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India: Police databases and criminal tracking, particularly the Crime and Criminal Tracking Network and Systems (CCTNS); relationship with the Aadhaar and tenant verification systems; capacity to track persons through these systems (2019–May 2021) [IND200626.E]

Research Directorate, Immigration and Refugee Board of Canada

1. Overview

A December 2020 country information report on India by Australia's Department of Foreign Affairs and Trade (DFAT) states that "India does not have a centralised registration system in place to enable the police to check the whereabouts of inhabitants in their own state, let alone in any of the other states or union territories" (UTs) (Australia 10 Dec. 2020, para. 5.39). Hanif Qureshi, the Inspector-General of Police in the state of Haryana, indicates that India does "not have any national data[b]ase of criminals or gangs against which suspects can be identified" (Qureshi 9 Jan. 2020). The same source further indicates that police systems between districts and states are not integrated, creating "[i]slands of technology" which can only communicate within a state or district (Qureshi 9 Jan. 2020). Qureshi notes, for example, that a police officer issuing a traffic ticket would not be aware of the individuals' traffic violation history in other states, and "mostly [not] even within the state" (Qureshi 9 Jan. 2020).

2. CCTNS

A December 2020 report on CCTNS by the National Crime Record Bureau (NCRB) of the Ministry of Home Affairs (MHA) indicates that CCTNS was launched by the MHA in 2009 (India Dec. 2020, 3). A November 2015 article by the *Indian Express*, an Indian English-language newspaper, reports that CCTNS was launched in 2009 "with the aim of establishing seamless connectivity among 15,000 police stations across the country" and that "CCTNS entailed digitisation of data related to [First Information Reports (FIRs)] registered, cases investigated, and chargesheets filed in all police stations, in order to develop a national database of crime and criminals" (*The Indian Express* 20 Nov. 2015). According to the MHA's *Annual Report 2019-2020*, CCTNS was an expansion of the Common Integrated Police Application (CIPA), which aimed to "computeriz[e]" data at police stations in India; CCTNS "sought to interconnect all police stations and higher police offices for collecting and sharing information on crime and criminals on a common platform" (India [2020], para. 14.2). The same source notes that,

since 2015, the scope of the CCTNS project was extended beyond establishing a national database of crime and criminal records to [the] establishment of [an] Inter-Operable Criminal Justice System (ICJS) by integrating data from prisons, courts, prosecution, forensics, police and fingerprints. (India [2020], para. 14.5)

2.1 Implementation Status

According to the MHA annual report, CCTNS is being implemented by the NCRB (India [2020], para. 14.4). The December 2020 NCRB report indicates that, as of 31 October 2020, "connectivity" is available at 15,620 police stations out of 16,098 police stations in India (97 percent) (India Dec. 2020, 14). The same source states that CCTNS software has been "deployed" at 15,263 of 16,098 police stations in India (95 percent) (India Dec. 2020, 14).

3. Police Databases and Criminal Tracking

3.1 Capacity to Track Persons Through Police Databases

The December 2020 NCRB report notes that while CCTNS is a "centrally developed software" and has been introduced across India, there is "considerable" difference in versions and structure across states, particularly in "advanced" states [1], such as Gujarat, Karnataka, Andhra Pradesh, Telangana, and Tamil Nadu (India Dec. 2020, 36).

In correspondence with the Research Directorate, the Executive Director of the South Asia Terrorism Portal (SATP) and the Institute for Conflict Management (ICM) [2] indicated that photographs of 55 percent of arrested/missing persons have been entered into CCTNS, 69 percent of "the technical set up for handling CCTNS is in place," 81 percent of data from police stations across India is synched with CCTNS data "on the same day," and 91 percent of "old data has been migrated" (Executive Director 11 May 2021). The same source also noted that CCTNS is "live" in 30 states/UTs and "partially live" in 3 states/UTs, while Bihar, West Bengal, Jammu and Kashmir, and Ladakh have

not yet indicated when they will go "live" (Executive Director 11 May 2021). The Executive Director stated that "[a]ll of this makes it difficult to locate individuals" (Executive Director 11 May 2021). Corroborating information could not be found among the sources consulted by the Research Directorate within the time constraints of this Response.

According to Qureshi, CCTNS is available only through desktop computers, not through mobile platforms, except for "a few exceptions in some states" (Qureshi 9 Jan. 2020). A 2019 joint report on policing in India by Common Cause [3] and the Lokniti Programme for Comparative Democracy (Lokniti) at the Centre for the Study of Developing Societies (CSDS) [4] indicates that, according to a survey conducted among "close to" 12,000 police "personnel of all ranks," across 21 Indian states and various social groups, 68 percent of police reported that they "[a]lways" have access to a working computer at their workplace and 55 percent reported that they "[a]lways" have access to functioning CCTNS software (Common Cause and Lokniti 2019, 12, 44, 70-71). The same source further notes that the states which report the most access to functioning CCTNS are Chhattisgarh, Telangana and Punjab, while Bihar, West Bengal, and Assam report the lowest access to functioning CCTNS at the workplace (Common Cause and Lokniti 2019, 71).

The MHA annual report indicates the ICJS system can be used to search for an "accused" individual in police, prison, and court databases (India [2020], para. 14.5). The same source notes that ICJS "is being actively implemented in all the States/UTs" (India [2020], para. 14.5).

3.2 Information Sharing Across States and UTs

The DFAT report indicates that "state police do not have sophisticated online databases to track offenders; such work would be done manually" and that "[i]n general, there is a good degree of cooperation between state police services" (Australia 10 Dec. 2020, para. 5.11).

A September 2020 article by the *Indian Express* reports that CCTNS was not "effective" in linking all police stations in Maharashtra state and that, according to an official from the MHA, police stations were not able to view pending cases from other police stations "due to some technical issues" (*The Indian Express* 22 Sept. 2020).

Sources indicate that CCTNS is separated into central and state components (*Governance Now* 23 June 2018; *Express Computer* Feb. 2016). The central component is responsible for hosting data from across the country in a National Data Centre (NDC) and providing a Core Application Software (CAS) for capturing data (*Governance Now* 23 June 2018; *Express Computer* Feb. 2016), which allows for a searchable national database (*Governance Now* 23 June 2018). According to a February 2016 article in *Express Computer* magazine [5], each state or UT has its own data centre, called the State Data Centre (SDC), to which its police stations are connected; in turn, data from the SDCs is uploaded to the NDC (*Express Computer* Feb. 2016). The Executive Director similarly stated that each state or UT has its own CAS, known as "CAS (State)" and further noted that "CAS (Centre) is maintained by the NCRB as the national database" and is used to facilitate information exchange among states/UTs and between states/UTs and the central government (Executive Director 11 May 2021). An MHA memorandum dated 30 November 2015 and issued to all states and UTs indicates that, per "guidelines," all states/UTs "need to share data" with the NDC and that "[o]nly" those that do so will be able to access the national database and "related reports"; this enables "real time" searches and queries of national crime data (India 30 Nov. 2015). The December 2020 NCRB report notes that the purpose of CAS (Centre) is to maintain "a national database of crimes, criminals and other information collated from the [s]tates across the country and provide reporting and analysis on the data to various stakeholders" (India Dec. 2020, 28). The same source indicates that CAS search is "now available" at the police station level in India and that different search parameters are available for persons of interest, including age, height, and physical features (India Dec. 2020, 6). The December 2020 NCRB report notes that police stations and law enforcement agencies can search "[d]etails of any case registered across India," starting with the FIR (India Dec. 2020, 62).

The December 2020 NCRB report indicates that a digital police portal was launched on 21 August 2017 and that this portal enables searches for a "criminal/suspect" in a national-level CCTNS database (India Dec. 2020, 15). The same source notes that 14,671 out of 16,098 police stations in India (91 percent) have access to the national CCTNS database (India Dec. 2020, 15). According to the CCTNS Pro-Active Governance and Timely Implementation (Pragati) dashboard [6] of 1 April 2021, 92 percent of police stations are able to conduct searches on the national database (India 1 Apr. 2021, 3).

3.3 Information Captured on CCTNS

A paper on "smart policing" by Shivangi Narayan, a researcher who studies digital policing in India (Shivangi Narayan n.d.), states that CCTNS records data from FIRs and the "'daily diary' or the 'general diary' (an account of the daily functioning of the police station)" (Narayan 4 Sept. 2017, 2). The same source indicates that "most" crime data in police stations comes from complaints, which are not recorded in CAS, and that "only a portion of complaints become FIRs," which are recorded in CAS (Narayan 4 Sept. 2017, 2). For information on FIRs, such as whether FIRs are centralized and stored on police databases, including CCTNS, see Response to Information Request IND200628 of June 2021.

An article on information sharing in the criminal justice system by Sushil Kannan, a joint assistant director of India's NCRB, published in the *NCRB Journal*, indicates that there are a total of twenty-four forms, including seven major Integrated Investigation Forms (IIF), which are used to capture information on suspects or accused persons in CCTNS (Kannan Oct. 2019, 3). The Pragati Dashboard of 1 April 2021 lists the following IIF entered into CCTNS:

- FIR, IIF 1;

- Crime Details Form, IIF 2;
- Arrest/Court Surrender Form, IIF 3;
- Property Search and Seizure Form, IIF 4;
- Final Form/Report, IIF 5;
- Court Disposal Form, IIF 6;
- Result of Appeal Form, IIF 7;
- Missing Person Registration, IIF 8;
- Unidentified Person Registration, IIF 9;
- Registration of Unidentified Dead Body, IIF 10;
- Registration of Unnatural Death, IIF 11 (India 1 Apr. 2021, 58).

The same source states that across India, 87 percent IIF 1 to IIF 6 forms and 65 percent IIF 8 to IIF 11 forms are entered into CAS (India 1 Apr. 2021, 2). Narayan states that there are inconsistencies in the statistics on the Pragati Dashboard; Narayan notes, for example, that on a 2017 Pragati Dashboard, one page indicates that 80 percent of Delhi police stations were entering information on IIF 1 to 5 on CAS and 30 percent were entering information on IIF 6 to 7, but subsequent pages on the same dashboard indicate that Delhi was entering 100 percent of information from IIF 1 to 7 (Narayan 4 Sept. 2017, 2).

Regarding whether information on extrajudicial arrests would be captured in criminal databases, the Executive Director indicated that "[n]o official record of such arrests is maintained" in official criminal databases, including CCTNS (Executive Director 11 May 2021). Corroborating information could not be found among the sources consulted by the Research Directorate within the time constraints of this Response.

4. Relationship Between Aadhaar and Police Databases

For information on the Aadhaar number, its uses, the relationship between Aadhaar and police databases, and whether authorities use Aadhaar registration to track individuals, see Response to Information Request IND200627 of May 2021.

5. Relationship Between Police Databases and Tenant Verification

The Executive Director noted that one of the stated uses of CCTNS is the verification of tenants and that CCTNS is used for this purpose "but utilization varies widely between states" (Executive Director 11 May 2021). A July 2019 *Indian Express* article explains that in Chandigarh, after the police receive tenant verification forms, the forms are sent to the district police superintendents for "the authentication of names, addresses, criminal background[,] etc." (*The Indian Express* 23 July 2019). An anonymous Station House Officer (SHO) [7] cited in the same source indicated that the "Information Sheets" are sent directly to "area SHOs" in cases where a police station's name and "jurisdiction" are mentioned, adding that "[i]t is a lengthy process" (*The Indian Express* 23 July 2019). The SHO notes that neighbouring states, such as Haryana, Punjab, Himachal and "even" New Delhi, often reply "shortly" on the back of the Information Sheet but that there is a "long" wait for a response from "faraway states," such as UP [Uttar Pradesh], Bihar and West Bengal (*The Indian Express* 23 July 2019). Further and corroborating information on the use of police databases during tenant verification could not be found among the sources consulted by the Research Directorate within the time constraints of this Response.

This Response was prepared after researching publicly accessible information currently available to the Research Directorate within time constraints. This Response is not, and does not purport to be, conclusive as to the merit of any particular claim for refugee protection. Please find below the list of sources consulted in researching this Information Request.

Notes

[1] The December 2020 report by the National Crime Record Bureau (NCRB) of the Ministry of Home Affairs (MHA) notes that six "[a]dvanced [s]tates," including Andhra Pradesh, Goa, Gujarat, Karnataka, Tamil Nadu and Telangana, opted to "adopt their own software because these [s]tates ha[d] been using their own [p]olice applications before [the] introduction of [the Crime and Criminal Tracking Network and System (CCTNS)]" (India Dec. 2020, 4).

[2] The South Asia Terrorism Portal (SATP) is an online database focusing on "terrorism and low intensity warfare in South Asia" (SATP n.d.a). The SATP is a project of the New Delhi-based Institute for Conflict Management (ICM), which is a "non-profit [s]ociety" "committed to the continuous evaluation and resolution of problems of internal security in South Asia," including in India (SATP n.d.b).

[3] Common Cause is a "registered society" seeking to "promote, democracy, good governance and public policy reforms [through] advocacy [as well as] interventions by formal and informal policy engagements" (Common Cause and Lokniti 2019, 186).

[4] The Centre for the Study of the Developing Societies (CSDS) is an India-based research institute of social sciences and humanities; the Lokniti Programme for Comparative Democracy is a CSDS research program that seeks "to engage with national and global debates on democratic politics" (Common Cause and Lokniti 2019, 186).

[5] *Express Computer* is an Indian publication covering technology and "eGovernance" (*Express Computer* n.d.).

[6] The Pro-Active Governance and Timely Implementation (Pragati) Dashboard is a monthly report on the status of CCTNS published by the NCRB (Common Cause and Lokniti 2019, 28).

[7] Station House Officers (SHO) are authorized to register complaints and criminal cases (*The Times of India* 1 Jan. 2018).

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Additional Sources Consulted

Oral sources: Centre for Internet and Society; Common Cause; Indian Police Foundation; legal researcher in India who studies technology; postdoctoral fellow at a university in California who studies policing in India; professor of criminal justice at a university in Indiana who studies criminal justice and policing in India; professor of sociology at a university in Colorado who studies criminology in India.

Internet sites, including: Amnesty International; Asian Centre for Human Rights; BiometricUpdate.com; Carnegie Endowment for International Peace – Carnegie India; Centre for Internet and Society; Centre for Policy Research; Citizen Matters; Commonwealth Human Rights Initiative; DAKSH; *Deccan Herald*; *The Diplomat*; ecoi.net; *The Economic Times*; EU – European Asylum Support Office; Freedom House; *The Hindu*; *Hindustan Times*; Human Rights Watch; India – Digital India, Open Government Data Platform India; *India Today*; Indian Police Foundation; Internet Freedom Foundation; MediaNama; *Mint*; *Outlook*; *The Pioneer*; Press Trust of India; Public Affairs Centre; Tata Trusts; UK – Home Office; UN – Refworld; Vidhi Centre for Legal Policy.

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