

INDIA 2021 HUMAN RIGHTS REPORT

EXECUTIVE SUMMARY

India is a multiparty, federal, parliamentary democracy with a bicameral legislature. The president, elected by an electoral college composed of the state assemblies and parliament, is the head of state, and the prime minister is the head of government. The constitution gives the country's 28 states and nine union territories a high degree of autonomy and primary responsibility for law and order. Electors chose President Ram Nath Kovind in 2017 to serve a five-year term, and Narendra Modi became prime minister for the second time following the victory of the National Democratic Alliance coalition led by the Bharatiya Janata Party in the 2019 general election. Observers considered the parliamentary elections, which included more than 600 million voters, to be free and fair, but there were reports of isolated instances of violence.

The states and union territories have primary responsibility for maintaining law and order, with policy oversight from the central government. Police are within state jurisdiction. The Ministry of Home Affairs controls most paramilitary forces, the internal intelligence bureaus, and national law enforcement agencies, and provides training for senior officials from state police forces. Civilian authorities maintained effective control over the security forces. Members of the security forces committed some abuses.

Significant human rights issues included credible reports of: unlawful and arbitrary killings, including extrajudicial killings by the government or its agents; torture and cases of cruel, inhuman, or degrading treatment or punishment by police and prison officials; harsh and life-threatening prison conditions; arbitrary arrest and detention by government authorities; political prisoners or detainees; arbitrary or unlawful interference with privacy; restrictions on free expression and media, including violence, threats of violence, or unjustified arrests or prosecutions against journalists, use of criminal libel laws to prosecute social media speech; restrictions on internet freedom; overly restrictive laws on the organization, funding, or operations of nongovernmental organizations and civil society organizations; refoulement of refugees; serious government corruption;

Maharashtra killed 18 persons. Preliminary investigations revealed that flammable materials had been stored in the plant without following prescribed safety norms. On June 8, police arrested the factory director on charges of culpable homicide not amounting to murder and subsequently released him on bail. In March, Geneva-based IndustriALL noted high accident rates continued in factories, chemical plants, and mines. According to IndustriALL, the 14 accidents reported during the year resulted in 42 workers' deaths and approximately 100 workers being injured.

Informal Sector: Violations of wage, overtime, and occupational safety and health standards were common in the informal sector. The World Bank reported most of the labor force is employed in the informal sector. A report issued by the State Bank of India in October estimated the size of the informal sector was more than 52 percent of the total labor sector, but other estimates placed the percentage much higher. On August 26, the Ministry of Labor and Employment launched the e-Shram portal to develop a national database of unorganized workers including migrant workers, construction workers, and gig and platform workers. The portal will facilitate the extension of social-sector benefits to workers in the unorganized sector. More than 30 million unorganized workers registered on the portal as of October 8, nearly half of them women.

According to the World Bank's *Shifting Gears: Digitization and Services-Led Development* report, low-skilled and urban workers faced the brunt of employment shocks due to the second wave of COVID-19, and their earnings have yet to return to 2019 levels. In December 2020 a World Bank economist for South Asia and other experts noted more than 44 percent of the country's informal workers were unemployed in April 2020. In 2020 the International Labor Organization connected the high rate of informal work to a low level of education and skill levels of the overall workforce. Within the informal sector, casual or temporary wage workers were more likely to lose employment than self-employed workers, regardless of industry, location, education, or caste.