

# Custodial Violence and the CCTV Mirage: Why Rule of Law is Faltering in Uttar Pradesh

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The Supreme Court's landmark ruling in **Paramvir Singh Saini v. Baljit Singh**,<sup>1</sup> was supposed to be a watershed moment for human rights in India. It mandated that every police station be equipped with night-vision CCTV cameras, recording both audio and video, with a non-negotiable requirement to preserve footage for a minimum of one year, and ideally eighteen months. These weren't mere administrative suggestions; they were constitutional imperatives issued under Article 21 to ensure that transparency becomes the bedrock of human dignity in custodial spaces. However, responses to my RTI applications across Uttar Pradesh reveals a disturbing systemic defiance of these mandates.

## The RTI Revelations: A Patchwork of Non-Compliance

Inquiries into districts like Lucknow, Kanpur, Ghaziabad, Bahraich, and Lakhimpur Kheri painted a picture of administrative apathy. Instead of the mandated 12–18 months of storage, police stations reported retention periods that are practically useless for any victim seeking justice:

- Kanpur (Naubasta Police Station): A meager seven days of retention.
- Kanpur (Barra Police Station): Fifteen days.
- Lucknow (Chowk Police Station): Thirty days.
- Unnao (Kotwali Police Station): Forty-eight days.

Beyond storage, the infrastructure itself is crumbling. In Bahraich's Dargah Sharif Police Station, only three out of five cameras were functional. In many other locations, power outages and a lack of battery backups render the cameras inoperative exactly when they are needed most. Furthermore, maintenance is often outsourced to local vendors, creating a high risk of tampering and a total lack of technical reliability.

The applications under the Right to Information Act were filed soliciting particulars pertaining to the installation of surveillance cameras within the precincts of police stations. The queries encompassed the precise dates of installation, the aggregate number of cameras deployed, the technical specifications including storage capacity, the identification of devices equipped with audio-visual capability, and the details of the agency entrusted with the upkeep and maintenance of such equipment.

The responses so furnished under the Right to Information Act proved to be an eye opener, laying bare in meticulous detail the lackadaisical and indifferent attitude of the police authorities in preserving and maintaining the very data which, by mandate, was to serve as a safeguard against human rights violations within police stations. The disclosures revealed that not a single police station maintained the requisite records; in a significant number of instances, the cameras were found non-functional, and no corrective mechanism was instituted to ensure prompt repair or restoration. The procurement of this information

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<sup>1</sup> (2021) 1 SCC 184

itself became a formidable challenge, as it was disseminated only after the matter was carried to the State Information Commission, Uttar Pradesh, thereby impugning the deliberate delay and unresponsive conduct of the police in handling the RTI applications.

Illustratively, the General Diary Report of Police Station Ashiyana, Lucknow, dated 20.08.2024, candidly recorded that the cameras installed therein were not functioning and that recordings were not taking place, necessitating the calling of a technician for repairs, yet, whether such repairs were ever effected remains shrouded in uncertainty. Likewise, Police Station Malihabad in Lucknow reported that its cameras remained dysfunctional between 09.07.2024 and 20.07.2024 owing to electricity failure, with no backup facility in place, thereby exposing a grave lacuna in compliance. Police Stations Thakurganj in Lucknow and Police Station Wazirganj, having jurisdiction over the district court of the State Capital, furnished evasive replies, stating that recording was “dependent upon storage capacity,” a response that is nothing but a sham. These revelations collectively demonstrate the abysmal state of compliance with the binding mandate of the Hon'ble Supreme Court, and underscore the urgent need for judicial scrutiny and remedial directions.

This systemic failure reached a breaking point in the Lucknow Bench of the Allahabad High Court during the case of *Rubi Singh v. State of U.P.*<sup>2</sup> The petitioner alleged illegal detention, custodial assault, and sexual harassment at the Unnao Kotwali police station, a station that also violated Section 179 of the *Bharatiya Nagarik Suraksha Sanhita, 2023*, by summoning a woman to the station instead of questioning her at her residence. When the Court demanded the CCTV footage, the police claimed only two to two-and-a-half months were available, citing a circular from the Director General of Police (DGP) dated June 20, 2025. The High Court's reaction was scathing, noting that the DGP's circular “prima facie runs in contempt” of the Supreme Court's orders. The Chief Secretary was subsequently summoned to explain why the state's internal guidelines were actively undermining the law of the land.

I have sent detailed representations to the Chief Secretary and the DGP in January 2025 and again in January 2026, providing documentary evidence of these widespread violations. These warnings were met with silence, and the opportunity for the State to correct itself was lost, forcing judicial intervention. As the Supreme Court noted in *K.H. Shekarappa Vs State of Karnataka*,<sup>3</sup> it is “distressing” that torture continues to take place under the “shield of uniform and authority” within the four walls of a police station where victims are helpless.

CCTV cameras are not just machines; they are instruments of transparency and dignity. The mandate must also extend beyond police stations to every agency with coercive power, including the Enforcement Directorate (ED), the CBI, and the Forest Department. The common man looks to the legal fraternity to be conscience-keepers. We must move beyond seeing these mandates as sterile precedents and treat them as the living breath of our Constitution. The State must now act decisively and uniformly to ensure that the rule of law is not just a slogan, but a reality.

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<sup>2</sup> Criminal Misc. Writ Petition No. 11121 of 2025, High Court of Judicature at Allahabad, Lucknow Bench.

<sup>3</sup> (2009) 17 SCC 1



## References:

### Case Laws:

1. Paramvir Singh Saini v. Baljit Singh, (2021) 1 SCC 184
2. Rubi Singh v. State of U.P., Crim. Misc. Writ Petition No. 11121/2025 (All. HC, Lucknow)
3. K.H. Shekarappa v. State of Karnataka, (2009) 17 SCC 1

### Legislation:

4. Constitution of India
5. Bharatiya Nagarik Suraksha Sanhita, 2023
6. Right to Information (RTI) Act, 2005