



**BAJIRAO IAS ACADEMY**

# THE HINDU ANALYSIS

**26 NOVEMBER 2025**



**TRUMP's UKRAINE PEACE  
PLAN**

**Assam Anti-Polygamy Bill**

**Trump's Ukraine Peace Plan**

**Draft seeds bill**

**Custodial torture and CCTV compliance**

# Goa Tiger Habitat Claims

## Goa govt. does a U-turn on tiger presence in State

Jacob Kosshy  
NEW DELHI

The answer to whether tigers "reside" in Goa, depends on who is asking the question.

The Goa government, earlier this year, argued before a Supreme Court-appointed committee that there was "...no permanent presence of tigers" in the State.

However, in a separate matter concerning a dispute involving Goa, Karnataka and Maharashtra over sharing of water from the Mahadayi river in Goa, it stated the opposite.

"...The State of Goa states that that there is evidence to show that tigers in Goa are not merely transient animals, but are a resident population, and the forests around Chorla,

Mann and Kankumbi comprise a contiguous tiger landscape corridor, to the Bhimgad Wildlife Sanctuary in Karnataka to its south-east and to the Anshi Dandeli Tiger Reserve to its south that has around 35 tigers." The latter appears in a 2018 report of the Mahadayi Water Disputes Tribunal. "Thus, were the flow of Mahadayi river to be impeded," Goa argued, "it would impact the prey base as well as tiger ecosystem."

**Sanctuary proposal**  
The issue of tiger presence (or absence) in Goa has come to the fore following the Goa government challenging a July 2023 order of the Bombay High Court that directed the State

to declare the Mhadei sanctuary and other connected regions – as recommended by the National Tiger Conservation Authority (NTCA, the nodal Central



body tasked with overseeing tiger conservation) – a 'tiger reserve' within three months.

### Petition in SC

The Goa government filed a special leave petition (SLP) in the Supreme Court challenging this order.

The Goa government's core arguments in the SLP are that as per the NTCA guidelines, an area of 800-1,000 square kilometres would have to be declared an inviolate space for a tiger reserve.

The area already under protection in the State in the form of parks and sanctuaries added up to 745 sq. km. "Therefore, to declare an area larger than the already protected area, an inviolate space, would be an aberration."

Secondly, the area that would have to be declared a tiger reserve had a "huge population" of about 1,00,000 individuals spread across several villages. Given the paucity of alternative areas to settle them and the 'unwillingness' of this resident population, the move could translate to social unrest, the government said.

In terms of tiger presence, the government had argued that only three tigers were found through 'camera trapping' during the NTCA's tiger estimation survey of 2018. There was "no evidence" that these tigers were "residents" of the area; there were no cubs or young animals either, it said.

CONTINUED ON  
\* PAGE 10

## Syllabus

### General Studies paper II

- Conservation, environmental pollution and degradation, environmental impact assessment.

**Q. Consider the following statements regarding the National Tiger Conservation Authority (NTCA):**

- 1.It is a statutory body established under the Wildlife (Protection) Act, 1972.
- 2.The Prime Minister of India is the Chairperson of the NTCA.
- 3.NTCA approves the Tiger Conservation Plans prepared by states.

**Which of the statements given above is/are correct?**

- A. 1 and 3 only
- B. 2 and 3 only
- C. 1 and 2 only
- D. 1, 2 and 3

# Assam Anti-Polygamy Bill

## Assam proposes jail term, heavy fines for polygamy

Bill, tabled in Assembly, seeks to 'protect women, streamline society'; it covers residents entering such marriages outside State, but doesn't apply to Scheduled Tribes and Sixth Schedule areas

**Bahul Karmakar**  
GUWAHATI

An anti-polygamy Bill tabled by Assam Chief Minister Himanta Biswa Sarma in the State Assembly on Tuesday prescribes imprisonment and heavy fines for people entering into, or hiding, a second marriage while the first continues to be valid.

The Assam Prohibition of Polygamy Bill, 2025, makes polygamy a criminal offence, punishable with up to seven years in jail and a fine, and up to 10 years in jail if a person enters into a marriage while concealing an existing one. The punishment will be doubled for repeat offenders, it says. Barring the Sixth Schedule areas, the draft law will be applicable

### Banning polygamy

Assam Chief Minister **Himanta Biswa Sarma** on Tuesday tabled the Assam Prohibition of Polygamy Bill, 2025 in the State Assembly. It prescribes imprisonment and heavy fines for people entering into or hiding a second marriage while the first continues to be valid

#### Here is a timeline of the new Bill:

■ **August 21:** Assam government seeks public opinion by August 30, through email or by post, on a law to end polygamy in the State

■ **November 9:** The Assam Cabinet approves a new legislation to outlaw polygamy

■ **November 25:** The Assam Prohibition of Polygamy Bill, 2025, is tabled in the 126-member Assembly



across the State and will not cover members of the Scheduled Tribes under Article 342 of the Constitution. Customary laws of some tribes in Assam allow multiple marriages.

According to the Statement of Objects and Reasons, the Bill seeks to "pro-

hibit and eliminate practices of polygamy", protect women from hardship and "streamline the society".

#### Other offenders

It brings village heads, qazis (Muslim clerics who solemnise marriages), pa-

rents, and legal guardians of people indulging in polygamy under its scope. Anyone who "wilfully hides, neglects or unreasonably delays" information to the police about such marriages may be punished as the main offenders and jailed for up to two years and fined up to ₹1 lakh.

The fine may extend to ₹1.5 lakh for any priest or qazi who solemnises a marriage contrary to the provisions of the law knowingly and willingly. Penalties have been prescribed for other abettors, too.

A provision of the anti-polygamy Bill expands the scope of its jurisdiction beyond residents of the State.

**CONTINUED ON**  
\* PAGE 10

## Syllabus

### General Studies paper II

- Welfare schemes for vulnerable sections of the population by the Centre and States and the performance of these schemes; mechanisms, laws, institutions and Bodies constituted for the protection and betterment of these vulnerable sections.

## Assam Moves to Criminalise Polygamy Through New Bill

The **Assam government** has introduced the **Assam Prohibition of Polygamy Bill, 2025**, proposing imprisonment, heavy fines, and disqualification from government benefits for individuals entering second marriages while a first is valid.

The Bill excludes **Scheduled Tribes** and **Sixth Schedule areas**, recognizing customary tribal practices.



## Key Provisions of Assam's Anti-Polygamy Bill:

- ❑ The Bill makes **polygamy a criminal offence**, with punishment of up to **seven years in jail**, and **10 years** if the offender conceals an existing marriage.
- ❑ **Repeat offenders** face **double punishment**, strengthening deterrence.
- ❑ The draft law **excludes** individuals belonging to **Scheduled Tribes** under **Article 342** and regions under the **Sixth Schedule**, where multiple marriages are permitted by customary law.
- ❑ It aims to **protect women**, reduce hardship, and “**streamline society**”.
- ❑ The law applies even when an Assam resident **enters a polygamous marriage outside the State**, ensuring no loophole through cross-border marriages.

## Accountability Measures and Wider Impact

- ❑ The Bill brings **village heads, qazis, priests, parents, and guardians** under punishment if they knowingly support or conceal polygamous marriages.
- ❑ Clerics who solemnise illegal marriages may face fines up to **₹1.5 lakh**.
- ❑ Anyone who intentionally withholds information from police may face **two years' imprisonment** and fines up to **₹1 lakh**.
- ❑ Individuals convicted under the law become **ineligible for government employment**, welfare schemes, or contesting elections.
- ❑ The Bill provides a **compensation mechanism** for women harmed by polygamous marriages and empowers police to **intervene before prohibited marriages occur**.
- ❑ **Existing polygamous marriages** remain valid if conducted under recognized personal or customary laws before the Act comes into force.

## Constitutional & Legal Context :

- **Article 342** defines **Scheduled Tribes**, allowing continuation of certain customary practices.
- The **Sixth Schedule** grants autonomy to tribal regions in Assam, Meghalaya, Tripura, and Mizoram, protecting tribal traditions including marriage customs.
- **Polygamy laws in India** vary across personal laws:
  - It is prohibited under **Hindu Marriage Act, 1955**.
  - Allowed in certain cases under **Muslim personal law**.
  - Customary practices govern several **tribal communities**.
- Criminalising marriage-related offences typically falls under **State List** subjects, giving Assam the power to enact such legislation.
- Disqualification from **government schemes and elections** is aligned with principles of ensuring **public morality** within constitutional limits.

# Trump's Ukraine Peace Plan

## Trump's Ukraine peace plan is audacious. India has a stake in its success



**RAJA MANDALA**  
BY C RAJA MOHAN

**U**S PRESIDENT Donald Trump's new peace plan for Ukraine offers a fresh look at what has long seemed an impossible proposition — a US-Russia partnership. Washington and Moscow have been at odds for nearly two decades, and many capitals have assumed the rivalry is permanent. Trump is challenging that assumption. He appears willing to take the relationship in a different direction.

His Ukraine peace plan contains ideas with sweeping implications — reintegrating Russia into the world economy, inviting Moscow back into the Western G7, and launching a broad US-Russia economic partnership. Trump's 28-point peace formula for Ukraine mirrors key Russian demands — ceding eastern Ukraine and Crimea, keeping Kyiv out of NATO, and limiting its military.

Trump backed the proposals with an ultimatum to Kyiv — decide immediately or face a cutoff of all military aid. The initiative has rattled Europe, angered Ukraine, and generated strong criticism in the US. Washington and Kyiv held talks on Sunday to narrow differences, and both sides reported progress. But the issues remain complex — Ukraine's territorial integrity, its sovereign right to self-defence, and the nature of security guarantees from the US and Europe.

Trump's demand for a quick settlement comes amid war fatigue in Ukraine and the

weakening domestic position of President Volodymyr Zelenskyy. Europe remains defiant, despite its difficulty in filling the vacuum created by Trump's suspension of military assistance.

In the US, the pushback has been immediate and substantive. Russia has few friends in Washington other than the President. In his first term, Trump defied the bipartisan consensus on Russia and paid a political price — cast as a Kremlin puppet and even impeached. Yet, he has remained insistent through four years out of office and is now back in the White House.

While much of the foreign policy establishment views Trump's peace plan as appeasement, parts of the MAGA movement argue that the US must withdraw from entangling conflicts in Europe, especially Ukraine. For Trump, the challenge is considerable: Overcoming institutional resistance in Washington, persuading Kyiv to accept constraints on its sovereignty, and convincing Europe to support a peace deal with Moscow. Even if he achieves all this, he faces a difficult negotiation with Putin — the more he bends toward Ukraine and Europe, the harder it may be to find common ground with Moscow.

The Kremlin believes time is on its side. It assumes Ukraine's position will weaken the longer the war continues and anticipates deepening divisions within Europe and across the Atlantic.

Whether or not Trump succeeds, his out-of-the-box thinking raises larger questions about Eurasian geopolitics — and their implications for India. Critics call Trump's outreach naive, but the logic echoes an old Western idea: Preventing any single power, or coalition, from dominating Eurasia. Today, that means loosening

Russia's deepening embrace with China. The Ukraine war has only tightened that bond. Cut off from the West after Crimea in 2014 and fully ruptured after the 2022 invasion, Russia turned decisively toward Beijing — now its principal economic partner, energy customer, technology provider, and geopolitical backer.

Trump wants to reverse this trend. For him, reintegrating Russia into the global economy, deepening bilateral commercial and technological cooperation, and bringing it back to the geopolitical high table are tools to reduce Russia's dependence on Beijing.

Is this strategy a credible one? Sceptics note Russia has little reason to trust the US, given the volatility of American policy. Even if Putin sees Trump as a favourable interlocutor, the Russian establishment doubts whether Washington can sustain over the long term any bargain with Moscow.

Optimists counter that even a limited entente with the US would significantly enhance Putin's room for manoeuvre and reinforce Russia's identity as an independent great power, not a junior partner to China. Despite battlefield gains, Russia faces severe economic challenges; a thaw with the West would be enormously helpful. A return to the G8 and Western acknowledgement of its security concerns would strengthen Moscow's traditional claim for a role in stabilising Europe's security architecture and shaping world politics.

For India, the potential shift is consequential. Delhi worries about a 'G2' — a Sino-American condominium over Asia — but has far fewer concerns about an 'E2', or US-Russia cooperation in Europe. Any accommodation between Washington and Moscow would make it easier for Delhi to sustain its ties with both

would make it easier for Delhi to sustain its ties with both. India would like to see the conflict between Russia and the West end at the earliest.

Yet, Delhi has never subscribed to the view that Russia and America are permanent adversaries, nor to the belief that Moscow will always support India against the West. India remembers that the US and Soviet Union were military allies during World War II; that the Soviet Union sought a global duopoly with the US in the 1970s; and that post-Soviet Russia in the 1990s was so focused on integrating with the West that it had little time for India. Equally, Delhi cannot ignore the negative consequences of today's Sino-Russian alliance for India's security.

The key for India is to recognise that relations among the US, Russia, and China are in deep flux. Delhi must be open to the possibility of improving US-Russia ties and acknowledge that Moscow could emerge as the swing state in shaping Eurasian geopolitics. There is no reason for India to take sentimental or ideological positions on disputes among the great powers.

Delhi will also note the irony: Even as Trump seeks a rapprochement with Russia, his administration has imposed punitive tariffs on India for buying Russian oil. But such contradictions are inherent to the logic of geopolitics. India's priority must be to avoid getting entangled in great-power jockeying. Enhancing India's national power must remain the sole criterion guiding its great power diplomacy.

*The writer is contributing editor on international affairs for The Indian Express and distinguished professor at the Motilal Nehru Institute of American Studies, Andra Global University. He also holds the Korea Chair on Asian Geopolitics at the Council on Strategic and Defence Research.*

## Syllabus

### General Studies paper II

- Effect of policies and politics of developed and developing countries on India's interests, Indian diaspora.

## Context

- ❑ Former US President **Donald Trump** has unveiled a controversial **Ukraine peace plan**, proposing a major shift in **US–Russia relations** by reintegrating Moscow into the Western order.
- ❑ This has unsettled **Europe, Ukraine**, and parts of the **US establishment**, while raising significant **geopolitical implications for India**, especially amid changing **Eurasian power dynamics**.



## Understanding Trump's Ukraine Peace Proposal

- ❑ **Fresh Approach:** Trump presents a bold framework to reconcile the **US–Russia rivalry**, challenging two decades of entrenched hostility.
- ❑ **Core Offer:** His 28-point proposal mirrors key **Russian demands**—territorial concessions in eastern Ukraine and Crimea, **NATO neutrality** for Kyiv, and limits on its military.
- ❑ **Strategic Objective:** Reintegration of Russia into the **global economy** and possibly the **G7**, reducing Moscow's dependence on **China**.
- ❑ **High-Stakes Diplomacy:** Trump aims to reset relations despite Washington's bipartisan suspicion toward Moscow.
- ❑ **US Internal Divide:** While **MAGA groups** push for disengagement from European conflicts, the US establishment views Trump's approach as **appeasement**.



## Key Geopolitical Concepts and International Frameworks :

- ❑ **G7 / G8:** Group of advanced economies; Russia was part of **G8** until its suspension after Crimea (2014).
- ❑ **NATO:** Collective defence alliance; Ukraine seeks membership, strongly opposed by Russia.
- ❑ **Crimea Annexation 2014:** Russia's unilateral takeover, condemned under **international law** and considered a violation of customary international law.
- ❑ **Eurasian Geopolitics:** Competition among major powers to prevent domination by any single state or coalition.
- ❑ **Strategic Autonomy (India):** India's principle of independent decision-making without alignment to power blocs.
- ❑ **Sino-Russian Axis:** Deepening strategic, military, and economic partnership challenging Western influence.
- ❑ **US Sanctions Laws:** Include **CAATSA**, affecting countries engaging with Russia.
- ❑ **Multipolarity:** A global order with several influential powers—India's preferred international structure.

## Impact on Europe and Ukraine's Security Calculus :

- ❑ **European Concerns:** The plan has **rattled Europe**, which struggles to manage the vacuum created by earlier US hesitations over Ukraine military aid.
- ❑ **Ukraine's Alarm:** Kyiv faces pressure to accept concessions that undermine its **sovereignty, territorial integrity**, and long-term **security guarantees**.
- ❑ **War Fatigue:** Prolonged conflict has deepened **military, economic, and humanitarian strains** on Ukraine.
- ❑ **Hard Bargaining Ahead:** Any settlement requires resolving disagreements on **borders, NATO membership**, and **US–EU security assurances**.
- ❑ **Diplomatic Deadlock:** Despite talks, bridging gaps between Ukrainian aspirations and Russian demands remains extremely difficult.

## **Russia's Position and Its Deepening China Alignment :**

- ❑ **Closer Ties with Beijing:** Isolated after **Crimea (2014)** and the **2022 invasion**, Russia turned decisively toward **China**—now its main **economic partner, energy customer, technology supplier**, and **geopolitical backer**.
- ❑ **Strategic Vulnerability:** Despite battlefield advantages, Russia faces **economic stress**, sanctions, and long-term isolation.
- ❑ **Moscow's Assumptions:** The Kremlin believes **time favours Russia**—expecting Ukraine's position to weaken and Western unity to erode.
- ❑ **Desire for Autonomy:** Moscow seeks recognition as an **independent great power**, not a junior partner in a China-centric order.
- ❑ **Opportunity for Realignment:** Even limited rapprochement with the West would strengthen Russia's strategic choices.

## India's Strategic Stakes in a Potential US–Russia Reset :

- ❑ **Balanced Diplomacy:** India never saw **US–Russia hostility** as permanent, recalling earlier **US–Soviet alliances** and Russia's post-Cold War Westward tilt.
- ❑ **G2 Concerns:** India is wary of a **Sino-American duopoly** in Asia, but not of a cooperative **US–Russia arrangement**.
- ❑ **Russia–China Axis Risks:** A strong **Sino-Russian partnership** complicates India's security environment, especially along the **LAC**.
- ❑ **Space for Maneuver:** A US–Russia thaw may create room for India to maintain relations with both, without being caught in zero-sum rivalries.
- ❑ **India's Priority:** Strengthening **national power**, preserving **strategic autonomy**, and avoiding ideological biases in great-power disputes.

# Draft seeds bill

## What does the draft Seeds Bill entail?

Why has the seed industry been demanding a reform of the Seeds Act of 1966? What are the punishments prescribed for flouting provisions under the Bill? Why are farmers' groups worried about the new draft Bill? What will be the roles of the Central and State Seed Committees?

### EXPLAINER

A. M. Haseeb

The story so far:

**T**he Union Agriculture Ministry released the draft Seeds Bill on November 12, and has invited public comments on it till December 11. The Seeds Bill, seen as a regulatory step to ensure quality of seeds sold and distributed to farmers, promotes "ease of doing business" and reduces compliance burden, while maintaining strong provisions to punish serious violations, as per the government. The government has been open about its intention to amend the Seeds Act of 1966 and the Seeds (Control) Order of 1963.

What has been the history?

According to the Union Agriculture Ministry, in 2022-24, the country had an overall requirement of 462.26 lakh quintals of seeds for various crops with availability being 508.60 lakh quintals, which then led to a surplus of 46.29 lakh quintals of seeds.

The seed industry has been demanding that the 1966 Act should be amended to accommodate technological and scientific advancements in the sphere of seeds and to address the changes in trade and commerce over the last six decades. In their initial response, the Federation of Seed Industry of India Chairman Ajay Kumar said the release of the draft is a timely and much-needed step toward modernising India's seed regulatory framework. However, the Samyukt Kisan Morcha, an umbrella body of farmers, said they will continue to oppose moves to bring amendments in the Bill that are "anti-farmer".

What are the new provisions?

The Bill provides a regulatory mechanism in the area of import, production and supply of quality seeds. The Bill does not restrict the right of the farmer to grow, sow, re-sow, save, use, exchange, share or



New reform: Women farmers sow maize seeds in a field, in Morgan on November 11. PTI

sell his farm seeds, except when he sells such seed or planting material under a brand name. The Bill defines farmer, dealer, distributor and producer as separate entities that deal with the production, distribution, trade and use of seeds. It also provides for the establishment of 27-member Central and 15-member State seed committees. The Central seed committee can recommend the minimum limits of germination, genetic and physical purity, traits, seed health and additional standards of seeds to the Union Government. The State Seed Committee can advise the State Government on registration of seed producers, seed processing units, seed dealers, distributors and plant nurseries.

Under the Bill, it is mandatory that all seed processing units must be registered with the State governments based on the

under the provisions of the Bharatiya Nagarik Suraksha Sanhita to search or seize. The Bill details the punishment for trial, transfer and major offences for flouting provisions under the Bill. The punishment ranges from a fine of ₹50,000 to ₹30 lakh and up to three years of imprisonment.

What are changes from 2019 draft?

One of the major changes is in the section of offences and punishments. In the previous draft, the offences were covered under consumer protection laws and the penalty ranged between ₹25,000 and ₹5 lakh and an imprisonment up to one year. There are substantial changes with respect to this section in the new draft. On farmers' rights, the new draft links the matter with the Protection of Plant Varieties and Farmers Rights Act. On quality norms, the standards have been tightened. The new Bill looks at the import of seeds in a more liberal way.

What are the concerns of farmers?

The All India Kisan Sabha, a constituent of the Samyukt Kisan Morcha, said the Bill is poised to increase cost of cultivation by allowing corporates to indulge in the predatory pricing of seeds. They doubt the Bill is part of a larger political project of the RSS-BJP to disempower small farmers and surrender the country's seed sovereignty to a handful of multinational and domestic monopolies.

They demanded that the new draft must complement, not conflict with, the progressive legal safeguards already established under the Protection of Plant Varieties and Farmers Rights Act of 2001, and India's international commitments under the Convention on Biological Diversity and the International Treaty on Plant Genetic Resources for Food and Agriculture. The Kisan Sabha pointed out that the draft Seeds Bill introduces a heavily centralised and corporatized regulatory system that risks weakening farmer-centred protection and abiding India's legal architecture for biodiversity conservation and farmers' rights.

### THE GIST

▼ The seed industry has been demanding that the 1966 Act should be amended to accommodate technological and scientific advancements in the sphere of seeds and to address the changes in trade and commerce over the last six decades.

▼ The Bill also has provisions for the establishment of Central and State seed testing laboratories, where analysis of seed of any kind or variety shall be carried out in the prescribed manner.

▼ The All India Kisan Sabha, a constituent of the Samyukt Kisan Morcha, said the Bill is poised to increase cost of cultivation by allowing corporates to indulge in the predatory pricing of seeds.

## Syllabus

### General Studies paper III

- Major crops-cropping patterns in various parts of the country, - different types of irrigation and irrigation systems storage, transport and marketing of agricultural produce and issues and related constraints; e-technology in the aid of farmers.

# Custodial torture and CCTV compliance

## Custodial torture: SC raps govt. over CCTV compliance

The court is re-examining level of compliance shown by States and Centre to a 2020 judgment, making CCTV cameras mandatory at police stations and offices of law enforcement agencies

Krishnadas Rajagopal  
NEW DELHI

**T**he Centre's lack of response to a judicial direction to install CCTV cameras in the offices of agencies like the CBI, ED, and the NIA to prevent custodial torture prompted the Supreme Court on Tuesday to ask if it was taking the top court "very lightly".

It has been five years since a Supreme Court judgment made it mandatory for the police and Central probe agencies to fix and maintain CCTV cameras at police stations and offices of Central law enforcement agencies with powers of "interrogation".

The court was shocked to discover that custodial cruelty had far from faded, with reports of 11 custodial deaths in eight months in Rajasthan.

A Bench of Justices Vikram Nath and Sandeep Mehta chose to *suo motu* re-examine the level of compliance shown by States, Union Territories, and the Centre to the 2020 judgment of the court.

However, the Bench on



Tuesday found that the response to its concern from the States and Union Territories was at best lukewarm, with only 11 of them condescending to even file compliance reports. The Centre did not file one.

"The Union of India is taking the court very lightly. Why?" Justice Nath asked.

Solicitor-General Tushar Mehta, for the Centre, vehemently denied, saying "not at all... The Union is not taking the court lightly, 'very' or any other way. We will file an affidavit".

Justice Mehta corrected him, saying "not an affidavit, but compliance". Justice Mehta referred to the custodial death statistics from Rajasthan, saying "no-

body will tolerate that now".

Mr. Mehta agreed, but submitted that CCTVs outside police stations could also prove counter-productive. He seemed to be presenting the security point of view. Justice Mehta said police stations were live-streamed in the United States. The Solicitor-General replied that there were also "private resort-type jails in America".

### Sarcastic comment

"Mr. Mehta is being sarcastic," Justice Nath noted. The court pointed to more open correction centres or jails to shrink over-crowding and reduce the financial burden of running prisons. The top law officer said he

would consult the American system. Justice Mehta responded that the ideas already enumerated in India were quite sufficient. The Solicitor-General was given further time to file a response. The court ordered that the Directors of the three Central agencies and Principal Home Secretaries of the remaining States and Union Territories would have to personally respond if compliance is not filed before the next hearing on December 19.

In 2020, a three-judge Bench headed by Justice Rohinton F. Nariman (now retired), in *Paramvir Singh Saini versus Baljit Singh*, had directed the Centre to compulsorily install CCTV cameras and recording equipment in police stations as a deterrent against custodial torture.

The court had ordered similar surveillance in the offices of central agencies which conducts any kind of interrogations.

The CCTVs and recording equipment, the court had reasoned in 202, would be used as a safeguard to protect the fundamental right to dignity and life.

## Syllabus

### General Studies paper II

- Welfare schemes for vulnerable sections of the population by the Centre and States and the performance of these schemes; mechanisms, laws, institutions and Bodies constituted for the protection and betterment of these vulnerable sections.

## Context

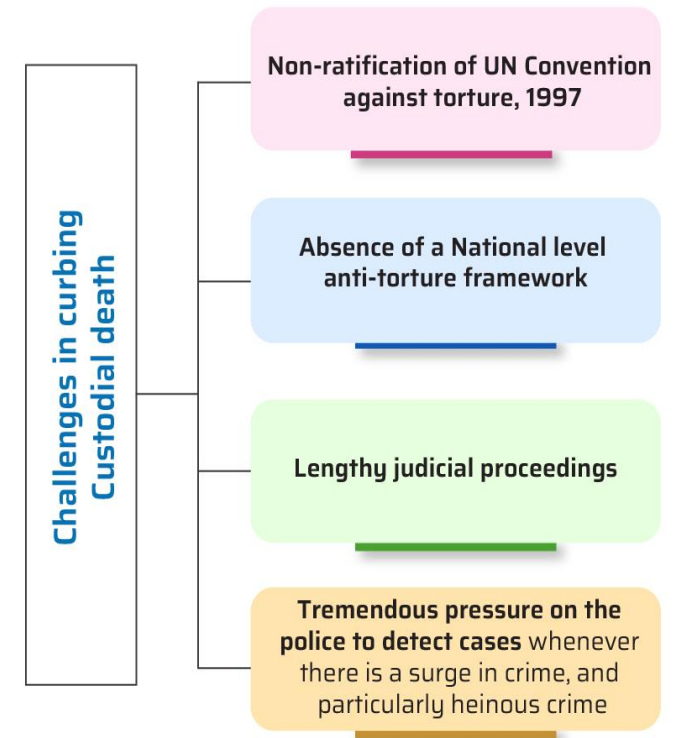
- A Supreme Court panel has released a **comprehensive report on prison reforms**, revealing deep systemic gaps in the investigation of custodial deaths.

## Major Highlights

- **Delays in custodial death probe:** It highlighted **severe delays in forensic examinations** due to a **52% staff vacancy in state forensic labs**.
- As a result, 1,237 enquiries into custodial deaths remained pending in district courts for over a year as of 2023.
- **Issues in Prison Administration:** Prison manuals refer to prison work related to conservancy and sanitation as **'menial' or 'work of degrading character'**, which perpetuates a hierarchical view of labour.
- **Disparity in Payments:** Significant disparities exist in the daily wages paid to prisoners, with amounts ranging from Rs 20 in Mizoram to Rs 524 in Karnataka.
- Several states pay prisoners much less than the prescribed minimum wage for their labour.

## Custodial Deaths in India

- ❑ According to the National Human Rights Commission, there were **11,650 deaths in custody in India between 2016 and 2022**.
- ❑ **Uttar Pradesh** alone has reported 2,630 custodial deaths, the highest in the country.
- ❑ **Magisterial Inquiries:** A 2023 analysis of NHRC and government data reveals between 2017 and 2022, only 345 magisterial inquiries were ordered nationwide into custodial deaths, resulting in just 123 arrests.
- ❑ **Vulnerable Groups:** NHRC data reveals that 71% of custodial deaths between 1996 and 2018 involved detainees from poor or vulnerable backgrounds.



## Why Custodial Deaths are Rampant in India?

- ❑ **Colonial Legacy of Policing:** The Indian police system is still heavily influenced by the Police Act of 1861, designed for control rather than service.
- ❑ **Weak Accountability Mechanisms:** Investigations into custodial deaths are often carried out by the same police department, leading to bias.
- ❑ **Torture as a Tool of Investigation:** Due to poor training and lack of forensic infrastructure, police often resort to third-degree methods to extract confessions.
- ❑ **Marginalisation and Vulnerable Groups:** Most victims come from weaker socio-economic backgrounds. Lack of legal literacy and resources prevents families from seeking justice.
- ❑ **Poor Implementation of Safeguards:** Safeguards under Article 21 & 22 of the Constitution, D.K. Basu guidelines (1997), NHRC directives, and Supreme Court judgments are often ignored.

## Legal Initiatives to Curb Custodial Deaths in India

- ❑ **Supreme Court Guidelines (D.K. Basu vs. State of West Bengal, 1997):** It laid down mandatory arrest and detention safeguards: informing relatives, maintaining arrest memo, medical examination, legal counsel, production before magistrate within 24 hours.
- ❑ These guidelines are treated as enforceable law under Article 141.
- ❑ **National Human Rights Commission (NHRC):** NHRC requires mandatory reporting of all custodial deaths within 24 hours.
- ❑ Issues advisories and seeks compliance reports from states.
- ❑ **Supreme Court Directions on CCTV Cameras (2020, Paramvir Singh Saini Case):** Directed installation of CCTV cameras with night vision and audio in all police stations and prisons.
- ❑ Ordered independent committees at state and district levels for monitoring.
- ❑ **Judicial Oversight:** High Courts and the Supreme Court regularly intervene in custodial death cases, order compensation, and monitor police reforms.



# Thank you

## Address

**B-47, Main Road Shivalik Enclave, Block-  
B, Shivalik Colony, Malviya Nagar, New  
Delhi-110017**

**Phone Number +91 8178833167**