

INDIA 2014 HUMAN RIGHTS REPORT

EXECUTIVE SUMMARY

India is a multi-party, federal, parliamentary democracy with a bicameral parliament. The president, elected by an electoral college, is the chief of state, and the prime minister is the head of the government. Under the constitution the 29 states and seven union territories have a high degree of autonomy and have primary responsibility for law and order. On June 2, Andhra Pradesh was divided into the state of Telangana and a residual state of Andhra Pradesh. President Pranab Mukherjee was elected in 2012 to a five-year term, and Narendra Modi became prime minister following the victory of the National Democratic Alliance coalition led by the Bharatiya Janata Party (BJP) in the May 2014 general elections. These elections, the largest democratic elections in history, were considered free and fair, despite isolated instances of violence. Authorities maintained effective control over the security forces.

The most significant human rights problems were police and security force abuses, including extrajudicial killings, torture, and rape; widespread corruption that contributed to ineffective responses to crime, including those against women and members of scheduled castes or tribes; and societal violence based on gender, religious affiliation, and caste or tribe.

Other human rights problems included disappearances, hazardous prison conditions, arbitrary arrest and detention, and lengthy pretrial detention. The judiciary remained backlogged, leading to lengthy delays and the denial of due process. There were instances of infringement of privacy rights. The law in some states restricts religious conversion, and there were reports of arrests but no reports of convictions under those laws. Some limits on the freedom of movement continued. Rape, domestic violence, dowry-related deaths, honor killings, sexual harassment, and discrimination against women remained serious societal problems. Child abuse and forced and early marriage were problems. Trafficking in persons, including widespread bonded and forced labor of children and adults, and sex trafficking of children and adults for prostitution were serious problems. Caste-based discrimination continued, as did discrimination against persons with disabilities and indigenous persons; discrimination and violence based on gender identity and sexual orientation as well as persons with HIV/AIDS continued.

A lack of accountability for misconduct at all levels of government persisted. Investigations and prosecutions of individual cases took place, but lax

enforcement, a shortage of trained police officers, and an overburdened and underresourced court system contributed to infrequent convictions.

Separatist insurgents and terrorists in Jammu and Kashmir, the northeastern states, and the Maoist belt committed serious abuses, including killings of armed forces personnel, police, government officials, and civilians. Insurgents were responsible for numerous cases of kidnapping, torture, rape, extortion, and the use of child soldiers.

Section 1. Respect for the Integrity of the Person, Including Freedom from:

a. Arbitrary or Unlawful Deprivation of Life

There were reports that the government and its agents committed arbitrary or unlawful killings, including extrajudicial killings of suspected criminals and insurgents, especially in areas of conflict such as Jammu and Kashmir, the northeastern states, and the Maoist belt. During the year the South Asian Terrorism Portal (SATP), run by the nonprofit Institute for Conflict Management, reported fatalities due to terrorism and insurgency (other than Maoist extremism), including 235 civilians, 103 security force members, and 390 terrorists. According to the SATP, fatalities due to terrorist violence in the northeastern states decreased from 271 deaths in 2013 to 268. Fatalities from terrorist violence in Jammu and Kashmir, however, increased from 181 deaths in 2013 to 193.

Most “encounter killings,” a term used to describe the extrajudicial execution of alleged criminals or insurgents by security forces and police, occurred in conflict areas, but such incidents reportedly occurred elsewhere in the country as well. There were 555 “encounter” cases registered across the country during the past four years, with the most reported in Uttar Pradesh (138), followed by Manipur (62), Assam (52), West Bengal (35), Jharkhand (30), Chhattisgarh (29), Odisha (27), Jammu and Kashmir (26), Tamil Nadu (23), and Madhya Pradesh (20); 144 of 555 cases were closed as of July.

On July 31, police and armed forestry officials of Chittoor and Kadapa districts in the state of Andhra Pradesh allegedly killed nine individuals in separate “encounter” incidents as part of an operation against rare-wood smuggling. Civil liberties activists and the National Campaign for Denotified Tribes Human Rights asserted those killed, as well as several others who were imprisoned, were smugglers from the neighboring state of Tamil Nadu. A Human Rights Forum fact-finding team visited the “encounter” sites and subsequently claimed the

killings were in retaliation for the killing of two forest officials by smugglers in December 2013.

On February 6, the Central Bureau of Investigation (CBI) pressed charges against a former intelligence bureau (IB) special director and three other IB officials for allegedly conspiring to abduct and illegally confine Ishrat Jahan and three others, in a staged “encounter” killing in 2004. The case did not come to trial during the year.

The trial continued for the 2005 “encounter” killing of Sohrabuddin Sheikh in a special CBI court in Mumbai. In November 2005 a joint Rajasthan and Gujarat antiterrorist squad allegedly abducted Sheikh and his wife while the couple was traveling on a bus from Hyderabad to Sangli, Maharashtra. Three days later police allegedly killed Sheikh in a staged encounter on a highway near Ahmedabad. In 2006 Gujarat police also allegedly killed Tulsiram Prajapati, a key witness in the case. On March 28, the Supreme Court granted bail to two of the 19 senior police officials accused in the case, while the Bombay High Court separately granted bail to six of the accused. On May 9, the Rajasthan government reinstated one of the suspended police officials, Dinesh M. N. The Supreme Court moved the trial to Maharashtra from Gujarat after the investigating agency stated that the accused had intimidated witnesses.

On June 24, a local court in the state of Bihar sentenced to death Shamse Alam, a former commanding officer of Shastri Nagar police station in Patna city. Alam was convicted of carrying out an “encounter” in 2002, killing three university students accused of theft. The court also sentenced police officer Arun Kumar Singh to life in prison for the murders.

There were continuing reports of custodial death cases, in which prisoners or detainees were killed or died in police custody. Decisions by central and state authorities not to prosecute police or security officials despite clear evidence in these cases also remained a problem. The National Crime Records Bureau (NCRB) reported 118 cases of custodial deaths during 2013 (the most recent statistics available).

On June 25, the CBI filed a complaint against police officers on duty in the Wadala railway police station in Mumbai following the April 15 custodial death of Agnelo Valdaris. Valdaris died in police custody after the police detained him along with three others on suspicion of petty theft. The Bombay High Court ordered the CBI

to assume charge of the investigation from the Mumbai police after Valdaris's father filed a petition about the case.

In May, Witson M. Sangma, a suspected member of the outlawed Garo National Liberation Army in the state of Meghalaya, died at the Chokpot police station, allegedly due to lack of medical attention. In the same month, another prisoner, Shri Balsan Marak, died at the Tura district jail in West Garo Hills, Meghalaya, reportedly after being tortured. The state government launched an investigation to determine the circumstances of both deaths, but human rights activists claimed police were obstructing the probe.

On June 28, a mob set a local police station on fire and attacked police officials in Titlagarh, Odisha, following the death of Basant Pradhan. The victim's family members accused the police of torturing him for more than five days resulting in his death. The state government ordered a high-level probe, filed murder charges, and suspended police personnel.

The Ministry of Home Affairs and nongovernmental organizations (NGOs) reported a significant decline in the number of reports of extrajudicial killings by security forces in the northeastern states. NGOs believed that a factor contributing to this decline included the 2013 appointment by the Supreme Court of an independent panel to investigate extrajudicial killings by security forces.

According to the Bangladeshi NGO Odhikar, from January through November, Border Security Force (BSF) personnel allegedly killed 33, injured 61, and abducted 98 Bangladeshi citizens near the border with Bangladesh. In June a senior BSF official stated the decrease in deaths and injuries over the past several years was due to a 2011 BSF decision to equip its personnel with nonlethal weapons. The BSF generally explained the deaths as resulting from efforts to stop suspects evading arrest or as the result of shots fired in self-defense. On August 5, BSF personnel reportedly shot and killed Raju Ahmed, a Bangladeshi cattle trader, in Joypurhat District.

The Armed Forces Special Powers Act (AFSPA) remained in effect in Nagaland, Manipur, Assam, and parts of Tripura, and a version of the law was in effect in Jammu and Kashmir. Under the AFSPA, upon a central government declaration of a state or union territory as a "disturbed area," security forces are permitted to use deadly force to "maintain law and order" and arrest any person "against whom reasonable suspicion exists" without informing the detainee of the grounds for arrest. The law also provides security forces immunity from civilian prosecution

for acts committed in regions under the AFSPA. There were no official records available of enforcement actions or human rights abuses by security forces under the AFSPA during the year.

There was a popular movement for the repeal of the AFSPA, particularly in Mizoram and Tripura, where activists reported a significant decrease in insurgent attacks over the past few years. On August 19, police released Manipuri human rights activist Irom Sharmila, in police custody for 14 years for violating a law that criminalizes attempted suicide, after she began a hunger strike to protest the implementation of the AFSPA in Manipur. Sharmila initiated her strike after federal paramilitary forces killed 10 civilians in November 2000. A district court ordered her release on grounds that the prosecution failed to establish that she had attempted suicide. The police re-arrested Sharmila three days later under the same criminal statute rejected by the court that ordered her release.

The government made some progress in attempts to hold police and security officials accountable for killings committed during the Gujarat riots in 2002. In March, Zakia Jafri appealed the rejection by the Gujarat High Court of a petition challenging a special investigative tribunal's conclusion finding insufficient evidence to prosecute 63 individuals, including senior government officials, accused of complicity or dereliction of duty in the 2002 riots.

In July a Supreme Court-appointed special task force completed investigations in 13 of 22 extrajudicial killings by police in Gujarat between 2002 and 2006. The task force submitted the investigations to the Supreme Court but did not make them public. In 2012 the high court ordered the formation of the task force to investigate "encounter" deaths in Gujarat following petitions filed in 2007 by journalist B. G. Verghese and lyricist Javed Akhtar. On May 8, the Supreme Court dismissed a 2012 petition by the Gujarat government arguing against the formation of the task force.

There were developments in efforts to hold officials accountable for the New Delhi anti-Sikh killings of 1984. On January 10, Congress leader Sajjan Kumar and others went on trial on charges related to an "encounter" killing in Sultanpuri during the anti-Sikh riots.

Nongovernmental forces, including organized insurgents, reportedly committed numerous killings, especially in areas of conflict such as Jammu and Kashmir, the northeastern states, and the Maoist belt (see section 1.g.). Maoists in Jharkhand

and Bihar continued to attack security forces and key infrastructure facilities such as railways and communication towers.

On May 1, 30 Bengali-speaking Muslims, including 11 children, were killed during violence in Kokrajhar, Chirang, and Baksa districts of the northeast state of Assam. Authorities deployed state and central security forces to restore order and imposed a curfew on May 2. The state government blamed the Songbijit faction of the National Democratic Front of Bodoland, an armed separatist group, for the violence, but residents blamed the Bodo People's Front, a local political party.

b. Disappearance

There were allegations that police failed to file required arrest reports for detained persons, resulting in hundreds of unresolved disappearances. Police and government officials typically denied these claims. The central government reported that state government screening committees informed families about the status detainees. There were reports, however, that prison guards often required bribes from families to confirm the detention of their relatives.

Disappearances attributed to government forces, paramilitary forces, and insurgents occurred in areas of conflict during the year (see section 1.g.).

c. Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment

The law prohibits torture, but NGOs reported that such practices were common, especially in conflict areas (see section 1.g.).

Police beatings of prisoners resulted in custodial deaths (see section 1.a.).

The law does not permit authorities to admit coerced confessions into evidence, but NGOs and citizens alleged that authorities used torture to coerce confessions. In some instances these confessions were submitted as evidence in capital cases. Authorities allegedly also used torture as a means to extort money or as summary punishment. According to human rights experts, the government continued to try individuals arrested and charged under the repealed Prevention of Terrorism Act and Terrorist and Disruptive Activities Act. When these laws were in effect, a confession made to a police officer was treated as admissible as evidence in court.

On January 7, social activist Prashant Rahi wrote an open letter detailing his experiences of police torture during detention. He claimed the police beat him twice, including once for refusing them access to his e-mails. Police arrested Rahi in 2007 and released him on bail in 2011. During that time he said police stripped him, beat him mercilessly “in parts of the body where the pain is unbearable,” and inserted petrol into his anus. Rahi’s lawyers also represent Hem Mishra, a Jawaharlal Nehru University student arrested on similar charges. Police arrested both men under the Unlawful Activities Prevention Act (UAPA), which gives authorities the ability to detain persons without charge in cases where insurgency or terrorism is suspected. In 2013, Amnesty International appealed to authorities to Rahi and Mishra from torture and provide for a speedy trial.

On June 13, police in Angul district of Odisha arrested Pradip Nayak and Siba Nayak and allegedly subjected them to torture, after which they attempted to commit suicide by consuming a cleaning disinfectant to escape the torture. They later recovered in a hospital. An activist who filed a complaint with the National Human Rights Commission (NHRC) alleged the police tried to suppress the details of the case with the suicide. The NHRC subsequently filed a complaint with the police. The police did not immediately file a report on the allegations of torture.

There were continued reports that police raped detainees. NGOs stated the NHRC underestimated the number of rapes committed in police custody. Some rape victims were afraid to report the crime due to social stigma and the possibility of retribution, compounded by lack of oversight and accountability, especially if the perpetrator was a police officer or other official. There were reports that police officials refused to register rape cases. The NHRC is authorized to investigate rape cases involving police officers. By law the NHRC can request information about the army and paramilitary forces, but it has no mandate to investigate cases pertaining to such entities.

In January, Mumbai police charged a police officer with sexually abusing two subjects at the Chunabhatti police station. In October 2013 two men from Kurla alleged a police officer sexually assaulted them while they were in detention. A social worker who helped the victims file a police report claimed the police officer threatened and abused the subjects and attempted to bribe them to withdraw the complaint. Mumbai police filed criminal charges against the officer.

On June 10, police officer Rahul Pandey allegedly raped a woman while other police officers watched in a police station in Hamirpur, Uttar Pradesh. The woman had visited the police station after the police arrested her husband. The police

officers allegedly demanded a bribe from the woman, which she reportedly refused to pay. The three other on duty police officers on duty did not intervene. Police arrested Pandey on charges of rape and removed three other officers from duty.

In February the NHRC directed the Tamil Nadu government to take action against police officers who tortured a detainee and to pay the victim compensation. The victim filed a complaint in 2010 alleging that the Tamil Nadu Police had falsely arrested and tortured him. The NHRC confirmed that the complainant was tortured while in police custody.

There were reports the government performed medical and scientific experimentation on tribal persons. On August 12, the Supreme Court ordered the explanation of clinical trials for HPV vaccine experiments on marginalized tribal girls in Andhra Pradesh and Gujarat. A parliamentary standing committee report concluded the vaccine experiments constituted a violation of the rights of the test subjects and amounted to child abuse. The court requested all relevant files by October 28 and sought explanations from the states that granted permission for the clinical trials. The court requested information on why tribal areas were selected; whether proper monitoring procedures were followed; if the consent of the girls, some of whom were minors, was properly obtained; and the type of medical assistance provided to affected girls. According to the Human Rights Law Network (HRLN), there was no follow-up, and most of the girls involved in the program had moved away from the migrant communities.

Prison and Detention Center Conditions

Prison conditions were frequently life threatening and did not meet international standards.

Physical Conditions: Prisons were severely overcrowded, and food, medical care, sanitation, and environmental conditions often were inadequate. Potable water was only occasionally available. Prisons and detention centers remained understaffed and lacked sufficient infrastructure. Prisoners were physically mistreated.

Government statistics, media outlets, and activists reported serious overcrowding and high numbers of pretrial detainees. According to the NCRB 2013 report, published in 2014, Chhattisgarh prisons were at 261 percent of capacity and Delhi prisons at 216 percent capacity.

According to the NCRB's Prison Statistics India 2013 report, there were 1,391 prisons in the country with an authorized capacity of 347,859 persons. The actual incarcerated population was 411,992. Persons awaiting trial accounted for more than two-thirds of the prison population. There were 18,188 female prisoners, approximately 4.4 percent of the total prison population, while juveniles constituted less than 1 percent. Authorities held men and women separately. The law requires the detention of juveniles in rehabilitative facilities, although at times they were detained in prisons, especially in rural areas. Pretrial detainees were often detained along with convicted prisoners.

An underresourced and overburdened medical unit at the Cherlapalli Central Prison, in the state of Telangana, led to life-threatening conditions. A prisoner undergoing trial obtained information under the Right to Information Act request revealed that 24 inmates died at the prison during the year. Seven deaths occurred while the inmates were being transported to a hospital, another seven within 24 hours of being admitted into the hospital, and the remaining deaths after 24 hours of being admitted into the hospital. Prison authorities confirmed that 11 of 19 medical positions in the prison hospital were vacant. The prisoner who filed a public interest lawsuit in the High Court of Judicature at Hyderabad alleged the prison authorities misrepresented the deaths as occurring during transit, rather than at the prison, to avoid payment of damages.

According to the People's Union for Civil Liberties, in the states of Bihar, the undivided Andhra Pradesh, and Meghalaya, the rate was more than 80 percent of those in custody were awaiting trial.

Administration: Authorities permitted visitors some access to prisoners, although some family members stated they were denied access to relatives held in detention, particularly in conflict areas, including Jammu and Kashmir. Prisoners have the right to engage in religious activity, and in most cases that right was respected. The government allowed NGOs to assist prisoners within specific guidelines. Prison officials kept extensive records. There was no ombudsman for detention facilities, but prisoners were allowed to submit complaints to judicial authorities. Alternative sentencing methods were rarely used.

On April 17, the NHRC asked the government to pay compensation of 100,000 rupees (\$1,600) to the families of two pretrial prisoners who died in Tihar jail. Prakash and Devi Ram died on April 9 and December 11, 2010, respectively. An inquiry found that Prakash died of natural causes. The NHRC found, however, that the prison doctors delayed his treatment for pulmonary tuberculosis, and

requested disciplinary action against doctors for negligence. Devi Ram also died from delayed treatment. The NHRC found prison administrators at fault for waiting waited too long before taking him to the hospital after he showed signs of breathing problems.

Independent Monitoring: The NHRC received and investigated prisoner complaints of human rights violations throughout the year, but some activists indicated that many complaints were not filed due to fear of retribution from prison guards or officials.

Prisoners could register complaints with state and national human rights commissions, but these commissions could only recommend that authorities redress grievances. Government officials often failed to comply with a 2012 Supreme Court order to the central government and local authorities to conduct regular checks on police stations to monitor custodial violence.

In many states the NHRC made surprise visits to state prisons but not to military detention centers. The NHRC lacks jurisdiction over the armed forces and their detention centers. The NHRC sent a special rapporteur to verify that state prison authorities performed medical exams and timely checkups on all inmates in various prisons. The rapporteur visited prisons on a regular basis throughout the year but did not release a report to the public or the press, since the NHRC did not have the resources to document each visit.

During the year the International Committee of the Red Cross (ICRC) reported visiting detainees in judicial custody in prisons in Jammu and Kashmir. The ICRC did not visit interrogation or transit centers in any other parts of the country. The ICRC's findings regarding prison conditions remained confidential due to agreements with the government.

The National Commission for Women continued visiting jails to assess the living conditions of women. Sanlaap, an NGO working on repatriation of human trafficking victims in West Bengal, reported easy prison access to undocumented migrants detained under the Foreigners' Act.

d. Arbitrary Arrest or Detention

The law prohibits arbitrary arrest and detention, but both occurred during the year. Police also used special security laws to delay judicial reviews of arrests. Pretrial

detention was arbitrary and lengthy, sometimes exceeding the duration of the sentence given to those convicted.

Police responses to incidents of terrorism included the use of torture, mistreatment of suspects, and arbitrary detention in an effort to obtain forced or false confessions. Police held suspects without registering their arrests and denied some suspects sufficient food and water.

On July 18, the Supreme Court acquitted all 11 defendants previously convicted in the 1993 bomb blast case in Surat, Gujarat, which killed one person. The Surat court for Terrorists and Disruptive Activities (Prevention) Act had sentenced the defendants to five-20 year prison terms in October 2008. Two of the 11 convicted by the court died while serving sentences before their acquittal. The act was allowed to lapse in 1995 following widespread criticism of its misuse due its vague provisions.

Role of the Police and Security Apparatus

The 29 states and seven union territories have primary responsibility for maintaining law and order, with policy oversight from the central government. Police are under state jurisdiction. The Ministry of Home Affairs controls most paramilitary forces, the internal intelligence bureaus, and the nationwide police service, and it provides training for senior police officers of the state-organized police forces. According to Human Rights Watch, cases of arbitrary arrest, torture, and forced confessions by security forces remained common. The police continued to be overworked, underpaid, and subject to political pressure. Political demands to identify perpetrators quickly after terror attacks and rapes often led to wrongful arrests. Authorities used several laws, including the criminal procedure code and the AFSPA, to avoid holding security forces accountable for accusations of human rights abuses.

The effectiveness of law enforcement and security forces varied widely throughout the country. There were cases of officers at all levels acting with impunity, and examples of security officials held accountable for illegal actions were rare. Military courts investigated cases of abuse by the armed forces and paramilitary forces. Cases against law enforcement officers were tried in public courts. Authorities sometimes transferred officers after they were convicted of a crime.

On May 27, the Maharashtra government opened a probe of police actions in a January 2013 incident when Maharashtra police shot and killed six Muslim youths

while trying to disperse an altercation between Hindus and Muslims in the town of Dhulia. Authorities suspended six police officers from the police force after their arrest.

The NHRC recommended that the Criminal Investigations Department investigate all police encounter deaths in which alleged suspects are killed while being pursued, arrested, or reportedly trying to escape. Many states did not follow this nonbinding recommendation and continued to conduct internal reviews only at the discretion of senior officers.

While NHRC guidelines direct state governments to report all cases of deaths from police actions to the NHRC within 48 hours, state governments did not consistently comply with the guidelines. The NHRC also directed state governments to provide monetary compensation to families of victims, but the state governments did not consistently comply with the guidelines. The armed forces were not required to report custodial deaths to the NHRC.

According to the NCRB, 51,120 complaints were registered against police officers nationwide in 2013. Only 53 cases of 1,250 ended in conviction, with 101 cases ending in acquittals.

Arrest Procedures and Treatment of Detainees

Arbitrary Arrest: The code of criminal procedure prohibits arbitrary arrest or detention, but police continued to arrest citizens arbitrarily. Police detained individuals for custodial interrogation without identifying themselves properly or providing arrest warrants.

On May 23, the NHRC filed a complaint to the Assam police director general, based on media reports that a youth named Siddharth Kaushik Dutta was subjected to torture in a police station in Jorhat district of Assam. The police took no action on the complaints made by the mother of the victim.

Pretrial Detention: Those detained on criminal charges must be informed promptly of the charges against them and of their right to legal counsel. Under the criminal code, a magistrate may authorize the detention of an accused person for a period of no more than 90 days prior to filing charges. Under standard criminal procedure, the accused must be released on bail after 90 days. The code also allows police to summon individuals for questioning, but it does not provide authority for police to detain individuals involuntarily for questioning before placing them under arrest.

There were incidents in which authorities allegedly detained suspects beyond the legal limit for police custody.

There were reported cases in which police denied suspects the right to meet with legal counsel, as well as cases in which police unlawfully monitored suspects' conversations and denied their right to confidentiality. The constitution mandates that defendants with "economic or other disabilities" will be provided free legal counsel, but need is not assessed systematically. By law authorities must allow family members access to detainees, but this was not always observed. Arraignment of detainees must occur within 24 hours unless the suspect is held under a preventive detention law.

Police may detain an individual without charge for up to 30 days. The law also permits authorities to hold a detainee in judicial custody without charge for up to 180 days (including the 30 days in police custody). The UAPA, which gives authorities the ability to detain persons without charge in cases related to insurgency or terrorism, makes no bail provisions for foreign nationals, and allows courts to deny bail in the case of detained citizens. It presumes the accused to be guilty if the prosecution can produce evidence of the possession of arms or explosives, or the presence of fingerprints at a crime scene, regardless of whether criminal intent is demonstrated. State governments also held persons without bail for extended periods before filing formal charges under the UAPA.

From January 30 to February 5, 177 suspects awaiting trial went on hunger strike at the Nagpur Central Prison, in the state of Maharashtra, demanding implementation of Supreme Court guidelines on detention limits, fair and speedy trials, and physical presence in court proceedings.

The law permits preventive detention in certain cases. The National Security Act allows police to detain persons considered security risks anywhere in the country, except Jammu and Kashmir, without charge or trial for as long as one year. The law allows family members and lawyers to visit national security detainees and requires authorities to inform a detainee of the grounds for detention within five days, or 10 to 15 days in exceptional circumstances.

The Public Safety Act, which applies only in Jammu and Kashmir, permits state authorities to detain persons without charge or judicial review for as long as two years without visitation from family members. Detainees are allowed access to a lawyer during interrogation, but police in Jammu and Kashmir routinely employed

arbitrary detention and denied detainees, particularly the destitute, access to lawyers and medical attention.

The HRLN in Kochi, Kerala, noted that certain prisoners with mental disabilities in the Kerala central prison who were considered “not fit for trial” had been awaiting trial for 10 to 26 years. According to the NGO, the prisoners had been in detention far longer than their potential sentences. In June 2013 the HRLN filed a writ petition with the Kerala High Court for the release of those prisoners. The court responded by issuing an order directing the state government to provide adequate medical treatment to the accused in order to render them fit for trial.

Lengthy arbitrary detention was a significant problem because of the overburdened and underresourced court systems and a lack of legal safeguards. The government continued efforts to reduce lengthy detentions and alleviate prison overcrowding by using “fast track” courts, which specify a trial date or timeline, provide directions for case management, and encourage the use of bail. These courts were criticized for failing to uphold due process. Critics contended that poor detainees were unable to afford bail and remained in detention.

e. Denial of Fair Public Trial

The law provides for an independent judiciary, but judicial corruption was widespread.

The judicial system remained seriously overburdened and lacked modern case management systems, often delaying or denying justice. An analysis of the data kept by the Ministry of Law and Justice reported a 34 percent vacancy of judges in the high courts as of August 1.

Trial Procedures

The criminal procedure code provides for public trials, except in proceedings that involve official secrets or state security. Defendants enjoy the presumption of innocence, except as described under UAPA conditions, and may choose their counsel. The state provides free legal counsel to poor defendants, but access to competent counsel often was limited, especially for the poor, and the strained justice system usually resulted in major delays in court cases.

The law allows defendants access to relevant government evidence in most civil and criminal cases, but the government reserved the right to withhold information

and did so in cases it considered sensitive. While defendants have the right to confront accusers and present their own witnesses and evidence, underprivileged defendants sometimes did not exercise this right due to lack of proper legal representation. Defendants have the right not to testify or confess guilt. Courts must announce sentences publicly, and there are effective channels for appeal at most levels of the judicial system.

Political Prisoners and Detainees

There were reports of political prisoners and detainees. NGOs reported that the Jammu and Kashmir government held political prisoners and temporarily detained more than 690 persons characterized as terrorists, insurgents, and separatists under the Public Safety Act between 2005 and 2014.

At the end of 2013, West Bengal had 440 political prisoners in the state's correctional facilities, most of whom are members of banned insurgent groups, although the number of inmates granted political prisoner status by the courts was 62, according to the Association for Protection of Democratic Rights.

Civil Judicial Procedures and Remedies

Individuals, or NGOs on behalf of individuals or groups, may file public interest litigation petitions in any high court or directly to the Supreme Court to seek judicial redress of public injury. Grievances can include a breach of public duty by a government agent or a violation of a provision of the constitution. NGOs credited public interest litigation petitions with making government officials accountable to civil society organizations in cases involving allegations of corruption and partiality.

f. Arbitrary Interference with Privacy, Family, Home, or Correspondence

The law prohibits arbitrary interference. The government generally respected this provision, although at times authorities infringed upon the right to privacy. Police are required to obtain warrants to conduct searches and seizures, except in cases in which such actions would cause undue delay. Police must justify warrantless searches in writing to the nearest magistrate with jurisdiction over the offense. In Jammu and Kashmir, Punjab, and Manipur, security officials have special authorities to search and arrest without a warrant. In terrorism cases under the UAPA, police have greater discretion to conduct search and seizure operations.

The Information Technology (IT) Act allows police under certain circumstances to search premises and arrest individuals without a warrant. The act specifies a one-year sentence for persons who fail to provide information to the government on request and a five-year sentence for transmitting obscene material.

Both the central and the state governments used the authority of the Telegraph Act to monitor communications, including telephone conversations and personal mail, in cases of public emergency or “in the interest of the public safety or tranquility,” although evidence obtained in that manner is generally inadmissible in court. The UAPA allows use of evidence obtained from intercepted communications in terrorist cases.

Opponents of the Chhattisgarh Special Public Security Act of 2005 argued that the law, which authorizes detention of individuals with a “tendency to pose an obstacle to the administration of law,” infringed upon privacy and free speech. There were no reports of persons charged under the law during the year.

g. Use of Excessive Force and Other Abuses in Internal Conflicts

The country’s armed forces, the security forces of individual states, and paramilitary forces engaged in armed conflict with insurgent groups in Jammu and Kashmir, in several northeastern states, and with Maoist insurgents in the central and eastern parts of the country. Army and central security forces remained in non-Maoist conflict areas in the northeast, with major insurgent groups engaged in peace negotiations with the federal government. In West Bengal’s Maoist belt, there was no army presence, although other central and state forces remained deployed. According to media reports in June, West Bengal Chief Minister Mamata Banerjee opposed a proposal to withdraw central forces from the state’s Maoist belt. Approximately 4,000 Central Reserve Police Force personnel remained deployed in West Bengal’s Maoist belt.

The use of force by all parties to the conflicts resulted in deaths and injuries to both conflict participants and civilians. There were reports that government security forces committed extrajudicial killings, including staging encounter killings to cover up the deaths of captured militants. Human rights groups claimed police refused to turn over bodies in cases of suspected staged encounters. The armed forces were not required to report custodial deaths to the NHRC.

The central and state governments and the armed forces investigated complaints and punished some violations committed by government forces; insurgents were arrested and tried under terrorism-related legislation.

There were few investigations and prosecutions of human rights violations arising from internal conflicts. The Jammu and Kashmir Coalition of Civil Society reported eight extrajudicial killings by the armed forces in 2012. The government failed to prosecute or conduct impartial investigations of these deaths by the end of the year. The CBI started an investigation into the killing of 19 persons in Poonch District near the border with Pakistan in August 1998, in response to a petition filed by the victims' families in 2011. The high court ordered the CBI to prosecute police and army personnel.

NGOs claimed that due to immunity provisions of the AFSPA, the armed forces were not held responsible for the deaths of civilians killed in Jammu and Kashmir.

Insurgents reportedly committed attacks on schools, roads, and railways tracks.

Killings: The SATP database reported that 314 persons--87 security force personnel, 128 civilians, and 99 Maoist militants--were killed during the year as a result of Maoist violence, a decrease from 2013 when 421 persons--111 security forces, 159 civilians, and 151 Maoist insurgents--were killed. The SATP database reported 193 fatalities in Jammu Kashmir during the year--51 security forces persons, 32 civilians, and 110 terrorists.

In Maoist-affected districts, there were reports of excessive use of force by both security agencies and insurgents. On February 18, security forces killed seven alleged Maoist insurgents, including two women, in Betkathi village of Korchi Taluka on the Gondia-Gadchiroli border in Maharashtra. The Andhra Pradesh Civil Liberties Committee and Indian Association of People's Lawyers alleged that the deaths were extrajudicial killings and did not happen during an exchange of fire, as police claimed.

On March 11, Maoist insurgents killed 15 security personnel and one villager near Takabada village in the Bastar region of Chhattisgarh.

Abductions: Human rights groups maintained that military, paramilitary, and insurgent forces abducted numerous persons in Jammu and Kashmir, Manipur, Jharkhand, and the Maoist belt. Human rights activists claimed that prisoners were tortured or killed during detention.

On February 22, suspected Kuki Revolutionary Army insurgents abducted taxi driver Manoj Ali from Manipur's Senapati district and demanded five million rupees (\$80,000) as ransom. Ali was killed a few days later, allegedly by members of the banned organization.

In October the Kuki National Front-N kidnapped two victims in Manipur and demanded a ransom of 10 million rupees (\$160,000). The police rescued both victims and detained the kidnappers, subsequently charging them on several accounts.

Physical Abuse, Punishment, and Torture: There were reports that government security forces tortured, raped, and mistreated insurgents and alleged terrorists in custody and injured demonstrators. All parties to the conflicts injured civilians.

Child Soldiers: A report to the UN Committee on the Rights of the Child on the Involvement of Children in Armed Conflict released by the Asian Human Rights Commission (ACHR) in 2013 stated that state governments in Odisha, Jharkhand, and West Bengal recruited thousands of children as special police officers. According to a report issued by the UN secretary-general on children and armed conflict, no disaggregated data on children killed or injured in clashes between Maoist armed groups and government security forces was available.

Insurgent groups reportedly used children in antistate violent insurgent activities, such as bomb couriers. The Ministry of Home Affairs reported that boys and girls ages six to 12 were conscripted by Maoist groups into specific children's units (Bal Dasta and Bal Sangham) in Bihar, Jharkhand, Chhattisgarh, and Odisha states. The children were used in combat and intelligence-gathering roles. Insurgents trained children as spies and couriers, as well as in the use of arms, planting explosives, and intelligence gathering.

Although the United Nations was not able to verify all allegations, reports submitted to parliament contained similar allegations. Recruitment and use of children by Maoist armed groups allegedly continued. Children as young as 12 were members of Maoist youth groups and allied militia. They reportedly handled weapons and improvised explosive devices. Maoists reportedly held children against their will and threatened severe reprisals, including the killing of family members, if the children attempted to escape. There were reports of girls serving in Maoist groups. The government claimed, based on statements of several women

formerly associated with Maoist groups, that sexual violence, including rape and other forms of abuse, was a practice in some Maoist camps.

According to government sources, Maoist armed groups used children as human shields in confrontations with security forces. Attacks on schools by Maoists continued to affect children's access to education in affected areas. There were continued reports on the use of schools as military barracks and bases. The deployment of government security forces in the vicinity of schools remained a concern. There were reports that armed groups recruited children from schools in Chhattisgarh.

Other Conflict-related Abuses: The Internal Displacement Monitoring Center estimated that 540,000 persons were displaced by conflicts and instability in Jammu and Kashmir, the northeastern states, and the Maoist belt.

Tens of thousands of Kashmiri Pandits (Hindus) have fled the Kashmir Valley to Jammu, Delhi, and other areas in the country since 1990 because of conflict and violent intimidation, including destruction of houses of worship, sexual abuse, and theft of property, by Islamic separatists. The Kashmiri Pandits began to leave Kashmir after the 1990 onset of insurgency against the Indian state. The government registered 60,452 displaced Kashmiri families, with 38,119 located in Jammu, 19,338 in Delhi, and more than 2,000 in other states. According to the Ministry of Home Affairs' 2013-14 annual report, 59,442 Kashmiri Pandit families remained displaced from their homes. On July 10, Finance Minister Arun Jaitley allocated more than five billion rupees (\$80 million) for the rehabilitation and return of Kashmiri Pandits.

Violence between ethnic groups in the states of Assam, Manipur, and Mizoram displaced an unknown number of persons during the year, and more than 115,000 internally displaced persons (IDPs) remained from previous incidents of communal violence dating back to 1993.

In the central and eastern areas, armed conflicts between Maoist insurgents and government security forces over land and mineral resources in tribal forest areas continued, affecting 182 of the country's 626 districts in 20 of its 29 states. Human rights advocates argued the government's operations sought not only to suppress the Maoists but also to force tribal persons off their land, allowing for commercial exploitation.

IDP camps continued to operate in Chhattisgarh for tribal persons displaced during the 2006 fighting between Maoists and state-sponsored militia Salwa Judum. Figures released in March 2013 by the International Displacement Monitoring Centre (IDMC), operated by the Norwegian Refugee Council and the United Nations, reported at least 148,000 IDPs in the Maoist conflict areas, mostly located in the states of Chhattisgarh and Andhra Pradesh. Reports varied regarding how many had returned to villages (see section 2.d.).

Throughout the year there were reports by media organizations and academic institutions of corporations' human rights abuses against tea workers, including violations of the Plantation Labor Act. In some cases violent strikes resulted from companies withholding medical care, which the law requires that companies provide. Some workers alleged colleagues had died as a result of poisoning after they sprayed plants with chemicals. Other reports indicated that workers had difficulty accessing clean water, with open sewage flows uncontrolled in company housing areas. Tea is the largest private sector employer in the country, providing work for more than one million permanent workers and up to two million seasonal laborers.

Section 2. Respect for Civil Liberties, Including:

a. Freedom of Speech and Press

The constitution provides for freedom of speech and expression, but it does not explicitly mention freedom of the press. The government generally respected these rights.

Freedom of Speech: Individuals routinely criticized the government publicly or privately without reprisal. In certain cases, however, local authorities used laws against obscenity to arrest individuals for what appeared to be political speech. For example, in August the Andhra Pradesh Crime Investigation Department police arrested Polla Suresh Krishna, Inturi Ravi Kiran, and Maddula Prasad under the Information Technology (IT) Act and the Prevention of Atrocities Against Scheduled Castes and Scheduled Tribes Act, 1989. The police charged Ravi Kiran with creating a webpage of political cartoons "humiliating" parliamentarian Kothapalli Geetha, while Suresh Krishna and Prasad were charged with making "vulgar" comments about her on the same page.

Press Freedoms: The independent media expressed a wide variety of views without restriction. The government installed security cameras in government

ministries to track press interaction with ministry staff. AM radio broadcasting was a government monopoly. Ownership of private FM radio stations was legal, but licenses authorized only entertainment and educational content. With the exception of radio, foreign media generally operated freely. Widely distributed private satellite television provided competition for Doordarshan, the government-owned television network.

On July 2, the Tamil Nadu Government filed a defamation case against the editor and publisher of a local language newspaper, *Dinamalar*, for publishing a June 30 article criticizing the government for the collapse of a multi-story building under construction in Moulivakkam, near Chennai, killing 61 persons. Specifically, *Dinamalar* reported that the government was lax in issuing licenses construction regulation enforcement. The government alleged that the newspaper article caused harm to the reputation of the ruling government.

The Telangana State Federation of Multi-System Operators (MSOs) took two Telugu television stations, TV9 and ABN Andhrajothy, off the air on June 16, stating the channels were disrespectful of Telangana's culture and government. The Telangana state government helped to impose the ban after TV9 showed a satirical program about newly sworn-in members of the state legislature. ABN Andhrajothy was taken off the air after an interview that was perceived as critical of Telangana Rashtra Samithi party chief K. Chandrasekhar Rao. The two channels and opposition parties alleged the MSOs imposed the ban at the request of the state government. On July 24, the federal Information and Broadcasting Ministry and the Telecom Regulatory Authority of India served notices to the MSOs, seeking an explanation for the ban. On August 8, Minister for Information and Broadcasting Prakash Javadekar declared the government would revoke the licenses of MSOs under the 1995 Cable TV Networks (Regulation) Act if the two channels were prevented from broadcasting. Following an October 29 order from the Telecom Disputes Settlement and Appellate Tribunal, TV9 resumed broadcasting on November 4. ABN Andhrajothy remained off the air at year's end.

The publisher Orient Blackswan decided not to publish a book by Megha Kumar on communalism and sexual violence during the Ahmedabad riots of 1969, 1985, and 2002 after it received a legal complaint by activist Dinanath Batra, representing the Hindu nationalist organization Shiksha Bachao Andolan (Save Education Movement). In announcing the decision, the publishers cited concerns over legal liability and exposing "staff and families" of authors and publishers to "the risk of violence, endangering their life and safety."

Violence and Harassment: Some journalists experienced violence and harassment as a result of their reporting. For example, on May 28, TV channel Kanak journalist Tarun Kumar Acharya was found dead in Ganjam, Odisha. Kanak channel management and the local police maintained the killing was not related to his work. Acharya's colleagues claimed the owner of a cashew processing factory, whose child labor practices the victim sought to expose, was behind his death. The Committee to Protect Journalists called for a thorough investigation into the killing. Police subsequently arrested the owner of the factory, P. Shyam Sundar Prusty, along with three others. At year's end the case was pending in the district court.

On January 14, police arrested an employee of Odia newspaper, *The Samaja*, in Cuttack, Odisha, for the publication of a picture of the Prophet Mohammed, which caused protests, and vandalism of the newspaper's office. The police charged Jitendra Prasad Das with "outraging religious feelings." Police later released him on bail.

Censorship or Content Restrictions: The Central Board of Film Certification and Information and Broadcasting Ministry banned a Punjabi film, *Kaum De Heere* (Heroes of the Community), which it claimed glorified the murderers of Prime Minister Indira Gandhi and would instigate violence. Many political groups, including the BJP, Shiv Sena, and the Punjab branch of Youth Congress, supported the ban.

Activists from the Thanthai Periyar Dravida Kazhagam party, a small political party in Tamil Nadu, disrupted the screening of *Inam* in Tamil Nadu and Puducherry in late March. The activists claimed the film was pro-Sinhalese, because it depicted the practice of drafting child soldiers by the Liberation Tigers of Tamil Eelam. Based on the recommendations of various Tamil groups, the director agreed to delete five scenes before release of the film.

Libel Laws/National Security: The law prohibits content that could harm religious sentiments or provoke enmity among groups. State governments banned the importation or sale of some books in the state because they contained material that government censors deemed inflammatory and apt to provoke communal or religious tensions. For example, under the Customs Act, it remained illegal to import Salman Rushdie's book, *The Satanic Verses*.

On February 4, the local Penguin publishing company recalled Wendy Doniger's book *The Hindus: An Alternative History* and discontinued its sale after the Hindu nationalist organization Shiksha Bachao Andolan filed suit against the publication, claiming the book was offensive to Hindus. The groups also claimed the book's description of the epic Hindu poem *Mahabharata* as a fictional work was offensive to Hindu religious belief.

Internet Freedom

There were some government restrictions on access to the internet and reports that the government occasionally monitored users of digital media, such as chat rooms and person-to-person communications. The IT Act permits the government to block internet sites and content and criminalizes sending messages the government deems inflammatory or offensive. Both central and state governments have the power to issue directions for blocking, intercepting, monitoring, or decrypting computer information.

The central monitoring system (CMS), which began operations in 2013, continued to allow governmental agencies to monitor electronic communications in real time without informing the subject or a judge. The CMS is a mass electronic surveillance data-mining program installed by the Centre for Development of Telematics, a government-owned telecommunications technology development center. The CMS gives security agencies and income tax officials centralized access to the telecommunication network and the ability to listen in on and record mobile, landline, and satellite telephone calls and Voice over Internet Protocol, to read private e-mails and mobile texts, and to track geographical locations of individuals in real time. It can also be used to monitor posts shared on social media and track users' search histories on Google, without oversight by courts or parliament. This monitoring facility was available to nine security agencies, including the Intelligence Bureau, the Research and Analysis Wing, and the Home Affairs Ministry. Activists expressed concern that without comprehensive privacy laws, the system was not sufficiently accountable and could impinge on freedom of speech.

Freedom House, a civil liberty organization, released a report in December rated the country "partly free" in respect for internet user rights, including accessibility, limits on content, and violations of individual's rights, a slight improvement compared with its previous rating. The report reported the government decreased the number of incidents concerning connectivity, restricted access and documented incidents of physical attacks on internet users for content posted online. According

to the report, key internet controls that existed between May 2013 and May 2014 included blocking of political, social, and religious content. The report cited the CMS as a potential internet freedom concern.

Government regulations on internet content prohibit many types of content, including “harmful” and “insulting” content. Search engines may be held liable for displaying prohibited content. Cybercafes are required to install surveillance cameras and provide the government with records of user browsing activity.

The government requested user data from internet companies. According to Facebook’s August transparency report for the first half of the year, the government made 2,794 requests. Facebook complied with 61 percent of those requests. Google also highlighted in its most recent transparency report a steady increase in government requests to share user data.

In March the Mumbai Police Cyber Crime Investigation Cell asked the U.S.-based online news website *twocircles.net* to remove articles police claimed violated the IT Act, which makes a website liable for punishment for sending offensive messages through a communication service. The news articles criticized police investigations of terrorism-related cases, specifically the actions of senior police official Rakesh Maria, who later became the Mumbai police commissioner.

In July the NHRC directed the Maharashtra government to pay compensation of 50,000 rupees (\$800) to two women arrested in 2012 by the Maharashtra police. The police detained the two young women under the IT Act for posting comments on Facebook alleged to constitute “malicious acts intended to outrage religious feelings.” The posts complained of widespread protests that shut down the city after the death of prominent Shiv Sena political leader Bal Thackeray.

According to industry experts, approximately 10 percent of the population had access to the internet. An independent BBC report stated that 121 million citizens used the internet.

Academic Freedom and Cultural Events

In rare cases the government applied restrictions to the travel and activities of visiting experts and scholars. Academic guidelines issued by the Ministry of Human Resources Development require all central universities to obtain ministry permission before organizing “all forms of foreign collaborations and other international academic exchange activities,” including seminars, conferences,

workshops, guest lectures, and research. In most cases the ministry permitted international academic exchanges to take place.

During the year three research scholars from Melbourne University, Brown University, and London University were denied internship volunteer visas to work with South Asia Human Rights Documentation Center. The government did not give reasons for the denied visas. The organization filed a Right to Information (RTI) petition with the government to know the official reason for the denials.

On June 8, airport immigration officials refused entry to a lecturer from a London-based university without explanation. The lecturer was scheduled to address the 12th International Federation on Ageing Global Conference in Hyderabad. Media reports speculated that the action by immigration authorities might have been due to her participation in a Convention of the Right to Food Campaign in Ahmedabad, Gujarat, or her recent research and publication of the treatment of widows by the government.

b. Freedom of Peaceful Assembly and Association

The law provides for the freedoms of assembly and association, and the government generally respected those rights.

Freedom of Assembly

The law provides for freedom of assembly. Authorities often required permits and notification before parades or demonstrations, and local governments generally respected the right to protest peacefully, except in Jammu and Kashmir, where the state government sometimes denied permits to separatist political parties for public gatherings, and security forces sometimes detained and assaulted members of political groups engaged in peaceful protest (see section 1.g.). During periods of civil unrest in Jammu and Kashmir, authorities used the criminal procedure code to ban public assemblies or impose a curfew.

In September, Gujarat police detained 80 Tibetan university students in Vadodara, including two who sought permission from Ahmedabad authorities to organize a protest during Chinese President Xi Jinping's visit to Ahmedabad. The police preemptively detained the students and leaders of the Tibetan Students Association. Students began a hunger strike to protest the detentions. The police released the students from custody after the conclusion of the Chinese president's visit.

There were restrictions on the organization of international conferences. NGOs were required to secure approval from the Ministry of Home Affairs before organizing international conferences. Authorities routinely granted permission, but in some cases the approval process was lengthy. Some human rights groups claimed this practice provided the government with political control over the work of NGOs and restricted their freedom of assembly and association.

Freedom of Association

The law provides for freedom of association. The government generally respected that right. In certain cases, however, the organization of conferences funded with foreign funds was subject to approval by the Ministry of Home Affairs and other government agencies.

Certain NGOs expressed concern over provisions of the Foreign Contributions Regulation Act, which bars foreign-funded NGOs from engaging in activity “of a political nature” and prohibits political organizations and broadcasters from accepting foreign contributions. Some NGOs expressed concern over the potential for arbitrary implementation of the act in order to intimidate internationally funded organizations that criticize certain state policies. Some multinational and domestic companies also stated the act made it difficult to comply with government-mandated corporate social responsibility obligations, due to the lengthy and complicated registration processes the act requires. According to a government website, hundreds of domestic and international organizations were placed on prohibition, prohibited from receiving foreign contributions, or subject to revocation or freezing of bank accounts from 2004 to 2012.

In early June the media leaked an alleged IB report that implicated international NGOs and local NGOs receiving foreign funding to work on displacement and developmental issues. The report named international NGOs Greenpeace, CordAid, Amnesty, and ActionAid as “serving as tools for foreign policy interests of western governments” and alleged they were sponsors of agitations that negatively affected the gross domestic product growth by 2 to 3 percent. Greenpeace said it was a conscious attempt by the IB to crush and stifle opposing voices in civil society, while some NGOs reportedly were ordered to cease their funding and activities.

c. Freedom of Religion

See the Department of State's *International Religious Freedom Report* at www.state.gov/religiousfreedomreport/.

d. Freedom of Movement, Internally Displaced Persons, Protection of Refugees, and Stateless Persons

The law provides for freedom of internal movement, foreign travel, emigration, and repatriation. The government generally respected these rights.

The government generally cooperated with the Office of the UN High Commissioner for Refugees (UNHCR) and other humanitarian organizations in providing protection and assistance to some IDPs, refugees, returning refugees, asylum seekers, stateless persons, and other persons of concern. The government generally allowed UNHCR to assist only those asylum seekers and refugees from noncontiguous countries. The country hosted a large refugee population, including 150,000 long-stay Tibetan refugees, including the Dalai Lama.

In-country Movement: The central government relaxed restrictions on travel by foreigners to Arunachal Pradesh, Nagaland, Mizoram, and parts of Jammu and Kashmir, excluding foreign nationals from Pakistan, China, and Burma. The Ministry of Home Affairs and state governments required Indian citizens to obtain special permits upon arrival when traveling to certain restricted areas.

Security forces often searched and questioned travelers at vehicle checkpoints in areas of the Kashmir Valley and before public events in New Delhi, or after major terrorist attacks.

Foreign Travel: The government may legally deny a passport to any applicant for engaging in activities outside the country “prejudicial to the sovereignty and integrity of the nation.”

Citizens from Jammu and Kashmir faced extended delays, sometimes as long as two years, for issuance or renewal of passports. The government subjected applicants born in Jammu and Kashmir--including children born to military officers deployed in the state--to additional scrutiny and police clearances before issuing them passports.

The state government of Jammu and Kashmir repeatedly denied a passport to Zahoor Ahmad Mir, the younger brother of a violent insurgent. The state government denied Mir a passport for the third time in October after his passport

application had been pending for three years. The state government maintained that it does not prevent the right to travel of family members of former insurgents. The office of Jammu and Kashmir Chief Minister Omar Abdullah maintained that 95 percent of pending passport applications were cleared. The state's Political secretary, Tanvir Sadiq, stated that in the past three years, three million passport applications were processed or disposed of and that between the months of July and November, more than 5,000 adverse cases were reviewed and cleared.

Internally Displaced Persons (IDPs)

IDP settlements were found in various locations in the country, including those containing groups displaced by internal armed conflicts in Jammu and Kashmir, the Maoist belt, the northeastern states (see section 1.g.), and Gujarat. According to 2013 IDMC statistics, regional conflicts had displaced at least 526,000 persons, including several thousand Kashmiri Hindus driven from their homes by antigovernment insurgents. Estimating the exact number of those displaced by conflict or violence was difficult, because no central government agency was responsible for monitoring the movements of displaced persons, and humanitarian and human rights agencies had limited access to camps and affected regions. While residents of IDP camps were registered, an unknown number of displaced persons resided outside camps. Many IDPs lacked sufficient food, clean water, shelter, and health care.

Paramilitary operations against Maoists displaced members of the Gutti Koya tribe in the Dandakaranya forests in Chhattisgarh, who migrated to the neighboring Khammam and Warangal districts in Telangana. Following bifurcation of Andhra Pradesh to form the new state of Telangana, the state governments transferred parts of Khammam District with Gutti Koya settlements to Andhra Pradesh. According to an activist working among the Gutti Koya in Khammam District, an estimated 16,000 tribal members settled in Andhra Pradesh and Telangana. Local officials undertook sporadic initiatives to provide food, work under the National Rural Employment Guarantee Act, education for displaced Gutti Koya children under the Right to Education program, and health care.

The most recent available, *Study on Internally Displaced Persons of India*, by the Centre for Social Justice reported 3,964 internally displaced Muslim families in 86 settlements in Gujarat. The study stated that 30 percent of the IDPs had not received any government assistance and the rest had been inadequately compensated. The Gujarat government, which initially claimed there were no IDPs, continued to hold back compensation, although the central government

directed it to provide compensation. There were reports the state government denied social welfare benefits to registered IDPs. Camps lacked basic amenities such as drinking water, power, sanitation, health care, and education.

Displaced family members of victims killed during the 1984 anti-Sikh violence and other instances of communal violence struggled to maintain economic livelihoods. The Tilak Vihar neighborhood in New Delhi--composed largely of 1984 survivors--was commonly referred to as the “Widows Colony.”

Estimates of the number of indigenous tribe members displaced due to the insurgency in Chhattisgarh varied. The IDMC estimated that 148,000 IDPs from Chhattisgarh had migrated to Andhra Pradesh. The Chhattisgarh government reportedly did not acknowledge IDPs in Andhra Pradesh camps as Chhattisgarh residents, and the Andhra Pradesh government provided them little support.

IDPs in South Chhattisgarh, particularly in Dantewada, received few government services. IDPs lacked access to food, drinking water, health care, and educational facilities. IDPs lived in makeshift shelters and faced abuses by security agencies, according to the Social Justice Centre’s most recent, *Study on Internally Displaced Persons of India*.

National policy or legislation did not address the issue of internal displacement resulting from armed conflict or from ethnic or communal violence. Responsibility for the welfare of IDPs was generally the purview of state governments and local authorities, allowing for gaps in services and poor accountability. The central government provided limited assistance to IDPs. IDPs had access to NGOs and human rights organizations, but neither access nor assistance was standard for all IDPs or all situations.

Protection of Refugees

The Foreigners Act (1946) does not contain the term “refugee,” treating refugees as any other foreigners. Undocumented physical presence in the country is a criminal offense. Refugees without documentation were vulnerable to forced repatriation and other abuses. The government generally provided protection against the expulsion or return of refugees to countries where refugees would face threats to their safety or freedom due to race, religion, nationality, membership in a particular social group, or political opinion.

Access to Asylum: Absent a legal framework, the government occasionally granted asylum on an ad hoc basis on humanitarian grounds in accordance with international law. This approach resulted in varying standards of protection for different refugee groups. The government recognized refugees from Tibet and Sri Lanka and honored UNHCR decisions on refugee status determination for individuals from other countries. In 2013 more than 272,000 refugees lived in the country, including 150,000 Tibetans and more than 68,000 Sri Lankans in 112 refugee camps and 32,000 outside the camps. Most of the 3,811 asylum seekers and 22,079 refugees registered with the UNHCR office in New Delhi were from Burma and Afghanistan. According to the UNHCR and its partners, a small number of urban refugees and asylum seekers resided in cities such as Pune and Hyderabad. NGOs reported there were an additional 80,000 to 100,000 Burmese Chin refugees in the Mizoram region.

The UNHCR did not maintain an official presence in the country, but the government permitted UNHCR staff access to refugees in urban centers and allowed it to operate in Tamil Nadu to assist with Sri Lankan refugee repatriation. Authorities did not permit the UNHCR direct access to Sri Lankan refugee camps, Tibetan settlements, or asylum seekers in Mizoram but permitted asylum seekers from Mizoram to travel to New Delhi to meet UNHCR officials. The government generally permitted NGOs, international humanitarian organizations, and foreign governments access to Sri Lankan refugee camps and Tibetan settlements but generally denied access to asylum seekers in Mizoram. In 2013 the UNHCR accorded refugee status and assistance to 13,728 Burmese living in New Delhi, but it did not have access to the ethnic Chin living in the northeastern states. The UNHCR estimated registration of 6,870 Rohingya and 6,855 Chin from Burma in New Delhi and believed that tens of thousands of additional refugees remained unregistered.

After the end of the Sri Lankan civil war, the government no longer registered Sri Lankans as refugees. Nearly 32,000 Sri Lankan refugees living outside the camps were registered with local police but were not recognized as refugees. The Tamil Nadu government assisted the UNHCR by providing exit permission for Sri Lankan refugees to repatriate voluntarily. According to the UNHCR, 205 persons repatriated voluntarily between January and August.

According to the HRLN, border police arrested approximately 100 Rohingyas and charged them under the Foreigners' Act. During deportation proceedings the Burmese consulate in Kolkata refused to acknowledge the individuals as Burmese

citizens, rendering them stateless. They remained in police custody without legal representation or access to the UNHCR.

Refugee Abuse: Problems of domestic violence, sexual abuse, and early marriage continued. Gender-based violence and sexual abuse was common in camps for Sri Lankans. Many urban refugees worked in the informal sector or in occupations such as street vending, where they were subject to police extortion, nonpayment, and exploitation.

Employment: Unable to obtain formal work authorization, most refugees generally worked in the informal sector.

Access to Basic Services: Although the country generally allowed recognized refugees and asylum seekers access to housing, primary and secondary education, health care, and the courts, access varied by state and by population. In 2012 the government began allowing UNHCR-registered refugees and asylum seekers to apply for long-term visas that would provide work authorization and access to higher education.

The 80,000 to 100,000 Burmese Chin asylum seekers in Mizoram generally reported adequate access to housing, education, and health services. Because most Chin refugees lacked legal status and were unable to work legally, they had inadequate income to meet their basic needs and remained vulnerable to abuse, discrimination, and harassment.

In October the government of Tamil Nadu initiated a process to issue biometric cards to the 65,000 Sri Lankan Tamil refugees living in camps across the state. Observers believed the biometric cards would help streamline the monthly delivery of stipends via individual bank accounts. The female head of the family was the designated recipient of cash stipends and received 1,000 rupees (\$16) a month, in addition to 750 rupees (\$12) per adult and 400 rupees (\$6.50) per child. The central government reimbursed the state government for the cash payments, although according to Tamil Nadu officials, it was not able to keep up with the reimbursements.

Stateless Persons

By law citizenship is derived from one's parents, and birth in the country does not automatically confer Indian citizenship. Any person born in the country on or after January 26, 1950, but before July 1, 1987, obtained Indian citizenship by birth. A

child born in the country on or after July 1, 1987, obtained citizenship if either parent was an Indian citizen at the time of the child's birth. Those born in the country on or after December 3, 2004, were considered citizens only if at least one parent was a citizen and the other was not illegally present in the country at the time of the child's birth. Persons born outside the country on or after December 10, 1992, were considered citizens if either parent was a citizen at the time of birth, but those born outside the country after December 3, 2004, were not considered citizens unless their birth was registered at an Indian consulate within one year of the date of birth. Only in certain circumstances, and with the permission of the government, was it possible to register citizenship after one year. Citizenship could also be conferred through registration under specific categories and via naturalization after residing in the country for 12 years. Ethnic Tibetans sometimes faced difficulty acquiring citizenship despite meeting the legal requirements.

According to the UNHCR and NGOs, the country had a large population of stateless persons, but there were no reliable estimates of the number. Stateless populations included Chakmas and Hajongs, who entered the country decades ago from present-day Bangladesh, and groups affected by the 1947 partition of the subcontinent into India and Pakistan.

Approximately 70,000 stateless Bangladeshi Chakma persons lived in Arunachal Pradesh.

The Mizoram state government refused to repatriate Bru IDPs, resident in six camps in the state of Tripura. The Mizoram government cited a lack of funds and available land and an inability to subsidize food provisions as the main reasons for its inability to repatriate. Bru leaders claimed there were 30,000 Mizoram residents in the camp, one of the largest groups of IDPs in the country.

The UNHCR and refugee advocacy groups estimated that 25,275 of the approximately 100,000 Sri Lankan Tamil refugees living in Tamil Nadu were "hill country" Tamils. While Sri Lankan law allows "hill country" refugees to present affidavits to secure Sri Lankan citizenship, the UNHCR believed that until the Sri Lankan government processes their paperwork, such refugees may potentially be considered stateless.

Section 3. Respect for Political Rights: The Right of Citizens to Change Their Government

The constitution provides citizens the ability to change their government through free and fair elections, which they exercised through elections based on universal suffrage.

Elections and Political Participation

Recent Elections: Leading up to the general election in May, there were several instances in which individuals faced arrest for allegedly posting political comments on Facebook. On May 23, the Goa-based industrialist and former confederation of Indian industries state president, Atul Pai Kane, filed a complaint against Devu Chodankar, who urged community members not to vote for Modi as prime minister in a post on Facebook. The police detained and interrogated Chodankar for allegedly accusing Modi of planning a holocaust against Muslims and Christians. The police confiscated Chodankar's computer and other related items. An investigation by the cybercrime unit of the Goa police was pending.

There was fair and effective oversight by the Election Commission during the general elections in the east and northeast of the country. Nevertheless, there were reports of sporadic violence, ballot stuffing, and intimidation of voters. According to the Ministry of Home Affairs 2013-14 report, left wing extremist violence due to the elections contributed to an increase in deaths compared with the previous year. These incidents did not affect the integrity of the elections.

The NHRC advocated for 300,000 migrant workers, working in brick kilns in the states of Andhra Pradesh, Tamil Nadu, and Karnataka, to obtain voting rights for the general elections held in May. Only a few hundred, helped by political parties, returned to their native state to cast their vote.

According to a Dalit rights activist, approximately 20 Dalit families in Ramayapalem, Andhra Pradesh, faced social ostracism by upper-caste village residents in retribution for voting independently during the May general elections. The families were barred from drawing water from a common well in the village, forcing them to walk two and one-half miles and pay another village to obtain safe drinking water. The upper-caste families also refused to supply milk to the 20 Dalit families. As of the end of the year, the Prakasam district policy in Andhra Pradesh had not registered a case against the alleged caste discrimination. Intervention of district authorities did nothing to help the 20 Dalit families.

Participation of Women and Minorities: The law requires one-third of the seats in local councils to be reserved for women. Religious, cultural, and traditional

practices and ideas as well as structural barriers prevented proportional participation in political life by women. Nonetheless, women held many high-level political offices, including positions as ministers (12), members of parliament (62 in the lower house and 28 in the upper house), members of the Supreme Court (two), and state chief ministers (three--Gujarat, Rajasthan, and West Bengal). Women participated in politics throughout the country at all levels.

Kerala and Odisha reserve 50 percent of seats in urban local bodies for women, building on an existing 50 percent quota for women in village councils in those states. Assam, Bihar, Chhattisgarh, Madhya Pradesh, Maharashtra, and West Bengal reserve 50 percent of seats in local councils for women.

The constitution stipulates that to protect historically marginalized groups and provide for representation in the lower house of parliament, each state must reserve seats for Scheduled Castes (SCs) and Scheduled Tribes (STs) in proportion to their population in the state. Only candidates belonging to these groups may contest elections in reserved constituencies. In the 2014 elections, 84 seats for candidates from the SCs and 47 seats for those from the STs were reserved, representing 24 percent of the total seats in the lower house. Members of minority populations served as prime minister, vice president, cabinet ministers, Supreme Court justices, and members of parliament.

Section 4. Corruption and Lack of Transparency in Government

The law provides criminal penalties for corruption by officials. The government did not implement the law effectively, and officials frequently engaged in corrupt practices with impunity.

Corruption: Corruption was present at all levels of government. The CBI registered 583 cases of corruption between the months of January and November. The commission operated a free hotline and a web portal. NGOs noted the payment of bribes to expedite services, such as police protection, school admission, water supply, or government assistance. Civil society organizations drew public attention to corruption throughout the year, including through demonstrations and websites that featured stories of corruption.

The government designated chief vigilance officers to address complaints and grievances in the banking, insurance, and other sectors serviced by private, public, and corporate bodies. Parliament passed a bill in December establishing an

ombudsman organization known as a Lokpal to investigate allegations of government corruption.

Many government-run programs to alleviate poverty and provide employment suffered from corruption. For example, after obtaining government documents under the Right to Information Act, a petitioner alleged misappropriation of funds in the Maharashtra Tribal Development Department. On March 27, the Bombay High Court appointed retired high court judge M. G. Gaikwad to manage a special team to investigate alleged fraud in which funds meant for tribal welfare was used for other purposes. Later Gaikwad criticized the state government for not providing him adequate facilities to conduct the probe.

The trial of former telecommunications minister A. Raja and M.K. Kanimozhi, a member of the upper house of parliament, on charges of bribe taking in the rigged sale of 2G mobile telephone spectrum in 2008 did not conclude by year's end. On June 15, the Madhya Pradesh High Court commissioned a special task force to investigate fraud within the Madhya Pradesh Professional Examination Board, a government-constituted body that conducts entrance exams in educational courses and tests for positions in the state government. Police arrested BJP minister Laxmikant Sharma and 250 others for fraud related to professional educational courses.

According to an RTI activist in Hyderabad, unidentified individuals attacked six RTI activists in separate incidents across the states of Telangana and Andhra Pradesh throughout the first half of the year. The victims claimed these incidents were reprisals by corrupt officials following demands for transparency in public expenditures. As of November 24, the police had not arrested any suspects.

Financial Disclosure: The law mandates asset declarations for all officers in the Indian Administrative Services. Both the Election Commission and the Supreme Court upheld mandatory disclosure of criminal and financial records for election candidates. Unreported money reportedly often funded election campaigns for parliament and state legislatures, and the government typically failed to control the practice.

Public Access to Information: The law provides for public access to information. Although the government was often slow to respond to requests, the public could access personal documentation, city plans, and other public records through the RTI online portal. Only citizens can request RTI information. The government charged a fee of 11 rupees (\$0.18) per request. Citizens may appeal request

denials to the Central Information Commission and then to the appropriate high court. Activists expressed concern that public authorities were unable to implement the RTI Act adequately and that rural inhabitants were not always aware of their rights under the act.

Many states also have right-to-information laws. The fee schedule and regulations for state-level RTI queries vary.

Section 5. Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Violations of Human Rights

Domestic and international human rights groups operated without government restriction, investigating and publishing their findings on human rights cases. In a few circumstances, groups faced restrictions. Government officials were generally responsive to NGO requests. There were more than three million NGOs in the country advocating for social justice, sustainable development, and human rights. The government generally met with domestic NGOs, responded to their inquiries, and took action in response to their reports or recommendations. The NHRC worked cooperatively with numerous NGOs. NGOs were represented on several NHRC committees. Human rights monitors in Jammu and Kashmir were able to document human rights violations, but security forces, police, and counterinsurgents at times restrained or harassed them.

Representatives of certain international human rights NGOs faced difficulties obtaining visas, and occasional official harassment and restrictions limited their public distribution of materials.

According to a lawyer representing the human rights NGO People's Watch, the Ministry of Home Affairs froze the foreign contribution accounts of NGOs in Tamil Nadu to prevent activists from protesting the completion of the Russian-built nuclear plant at Kudankulam. The ministry suspended the People's Watch account in 2012 but reinstated it on July 8, on orders from the Ministry of External Affairs.

On January 5, Gujarat police filed a petition against human rights activists Teesta Setalvad, Javad Anand, Salim Sandhi, Feroz Gulzar Mohammed Pathan, and Tanvir Jafri for allegedly misappropriating funds donated to construct a memorial to the 2002 riots. The petition was filed after residents of the Gulberg Society, a housing complex, claimed that Setalvad misused 1.5 million rupees (\$24,000) collected to build a memorial to the 69 persons killed during the 2002 riots. Setalvad, one of the accused, is the founder of Citizens for Justice and Peace (CJP),

a Mumbai-based organization responsible for numerous cases against alleged perpetrators of the 2002 Gujarat violence. The state's petition against the activists came after a December 2013 decision by a Gujarat lower court that rejected Jafri's protest petition to force the state to file criminal charges against then-Gujarat chief minister Narendra Modi and other officials for allegedly failing to stop Hindu reprisals in Gujarat in 2002, which resulted in the death of 1,200 persons, a majority of whom were Muslims. Through the year the Gujarat state government opposed activists' Anticipatory Bail Applications submitted to Gujarat and Mumbai courts in addition to the Indian Supreme Court. On December 5, the Gujarat High Court required Setalvad and Anand to appear before their embezzlement case's investigating officer on December 15 and 16 and again on January 1 and 2, 2015. The activists claimed the case was malicious and in retaliation for their work on behalf of the victims in the Gujarat cases. The Gujarat state government froze CJP's bank accounts on January 21 pending the investigation; the accounts remained frozen at the end of the year. The CJP appealed to the Gujarat High Court to unfreeze them.

UN and Other International Bodies: The government restricted access by the United Nations to the northeastern states and Maoist-controlled areas.

Government Human Rights Bodies: The NHRC is an independent and impartial investigatory and advisory body, established by the central government, with a two-pronged mandate to investigate and remedy instances of human rights violations and to promote public awareness of human rights. It is directly accountable to parliament but works in close coordination with the Ministry of Home Affairs and the Ministry of Law and Justice. It has a mandate to address official violations of human rights or negligence in the prevention of violations, intervene in judicial proceedings involving allegations of human rights violations, and review any factors (including acts of terrorism) that infringe on human rights. The NHRC has the ability to issue summonses and compel testimony, produce documentation, and requisition public records. The NHRC also recommends appropriate remedies for alleged wrongs in the form of compensation to the victims of government killings or their families. It has neither the authority to enforce the implementation of its recommendations nor the power to address allegations against military and paramilitary personnel.

Human rights groups claimed that institutional and legal impediments hampered the work of the NHRC. While the NHRC has the authority to initiate investigations and to request that state governments submit reports, it has no ability to enforce these requests, press charges, or grant compensation. It cannot

investigate human rights violations by the armed forces. Human rights NGOs criticized the NHRC's budgetary dependence on the government and its policy of not investigating abuses more than one year old. They claimed the NHRC did not register all complaints, dismissed cases arbitrarily and did not investigate cases thoroughly, rerouted complaints back to the alleged violator, and did not adequately protect complainants.

According to the NHRC's statistics, the commission received 10,320 new complaints through July. There were 36,544 old and new complaints under review, of which 11,229 complaints were processed.

Twenty-three of the 29 states also have human rights commissions, which operate independently under the auspices of the NHRC. In seven states the position of chairperson remained vacant. Human rights groups alleged that state committees were influenced by local politics and less likely to offer fair judgments than the NHRC.

In the course of its nationwide evaluation of state human rights committees, the HRLN observed that most state committees had few or no minority, civil society, or female representatives. The HRLN claimed the committees were ineffective and at times hostile toward victims, hampered by political appointments, understaffed, and underfunded.

The Jammu and Kashmir commission does not have the authority to investigate alleged human rights violations committed by members of paramilitary security forces. The NHRC has jurisdiction over all human rights violations, except in certain cases in which the army is involved. In those cases the states of Jammu and Kashmir are covered under the AFSPA, as in all other parts of the country. Since the Ministry of Home Affairs controls paramilitary forces, the NHRC has authority to investigate cases of human rights violations committed by the ministry's paramilitary forces in the Northeast States and Jammu and Kashmir.

Section 6. Discrimination, Societal Abuses, and Trafficking in Persons

The law prohibits discrimination on the basis of race, gender, disability, language, place of birth, caste, or social status. The government worked with varying degrees of success to enforce these provisions.

Women

Rape and Domestic Violence: The law criminalizes rape, except spousal rape when the woman is over age 15. Punishment ranges from prison terms of two years to life, a fine of 20,418 rupees (\$327), or both. Official statistics pointed to rape as the country's fastest growing crime, but underreporting also grew less severe. The NCRB reported 33,707 cases of rape nationwide in 2013, the latest year for which data were available, an increase of 35.2 percent compared with 2012. Observers considered rape an underreported crime. Law enforcement and legal recourse for rape victims was inadequate, overtaxed, and unable to address the problem effectively. Police officers sometimes worked to reconcile rape victims and their attackers, in some cases encouraging female rape victims to marry their attackers. Doctors sometimes further abused rape victims who reported the crimes by using the invasive "two-finger test" to speculate on their sexual history. In addition to the outlawing of the "two-finger test," in March the government formulated new guidelines for treating rape victims, which included mandatory forensic and medical examinations within designated areas in all hospitals for rape survivors.

While the trial of six defendants in a high-profile 2012 Delhi rape case took place quickly, rapes occurring outside of the national capital were not investigated swiftly. Many investigations and legal proceedings relating to earlier rape cases during the year remained pending.

On June 12, police initiated an investigation against four police officers for the alleged gang rape of a woman inside a police station in the Hamirpur district of Uttar Pradesh, when she went to seek the release of her detained husband.

In July police arrested two men for their connection to the rape and hanging of a seven-year-old girl in Rajnagar village, West Bengal. A third man, the prime suspect, was said to have a history of assaulting young girls and was beaten to death by angry villagers.

In April a Mumbai court sentenced three men to death and two others to life imprisonment for two separate gang rapes in July and August 2013. In addition, on July 15, the Mumbai Juvenile Justice Board sentenced two minors to three years in a youth detention center for their participation in the crimes.

Women in conflict areas, such as in Jammu and Kashmir, the Northeast, Jharkhand, and Chhattisgarh, as well as vulnerable women, including Dalit or tribal women, were often victims of rape or threats of rape. National crime

statistics indicated that, compared with other caste affiliations, rape was most often perpetrated against Dalit women.

The law provides for protection against some forms of abuse against women in the home, including verbal, emotional, and economic abuse, as well as the threat of abuse. The law recognizes the right of a woman to reside in a shared household with her spouse or partner while a dispute continues, although a woman may seek accommodations at the partner's expense. Although the law also provides women with the right to police assistance, legal aid, shelter, and medical care, domestic abuse remained a serious problem. Lack of law enforcement safeguards and pervasive corruption limited the effectiveness of the law.

The Ministry of Women and Child Development promulgated guidelines for the establishment of these social services, but because of the lack of funding, personnel, and proper training, services were primarily available only in metropolitan areas. Police officials, especially in smaller towns, were reluctant to register cases of crimes against women, especially against persons of influence.

On June 16, the Madhya Pradesh government established a crisis center for women in Jai Prakash Hospital with the help of the NGO Action Aid in Bhopal. The center provides victims of rape, dowry harassment, and domestic violence with medical and legal advice, psychological counseling, and advice on police procedures.

Domestic violence continued to be a problem, and the National Family Health Survey revealed that more than 50 percent of women reported experiencing some form of violence in their home. The NCRB reported that in 2013 there were 118,866 reported cases of "cruelty by husband and relatives," an increase of 11.6 percent from the previous year. Advocates reported that many women refrained from reporting domestic abuses due to social pressures.

Crimes against women were common. According to 2013 NCRB statistics, there were 309,546 crimes against women in 2013, a 26.7 percent increase from 2012. These crimes included kidnapping, rape, dowry deaths, and domestic abuse. The NCRB noted that underreporting of such crimes was likely. The NCRB estimated the conviction rate for crimes against women to be 24 percent. Delhi recorded the highest number of crimes against women with 44,449 cases, followed by Mumbai with 2,946 cases and Bengaluru, Karnataka, with 2,608. Acid attacks against women caused death and permanent disfigurement. On January 13, a family acquaintance killed a 40-year-old woman and mother of three children in an acid

attack in Swarupnagar, West Bengal. At year's end police had not arrested the suspect. Although the government maintained statistics on gender-based violence and general assaults, it did not disaggregate acid attacks.

Acid is used as a household cleaner and is available at local markets. Despite a 2013 Supreme Court order regulating the sale of acid across the country, media reports indicated that acid was easily available. The NGO Stop Acid Attacks reported that at least 200 acid attacks against women had occurred since the Supreme Court order.

Female Genital Mutilation/Cutting (FGM/C): No national law addresses the practice of FGM/C. According to human rights groups, the practice of FGM/C was prevalent among the Dawoodi Bohra Muslims, a community located in the western part of the country.

Other Harmful Traditional Practices: The law forbids the provision or acceptance of a dowry, but families continued to offer and accept dowries, and dowry disputes remained a serious problem. The law also bans harassment in the form of dowry demands and empowers magistrates to issue protection orders. According to the NCRB, in 2013 there were 8,083 reported dowry deaths, mostly bridal deaths at the hands of in-laws for failure to produce a dowry. Uttar Pradesh had the highest number of dowry deaths with 2,335 cases, followed by 1,182 cases in Bihar. Since many cases were not reported or monitored, however, statistics were incomplete. The NCRB reported that authorities arrested 24,418 persons for dowry death in 2013.

“Sumangali schemes” affected an estimated 120,000 young women. These plans, named after the Tamil word for “happily married woman,” are a form of bonded labor in which young women or girls work to earn money for a dowry in order to be able to marry. The promised lump-sum compensation, ranging from 50,000 to 70,000 rupees (\$800 to \$1,120), is withheld until the end of three to five years of employment. Compensation, however, sometimes went partially or entirely unpaid. While in bonded labor, women were subjected to serious workplace abuses, severe restrictions on freedom of movement and communication, sexual abuse, sexual exploitation, sex trafficking, and death. The majority of sumangali-bonded laborers came from the SCs, and of those, Dalits--the lowest-ranking Arunthathiyars-- were subjected to additional abuse. Trade unions were not allowed in sumangali factories, and most sumangali workers did not report abuses due to fear of retribution.

Most states have dowry prohibition officers, but Mizoram and Nagaland do not, since these states do not have a tradition of dowry, and dowry cases were rare. The Dowry Prohibition Act does not apply to Jammu and Kashmir. A 2010 Supreme Court ruling makes it mandatory for all trial courts to add the charge of murder against the accused in dowry-death cases.

On April 12, the Women's Court in Chennai sentenced K. Velusamy to 10 years of hard labor and gave his mother, K. Iyammal, a three-year prison term for the dowry harassment of P. Shanthi, who committed suicide in 2009 by setting herself on fire. The Chennai police charged the husband and the mother-in-law with causing the woman's death.

So-called honor killings continued to be a problem, especially in Punjab, Uttar Pradesh, and Haryana. These states also had low female birth ratios due to gender-selective abortions. In some cases the killings resulted from extrajudicial decisions by traditional community elders, such as "khap panchayats," unelected caste-based village assemblies that have no legal standing. Statistics for honor killings were difficult to verify, since many killings were unreported or reported as suicide or natural deaths by family members. In 2013 NGOs estimated that at least 900 such killings occurred annually in Haryana, Punjab, and Uttar Pradesh alone. The most common justification for the killings cited by the accused or by their relatives was that the victim married against her family's wishes. For example, in May a man killed his 22-year-old sister in Pilibhit, Uttar Pradesh, for marrying a man from another community against the wishes of her family.

Other areas of the country also reported honor killings. On August 9, Bayya Lingamalu in Nalgonda, Telangana, allegedly killed his 19-year-old daughter because she married against his wishes and outside their caste.

Caste-based honor killings, particularly among Dalits and Other Backward Classes, increased in southern parts of Tamil Nadu. The Tamil Nadu Police arrested four suspects in a March honor killing. According to police a girl from the Thevar caste in Ramanathapuram married a man from a lower Dalit caste in March 2013 without the permission of her family. In March 2014 she was killed while visiting her parents and buried near the family residence. After her husband filed a petition, her mother confessed to her murder.

There were reports of village councils ordering the rapes of women to resolve local disputes in West Bengal and Jharkhand. The Kolkata High Court expressed concerns over the increasing prevalence of village councils using rape and violence

against women for revenge. In July, Jharkhand village council leader Ghosal Pasi ordered the rape of a 13-year-old girl while spectators from the village watched as punishment for her brother's alleged sexual harassment of a woman. The police arrested Ghosal Pasi and the man who raped the girl, Nakabandi Pasi, and sent them to judicial custody.

There were reports that women and girls in symbolic marriages to Hindu deities were victims of rape or sexual abuse at the hands of priests and temple patrons--a form of sex trafficking. NGOs suggested that some SC girls were sent by their families to these symbolic marriages, and subsequent sex work in temples, by their families to mitigate household financial burdens and the prospect of marriage dowries. The women and girls were also at heightened risk of contracting HIV/AIDS and other sexually transmitted infections. Some states have laws to curb prostitution or sexual abuse of women and girls in temple service. Enforcement of these laws remained weak, and the problem was widespread. Some observers estimated that more than 450,000 women and girls were engaged in temple-related sex work.

There was an increase in reports of attacks on women accused of practicing witchcraft. On June 5, Dulari Bai's in-laws allegedly beat the 52-year-old woman to death, suspecting her of practicing witchcraft after her niece fell sick in Uparwara village, Chhattisgarh. Police arrested her four relatives and charged them under the 2005 Chhattisgarh Witchcraft (Prevention) Act.

Discrimination against widows occurred throughout the country but was more prevalent in the states of West Bengal and Bihar. According to some cultural traditions, a widow is a bad omen and is often outcast by her own family. Many widows end up destitute and are forced to resort to begging.

Sexual Harassment: Sexual harassment, sometimes euphemistically called "eve teasing," remained prevalent. According to the NCRB, 12,589 cases of sexual harassment were reported in 2013, a 37 percent increase from 9,173 cases in 2012. There were 70,739 cases of molestation in 2013, a 56 percent increase from 45,351 cases in 2012. Cases of rape and molestation remained largely unreported due to social pressure.

All state departments and institutions with more than 50 employees are required to have committees to prevent and address sexual harassment. By law sexual harassment includes one or more unwelcome acts or behavior, such as physical contact, a request for sexual favors, making sexually suggestive remarks, or

showing pornography. Employers who fail to constitute internal complaint committees face fines of up to 50,000 rupees (\$800). The law also includes penalties for false or malicious charges.

On August 28, a group of students allegedly assaulted a female student and her boyfriend at Jadavpur University in Kolkata. The assailants allegedly attacked the boy and dragged the girl inside the boys' dormitory, locking her up in a room full of inebriated students who sexually harassed her. After several attempts, both victims met the vice chancellor, who told the female student not to come to classes and that it would take at least 15 days to form a university committee to investigate the incident during the 15-day university committee investigation. On September 3, the victim filed a complaint with police but was told they could not investigate the matter without the vice chancellor's approval. On September 16, the two victims and other students protested outside the vice chancellor's office, demanding inclusion of a human rights activist and a retired judge on the inquiry committee. The vice chancellor called the police, who assaulted students protesting and "rescued" the vice chancellor. The police injured 60 students and arrested 30, who were later released.

Reproductive Rights: The government permitted health clinics and local NGOs to operate freely in disseminating information about family planning. Nonetheless, the country continued to have unmet needs for contraception, deaths related to unsafe abortion, maternal mortality, and coercive family planning practices, including coerced or unethical sterilization and policies restricting access to entitlements for women with more than two children. Policies and guideline initiatives penalizing families with more than two children remained in place in seven states, but some authorities did not enforce them. The policy and guideline initiatives provide reservations for government jobs and subsidies to those who have no more than two children and reduced subsidies and access to health care for those who have more than two.

Government efforts to reduce the fertility rate were occasionally coercive. Health workers and facilities in some areas were paid a fixed amount for each procedure performed and reviewed against quotas for female sterilizations. In some states health workers were threatened with pay cuts or dismissal for failing to meet quotas. Health workers received a payment of approximately 250 rupees (\$4) for each sterilization patient they delivered to a facility. Women in high-fertility states received 600 rupees (\$9.60) as compensation for undergoing sterilization. Women in low-fertility states received 250 rupees (\$4), unless they were from the Scheduled Castes and Scheduled Tribes or were below the poverty line, in which

case they received 600 rupees (\$9.60) to be sterilized. Some reports described a “sterilization season,” in which health-care workers pressed to reach quotas for sterilizations before the end of the fiscal year on March 31. Some doctors reportedly withheld health services unless a woman agreed to be sterilized.

Although national health officials noted the central government did not have the authority to regulate state decisions on population issues, the central government creates all guidelines and funds state level programs for contraceptive information and services. A 2005 Supreme Court decision deemed the national government responsible for ensuring quality care for sterilization services at the state level. Almost all states also introduced “girl child promotion” schemes, intended to counter sex selection, some of which required a certificate of sterilization for the parents in order to collect benefits. Administrative hurdles and high demands for documentation made these schemes inaccessible to many marginalized families.

In some areas sterilizations were conducted in unsafe and unsanitary conditions. The number of reported failed sterilization operations for women increased from 456 in 2012 to 15,460 in 2013. Health facilities conducted “sterilization camps” in which a single doctor operated on dozens of women, often without adequate hygiene, counseling, presurgical lab tests, and postoperative recovery. According to statistics from the Directorate of Family Welfare, even in Tamil Nadu, a state with relatively strong health indicators, the mortality rate for sterilizations was one for every 1,000. State health department sources attributed sterilization-related deaths to poor pre- and postoperative care and complications due to anesthesia.

There were no formal restrictions on the right to access contraceptives, but the government sometimes promoted permanent female sterilization to the exclusion of alternate forms of contraception. Repeated studies by the government and NGOs showed most women had no knowledge of the nonpermanent forms of contraceptives offered through the public health system, such as birth control pills, intrauterine devices, and condoms. The highest unmet need for contraceptives was among women with one child who wanted to delay a second pregnancy. Reports from NGOs showed that pharmacists across the country, especially in Maharashtra, limited women’s access to legal over-the-counter emergency contraceptive pills and to legal medical termination prescription drugs.

In November, 16 women died after undergoing laparoscopic tubectomy surgery (a permanent family planning method where fallopian tubes are surgically tied) in Chhattisgarh. NGO reports cited death from infection stemming from multiple problems, including contaminated medicines, improperly sterilized equipment and

facilities, and blood loss. The victims were among 83 women who participated in a sterilization campaign implemented by the state government in the Bilaspur district. Twenty-five women were reported to be in critical condition after the procedure. A government surgeon and one assistant conducted the surgeries in a five-hour period on November 8 with a single surgical instrument in an abandoned campus of a private charitable hospital. The state government family planning initiative promoted sterilizations through compensation campaigns in which women were paid 1,400 rupees (\$22.40) to undergo the procedure, doctors were paid 150 rupees (\$2.40) per surgery, and the health worker referring the case was paid 200 rupees (\$3.20). The women who participated in the sterilization campaign were all indigenous, tribal, and Dalit peoples. The Chhattisgarh state government paid compensation to the victims' families and suspended senior health officials. The Chhattisgarh High Court asked the state government to submit a detailed report on the deaths within 10 days. The state government did not submit a report by year's end.

Unplanned and unwanted pregnancy, inadequate spacing between pregnancies, and reduced autonomy over one's own body all contributed to maternal mortality. Although abortion is legal and regulated to ensure safety, at least 8 percent of all maternal deaths were attributable to unsafe abortions. According to the law, contraceptive information and services must be available, accessible, acceptable, and of reliable quality. While official policy promotes the right of a woman to access contraceptive information and services, the unmet need for contraception remained high. Family Health International reported that 13 percent of married women between the ages of 15 and 49 did not wish to have additional children or wished to space births but could not access contraception.

Some women were pressured to have hysterectomies because of the payment structures for health-care workers and insurance payments for private facilities. This pressure disproportionately affected poor and lower-caste women. In one village, news reports claimed that 90 percent of women had undergone hysterectomies, including many of those well below the age of likely medical necessity.

Although the government achieved a significant increase in institutional births, there were reports that health facilities continued to be overburdened, underequipped, and undersupplied, in addition to substandard regard for hygiene and patient dignity. Most maternal deaths resulted from inadequate access to quality services, facilities, emergency care, and staff.

In community health centers, 69.7 percent of gynecologist positions remained unfilled, according to a 2012 report by the Ministry of Health and Family Welfare on rural health statistics. Only 13 percent of the centers had the requisite number of specialists. Poor health infrastructure disproportionately affected marginalized women, including homeless women, tribal women, women working on tea estates or in the informal labor sector, Dalit women, and women with disabilities.

The 2010-12 Sample Registration Report of the Registrar-General, released in December 2013, showed that during three years the maternal mortality rate declined from 212 to 178 per 100,000 births. Assam's maternal mortality rate was the highest in the country at 328, followed by Uttar Pradesh/Uttarakhand at 292. The southern states of Kerala at 66 and Tamil Nadu at 90 had the lowest rates, and both met the Millennium Development Goal of 103 deaths per 100,000 live births. Maternal mortality rates were difficult to calculate in many northeast states, which suffered from inadequate infrastructure and insufficiently trained medical staff.

HIV/AIDS infection rates for women were highest in urban communities, and care was least available in rural areas. Traditional gender norms, such as early marriage, limited access to information and education, and poor access to health services, continued to leave women especially vulnerable to infection. The National AIDS Control Organization worked actively with NGOs to train women's HIV/AIDS self-help groups.

Discrimination: The law prohibits discrimination in the workplace and requires equal pay for equal work, but employers paid women less than men for the same job, discriminated against women in employment and credit applications, and promoted women less frequently than men.

Many tribal land systems, notably in Bihar, deny tribal women the right to own land. Muslim personal law traditionally governs land inheritance for Muslim women, allotting them less than men. Other laws relating to the ownership of assets and land accord women little control over land use, retention, or sale. Several exceptions existed, such as in Kerala, Ladakh District, and Himachal Pradesh, where women may control family property and have inheritance rights.

Gender-biased Sex Selection: According to the latest census (2011), the national average male-female sex ratio at birth was 1,000 to 940. The state of Kerala had the highest male-female sex ratio at birth at 1,000 to 1,084 and the state of Haryana the lowest, at 1,000 to 877. A 2002 law prohibits prenatal sex selection, but it was rarely enforced. Even when state governments obtained convictions, doctors did

not always lose their professional license, although the Medical Council canceled the license to practice medicine of six doctors from Maharashtra convicted under the law.

Numerous NGOs throughout the country and some states attempted to increase awareness of the problem of prenatal sex selection, promote female births, and prevent female infanticide and abandonment. From April 2013 to March 2014, the Tamil Nadu government distributed fixed deposits of 47,226 rupees (\$755) to underprivileged female children under the state government's Girl Child Protection Scheme.

On June 11, a Mumbai court sentenced Anilkumar Kanojia to life imprisonment for killing his wife because she failed to give birth to a son; he strangled her for giving birth to two daughters.

Children

Birth Registration: The law establishes state governments' procedures for birth registration. The UN Children's Fund (UNICEF) estimated that 58 percent of national births were registered each year. Children lacking citizenship or registration may not be able to access public services, enroll in school, or obtain identification documents later in life.

Education: The constitution provides for free education for all children from ages six to 14, but the government did not always comply with this requirement. The 2013 Annual Survey of Education Report, released by the NGO Pratham, claimed that only 70 percent of girls enrolled in primary school were actually attending classes in 2013. In the states of Uttar Pradesh, Bihar, Manipur, West Bengal, Jharkhand, and Madhya Pradesh, attendance was less than 60 percent. Girls between ages 11 and 14 were most frequently not enrolled. UNICEF estimated the enrollment rate for girls in primary school between 2008 and 2011 lagged behind boys by only 1 percent. The enrollment gap between girls and boys in secondary school was estimated at 10 percent. Enrollment statistics varied widely between states. In Bihar, Chhattisgarh, and West Bengal, less than 5 percent of girls were not enrolled in school. In Rajasthan and Uttar Pradesh, the percentages of girls not enrolled were as high as 9.7 percent and 11 percent, respectively.

The law specifies minimum requirements in elementary schools, including drinking water and functioning toilets, but state governments continued to face implementation challenges. Pratham reported that 73 percent of schools surveyed

had available drinking water and the number of schools without a functioning toilet decreased from more than 12 percent in 2011 to less than 9 percent in 2012. Although the pupil-to-teacher ratio improved from 2011 to 2012, only 42 percent of schools met legal requirements.

There were numerous reports of schools refusing admission to underprivileged students. According to NGO sources, less than one-half of underprivileged children between ages six and 14 attended school.

Child Abuse: The law prohibits child abuse, but it remained common, including in school and institutional settings. The government failed to educate the public adequately against child abuse or to enforce the law. Although corporal punishment is banned, teachers often used it. According to the Ministry of Home Affairs' 2013-14 annual report, there were 38,172 cases of crimes reported against children in 2012, an increase from 33,098 cases in 2011.

In January a teacher and administrator at Sharadchandra Pawar Deaf and Dumb school in Hingoli, Maharashtra, allegedly raped a seven-year-old mentally disabled, deaf, and nonvocalizing girl. The police made no arrests.

On March 25, the Bombay High Court upheld a lower court's death sentence of Rokade, convicted in January 2013 for rape, sodomy, and murder of a minor girl.

On July 2, two employees from the elite Vibgyor High School in Bangalore, Karnataka, allegedly raped a six-year-old girl student. The incident triggered large-scale protests in the city. On July 20, police arrested a teacher at Vibgyor High, reportedly due to the discovery of child pornography on his personal computer. On July 21, state officials announced the transfer of the city's police commissioner. At the end of July, police arrested two gym instructors and the chairperson of the school.

A 2007 study by the Ministry of Women and Child Development stated that approximately 69 percent of children reported physical abuse, 53 percent of children reported sexual abuse, 48 percent of children reported emotional abuse, and 71 percent of female children reported neglect. Corporal punishment in city schools continued despite a judicial ban. The ministry's 2007 study stated that 65 percent of schoolchildren reported receiving corporal punishment. A study conducted during the 2009-10 school year reported more than 99 percent of children faced corporal punishment in school.

The government sponsored a toll-free 24-hour helpline for children in distress in 72 cities. A network of NGOs staffed the “Childline 1098 Service” number, accessible by either a child or an adult to request immediate assistance, including medical care, shelter, restoration, rescue, sponsorship, and counseling.

Early and Forced Marriage: The law sets the legal age of marriage for women at 18 and men at 21, and it empowers courts to annul child marriages. It also sets penalties for persons who perform, arrange, or participate in such marriages. The law was not consistently enforced. Some religiously based personal laws allow marriages at an age earlier than the general law. The law does not characterize a marriage between a girl below age 18 and a boy below age 21 as “illegal,” but it recognizes such unions as voidable, providing grounds for challenging them in court. Only the party who was a minor at the time of marriage may seek nullification. If the party is still a minor, his or her guardian must file a petition for nullification. A party may also file upon becoming an adult but must do so within two years. According to international and local NGOs, these limitations effectively left married minors with no legal remedy in most situations.

The law establishes a full-time child-marriage prohibition officer in every state to prevent and police child marriage. These individuals have the power to intervene when a child marriage is taking place, document violations of the law, file charges against parents, and remove children from dangerous situations and deliver them to local child-protection authorities.

UNICEF’s *State of the World’s Children 2014* report noted 240 million girls were married before age 18. According to the UNICEF report, women married as children contributed to the country’s high infant and maternal mortality rates, and observers suspected that early motherhood contributed to the deaths of 6,000 adolescent mothers each year. A national family health survey showed that one in six girls between the ages of 15 and 19 had become pregnant at least once.

Female Genital Mutilation/Cutting (FGM/C): No national law addresses the practice of FGM/C. According to human rights groups, between 70 and 90 percent of Bohra Muslims practiced FGM/C. The states of Maharashtra, Gujarat, Madhya Pradesh, and Rajasthan had a Bohra population estimated at one million. A campaign continued against the practice among the Bohra community.

Sexual Exploitation of Children: The law prohibits child pornography and sets the legal age of consent at 18. It is illegal to pay for sex with a minor, to induce a minor into prostitution or any form of “illicit sexual intercourse,” or to sell or buy a

minor for the purposes of prostitution. Violators are subject to 10 years' imprisonment and a fine. Nevertheless, according to UNICEF approximately 1.2 million children were sex trafficking victims, including via child sex tourism.

NGOs reported that children under age 18 were engaged in prostitution in red-light districts in major cities. Child trafficking for sexual exploitation frequently occurred in urban and rural areas.

Child Soldiers: No information was available on how many persons under age 18 were serving in the armed forces, although independent estimates indicated that at least 2,500 children were associated with insurgent armed groups in Maoist-affected areas. There were allegations that government-supported anti-Maoist village defense forces recruited children. Armed antistate groups, including Maoists and Islamist insurgent groups in Jammu and Kashmir and in the northeast states, reportedly used children (see section 1.g.).

Displaced Children: Displaced children, including refugees, IDPs, and street children, faced limits on access to government services (see also section 2.d.) and were often unable to obtain medical care, education, proper nutrition, or shelter. Such children were often physically and sexually abused and forced to work in hazardous jobs, such as rag picking (sorting garbage for recyclables).

Institutionalized Children: Weak enforcement of laws and lack of safeguards encouraged an atmosphere of impunity in group homes and orphanages. NGOs alleged that many such homes for children operated without government oversight or approval. Only 14 states had commissions for the protection of child rights, as mandated by law.

A 2013 report by the ACHR, *India's Hell Holes: Child Sexual Assault in Juvenile Justice Homes*, stated that 48,338 child rape cases were recorded from 2001 to 2011 and that the registration of child rape cases in juvenile homes had increased by 336 percent since 2001. The ACHR also stated that most child rape cases were not reported to police.

International Child Abductions: The country is not a party to the 1980 Hague Convention on the Civil Aspects of International Child Abduction. For country-specific information, see the Department of State's report at travel.state.gov/content/childabduction/english/country/india.html.

Anti-Semitism

Jewish groups and the 1,500-member Jewish community cited no reports of anti-Semitic acts during the year.

Trafficking in Persons

See the Department of State's *Trafficking in Persons Report* at www.state.gov/j/tip/rls/tiprpt/.

Persons with Disabilities

The constitution does not explicitly mention disability as a prohibited ground for discrimination. The Persons with Disabilities Act provides equal rights for persons with a variety of disabilities, including blindness, hearing disability, Hansen's disease (leprosy), mobility disability, developmental disability, and mental illness. The law links implementation of programs to the "economic capacity and development" of the government. The act encourages governmental authorities to promote access, but it includes no specific enforcement provisions or sanctions for noncompliance

According to the director of the National Center for Promotion of Employment for Disabled People, the law regards persons with disabilities as requiring social protection and medical care, rather than as possessing inherent rights as persons with disabilities.

Discrimination against persons with disabilities in employment, education, and access to health care was more pervasive in rural areas. The Kolkata High Court passed an order in 2013 mandating the state government to provide accessibility to roads and buildings. Despite legislation that all public buildings and transport be accessible to persons with disabilities, there was limited accessibility. A Public Interest File was pending in the Supreme Court on accessibility to buildings and roads.

A Department of School Education and Literacy's program provided special educators and resource centers for students with disabilities. There was no data available on whether these students remained within the education system or if the system denied any individualized supports needed for their education. The law allows mainstream schools to admit children with disabilities, but mainstream schools remained inadequately equipped with special educators, resource material, and appropriate curricula.

The law also stipulates that 3 percent of all educational places be reserved for persons with disabilities, although students with disabilities made up only an estimated 1 percent of all students, according to the Ministry of Social Justice and Empowerment. Some schools continued to segregate children with disabilities or deny them enrollment due to lack of infrastructure, equipment, and trained staff. UNICEF estimated that between 6 and 10 percent of all children in the country were born with disabilities. The Ministry of Social Justice and Empowerment continued to offer scholarships to persons with disabilities to pursue higher education. University enrollment of students with disabilities remained low for several reasons, including inaccessible infrastructure, limited resources, nonimplementation of the 3-percent job reservation, and harassment.

The Ministry of Health and Family Welfare estimated that 6 to 7 percent of the population experienced a mental or psychosocial disability. Of the individuals with mental disabilities, 25 percent were homeless, and many in rural areas did not have access to modern mental health-care facilities. Disability rights activists estimated that there were 40 to 90 million persons with disabilities. The NGO CRY estimated that one in 10 children in the country had disabilities. There were three mental-health institutions run by the federal government and 40 state-operated mental hospitals. In October the government announced a new policy to provide universal mental health services.

Patients in some mental-health institutions faced food shortages, inadequate sanitary conditions, and lack of adequate medical care. Human Rights Watch reported that women and girls with disabilities were sometimes forced into mental hospitals against their will.

Most persons with mental disabilities were dependent on public health-care facilities, and fewer than half who required treatment or community support services received such assistance.

Complying with a 2004 Supreme Court order, the government made efforts to ensure persons with disabilities cast their votes in a nonrestrictive and dignified manner. During the 2009 elections, activists filed questionnaires to state election commissions in 11 states asking what steps the government had taken to comply with the 2004 Supreme Court order. Based on the responses, disability rights groups filed petitions in the states of Uttar Pradesh, Jharkhand, and Andhra Pradesh to ensure accessible voting. Nevertheless, in the May general elections, persons with disabilities had trouble exercising their vote due to physical barriers.

The law requires that 3 percent of public sector jobs be reserved for persons with physical, hearing, or vision disabilities. NGOs reported that government annual reports did not provide any information on fulfillment of the quota, but activists and NGOs stated there were vacancies for persons with disabilities that had not been filled. The government continued to allocate funds to programs and NGO partners to increase the number of jobs filled. Private sector employment of persons with disabilities remained low, despite governmental incentives that private companies establish a workforce with more than 5 percent with disabilities.

National/Racial/Ethnic Minorities

The national census categorized the population by language spoken, not by racial or ethnic groups. Society traditionally has been divided into castes or clans. Caste is a complex social hierarchy system that traditionally determines ritual purity and occupation. The constitution in 1949 prohibited caste discrimination. The registration of castes and tribes continued for the purpose of affirmative action programs, as the government continued to implement various programs to empower members of the low castes. The law gives the president authority to identify disadvantaged castes and tribes for special quotas and benefits. Discrimination based on caste remained prevalent particularly in rural areas.

The term “Dalit,” derived from the Sanskrit for “oppressed” or “crushed,” refers to members of what were regarded as the lowest Hindu castes, the SC. Many SC members continued to face impediments to the means of social advancement, including education, jobs, access to justice, freedom of movement, and access to institutions and services. According to the 2011 census, SC members constituted 16.6 percent (approximately 200.9 million persons) of the population. The Ministry of Home Affairs’ 2013-14 annual report noted 33,655 cases of registered crimes against SC members in 2012, compared with 32,719 cases in 2011.

Although the law protects Dalits, they faced violence and significant discrimination in access to services, such as health care, education, temple attendance, and marriage. Many Dalits were malnourished. Most bonded laborers were Dalits. Dalits who asserted their rights often were attacked, especially in rural areas. As agricultural laborers for higher-caste landowners, Dalits often worked without monetary remuneration. Reports from the UN Committee on the Elimination of Racial Discrimination described systematic abuse of Dalits, including extrajudicial killings and sexual violence against Dalit women. Crimes committed against Dalits often went unpunished, either because authorities failed

to prosecute perpetrators or because victims did not report crimes due to fear of retaliation.

NGOs reported widespread discrimination, including prohibiting Dalits from walking on public pathways, wearing footwear, accessing water from public taps in upper-caste neighborhoods, participating in some temple festivals, bathing in public pools, or using certain cremation grounds.

NGOs reported that Dalit students were denied admission to certain schools because of their caste or were required to present caste certification prior to admission. There were reports that school officials barred Dalit children from morning prayers, asked Dalit children to sit in the back of the class, or forced them to clean school toilets while denying them access to the same facilities. There were also reports that teachers refused to correct the homework of Dalit children, refused to provide midday meals to Dalit children, and asked Dalit children to sit separately from children of upper-caste families.

The federal and state governments continued to implement programs for SC members to provide better-quality housing, reserved seats in schools, government jobs, and access to subsidized foods, but critics claimed that many of these programs suffered from poor implementation and/or corruption.

Manual scavenging--the removal of animal or human waste by Dalits--continued in spite of its prohibition under the law. According to 2011 census data, there were more than 11,000 persons in 11 states practicing manual scavenging, the majority from Uttar Pradesh. NGO activists claimed the number was much higher and that manual scavenging is upheld by the caste system, since a majority of manual scavengers are employed by elected village councils and belong to Other Backward Classes and Dalit populations. The media regularly published articles and pictures of persons cleaning manholes and sewers without protective gear. In December a petition was filed in the Madras High Court in Tamil Nadu against humans entering manholes to remove waste due to the danger of the work.

Human Rights Watch reported that children of manual scavengers faced discrimination, humiliation, and segregation at village schools. Manual scavengers were exposed to infections that affected their skin, eyes, respiratory, and gastrointestinal systems. Health practitioners suggested that children exposed to such bacteria were often unable to maintain a healthy body weight and suffered from stunted growth.

The law prohibits the employment of scavengers or the construction of dry (nonflush) latrines, and penalties range from imprisonment for up to one year, a fine of 2,000 rupees (\$32), or both. Nonetheless, Indian Railways, the country's largest public sector employer, violated the laws without consequences. The state-owned company acknowledged that approximately 30,000 passenger coaches were fitted with open-discharge toilets, "forcing" the railways to employ manual scavengers to clean the tracks. The railways proposed to install sealed toilet systems but without a fixed timeline for implementation.

On April 27, a 17-year-old Dalit boy, Nitin Aghe, was beaten and hanged in Kharda village, Ahmednagar, Maharashtra, for having a romantic relationship with an upper-caste girl. Police arrested the girl's brother and two others, including a minor.

On June 15, neighbors allegedly set a 15-year-old Dalit girl on fire in her home, following a dispute over an overflowing sewage line in the Sayla village in Surendranagar, Gujarat. Police later arrested three men. The girl's family also complained that because the hospital authorities refused to provide treatment, they were forced to take her to a more distant hospital in Ahmedabad.

In July the NHRC ordered appropriate compensation to 16 Dalit families from Boudh, Odisha, for losses suffered after upper-caste villagers looted and set fire to their homes in 2012. The commission characterized the compensation paid to the victims, from 2,500 rupees (\$40) to 15,000 rupees (\$240), as "grossly inadequate" and ordered district officials to use government funds to build new houses for the victims or to rehabilitate damaged houses within eight weeks.

The media alleged that there was discrimination between prisoners of different castes in Tamil Nadu. Dalit prisoners, for example, were not furnished with basic needs, including drinking water, while non-Dalits were provided drinking water and better care in the Salem prison.

Persons of African descent reported extensive discrimination by police and members of the public.

On January 15, New Delhi Law Minister Somnath Bharti conducted a raid on the homes of African residents without a warrant, claiming that Nigerians and Ugandans were running drug and prostitution rings. Bharti's supporters also forced two women from Uganda to give urine samples in the open and forcibly escorted them to a clinic for a medical test. Police searched the two women but did

not find drugs. The women filed charges against the minister. Diplomats of African descent, including their families, reported incidents of racial profiling by police.

On August 21, then Goa chief minister Manohar Parrikar apologized for referring to Africans as “Negros” in a legislative assembly annexure submitted to the state. Two Goa legislators previously referred to Nigerians as “a cancer” and “wild animals.”

Indigenous People

The constitution provides for the social, economic, and political rights of disadvantaged groups of indigenous people. The law provides special status for indigenous people, but authorities often denied them their rights. According to the Ministry of Tribal Affairs’ 2011-12 annual report, there were more than 700 STs in the country, and the 2011 census revealed the population of ST members as 84.3 million, approximately 8 percent of the total population. In 2011 a pilot survey to identify households below the poverty line found that ST and SC members constituted half the total of poor households. There were 75 particularly vulnerable tribal groups, characterized by primitive technology, stagnant or declining population, extremely low literacy, and a subsistence-level economy.

In most of the northeastern states, where indigenous groups constituted the majority of the states’ populations, the laws provide for tribal rights, although some local authorities disregarded these provisions. The laws prohibit any nontribal person, including citizens from other states, from crossing a government-established inner boundary without a valid permit. No rubber, wax, ivory, or other forest products may be removed from protected areas without authorization. Tribal authorities must approve the sale of land to nontribal persons.

Tribal women employed as domestic workers often were neither properly paid nor protected from sexual exploitation. Encroachment on tribal lands continued in almost every state, despite limited efforts to combat the practice, since businesses and private parties continued to exert political pressure against local governments. Those displaced by the encroachments typically did not receive appropriate compensation.

Tribal movements demanded the protection of tribal land and property. Local activists claimed that the rights of tribal and rural groups under the Forest Act

continued to be ignored. Weak enforcement of the act often circumvented the free and informed consent of tribal and rural groups prior to development.

Tribal members from Balangir, Odisha, continued to oppose the Lower Suktel river irrigation project because it threatened to displace more than 4,000 families from 30 villages. On January 20, police detained 150 tribal members protesting against the land acquisition required to complete the Lower Suktel irrigation project. Lower Suktel Budi Anchal Parishad, an organization opposed to the project, alleged gross irregularities of compensation. On March 5, NHRC Special Rapporteur Damodar Sarangi visited the project site to hear the grievances of residents. In April he recommended disciplinary action against the officials responsible for the abuses against tribal peoples.

On July 30, an estimated 300 Jharania and Dongria Kondh tribal members disrupted a public hearing on the proposed expansion of a refinery in Lanjigarh, Odisha. They disputed official claims that the majority of residents had no objection to refinery expansion. In an August 19 statement, the international NGO Survival International alleged the refinery owner was moving forward with the expansion without permission. The NGO appealed to the Ministry of Environment and Forests not to accept the claim by the Odisha government that the public hearing had approved the expansion.

On May 7, the Nirmala Buch Review Committee recommended bail for 36 of 57 tribal members in pretrial detention in Chhattisgarh jails. The committee was reviewing cases of tribal members who had been in jail for two years or more, including those facing charges under the Chhattisgarh Special Public Security Act. Following the committee's recommendations, 61 prisoners were released on bail, 48 were acquitted, and 13 received court sentences. Activists alleged that officials harassed defense lawyers representing the tribal members.

Acts of Violence, Discrimination, and Other Abuses Based on Sexual Orientation and Gender Identity

On January 28, a high court dismissed petitions challenging the December 2013 Supreme Court judgment that overturned a 2009 ruling by the Delhi High Court, which had ruled unconstitutional a colonial-era portion of the penal code that criminalized homosexual sex. The Supreme Court ruled that only parliament may make changes to the law that bans consensual same-sex sexual activity. The media, activists, prominent individuals, and some government officials reacted strongly against the ruling. On April 22, the Supreme Court agreed to hear a

curative petition challenging the December ruling. At year's end the curative petition hearing was pending.

Lesbian, gay, bisexual, and transgender (LGBT) persons faced physical attacks, rape, and blackmail. Some police committed crimes against LGBT persons and used the threat of arrest to coerce victims not to report the incidents. Several states, with the aid of NGOs, offered education and sensitivity training to police.

LGBT groups reported that they faced widespread discrimination and violence throughout society, particularly in rural areas. Activists reported that transgender persons who were HIV positive continued to have difficulty obtaining medical treatment. Advocacy organizations, such as the Mission for Indian Gay and Lesbian Empowerment (MINGLE), documented workplace discrimination against LGBT persons, including slurs and unjustified dismissals.

Transgender persons in Rajkot, Gujarat, and surrounding neighborhoods complained of discrimination in finding accommodation. An NGO advocating for LGBT rights reported that at least 32 transgender persons could not find accommodation in Rajkot and that three had attempted suicide following the discrimination.

LGBT activists in Hyderabad expressed satisfaction with public awareness efforts, including protests against the Supreme Court judgment to uphold the criminalization of same-sex conduct. The activists stated, however, that they were aware of homophobia among students at certain university campuses. According to LGBT students, there was also a systematic disregard for LGBT rights on university campuses.

On April 15, the Supreme Court codified the right to self-identify as male, female, or third gender. The ruling gives a person the right to identify as "third gender" when registering to vote, own property, marry, or apply for a passport, ration card, and driver's license. The judgment also instructed state and central governments to extend affirmative action or reservations to transgender individuals for admission to higher-education facilities, public appointments, and health-care services. The Supreme Court assigned a committee to study problems faced by the transgender community and provide suggestions on how to address discrimination. On September 11, the central government filed a formal request asking the Supreme Court for clarifications on the policy implications of the ruling as well as an implementation extension.

Following the April Supreme Court verdict, Bharathy Kannamma, a transgender individual from Madurai, Tamil Nadu, ran for a parliamentary seat in the Lok Sabha (the upper house of parliament) as an independent candidate during the April national elections.

In July, following the April Supreme Court ruling recognizing “transgenders” or “third genders,” the Maharashtra election commission authorities rejected a petition to include “third gender” on electoral rolls.

On August 19, the government of Telangana commissioned the Intensive Household Survey to collect social and economic data to ensure those who qualified for welfare programs were registered and receiving benefits. According to a transgender rights activist, the survey collected data for at least 800 transgender individuals, consequently entitling them to multiple welfare programs due to the April Supreme Court judgment.

On September 24, the Delhi Development Authority’s, under its vice chairman’s direction, provided a third gender option on its 2014 housing eligibility forms, which for the first time included “male, female, or third gender.”

HIV and AIDS Social Stigma

New HIV infections decreased over the past decade. Of the estimated 2.09 million citizens with HIV/AIDS, women accounted for nearly 39 percent of all infections and children under 15 years for 7 percent. Despite significant progress over the past 10 years, the epidemic persisted among the most vulnerable populations, such as female sex workers, men who have sex with men, transgenders, and persons who inject drugs.

The country has punitive laws criminalizing sex work solicitation and imposes the death penalty for drug-related offenses. While the government focused on high-risk groups, civil society organizations committed to HIV work raised concern when the Supreme Court failed to overturn a section of the penal code that criminalizes same-gender sex acts. Additionally, antiretroviral drug stock outages in a few states led to treatment interruption.

The national AIDS control program prioritized targeted HIV interventions for female sex workers, men who had sex with men, transgenders, and persons who injected drugs. The program made efforts to address stigma and discrimination by training health workers and promoting campaigns in health, work, and community

settings. Vulnerable communities engaged in planning, monitoring, and evaluation the program.

Police engaged in programs to strengthen their role in protecting communities vulnerable to human rights violations and HIV. Similarly, social protection initiatives integrated with an AIDS response showed risk reduction and improved health-seeking behavior, including uptake of and adherence to HIV treatment.

In July protests by parents forced the Nitya Sevan Niketan children's home in Rivona village, South Goa, to expel 13 HIV-positive orphans. Authorities transferred the children to a school in North Goa. The protesters later withdrew 18 of their children from the school when authorities did not meet their further demand to expel 23 orphans, who did not have HIV, or give written assurance that their children would not be infected with HIV.

Other Societal Violence or Discrimination

Societal violence based on religion continued to be a concern. A report submitted to the government by three senior police officials from Maharashtra, Uttar Pradesh, Tamil Nadu, and one IB representative entitled "Strategy for Making Police Forces More Sensitive Towards Minority Sections" acknowledged bias within the police force against Muslims and reported the Muslim perception of police as "communal, biased, and insensitive."

Between May and July, in the Bastar district of Chhattisgarh, approximately 50 village councils passed resolutions banning non-Hindu religious "propaganda," prayers, and speeches in their villages.

Social media posts triggered communal violence in Pune, Maharashtra, beginning on May 30, with multiple arson attacks on Muslim-owned shops and mosques and an assault against a Muslim cleric. On June 2, a group beat to death Mohsin Shaikh, who was returning from prayers in Pune. The attackers allegedly targeted him for his "Muslim appearance." Police arrested members of the Hindu Rashtra Samiti in connection with the violence and pressed murder charges against its chief, Dhananjay Desai.

Hindu groups in the Kashmir valley alleged discrimination by the Jammu and Kashmir state government. In July, Jammu and Kashmir state government officials announced a decision to suspend the Hindu religious Kauser Nag Yatra pilgrimage, designating the area an ecological and adventure tourist destination.

Civil society activists continued to express concern about the government's failure to hold accountable those responsible for the 1984 communal violence in New Delhi that resulted in the deaths more than 3,000 persons, the majority of whom were Sikh, although there was slow progress in several court cases. On January 30, the Delhi High Court decided to hear all appeals together relating to 1984 anti-Sikh riots cases in which Congress leader Sajjan Kumar was involved. On September 24, a local court acquitted four persons, including three Delhi police, in a 1984 Sikh riots case for allegedly killing three members of a Sikh family. On September 25, the Delhi High Court refused to grant bail to two of three persons serving life imprisonment in a 1984 anti-Sikh riots case in which five members of a Sikh family were killed.

Similarly, civil society activists continued to express concern about the Gujarat government's failure to hold accountable those responsible for the 2002 communal violence in Gujarat that resulted in the deaths of more than 1,200 persons, the majority of whom were Muslim. The Gujarat government in 2002 appointed the Nanavati-Mehta Commission to investigate the violence, and, in November, the commission announced that it had completed its work and had transmitted its report to the Gujarat state government. The state government did not release the report publicly. Former state minister Maya Kodnani, who had been sentenced in 2012 to a 28-year prison term for her involvement in the violence, was released in July after a court suspended her sentence for health reasons.

Section 7. Worker Rights

a. Freedom of Association and the Right to Collective Bargaining

The law provides for the rights to form and join unions and bargain collectively, although there is no legal obligation for employers to recognize a union or engage in collective bargaining. In the state of Sikkim, trade union registration was subject to prior permission from the state government. The law limits the organizing rights of federal and state government employees.

The law provides for the right to strike but places restrictions on this right for some workers. For instance, in export processing zones (EPZs), a 45-day notice is required because of the EPZs' designation as "public utilities." The law also allows the government to ban strikes in government-owned enterprises and requires arbitration in specified "essential industries." Definitions of essential industries vary from state to state. The law prohibits antiunion discrimination and

retribution for involvement in legal strikes and provides for reinstatement of employees fired for union activity.

Enforcement of the law varied from state to state and from sector to sector. Enforcement was generally better in the larger, organized sector industries. Authorities generally prosecuted and punished individuals responsible for intimidation or suppression of legitimate trade union activities in the industrial sector. Violations were addressed through civil judicial procedures because the Trade Union Act does not specify penalties for such violations. Specialized labor courts adjudicate labor disputes, but there were long delays and a backlog of unresolved cases.

Freedom of association and the rights to organize and bargain collectively were generally respected in the formal industrial sector but not in the large, informal economy. Most union members were employed in the formal sector, and trade unions represented a small number of agricultural and informal sector workers. An estimated 80 percent of unionized workers were affiliated with one of the five major trade union federations. Unions were independent of the government, but four of the five major federations were associated with major political parties. According to the Ministry of Labor and Employment, there were 91 strikes and lockouts from January 1 to July 31. State and local authorities occasionally used their power to declare strikes illegal and force adjudication. Membership-based organizations, such as the Self Employed Women's Association, successfully organized informal sector workers and helped them to gain higher payment for their work or products.

There were no official reports of cases of antiunion discrimination or of retribution or sanctions against employees for trade union activity during the year. Labor groups reported that some employers continued to refuse to recognize established unions, and they established "workers' committees" and employer-controlled unions to prevent independent unions from being established. EPZ workers often were employed on temporary contracts. In addition, employee-only restrictions on entry to the EPZs limited union organizers' access.

b. Prohibition of Forced or Compulsory Labor

The law prohibits bonded labor, but this problem, including bonded child labor (see section 7.c.), remained widespread.

Estimates of the number of bonded laborers varied widely, although several NGOs placed the number in the tens of millions. Most bonded labor occurred in agriculture. Nonagricultural sectors with a high incidence of bonded labor were stone quarries, brick kilns, rice mills, construction, embroidery factories, and beedi (hand-rolled cigarettes) production.

Enforcement and compensation for victims is the responsibility of state and local governments and varied in effectiveness. In general the government did not effectively enforce laws related to bonded labor or labor trafficking laws, such as the Bonded Labor System (Abolition) Act. When inspectors referred violations for prosecution, court backlogs, inadequate prosecution, and a lack of prioritization sometimes resulted in acquittals. Prosecutions were rare. Prison sentences for employers of forced laborers were for a maximum of three years, insufficient to deter violations.

The Ministry of Labor and Employment continued to collaborate with the International Labor Organization (ILO) to combat bonded labor, including through the “convergence program” established with the ILO in the states of Tamil Nadu, Andhra Pradesh, and Odisha to target workers vulnerable to bonded labor.

The Ministry of Labor and Employment reported increased numbers and efforts to release and rehabilitate bonded laborers under the Centrally Sponsored Scheme. Some NGOs reported delays in obtaining release certificates for rescued bonded laborers that were required to certify they were held in bondage and make them entitled to compensation under the law. The distribution of rehabilitation funds was uneven across states. An Odisha-based NGO reported that, after providing immediate relief payments with relief certificates, state government officials rarely followed up on cases or provided other legally mandated relief funds. Children in bonded labor were usually not provided release certificates.

On June 3, Tamil Nadu’s Madras High Court issued a judgment mandating that criminal trials for bonded labor offenses must take place before a judicial authority rather than an executive authority employed by the Tamil Nadu state government. The Madras High Court ruling struck down a section of the Bonded Labor Abolition Act that gave powers to the state government and employed a revenue divisional officer to conduct trials in place of the judicial authority.

Scheduled Caste and Scheduled Tribe members lived and worked under traditional arrangements of servitude in many areas of the country. In Arunachal Pradesh, the Nishi tribe traditionally subjugated Sulungs or Puroiks as customary slaves.

Although the central government abolished Sulung servitude in 1964, the social group remained impoverished and vulnerable to forced exploitation.

Also see the Department of State's *Trafficking in Persons Report* at www.state.gov/j/tip/rls/tiprpt/.

c. Prohibition of Child Labor and Minimum Age for Employment

The law prohibits employment of children under age 14 in factories, 18 hazardous occupations and 65 hazardous processes--such as handling pesticides, weaving carpets, breaking stones, working in mines--and domestic service. The law, however, permits employment of children in these occupations and processes in family-owned enterprises regardless of age. The law does not apply to family farms or family businesses, both large sectors of the economy. Children under age 14 may be employed in occupations not explicitly covered by law.

State governments enforced labor laws and employed labor inspectors, while the Ministry of Labor and Employment provided oversight and coordination. The law establishes a penalty of 20,000 rupees (\$320) per child employed in hazardous industries. Such fines were generally insufficient to deter violations and were sporadically enforced. The fines go into a welfare fund for formerly employed children.

The Ministry of Labor and Employment coordinated its efforts with states to raise awareness about child labor by funding various sensitizations such as plays and community activities. On April 9, the Karnataka state government antihuman trafficking unit rescued 11 boys from Jharkhand between ages 12 and 17 found working in food stalls in Bangalore. Police arrested the owner and a manager of the food stalls.

On April 27, Bangalore police raided five factories manufacturing nylon and leather goods and rescued 63 children under age 17 who were captive in factories in Devarajeevanahalli, Karnataka. Police arrested seven employees and placed the children with the Social Welfare Department for rehabilitation and repatriation.

Child labor remained widespread. The government estimated that there were 12.3 million child laborers between ages five and 14, based on the 2001 census figures, while UNICEF estimated that there were 29 million child laborers between ages five and 18. Several NGOs estimated the number to be significantly higher. The majority of child labor occurred in agriculture and the informal economy, in

particular in stone quarries, in the rolling of cigarettes, and in informal food service establishments. Commercial sexual exploitation of children occurred (see section 6, Children). Forced child labor, including bonded labor, also remained a serious problem. Children were engaged in forced or indentured labor as domestic servants and beggars, as well as in quarrying, brick kilns, rice mills, silk thread production, and textile embroidery.

Also see the Department of Labor's *Findings on the Worst Forms of Child Labor* at www.dol.gov/ilab/reports/child-labor/findings/.

d. Discrimination with Respect to Employment or Occupation

The law and regulations prohibited discrimination regarding race, sex, gender, disability, language, sexual orientation, and/or gender identity, or social status. The law does not prohibit discrimination against individuals with HIV/AIDS. The government effectively enforced those laws and regulations within the formal sector. The law and regulations, however, do not protect those working within the informal sector, who made up 90 percent of the workforce.

Discrimination occurred in the informal sector with respect to Dalits and those with disabilities. Legal protections are the same for all, but gender discrimination with respect to wages was prevalent. Foreign migrant workers were largely undocumented and typically do not enjoy the protection of labor laws available to domestic workers.

e. Acceptable Conditions of Work

Federal law sets safety and health standards, but state government laws set minimum wages, hours of work, and safety and health standards. The daily minimum wage (with local cost of living allowance included) varied from 150 rupees (\$2.40) in Bihar to 361 rupees (\$5.80) in Delhi. The officially estimated poverty income level was less than 27 rupees (\$0.43) per day. State governments set a separate minimum wage for agricultural workers.

Laws on wages, hours, and occupational health and safety do not apply to the large informal sector.

The law mandates a maximum eight-hour workday and 48-hour workweek, as well as safe working conditions, which include provisions for restrooms, cafeterias, medical facilities, and ventilation. The law mandates a minimum rest period of 30

minutes after every four hours of work and premium pay for overtime but does not mandate paid holidays. The law prohibits compulsory overtime but does not limit the amount of overtime a worker can work. Occupational safety and health standards set by the government were generally up to date and covered the main industries in the country.

State governments were responsible for enforcing minimum wages, hours of work, and safety and health standards. Specific data on the number of total labor inspectors were unavailable, and, in general, the number of inspectors was insufficient to enforce labor law. State governments did not effectively enforce the minimum wage law for agricultural workers. Enforcement of safety and health standards was poor, especially in the informal sector but also in some formal sector industries. Penalties for violation of occupational safety and health standards range from a fine of 100,000 rupees (\$1,600) to imprisonment of up to two years but were not sufficient to deter violations.

Violations of wage, overtime, and occupational safety and health standards were common in the informal sector (industries and/or establishments that do not fall under the purview of the Factories Act), which employed 93 percent of the workforce. Workers in small, low-technology factories were frequently exposed to hazardous working conditions. Undocumented foreign workers did not receive basic occupational health and safety protections. In many instances workers could not remove themselves from situations that endangered health or safety without jeopardizing their employment.

On May 31, two sanitation workers hired to clean a blocked drain died after inhaling poisonous gases when they entered an 18-foot-deep sewage line in a residential apartment in Hyderabad. The apartment occupants said they hired the two individuals after municipal authorities did not respond to their complaints. In its June 6 report on the incident, the Asian Human Rights Commission reported that on March 27 the Supreme Court ordered enforcement of the 2013 Prohibition of Employment as Manual Scavengers and their Rehabilitation Act and banned the manual cleaning of sewage lines. Implementation of the act was rare, however, and manual scavenging persisted. The commission quoted a Dalit rights activist who stated that at least 700 deaths in manholes occurred across the country every year.

Industrial accidents occurred frequently. On June 27, an explosion in a gas pipeline belonging to the state-run Gas Authority of India Limited in East

Godavari, Andhra Pradesh, killed 15 residents of a village. The media reported that residents said company officials took no action despite several complaints.