



Refugee Documentation Centre (Ireland)
LEGAL AID BOARD

India - Researched and compiled by the Refugee Documentation Centre of Ireland on Thursday 15 September 2016

Information on judicial/legal corruption

In November 2015 a document released by *Business Anti-Corruption* points out that:

“Corruption is especially prevalent in the judiciary, police, public services and public procurement sectors” (Business Anti-Corruption (1 November 2015) *Business Corruption in India*).

Freedom House in January 2016 reviewing events of the preceding notes in a report that:

“...the lower levels of the judiciary in particular have been rife with corruption, and most citizens have great difficulty securing justice through the courts.” (Freedom House (27 January 2016) *Freedom in the World 2016: India*).

In April 2016 the *United States Department of State* commenting on events of 2015 notes that:

“The law provides for an independent judiciary, but judicial corruption was widespread” (United States Department of State (13 April 2016) *2015 Country Reports on Human Rights Practices – India*).

In May 2016 the *Asian Human Rights Commission* notes in a report that:

“In India, the administrative process that a case file has to go through before the case is heard in court and beyond is enormous and cumbersome. Corruption is a huge problem and it is easy to bribe the officers in the court registry and get a case file delayed for decades, or fast-tracked to enable the case to be heard within hours. The Indian judiciary that has absolute control over the court registry has thus far failed to address corruption within its own premises. Further, an alarming number of Indian judges and a much higher number of court staff are deeply corrupt. Corruption is thus one of the reasons for delay in India, which cannot be dealt with by merely increasing judges” (Asian Human Rights Commission (10 May 2016) *India: Mere increase in the number of judges will not end delays*).

A document released in August 2016 by the *Inter Press Service* notes the:

“...corrupt legal system...” (Inter Press Service (9 August 2016) *Indian Jails Slammed as Purgatory for the Poor*).

A document released in October 2016 by *BMI Research* states:

“...corruption is a persistent issue in the government and judicial system” (BMI Research (1 October 2016) *India - Q4 2016*).

References

Asian Human Rights Commission (10 May 2016) *India: Mere increase in the number of judges will not end delays*

<http://www.ein.org.uk/members/country-report/india-mere-increase-number-judges-will-not-end-delays>

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<http://www.refworld.org/cgi-bin/texis/vtx/rwmain?page=printdoc&docid=5716125ac>

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This response was prepared after researching publicly accessible information currently available to the Refugee Documentation Centre within time constraints. This response is not and does not purport to be conclusive as to the merit of any particular claim to refugee status or asylum. Please read in full all documents referred to.

Sources Consulted

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European Country of Origin Information Network
Freedom House
Google
Human Rights Watch
Immigration and Refugee Board of Canada

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International Crisis Group
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Lexis Nexis
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Online Newspapers
Refugee Documentation Centre E-Library
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Reliefweb
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United Kingdom Home Office
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