

Supreme Court Slams Centre on Custodial Torture & Failure to Install CCTVs

November 26, 2025 • vajiramandravi.com



Custodial Torture Latest News

- The Supreme Court criticised the Union government for not responding to its five-year-old directive to install CCTV cameras in all police stations and central agency offices such as the CBI, ED and NIA. Only 11 States/UTs submitted compliance reports; the Centre did not.
- The Bench expressed shock that custodial torture continues unabated, citing 11 custodial deaths in Rajasthan within eight months.
- The judges observed that custodial brutality persists despite earlier judicial orders.

Custodial Torture in India: A Persisting Human Rights Crisis

- Custodial torture in India is a widespread and systemic human rights violation involving physical and psychological abuse of individuals in police or judicial custody.

- Despite the high number of custodial deaths each year, conviction rates remain extremely low, reflecting deep-rooted impunity and weak accountability mechanisms within the system.
- Prisoners' dignity and fundamental rights are protected under international law.
- The **UN Charter (1945)** emphasizes humane treatment, and the **Universal Declaration of Human Rights (1948)** safeguards individuals from torture, cruel treatment, and enforced disappearances, ensuring security and dignity.

Scale of the Problem

- Custodial torture—both physical and psychological—remains widespread and systemic.
- NHRC reported 2,739 custodial deaths in 2024, up from 2,400 in 2023.
- Marginalised groups—Dalits, Adivasis, Muslims, daily-wage earners—are disproportionately targeted.
- Accountability is abysmal: Zero convictions in 345 judicial inquiries (2017–2022) despite arrests and charge sheets.

Why Custodial Torture Persists

- **Absence of Specific Anti-Torture Law** - India lacks a dedicated legislation criminalising torture as per global standards. Although India signed UN Convention Against Torture (UNCAT, 1997), it has not ratified it.
- **Culture of Impunity** - Police personnel often shield each other, discouraging accountability. Systemic misuse of coercive interrogation methods remains widespread.
- **Systemic and Institutional Failures** - Overworked police forces, inadequate training in non-coercive techniques. Weak prison infrastructure and insufficient oversight mechanisms.
- **Weak Legal Protection for Victims** - Fear of retaliation and lack of legal aid prevent victims from reporting abuse.

Legal & Judicial Safeguards

- **Article 14:** Ensures that all individuals are treated equally, reinforcing that law enforcement agencies are not above the law.
- **Article 21:** Right to life includes protection from torture.
- **Article 20(1):** Prohibits conviction for acts that were not offences when committed and guards against excessive or arbitrary punitive actions.
- **Article 20(3):** Protection against self-incrimination.
- **D.K. Basu Guidelines (1997):** Mandate arrest memo, medical exam, identification of police officers, etc.

New Criminal Laws

- **Section 120, Bharatiya Nyaya Sanhita (BNS)** - Criminalises causing hurt or grievous hurt to extract confessions or information through violence or coercion.
- **Section 35, Bharatiya Nagarik Suraksha Sanhita (BNSS)** - Requires that all arrests and detentions follow legally valid, clearly documented procedures.

- **Section 22, Bharatiya Sakshya Adhiniyam (BSA)** – Declares confessions obtained under inducement, threat, coercion, or promise as legally inadmissible.

Supreme Court Pulls Up Centre for Ignoring CCTV Directions

- The Supreme Court expressed displeasure that only 11 States/UTs had filed compliance affidavits regarding the installation of functional CCTVs in police stations.
- The Union government had not filed its response either.

Background: The 2020 Nariman Judgment

- In *Paramvir Singh Saini vs Baljit Singh* (2020), the Supreme Court mandated CCTV installation in police stations and offices of all agencies with arrest and interrogation powers — including the NIA, CBI, ED, NCB, DRI, and SFIO.
- This was ordered to safeguard fundamental rights and deter custodial torture.

Debate on CCTVs and Security Concerns

- The Centre argued that CCTV installation outside police stations could be counter-productive, citing security concerns.
- The court disagreed, referring to **live-streamed** police stations in the U.S. and the need for more open correctional facilities to reduce overcrowding.

Source: **TH** | **IE** | **SCCO**

Source: <https://vajiramandravi.com/current-affairs/supreme-court-slams-centre-on-custodial-torture-failure-to-install-cctvs/>

© Vajiram & Ravi. For personal use only.