100
(Sanctioned constable posts * ST reservation)

Benchmark: 100%
Scoring guide: Higher, the better
Period/Date: 1 January 2020
Data source: Data on Police Organizations, Bureau of Police Research and Development (BPR&D), January 2020
Notes: Constables include head constables.

13. OBC officers, actual to reserved ratio (%)

Formula:
Actual Other Backward Classes (OBC) officers
————————————* 100
(Sanctioned officer posts * OBC reservation)
Benchmark: 100%
Scoring guide: Higher, the better
Period/Date: 1 January 2020
Data source: Data on Police Organizations, Bureau of Police Research and Development (BPR&D), January 2020
Notes: Officers comprise ASP/DY.SP./ Asstt. COMN + Inspector/RI + SI/RSI + ASI/ARSI.

14. OBC constables, actual to reserved ratio (%)

Formula:
Actual Other Backward Classes (OBC) constables
————————————* 100
(Sanctioned constable posts * OBC reservation)

Benchmark: 100%
Scoring guide: Higher, the better
Period/Date: 1 January 2020
Data source: Data on Police Organizations, Bureau of Police Research and Development (BPR&D), January 2020
Notes: Constables include head constables.

INFRASTRUCTURE

15. Population per police station (rural) (persons)

Formula:
Rural population
————————————
Rural police stations

Benchmark: Not available
Scoring guide: Lower, the better
Period/Date: 2019 (rural population), 1 January 2010 (rural police stations)
Data source: National Commission on Population, 2019; Data on Police Organizations, Bureau of Police Research and Development (BPR&D), January 2020

16. Population per police station (urban) (persons)

Formula:
Urban population
————————————
Urban police stations

Benchmark: Not available
Scoring guide: Lower, the better
Period/Date: 2019 (urban population), 1 January 2020 (urban police stations)
Data source: National Commission on Population, 2019; Data on Police Organizations, Bureau of Police Research and Development (BPR&D), January 2020

17. Area per police station (rural) (sq km)

Formula:
Rural area (sq km)
————————————
Rural police stations

Benchmark: 150 sq km or less (National Police Commission report 1981)
Scoring guide: Lower, the better
Period/Date: 2011 (rural area), 1 January 2019 (rural police stations)
Data source: Census 2011; Data on Police Organizations, Bureau of Police Research and Development (BPR&D), January 2020

18. Area per police station (urban) (sq km)

Formula
Urban area (sq km)
————————————
Urban police stations

Benchmark: Not available
Scoring guide: Lower, the better
Period/Date: 2011 (urban area), 1 January 2020 (urban police stations)
Data source: Census 2011; Data on Police Organizations, Bureau of Police Research and Development (BPR&D), January 2020

19. Services provided by state police citizen portals (%)

Formula
Services provided (out of 10)
————————————* 100
10

Benchmark: 100%
Scoring guide: Higher, the better
Period/Date: June to October 2020
Data source: https://digitalpolice.gov.in/
Notes: 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).

20. Personnel per training institute (number)

Formula:
Sanctioned total police
———————
Number of training institutes

Benchmark: Not available
Scoring guide: Lower, the better
Period/Date: 1 January 2020
Data source: Data on Police Organizations, Bureau of Police Research and Development (BPR&D), January 2020

WORKLOAD

21. Population per civil police (persons)

Formula:
State population
———————
Total civil police
Benchmark: Not available
Scoring guide: Lower, the better
Period/Date: 2019 (state population), 1 January 2020 (total civil police)
Data source: National Commission on Population, 2019; Data on Police Organizations, Bureau of Police Research and Development (BPR&D), January 2020
Notes: Civil police includes district armed reserve police.

TRENDS

22. Women in total police (percentage points)

Formula:
Women in total police – X

2014	X1	
2015	X2	((X2/X1)-1)*100 = a
2016	X3	((X3/X2)-1)*100 = b
2017	X4	((X4/X3)-1)*100 = c
2018	X5	((X5/X4)-1)*100 = d
2019	X6	((X6/X5)-1)*100 = e

5-year average (a,b,c,d,e)

Benchmark: Not available
Scoring guide: Higher, the better
Period/Date: Calendar year 2015 to 2019
Data source: Data on Police Organizations, Bureau of Police Research and Development (BPR&D)

23. Women officers in total officers (percentage points)

Formula:
Women officers in total officers – X

2014	X1	
2015	X2	((X2/X1)-1)*100 = a
2016	X3	((X3/X2)-1)*100 = b
2017	X4	((X4/X3)-1)*100 = c
2018	X5	((X5/X4)-1)*100 = d
2019	X6	((X6/X5)-1)*100 = e

5-year average (a,b,c,d,e)

Benchmark: Not available
Scoring guide: Higher, the better
Period/Date: Calendar year 2015 to 2019
Data source: Data on Police Organizations, Bureau of Police Research and Development (BPR&D)
Notes: Calculation for 2016 is repeated for 2017 as BPR&D did not provide rank-wise data for women district armed reserve police for 2017.

24. Constable vacancy (percentage points)

Formula:
Constable vacancy – X

2014	X1	
2015	X2	((X2/X1)-1)*100 = a
2016	X3	((X3/X2)-1)*100 = b
2017	X4	((X4/X3)-1)*100 = c
2018	X5	((X5/X4)-1)*100 = d
2019	X6	((X6/X5)-1)*100 = e

5-year average (a,b,c,d,e)

Benchmark: Not available
Scoring guide: Lower, the better
Period/Date: Calendar year 2014 to 2019
Data source: Data on Police Organizations, Bureau of Police Research and Development (BPR&D)

25. Officer vacancy (percentage points)

Officer vacancy – X

2014	X1	
2015	X2	((X2/X1)-1)*100 = a
2016	X3	((X3/X2)-1)*100 = b
2017	X4	((X4/X3)-1)*100 = c
2018	X5	((X5/X4)-1)*100 = d
2019	X6	((X6/X5)-1)*100 = e

5-year average (a,b,c,d,e)

Benchmark: Not available
Scoring guide: Lower, the better
Period/Date: Calendar year 2015 to 2019
Data source: Data on Police Organizations, Bureau of Police Research and Development (BPR&D)

26. Difference in spend: police vs state (percentage points)

Formula:
[5-year annual average of police expenditure (PE) – 5-year annual average of state expenditure (SE)]

2012-13	PE = X1	
2013-14	X2	((X2/X1)-1)*100 = a
2014-15	X3	((X3/X2)-1)*100 = b
2015-16	X4	((X4/X3)-1)*100 = c
2016-17	X5	((X5/X4)-1)*100 = d
2017-18	X6	((X6/X5)-1)*100 = e

PE = Average (a,b,c,d,e)

2012-13	SE = X1	
2013-14	X2	((X2/X1)-1)*100 = a
2014-15	X3	((X3/X2)-1)*100 = b
2015-16	X4	((X4/X3)-1)*100 = c
2016-17	X5	((X5/X4)-1)*100 = d
2017-18	X6	((X6/X5)-1)*100 = e

SE = Average (a,b,c,d,e)

Benchmark: Greater than zero
Scoring guide: Higher, the better
Period/Date: Financial year 2013-14 to 2017-18
Data source: Combined Finance and Revenue Accounts of the Union and State Governments in India, Comptroller and Auditor General of India; Open Budgets India; India budget documents
Notes: Andhra Pradesh and Telangana are not included in trends as 5-year data for these states was not available separately.

PRISONS

BUDGETS

1. Spend per inmate (Rs)

Formula:

$$\frac{\text{Prison expenditure}}{\text{Total inmates}}$$

Benchmark: Not available
Scoring guide: Higher, the better
Period/Date: 2019-20
Data source: Prison Statistics India, 2019

2. Prison budget utilised (%)

Formula:

$$\frac{\text{Prison expenditure}}{\text{Prison budget}} * 100$$

Benchmark: 100%
Scoring guide: Higher, the better
Period/Date: 2019-20
Data source: Prison Statistics India, 2019

HUMAN RESOURCES

3. Officers, vacancy (%)

Formula:

$$100 - \left(\frac{\text{Actual prison officers}}{\text{Sanctioned prison officers}} * 100\right)$$

Benchmark: 0%
Scoring guide: Lower, the better
Date: 31 December 2019
Data source: Prison Statistics India, 2019
Notes: Officers comprise the following ranks: DG/ADDL.DG/ IG + DIG + AIG+ Superintendent + Deputy Superintendent + Assistant Superintendent + Jailor + Deputy Jailor + Assistant Jailor + Others.

4. Cadre staff, vacancy (%)

Formula:

$$100 - \left(\frac{\text{Actual cadre staff}}{\text{Sanctioned cadre staff}} * 100\right)$$

Benchmark: 0%
Scoring guide: Lower, the better
Date: 31 December 2019
Data source: Prison Statistics India, 2019
Notes: Cadre comprise the following ranks: Head Warders + Head Matrons + Warders + Matrons + Others.

5. Correctional staff, vacancy (%)

Formula:

$$100 - \left(\frac{\text{Actual correctional staff}}{\text{Sanctioned correctional staff}} * 100\right)$$

Benchmark: 0%
Scoring guide: Lower, the better
Period/Date: 31 December 2019
Data source: Prison Statistics India, 2019
Notes: Correctional staff comprise the following: Probation Officer/Welfare Officer + Psychologists/Psychiatrists + Social Worker/Others.

6. Medical staff, vacancy (%)

Formula:

$$100 - \left(\frac{\text{Actual medical staff}}{\text{Sanctioned medical staff}} * 100\right)$$

Benchmark: 0%
Scoring guide: Lower, the better
Period/Date: 31 December 2019
Data source: Prison Statistics India, 2019
Notes: Medical staff comprises Resident Medical Officer/Medical Officer + Pharmacists + Lab Technician/Lab Attendant + Others.

7. Medical officers, vacancy (%)

Formula:

$$100 - \left(\frac{\text{Actual resident medical officer and medical officer}}{\text{Sanctioned resident medical officer and medical officer}} * 100\right)$$

Benchmark: 0%
Scoring guide: Lower, the better
Period/Date: 31 December 2019
Data source: Prison Statistics India, 2019

8. Personnel trained (%)

Formula:

$$\frac{\text{Prison staff trained}}{\text{Actual prison staff}} * 100$$

Benchmark: Not available
Scoring guide: Higher, the better
Period/Date: 31 December 2019
Data source: Prison Statistics India, 2019

DIVERSITY

9. Women in prison staff (%)

Formula:

$$\frac{\text{Women prison staff}}{\text{Total prison staff}} * 100$$

Benchmark: Not available
Scoring guide: Higher, the better
Period/Date: 31 December 2019
Data source: Prison Statistics India, 2019

INFRASTRUCTURE

10. Prison occupancy (%)

Formula:

$$\frac{\text{Inmate population}}{\text{Total Available prison capacity}} * 100$$

Benchmark: Below 100%
Scoring guide: Lower, the better
Period/Date: 31 December 2019
Data source: Prison Statistics India, 2019

11. Jails with video-conferencing facilities (%)

Formula:

$$\frac{\text{Jails with V-C facility}}{\text{Total jails}} * 100$$

Benchmark: 100%
Scoring guide: Higher, the better
Period/Date: 31 December 2019
Data source: Prison Statistics India, 2019

WORKLOAD

12. Inmates per officer (persons)

Formula:

$$\frac{\text{Inmate population}}{\text{Officer}}$$

Benchmark: Not available
Scoring guide: Lower, the better
Period/Date: 31 December 2019
Data source: Prison Statistics India, 2019
Notes: Officer comprises Superintendent + Deputy Superintendent + Assistant Superintendent + Jailor + Deputy Jailor

+ Assistant Jailor + Other Officers.

13. Inmates per cadre staff (persons)

Formula:

Inmate population
———————————
Cadre staff

Benchmark: Up to 6
Scoring guide: Lower, the better
Period/Date: 31 December 2019
Data source: Prison Statistics India, 2019
Notes: Cadre staff comprises Head Warder/Head Matron + Warder/Matron + Others.

14. Inmates per correctional staff (persons)

Formula:

Inmate population
———————————
Correctional staff

Benchmark: Not available
Scoring guide: Lower, the better
Period/Date: 31 December 2019
Data source: Prison Statistics India, 2019
Notes: Correctional staff comprises Probation officer/Welfare Officer + Psychologists/Psychiatrists + Social Worker/Others).

TRENDS

15. Officer vacancy (percentage points)

Formula:

Officer vacancy (%) – X

2014	X1	
2015	X2	((X2/X1)-1)*100 = a
2016	X3	((X3/X2)-1)*100 = b
2017	X4	((X4/X3)-1)*100 = c
2018	X5	((X5/X4)-1)*100 = d
2019	X6	((X6/X5)-1)*100 = e

5-year average (a,b,c,d,e)

Benchmark: Not available
Scoring guide: Lower, the better
Period/Date: Calendar year 2015 to 2019
Data source: Prison Statistics India

16. Cadre staff vacancy (percentage points)

Formula:

Cadre staff vacancy (%) – X

2014	X1	
2015	X2	((X2/X1)-1)*100 = a
2016	X3	((X3/X2)-1)*100 = b
2017	X4	((X4/X3)-1)*100 = c
2018	X5	((X5/X4)-1)*100 = d
2019	X6	((X6/X5)-1)*100 = e

5-year average (a,b,c,d,e)

Benchmark: Not available
Scoring guide: Lower, the better
Period/Date: Calendar year 2015 to 2019
Data source: Prison Statistics India

17. Share of women in prison staff (percentage points)

Formula:

Share of women in prison staff (%) = X

2014	X1	
2015	X2	((X2/X1)-1)*100 = a
2016	X3	((X3/X2)-1)*100 = b
2017	X4	((X4/X3)-1)*100 = c
2018	X5	((X5/X4)-1)*100 = d
2019	X6	((X6/X5)-1)*100 = e

5-year average (a,b,c,d,e)

Benchmark: Not available
Scoring guide: Higher, the better
Period/Date: Calendar year 2015 to 2019
Data source: Prison Statistics India

18. Inmates per prison officer (%)

Formula:

Inmates per prison officer = X

2014	X1	
2015	X2	((X2/X1)-1)*100 = a
2016	X3	((X3/X2)-1)*100 = b
2017	X4	((X4/X3)-1)*100 = c
2018	X5	((X5/X4)-1)*100 = d
2019	X6	((X6/X5)-1)*100 = e

5-year average (a,b,c,d,e)

Benchmark: Not available
Scoring guide: Lower, the better
Period/Date: Calendar year 2015 to 2019
Data source: Prison Statistics India
Notes: Officer comprises Deputy Superintendent + Assistant Superintendent + Jailor + Deputy Jailor + Assistant Jailor + Other Officers.

19. Inmates per cadre staff (%)

Formula:

Inmates per cadre staff = X

2014	X1	
2015	X2	((X2/X1)-1)*100 = a
2016	X3	((X3/X2)-1)*100 = b
2017	X4	((X4/X3)-1)*100 = c
2018	X5	((X5/X4)-1)*100 = d
2019	X6	((X6/X5)-1)*100 = e

5-year average (a,b,c,d,e)

Benchmark: Not available
Scoring guide: Lower, the better
Period/Date: Calendar year 2015 to 2019
Data source: Prison Statistics India

20. Share of undertrial prisoners (percentage points)

Formula:

Share of UTPs (%) (X) = (UTPs/total inmates*100)

2014	X1	
2015	X2	((X2/X1)-1)*100 = a
2016	X3	((X3/X2)-1)*100 = b
2017	X4	((X4/X3)-1)*100 = c
2018	X5	((X5/X4)-1)*100 = d
2019	X6	((X6/X5)-1)*100 = e

5-year average (a,b,c,d,e)

Benchmark: Not available
Scoring guide: Lower, the better
Period/Date: Calendar year 2015 to 2019
Data source: Prison Statistics India

21. Spend per inmate (%)

Formula:

Spend per inmate = X

2014-15	X1	
2015-16	X2	((X2/X1)-1)*100 = a
2016-17	X3	((X3/X2)-1)*100 = b
2017-18	X4	((X4/X3)-1)*100 = c
2018-19	X5	((X5/X4)-1)*100 = d
2019-20	X6	((X6/X5)-1)*100 = e

5-year average (a,b,c,d,e)

Benchmark: Not available
Scoring guide: Higher, the better
Period/Date: Financial year 2015-16 to 2019-20
Data source: Prison Statistics India

22. Prison budget used (percentage points)

Formula:

Budget used = X

2014-15	X1	
2015-16	X2	((X2/X1)-1)*100 = a
2016-17	X3	((X3/X2)-1)*100 = b
2017-18	X4	((X4/X3)-1)*100 = c
2018-19	X5	((X5/X4)-1)*100 = d
2019-20	X6	((X6/X5)-1)*100 = e

5-year average (a,b,c,d,e)

Benchmark: Not available
Scoring guide: Higher, the better
Period/Date: Financial year 2015-16 to 2019-20
Data source: Prison Statistics India

23. Difference in spend: prisons vs state (percentage points)

Formula: [5-year annual average of prisons expenditure (PE) – 5-year annual average of state expenditure (SE)]

2012-13	PE = X1	
2013-14	X2	((X2/X1)-1)*100 = a
2014-15	X3	((X3/X2)-1)*100 = b
2015-16	X4	((X4/X3)-1)*100 = c
2016-17	X5	((X5/X4)-1)*100 = d
2017-18	X6	((X6/X5)-1)*100 = e

PE = Average (a,b,c,d,e)

2012-13	SE = X1	
2013-14	X2	((X2/X1)-1)*100 = a
2014-15	X3	((X3/X2)-1)*100 = b
2015-16	X4	((X4/X3)-1)*100 = c
2016-17	X5	((X5/X4)-1)*100 = d
2017-18	X6	((X6/X5)-1)*100 = e

SE = Average (a,b,c,d,e)

Benchmark: Greater than zero
Scoring guide: Higher, the better
Period/Date: Financial year 2013-14 to 2017-18
Data source: Combined Finance and Revenue Accounts of the Union and State Governments in India, Comptroller and Auditor General of India; India budget documents; Prison Statistics India
Notes: Andhra Pradesh and Telangana are not included in trends as 5-year data for these states was not available separately.

JUDICIARY

BUDGETS

1. Per capita spend on judiciary (Rs)

Formula:

$$\frac{\text{Judiciary expenditure (Rs)}}{\text{State Population}}$$

Benchmark: Not available
Scoring guide: Higher, the better
Period/Date: 2019 (population), 2017-18 (judiciary expenditure)
Data source: National Commission on Population, 2019; Combined Finance and Revenue Accounts of the Union and State Governments in India for 2015-16, Comptroller and Auditor General of India

HUMAN RESOURCES

2. Population per High Court judge (Persons)

Formula:

$$\frac{\text{State Population}}{\text{High Court judges}}$$

Benchmark: Not available
Scoring guide: Lower, the better
Period/Date: 2019 (population); 2018-19, average of four quarters (High Court judges)
Data source: National Commission on Population, 2019; Court News, Supreme Court of India
Notes: Population of states and UTs that share a High Court have been combined, and hence they share the same value. These are Kerala and Lakshadweep; West Bengal and Andaman & Nicobar Islands; Punjab, Haryana and Chandigarh; Assam, Mizoram, Nagaland and Arunachal Pradesh; Maharashtra, Goa, Dadra & Nagar Haveli, Daman & Diu; Tamil Nadu and Puducherry.

3. Population per subordinate court judge (Persons)

Formula:

$$\frac{\text{State Population}}{\text{Subordinate court judges}}$$

Benchmark: Not available
Scoring guide: Lower, the better
Period/Date: 2019 (State population); 2018-19, average of four quarters (Subordinate court judges)
Data source: National Commission on Population, 2019; Court News, Supreme Court of India

4. High Court judge vacancy (%)

Formula:

$$100 - \left(\frac{\text{Working High Court Judges}}{\text{Sanctioned High Court judges}} * 100\right)$$

Benchmark: 0%
Scoring guide: Lower, the better
Period/Date: 2018-19, average of four quarters
Data source: Court News, Supreme Court of India

5. Subordinate court judge vacancy (%)

Formula:

$$100 - \left(\frac{\text{Working subordinate court judges}}{\text{Sanctioned subordinate court judges}} * 100\right)$$

Benchmark: 0%
Scoring guide: Lower, the better
Period/Date: 2018-19, average of four quarters
Data source: Court News, Supreme Court of India

6. High Court staff vacancy (%)

Formula:

$$100 - \left(\frac{\text{Working High Court staff}}{\text{Sanctioned High Court staff}} * 100\right)$$

Benchmark: 0%
Scoring guide: Lower, the better
Period/Date: 2018-19
Data source: Annual report, Supreme Court of India

DIVERSITY

7. Women judges (High Court) (%)

Formula:

$$\frac{\text{Women High Court judges}}{\text{Total High Court judges}} * 100$$

Benchmark: Not available
Scoring guide: Higher, the better
Date: August 2020
Data source: Department of Justice

8. Women judges (subordinate court) (%)

Formula:

$$\frac{\text{Women subordinate court judges}}{\text{Total subordinate court judges}} * 100$$

Benchmark: Not available
Scoring guide: Higher, the better
Period/Date: November 2019
Data source: Application under Right

to Information (RTI) Act filed by Vidhi Centre for Legal Policy

INFRASTRUCTURE

9. Courthall shortfall (%)

Formula:

$$100 - \left(\frac{\text{Number of courthalls}}{\text{Sanctioned subordinate court judges}} * 100\right)$$

Benchmark: 0%
Scoring guide: Lower, the better
Period/Date: January 2020 (courthalls); 2018-19, average of four quarters (judges)
Data source: Department of Justice (courthalls); Court News, Supreme Court of India (judges)

WORKLOAD

10. Cases pending (5-10 years) (subordinate court) (%)

Formula:

$$\frac{\text{Cases pending for 5-10 years in subordinate courts}}{\text{Total cases pending in subordinate courts}} * 100$$

Benchmark: Not available
Scoring guide: Lower, the better
Period/Date: 1 July 2020
Data source: National Judicial Data Grid

11. Cases pending (10+ years) (subordinate court) (%)

Formula:

$$\frac{\text{Subordinate court cases pending for above 10 years}}{\text{Total cases pending in subordinate courts}} * 100$$

Benchmark: Not available
Scoring guide: Lower, the better
Period/Date: 1 July 2020
Data source: National Judicial Data Grid

12. Average subordinate court pendency (years)

Formula:
For each pending case in subordinate courts

(Date on which data was scraped – Date of case filed) = Case pending for X days

Xn = Sum of X days for each case pending in a state
n = total pending cases

$$\text{Average pendency in subordinate courts (years)} = \frac{(X1+X2+X3+.....+Xn)}{n} * 365$$

Benchmark: Not available
Scoring guide: Lower, the better
Period/Date: June 2018 to September 2020
Data source: eCourt India Services; DAKSH Database. The DAKSH database is based on data collected from eCourts for a sample set of districts across India

14. Case clearance rate (High Court) (%)

Formula:

$$\frac{\text{High Court cases disposed (civil + criminal)}}{\text{High Court cases filed (civil + criminal)}} * 100$$

Benchmark: 100%
Scoring guide: Higher, the better
Period/Date: 2018-19
Data source: Court News, Supreme Court of India

15. Case clearance rate (subordinate court) (%)

Formula:

$$\frac{\text{Subordinate court cases disposed (civil + criminal)}}{\text{Subordinate court cases filed (civil + criminal)}} * 100$$

Benchmark: 100%
Scoring guide: Higher, the better
Period/Date: 2018-19
Data source: Court News, Supreme Court of India

TRENDS

16. Cases pending (per High Court judge) (%)

Formula:
Cases pending (High Court judge) – X

2013-14	X1	
2014-15	X2	((X2/X1)-1)*100 = a
2015-16	X3	((X3/X2)-1)*100 = b
2016-17	X4	((X4/X3)-1)*100 = c
2017-18	X5	((X5/X4)-1)*100 = d
2018-19	X6	((X6/X5)-1)*100 = e

5-year average (a,b,c,d,e)

Benchmark: Not available
Scoring guide: Lower, the better
Period/Date: Financial year 2014-15 to 2018-19, average of four quarters
Data source: Court News, Supreme Court of India

17. Cases pending (per subordinate court judge) (%)

Formula:
Cases pending (subordinate court judge) – X

2013-14	X1	
2014-15	X2	((X2/X1)-1)*100 = a
2015-16	X3	((X3/X2)-1)*100 = b
2016-17	X4	((X4/X3)-1)*100 = c
2017-18	X5	((X5/X4)-1)*100 = d
2018-19	X6	((X6/X5)-1)*100 = e

5-year average (a,b,c,d,e)

Benchmark: Not available
Scoring guide: Lower, the better
Period/Date: Financial year 2014-15 to 2018-19, average of four quarters
Data source: Court News, Supreme Court of India

18. Total cases pending (High Court) (%)

Formula:
Average High Court pending cases (civil + criminal) – X

2013-14	X1	
2014-15	X2	((X2/X1)-1)*100 = a
2015-16	X3	((X3/X2)-1)*100 = b
2016-17	X4	((X4/X3)-1)*100 = c
2017-18	X5	((X5/X4)-1)*100 = d
2018-19	X6	((X6/X5)-1)*100 = e

5-year average (a,b,c,d,e)

Benchmark: Not available
Scoring guide: Lower, the better
Period/Date: Financial year 2014-15 to 2018-19, average of four quarters
Data source: Court News, Supreme Court of India

19. Total cases pending (subordinate court) (%)

Formula:
Average subordinate court pending cases (civil + criminal) – X

2013-14	X1	
2014-15	X2	((X2/X1)-1)*100 = a
2015-16	X3	((X3/X2)-1)*100 = b
2016-17	X4	((X4/X3)-1)*100 = c
2017-18	X5	((X5/X4)-1)*100 = d
2018-19	X6	((X6/X5)-1)*100 = e

5-year average (a,b,c,d,e)

Benchmark: Not available
Scoring guide: Lower, the better
Period/Date: Financial year 2014-15 to 2018-19, average of four quarters
Data source: Court News, Supreme Court of India

20. Judge vacancy (High Court) (percentage points)

Formula:
Judge vacancy =
Working High Court Judges
100 – (——————————* 100)
Sanctioned High Court judges

Judge vacancy (High Court) – X

2013-14	X1	
2014-15	X2	((X2/X1)-1)*100 = a
2015-16	X3	((X3/X2)-1)*100 = b
2016-17	X4	((X4/X3)-1)*100 = c
2017-18	X5	((X5/X4)-1)*100 = d
2018-19	X6	((X6/X5)-1)*100 = e

5-year average (a,b,c,d,e)

Benchmark: Not available
Scoring guide: Lower, the better
Period/Date: Financial year 2014-15 to 2018-19, average of four quarters
Data source: Court News, Supreme Court of India

21. Judge vacancy (subordinate court) (percentage points)

Formula:
Judge vacancy (X) =
Working Subordinate Court Judges
100 – (——————————* 100)
Sanctioned Subordinate Court judges

2013-14	X1	
2014-15	X2	((X2/X1)-1)*100 = a
2015-16	X3	((X3/X2)-1)*100 = b
2016-17	X4	((X4/X3)-1)*100 = c
2017-18	X5	((X5/X4)-1)*100 = d
2018-19	X6	((X6/X5)-1)*100 = e

5-year average (a,b,c,d,e)

Benchmark: Not available
Scoring guide: Lower, the better
Period/Date: Financial year 2014-15 to 2018-19, average of four quarters
Data source: Court News, Supreme Court of India

22. Case clearance rate (High Court) (percentage points)

Formula:
Case clearance rate (X) =
High Court cases disposed (civil + criminal)
——————————————* 100
High Court cases filed (civil + criminal)

2013-14	X1	
2014-15	X2	((X2/X1)-1)*100 = a
2015-16	X3	((X3/X2)-1)*100 = b
2016-17	X4	((X4/X3)-1)*100 = c
2017-18	X5	((X5/X4)-1)*100 = d
2018-19	X6	((X6/X5)-1)*100 = e

5-year average (a,b,c,d,e)

Benchmark: Not available
Scoring guide: Higher, the better
Period/Date: Financial year 2014-15 to 2018-19
Data source: Court News, Supreme Court of India

23. Case clearance rate (subordinate court) (percentage points)

Formula:
Case clearance rate (X) =
Subordinate court cases disposed (civil + criminal)
——————————————* 100
Subordinate court cases filed (civil + criminal)

2013-14	X1	
2014-15	X2	((X2/X1)-1)*100 = a
2015-16	X3	((X3/X2)-1)*100 = b
2016-17	X4	((X4/X3)-1)*100 = c
2017-18	X5	((X5/X4)-1)*100 = d
2018-19	X6	((X6/X5)-1)*100 = e

5-year average (a,b,c,d,e)

Benchmark: Not available
Scoring guide: Higher, the better
Period/Date: Financial year 2014-15 to 2018-19
Data source: Court News, Supreme Court of India

24. Difference in spend: judiciary vs state (percentage points)

Formula: [5-year annual average of judiciary expenditure (JE)] – [(5-year annual average of state expenditure (SE)]

2012-13	JE = X1	
2013-14	X2	((X2/X1)-1)*100 = a
2014-15	X3	((X3/X2)-1)*100 = b
2015-16	X4	((X4/X3)-1)*100 = c
2016-17	X5	((X5/X4)-1)*100 = d
2017-18	X6	((X6/X5)-1)*100 = e

PE = Average (a,b,c,d,e)

2012-13	JE = X1	
2013-14	X2	((X2/X1)-1)*100 = a
2014-15	X3	((X3/X2)-1)*100 = b
2015-16	X4	((X4/X3)-1)*100 = c
2016-17	X5	((X5/X4)-1)*100 = d
2017-18	X6	((X6/X5)-1)*100 = e

SE = Average (a,b,c,d,e)
Benchmark: Greater than zero
Scoring guide: Higher, the better
Period/Date: Financial year 2013-14 to 2017-18
Data source: Combined Finance and Revenue Accounts of the Union and State Governments in India, Comptroller and Auditor General of India; India budget documents

LEGAL AID

BUDGETS

1. NALSA fund utilised (%)

Formula:
NALSA funds utilised
——————————————* 100
NALSA funds utilised + unutilised

Benchmark: 100%
Scoring guide: Higher, the better
Period/Date: 2019-20
Data source: National Legal Services Authority (NALSA)

2. State's share in legal aid spend (%)

Formula:
Allocation by state for legal aid
——————————————* 100

Allocation by state for legal aid + Expenditure from NALSA funds

Benchmark: Not available
Scoring guide: Higher, the better
Period/Date: 2019-20
Data source: National Legal Services Authority (NALSA)
Note: State's share comprises budget allocation from the state government for administrative functions (including salaries, infrastructure, etc) and grants released by the state government to the State Legal Aid Fund to carry out legal services programmes under Section 16 (1) (b) of the Legal Services Authorities Act, 1987.

HUMAN RESOURCES

3. DLSA secretary vacancy (%)

Formula:

$$100 - \left(\frac{\text{Actual DLSA secretaries}}{\text{Sanctioned DLSA secretaries}} * 100\right)$$

Benchmark: 0%
Scoring guide: Lower, the better
Period/Date: 31 March 2020
Data source: National Legal Services Authority (NALSA)
Note: DLSA is District Legal Services Authority

4. PLVs per lakh population (persons)

Formula:

$$\frac{\text{Para legal volunteers (PLVs)}}{\text{State population}}$$

Benchmark: Not available
Scoring guide: Higher, the better
Period/Date: 2019 (Population); 31 March 2020 (PLVs)
Data source: National Commission on Population, 2019; National Legal Services Authority (NALSA)

5. Sanctioned secretaries as % of DLSAs (%)

Formula:

$$\frac{\text{Sanctioned DLSA secretaries}}{\text{Total sanctioned DLSAs}} * 100$$

Benchmark: 100%
Scoring guide: Higher, the better
Period/Date: 31 March 2020
Data source: National Legal Services Authority (NALSA)
Note: DLSA is District Legal Services Authority

6. Panel lawyers trained (%)

Formula:

$$\frac{\text{Panel lawyers trained in year}}{\text{Total panel lawyers}} * 100$$

Benchmark: 100%
Scoring guide: Higher, the better
Period/Date: 2019-20 (Panel lawyers trained); 31 March 2020 (Panel lawyers)
Data source: National Legal Services Authority (NALSA)

DIVERSITY

6. Women panel lawyers (%)

Formula:

$$\frac{\text{Women panel lawyers}}{\text{Total panel lawyers}} * 100$$

Benchmark: Not available
Scoring guide: Higher, the better
Period/Date: 31 March 2020
Data source: National Legal Services Authority (NALSA)

7. Women PLVs (%)

Formula:

$$\frac{\text{Women para legal volunteers (PLVs)}}{\text{Total para legal volunteers}} * 100$$

Benchmark: Not available
Scoring guide: Higher, the better
Period/Date: 31 March 2020
Data source: National Legal Services Authority (NALSA)

INFRASTRUCTURE

8. DLSAs as % of state judicial districts (%)

Formula:

$$\frac{\text{Total DLSAs}}{\text{Judicial districts}} * 100$$

Benchmark: 100%
Scoring guide: Higher, the better
Period/Date: 31 March 2020
Data source: National Legal Services Authority (NALSA)
Note: DLSA is District Legal Services Authority

9. Villages per legal services clinic (number)

Formula:

$$\frac{\text{Inhabited villages}}{\text{Legal service clinics in villages}}$$

Benchmark: Not available
Scoring guide: Lower, the better
Period/Date: 2011 (villages), 31 March 2020 (legal service clinics)
Data source: Primary Census Abstract, Census 2011; National Legal Services Authority (NALSA)

10. Legal services clinic per jail (number)

Formula:

$$\frac{\text{Legal service clinics in jails}}{\text{Total jails}}$$

Benchmark: 1 per jail
Scoring guide: Higher, the better
Period/Date: December 2019 (total jails), 31 March 2020 (legal service clinics)
Data source: Prison Statistics India, 2019; National Legal Services Authority (NALSA)

10. Present of front offices in LSIs (%)

Formula:

$$\frac{\text{Total front offices}}{\text{Total LSIs}} * 100$$

Benchmark: 100%
Scoring guide: Higher, the better
Period/Date: 31 March 2020
Data source: National Legal Services Authority (NALSA)
Notes: NLSIs are legal services institutes. They comprise SLSAs (state level), DLSAs (district level), TLSCs (taluka level) and HCLSCs (High Court level).

WORKLOAD

11. PLA cases: settled as % of received (%)

Formula:

$$\frac{\text{Cases settled by Permanent Lok Adalats (PLAs)}}{\text{Cases received by Permanent Lok Adalats}} * 100$$

Benchmark: Not available
Scoring guide: Higher, the better

Period/Date: 2019-20
Data source: National Legal Services Authority (NALSA)

12. Total Lok Adalats: Share of pre-litigation cases in disposed cases (%)

Formula:

$$\frac{\text{Pre-litigation cases disposed by Lok Adalats}}{\text{Total cases disposed by Lok Adalats}} * 100$$

Benchmark: Not available
Scoring guide: Higher, the better
Period/Date: 2019-20
Data source: National Legal Services Authority (NALSA)
Notes: Lok Adalats comprise National Lok Adalats and those run by State Legal Services Authorities (SLSAs)

13. SLSA Lok Adalats: Pre-litigation cases disposed as % of total cases taken up (%)

Formula:

$$\frac{\text{Pre-litigation cases disposed by State Legal Services Authority (SLSA)}}{\text{Total cases taken up by State Legal Services Authority (SLSA)}} * 100$$

Benchmark: Not available
Scoring guide: Higher, the better
Period/Date: 2019-20
Data source: National Legal Services Authority (NALSA)

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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.

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