



Home Office

Country Policy and Information Note

India: Internal relocation

Version 1.0

January 2019

Preface

Purpose

This note provides country of origin information (COI) and analysis of COI for use by Home Office decision makers handling particular types of protection and human rights claims (as set out in [the basis of claim](#) section). It is not intended to be an exhaustive survey of a particular subject or theme.

It is split into two main sections: (1) analysis and assessment of COI and other evidence; and (2) COI. These are explained in more detail below.

Assessment

This section analyses the evidence relevant to this note – i.e. the COI section; refugee/human rights laws and policies; and applicable caselaw – by describing this and its inter-relationships, and provides an assessment on whether, **in general**:

- A person is reasonably likely to face a real risk of persecution or serious harm
- A person is able to obtain protection from the state (or quasi state bodies)
- A person is reasonably able to relocate within a country or territory
- Claims are likely to justify granting asylum, humanitarian protection or other form of leave, and
- If a claim is refused, it is likely or unlikely to be certifiable as ‘clearly unfounded’ under section 94 of the Nationality, Immigration and Asylum Act 2002.

Decision makers **must**, however, still consider all claims on an individual basis, taking into account each case’s specific facts.

Country of origin information

The country information in this note has been carefully selected in accordance with the general principles of COI research as set out in the [Common EU \[European Union\] Guidelines for Processing Country of Origin Information \(COI\)](#), dated April 2008, and the Austrian Centre for Country of Origin and Asylum Research and Documentation’s (ACCORD), [Researching Country Origin Information – Training Manual, 2013](#). Namely, taking into account the COI’s relevance, reliability, accuracy, balance, currency, transparency and traceability.

The structure and content of the country information section follows a [terms of reference](#) which sets out the general and specific topics relevant to this note.

All information included in the note was published or made publicly available on or before the ‘cut-off’ date(s) in the country information section. Any event taking place or report/article published after these date(s) is not included.

All information is publicly accessible or can be made publicly available, and is from generally reliable sources. Sources and the information they provide are carefully considered before inclusion.

Factors relevant to the assessment of the reliability of sources and information include:

- the motivation, purpose, knowledge and experience of the source
- how the information was obtained, including specific methodologies used
- the currency and detail of information, and
- whether the COI is consistent with and/or corroborated by other sources.

Multiple sourcing is used to ensure that the information is accurate, balanced and corroborated, so that a comprehensive and up-to-date picture at the time of publication is provided of the issues relevant to this note.

Information is compared and contrasted, whenever possible, to provide a range of views and opinions. The inclusion of a source, however, is not an endorsement of it or any view(s) expressed.

Each piece of information is referenced in a brief footnote; full details of all sources cited and consulted in compiling the note are listed alphabetically in the [bibliography](#).

Feedback

Our goal is to continuously improve our material. Therefore, if you would like to comment on this note, please email the [Country Policy and Information Team](#).

Independent Advisory Group on Country Information

The [Independent Advisory Group on Country Information](#) (IAGCI) was set up in March 2009 by the Independent Chief Inspector of Borders and Immigration to support him in reviewing the efficiency, effectiveness and consistency of approach of COI produced by the Home Office.

The IAGCI welcomes feedback on the Home Office's COI material. It is not the function of the IAGCI to endorse any Home Office material, procedures or policy. The IAGCI may be contacted at:

Independent Advisory Group on Country Information

Independent Chief Inspector of Borders and Immigration

5th Floor

Globe House

89 Eccleston Square

London, SW1V 1PN

Email: chiefinspector@icinspector.gov.uk

Information about the IAGCI's work and a list of the documents which have been reviewed by the IAGCI can be found on the Independent Chief Inspector's pages of the [gov.uk website](#).

Contents

Assessment	5
1. Introduction	5
1.1 Basis of claim	5
1.2 Points to note	5
2. Consideration of issues	5
2.1 Credibility.....	5
2.2 Exclusion.....	5
2.3 Internal relocation.....	5
Country information	8
3. Geography and demography	8
3.1 Size	8
4. Identity documents.....	9
5. Freedom of movement.....	9
5.1 Legal rights.....	9
5.2 Restrictions.....	9
5.3 Internal movement.....	10
5.4 Police ability to locate a person	10
5.5 Transport network	11
5.6 Exit and entry	11
6. Key socio-economic indicators	12
6.2 Employment	12
6.3 Cost of living and average wage	13
6.4 Welfare	13
6.5 Property rights and housing.....	14
6.6 Education	15
6.7 Healthcare.....	15
7. Treatment of returnees	15
Terms of Reference	16
Bibliography	17
Sources cited.....	17
Sources consulted but not cited.....	19
Version control	20

Assessment

Updated: 23 January 2018

1. Introduction

1.1 Basis of claim

1.1.1 Whether it is reasonable for a person at risk of persecution and / or serious harm from state or non-state actors to internally relocate.

1.2 Points to note

1.2.1 Where a claim is refused, it must be considered for certification under section 94 of the Nationality, Immigration and Asylum Act 2002, as India is listed as a designated state (see [Certification of protection and human rights claims under section 94 of the Nationality, Immigration and Asylum Act 2002 \(clearly unfounded claims\)](#)).

[Back to Contents](#)

2. Consideration of issues

2.1 Credibility

2.1.1 For information on assessing credibility, see the [Asylum Instruction on Assessing Credibility and Refugee Status](#).

2.1.2 Decision makers must also check if there has been a previous application for a UK visa or another form of leave. Asylum applications matched to visas should be investigated prior to the asylum interview (see the [Asylum Instruction on Visa Matches, Asylum Claims from UK Visa Applicants](#)).

2.1.3 Decision makers should also consider the need to conduct language analysis testing (see the [Asylum Instruction on Language Analysis](#)).

[Back to Contents](#)

2.2 Exclusion

2.2.1 Decision makers must consider whether one (or more) of the exclusion clauses is applicable. Each case must be considered on its individual facts and merits.

2.2.2 For further guidance on the exclusion clauses and restricted leave, see the [Asylum Instruction on Exclusion: Article 1F of the Refugee Convention](#) and the [Asylum Instruction on Restricted Leave](#).

[Back to Contents](#)

2.3 Internal relocation

2.3.1 Where the person's fear is of persecution and/or serious harm at the hands of state actors, including rogue-state actors, decision makers must consider whether the person will be able to relocate to escape that risk.

2.3.2 Where the person fears persecution and/or serious harm at the hands of non-state actors, in general they will be able to relocate to escape that risk.

2.3.3 India is a diverse, multi-ethnic, multi-lingual society with a population of approximately 1.2 billion. The country comprises 36 states and 'union

territories'. There are multiple urban centres with populations of over 1 million and many major cities with populations of over 5 million (for more information on geography and demography see the [Country Background Note](#) on India). Disparity of living standards varies across the regions (see [Key socio-economic indicators](#)).

- 2.3.4 The law provides for freedom of movement and grants citizens the right to reside and settle in any part of the territory of India; in practice freedom of movement is generally possible, however it is limited in some parts of the country by insurgent violence or communal tensions and the ability of women and vulnerable groups to move freely may be restricted, depending on particular circumstances. Internal migration flows are substantial, with an estimated 307 million internal migrants in India (2001 census). Internal migrants' access to public services may be limited without appropriate identity documentation (see [Freedom of movement](#) and [Citizenship and identity](#)).
- 2.3.5 When considering whether a gay man, who may be at risk of harm from his family, could be expected to relocate, the Country Guidance case [MD \(same-sex oriented males: risk\) India CG \[2014\] UKUT 65 \(IAC\)](#) (heard on 24 February 2012 and 10 October 2013 and promulgated 12 February 2014), the Upper Tribunal (UT) held that 'India is a country of 1.2 billion people and we have not been drawn to any evidence that there is a central registration system in place which would enable the police to check the whereabouts of inhabitants in their own state, let alone in any of the other states or unions within the country. We consider the possibility of the police, or any other person or body, being able to locate, at the behest of an individual's family, a person who has fled to another state or union in India, to be remote.' (paragraph 154). See also the Country Policy Information Notes on [India: Sexual orientation and gender identity](#).
- 2.3.6 Tracking and surveillance systems appeared to be limited and there is no centralised registration system in place to enable police to check the whereabouts of inhabitants in their own state or in other states or union territories (see [Police ability to locate a person](#)). Each state and union territory has responsibility for its own separate police force and effectiveness and conduct varies across states (see the [Country Policy and Information Note India: Actors of protection](#)).
- 2.3.7 When considering the position of internal relocation for lesbians, the Upper Tribunal's determination in the Country Guidance case [AR and NH \(lesbians\) India CG \[2016\] UKUT 00066 \(IAC\)](#) (heard on 23 June 2015 and promulgated 1 February 2016) held:
- 'If a lesbian woman's family wishes to pursue and harm her in the place of internal relocation, their ability to do so will depend on the reach of the family network, how persistent they are, and how influential...
- 'In general, where there is a risk of persecution or serious harm in a lesbian woman's home area, for educated, and therefore "middle class" women, an internal relocation option is available. They are likely to be able to relocate to one of the major cities in India and are likely to be able to find employment and support themselves, albeit with difficulty, and to live together openly,

should they choose to do so. In general, such relocation will not be unduly harsh.’ (paragraphs 78(11-12)). See also the Country Policy Information Notes on [India: Sexual orientation and gender identity](#).

- 2.3.8 The Country Guidance case [BK \(Risk, Adultery, PSG\) India CG \[2002\] UKIAT 03387 \(2 August 2002\)](#), heard on 15 May 2002, also considered relocation. The Upper Tribunal held that it would be unduly harsh to expect the appellant (a woman who had committed adultery and borne an illegitimate child) to relocate in India because ‘the reality is that she would be destitute, without accommodation, without housing and with no one to turn to’ (paragraph 15). This case remains Country Guidance. See also the Country Policy and Information Note on [India: Women fearing gender-based violence](#).
- 2.3.9 Decision makers must give careful consideration to the relevance and reasonableness of internal relocation taking full account of the individual circumstances of the particular person (for information on employment, cost of living and housing, see [Key socio-economic indicators](#)).
- 2.3.10 In general, a person fearing state and non-state (including ‘rogue’ state) actors is likely to be able to internally relocate to another area of India.
- 2.3.11 For further information on internal relocation for minority groups, including religious minorities, gay men and lesbians, and women, see the Country Policy and Information Notes on [India: Religious minorities](#), [India: Sexual orientation and gender identity](#) and [India: Women fearing gender-based violence](#).
- 2.3.12 For further guidance on internal relocation and the factors to be considered, see the [Asylum Instruction on Assessing Credibility and Refugee Status](#).

[Back to Contents](#)

Country information

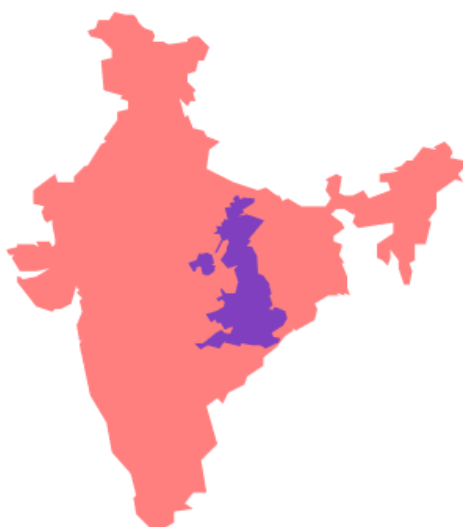
Section 3 updated: 18 December 2018

3. Geography and demography

3.1 Size

3.1.1 The CIA World Factbook noted India is the 8th largest country in the world by area, covering a total of 3,287,263 sq km (land: 2,973,193 sq km and water: 314,070 sq km)¹.

3.1.2 Mapfight's website shows that India is 14 times the size of the UK².



3.1.3 India has an estimated population of nearly 1,282 million³. There are more than 50 urban areas in India which have a population of over 1 million⁴. The ten largest cities, with their metropolitan area populations, are: Mumbai 18,414,288; Delhi 16,314,838; Kolkata 14,112,536; Bengaluru (Bangalore) 8,499,399; Hyderabad 7,749,334; Ahmedabad 6,352,254; Chennai 8,696,010; Pune 5,049,968; Surat 4,585,367; Jaipur 3,046,163; (2011 Census)⁵.

3.1.4 For further information about the geography, population, demography (including ethnic/religious make-up and languages), the main population centres and India's administrative divisions, see the Country Background Note on [India](#).

3.1.5 For further information on religious demography see the Country Policy and Information Note on [India: Religious minorities](#).

[Back to Contents](#)

¹ CIA Factbook, 'India', (Geography), updated 23 October 2018, [url](#).

² Mapfight, 'India vs UK', n.d., [url](#).

³ CIA Factbook, 'India', (People and Society), updated 23 October 2018, [url](#).

⁴ World Population Review, 'India Population 2018', [url](#).

⁵ Census 2011, 'City Census 2011', [url](#).

4. Identity documents

- 4.1.1 Information on requirements and procedures to obtain the Aadhaar [identity] number; use of the Aadhaar, including in accessing housing, employment and private and public services; whether authorities use Aadhaar registration to track individuals across the country, was provided by the [Immigration and Refugee Board \(IRB\) of Canada Research Directorate response](#), dated 23 May 2018⁶.
- 4.1.2 For further information on citizenship and identity documents, see the Country Background Note on [India](#).

[Back to Contents](#)

5. Freedom of movement

5.1 Legal rights

- 5.1.1 Indian law provides for freedom of internal movement, foreign travel, emigration, and repatriation, and the government generally respects these rights⁷. Article 19 of the constitution grants citizens the right to reside and settle in any part of the territory of India⁸. Indian citizens are required to obtain special permits upon arrival when travelling to certain restricted areas⁹.

[Back to Contents](#)

5.2 Restrictions

- 5.2.1 According to the Constitution, freedom of movement is subject to reasonable restrictions in the interests of the sovereignty and integrity of India and the security of the state¹⁰. As noted in the Australian Government's Department of Foreign Affairs and Trade (DFAT) Country Information Report India, dated October 2018, 'The interpretation of "reasonable restrictions" is left to the government and courts. It enables laws and regulations that can restrict movement (for example, where there is unrest or in some border areas) and residence (non-residents cannot buy land in Jammu and Kashmir or in Uttarakhand).'¹¹
- 5.2.2 Freedom House noted in its 2018 Freedom in the World report that freedom of movement was hindered in some parts of the country by insurgent violence or communal tensions¹².

[Back to Contents](#)

⁶ IRB, 'India: Requirements and procedures to obtain the Aadhaar number', 23 May 2018, [url](#).

⁷ USSD, 'Human Rights Report 2017 – India', (Section 2d), 20 April 2018, [url](#).

⁸ Constitution of India, (Article 19(e)), [url](#).

⁹ USSD, 'Human Rights Report 2017 – India', (Section 2d), 20 April 2018, [url](#).

¹⁰ Constitution of India, (Article 19(2)), [url](#).

¹¹ DFAT, 'Country Information Report India', (paragraph 5.14), 17 October 2018, [url](#).

¹² Freedom House, 'Freedom in the World 2018 – India', (G1), 1 March 2018, [url](#).

5.3 Internal movement

5.3.1 The DFAT Country Information Report India noted:

'India's internal migration flows are substantial. Migration data from the 2011 census has been collected, but not yet released. The 2001 census recorded an estimated 307 million internal migrants in India, defining as a migrant anyone who lived in a place different to their place of birth or place of last residence. This figure represents approximately 30 per cent of India's total population. The numbers may include people who had moved over very short distances within the same district, and may have missed a significant number of seasonal migrants, many of whom work in the informal sector without papers.'¹³

5.3.2 DFAT noted some of the limitations affecting internal movement, stating:

'These include language barriers, a lack of documentation, lack of familial or community networks, lack of financial resources and employment opportunities, and discrimination based on ethnicity, religion, caste or gender.

'India is a multi-lingual and multi-ethnic nation. Language barriers prevent internal migrants from obtaining access to health or educational opportunities. Bilingual or multilingual internal migrants have better opportunities for internal relocation.

'A lack of identity documents and proof of local residence can restrict internal migrants' access to public services and social security programs or even banking facilities. As a result, they often face barriers in obtaining subsidised food, housing and banking services until they can establish identity and local residence. Ethnic, religious or caste identity may lead to anti-migrant sentiment and limit options for internal relocation. Requirements to provide details of a husband's or father's name can exclude single women, women with children and domestic violence survivors from government services and accommodation.'¹⁴

See also [Key socio-economic indicators](#).

5.3.3 For further information on minority groups see the Country Policy Information Notes on [India: Religious minorities](#), [India: Sexual orientation and gender identity](#) and [India: Women fearing gender-based violence](#).

[Back to Contents](#)

5.4 Police ability to locate a person

5.4.1 The DFAT report noted 'India does not have a centralised registration system in place to enable police to check the whereabouts of inhabitants in their own state, let alone in other states or union territories.'¹⁵ Tracking and surveillance systems appeared to be limited. For information on whether police authorities across India are able to locate an individual, see the [Immigration and Refugee Board of Canada \(IRB\) Research Directorate](#)

¹³ DFAT, 'Country Information Report India', (paragraph 5.15), 17 October 2018, [url](#).

¹⁴ DFAT, 'Country Information Report India', (paragraphs 5.16-5.18), 17 October 2018, [url](#).

¹⁵ DFAT, 'Country Information Report India', (paragraph 5.20), 17 October 2018, [url](#).

[response](#), dated June 2018¹⁶, and the [IRB Research Directorate response](#), dated May 2018¹⁷, as well as the [Country Policy and Information Note: India: Actors of Protection](#).

[Back to Contents](#)

5.5 Transport network

5.5.1 According to the website of The Commonwealth:

‘There are 4,689,842 km of roads, 47 per cent paved. The number of vehicles and the demand for roads is growing very rapidly.

‘India has Asia’s biggest, and the world’s fourth biggest, railway system, with 64,460 km of track. The cities are connected by express trains, and there are local trains between most parts of the country.

‘The chief western port is Mumbai, and the chief eastern ports are Kolkata–Haldia and Chennai. The country has 7,520 km of coastline and coastal shipping of freight within India plays an important role. There are about 19,000 km of navigable inland waterways, though only 4,600 km is navigable by large vessels.

‘There are international airports at Mumbai, Kolkata, Delhi, Chennai and Ahmadabad, and a total of about 250 airports with paved runways.’¹⁸

5.5.2 For further information on India’s transport network, see the national portal of India – [Transport](#).

5.5.3 For further information on transport links, see the Country Background Note on [India](#).

[Back to Contents](#)

5.6 Exit and entry

5.6.1 The IRB Research Directorate provided information in regard to returns to India, dated May 2016, and noted:

‘According to the website of India’s Bureau of Immigration, Ministry of Home Affairs, Indian citizens travelling abroad are required to have a valid Indian passport and a visa for the destination country, if required, prior to departure [...]. The same source notes that citizens who have an “Emigration Check Required (ECR)” category of passport require clearance from the Ministry of Overseas Indian Affairs for some destinations [¹⁹] when travelling on an employment visa. ... The Bureau of Immigration website also states that Indian citizens are required to have a valid Indian passport or a travel document issued by Indian authorities in order to re-enter India. ... The Bureau of Immigration also notes that immigration authorities conduct an

¹⁶ IRB, ‘India: Surveillance by state authorities’, 25 June 2018, [url](#).

¹⁷ IRB, ‘India: Requirements and procedures to obtain the Aadhaar number’, 23 May 2018, [url](#).

¹⁸ The Commonwealth, ‘India’, n.d., [url](#).

¹⁹ Bureau of Immigration, Emigration clearance is required of ECR category passport holders, as per The Emigration Act 1983, for the following countries: United Arab Emirates (UAE), Saudi Arabia, Qatar, Oman, Kuwait, Bahrain, Malaysia, Libya, Jordan, Yemen, Sudan, Brunei, Afghanistan, Indonesia, Syria, Lebanon, Thailand, Iraq (emigration banned), 30 August 2018, [url](#).

immigration check on all passengers both at the time of departure and arrival and stamp the person's passport accordingly.²⁰

- 5.6.2 The IRB Research Directorate also provided [Information on airport security screening procedures for passengers departing on international flights](#), dated 28 April 2017²¹, and the [rights in relation to passport seizure](#), dated 13 May 2016²².

[Back to Contents](#)

Section 6 updated: 18 December 2018

6. Key socio-economic indicators

- 6.1.1 Information on the [socio-economic profile of Bengaluru, Chennai, Delhi, Hyderabad, Kolkata, Ludhiana, Mumbai, including population, demographics and economy; tenant registration requirements](#), was provided by the Immigration and Refugee Board (IRB) of Canada Research Directorate response, dated 25 May 2018²³.
- 6.1.2 The Organisation for Economic Co-operation and Development (OECD) noted in its 2017 Economic Survey for India, 'Spatial disparities in living standards are large... In rural areas, poverty rates are high and access to core public services is often poor.'²⁴
- 6.1.3 For further information on the economy see the Country Background Note on [India](#) and for information on the socio-economic rights for women in India, see the Country Policy and Information Note [India: Women fearing gender-based violence](#).

[Back to Contents](#)

6.2 Employment

- 6.2.1 The State of Working India 2018 (SWI) report, by the Centre for Sustainable Employment (CSE) of the Azim Premji University, noted 'Unemployment levels have been steadily rising, and after several years of staying around 2-3 per cent, the headline rate of unemployment reached 5 per cent in 2015, with youth unemployment being a very high 16 per cent. ... The increase in unemployment is clearly visible all across India, but is particularly severe in the northern states.' The report indicated a high incidence of unemployment amongst young educated men²⁵.
- 6.2.2 The DFAT report noted 'The vast majority of working people are employed in the informal sector. Individuals in this sector experience low job and income security, as well as lower coverage by social protection systems and employment regulation. Over time, workers have been shifting out of the agriculture sector and into the services and manufacturing sectors.'²⁶

²⁰ IRB, 'India: Treatment by authorities of Indian citizens', 9 May 2016, [url](#).

²¹ IRB, 'India: Information on airport security screening procedures', 28 April 2017, [url](#).

²² IRB, 'India: Reports of police and government authorities seizing passports', 13 May 2016, [url](#).

²³ IRB, 'India: Socio-economic profile', 25 May 2018, [url](#).

²⁴ OECD, 'Economic Survey of India', (page 2), February 2017, [url](#).

²⁵ CSE, 'SWI 2018', (pages 17, 36 and 43), 2018, [url](#).

²⁶ DFAT, 'Country Information Report India', (paragraph 2.25), 17 October 2018, [url](#).

6.3 Cost of living and average wage

- 6.3.1 According to the SWI 2018 report, 82% of male and 92% of female workers earned less than 10,000 rupees (approximately £104²⁷) a month. The same report added 'Nationally, 67 per cent of households reported monthly earnings of up to [Rs]10,000 in 2015. In comparison, the minimum salary recommended by the Seventh Central Pay Commission (CPC) is [Rs]18,000 [£188²⁸] per month. This suggests that a large majority of Indians are not being paid what may be termed a living wage.'²⁹
- 6.3.2 Additional information on average wages in rural and urban areas, and for regular and casual workers, can be found in the International Labour Organization's (ILO) [Towards an India Wage Report](#)³⁰.
- 6.3.3 The website 'Numbeo' provided an indicative cost of living in India, '[...] based on 103,845 entries in the past 18 months from 8,762 different contributors'. It noted that, as of October 2018, the cost of a 1-bedroom apartment in a city centre was reportedly Rs 12,366.61, and outside of centre, Rs 7,519.66³¹. CPIT note: There are likely to be regional variations.

6.4 Welfare

- 6.4.1 Bertelsmann Stiftung's Transformation Index (BTI) assesses the transformation toward democracy and a market economy as well as the quality of political management in 129 countries. The BTI 2018 Country Report noted:

'Traditionally, social safety nets in India were mainly based on family structures – and they largely continue to be so. However, a range of reforms initiated in the mid-2000s has improved the chances of marginalized sections of Indian society to receive at least some compensation for social risks. Programs like the Mahatma Gandhi National Rural Employment Guarantee Act (MGNREGA) provide for the temporary employment of people living below the poverty line. Moreover, there are a range of other programs at the national and the state level addressing a variety of issues with different modalities of distribution. The Public Distribution System (PDS), for example, provides for the distribution of food grain staples to the poor through "ration shops" or "fair price shops." The Integrated Child Development Services (ICDS) aims to address malnutrition and health problems for children and their mothers. The National Rural Livelihoods Mission (NRLM), a program for the empowerment of the rural poor supported by the World Bank, was renamed Deendayal Antyodaya Yojana, or National Rural Livelihoods Mission (DAY – NRLM), in September 2015 and continues to operate with World Bank support. However, the

²⁷ InforEuro, 'Currency converter', October 2018, [url](#).

²⁸ InforEuro, 'Currency converter', October 2018, [url](#).

²⁹ CSE, 'SWI 2018', (page 18), 2018, [url](#).

³⁰ ILO, 'Towards an India Wage Report', (sections 4.6-4.8), October 2017, [url](#).

³¹ Numbeo, 'Cost of living in India', October 2018, [url](#).

effectiveness of many of these programs is dubious, mainly due to corruption and leakages.³²

6.4.2 In a January 2017, the Special Rapporteur noted:

‘The National Food Security Act, which came into force in July 2013, converted preexisting food security and food distribution programmes, such as subsidized cereals, and new programmes like maternity benefits into legal entitlements. It aims to provide more than 800 million people, over 60 per cent of the country’s population, with subsidized monthly household rations each year. The Act shifted from a welfare approach to a rightsbased approach.’³³

6.4.3 The US Department of Social Security, gave details of India’s [Social Security Programs Throughout the World: Asia and the Pacific, 2016](#).

[Back to Contents](#)

6.5 Property rights and housing

6.5.1 As noted in the report by the Special Rapporteur on adequate housing, dated January 2017, ‘Generally speaking, housing and land fall under state jurisdiction, although central Government can introduce national housing programmes.’³⁴

6.5.2 The Special Rapporteur report noted:

‘As at 2012, there was a shortage of 18.78 million housing units in urban areas, with 96 per cent of that shortage affecting the economically weaker sections and the lower income groups in society. According to the 2011 census, approximately 13.75 million households (about 65-70 million individuals) reside in urban informal settlements. In a number of cities, including Chennai, Hyderabad, Kolkata and Mumbai, more than 50 per cent of all households live in informal settlements. In addition, the 2011 census indicates that 1.8 million people are homeless, although many researchers believe that to be an underestimation and put the figure closer to 3 million.’³⁵

6.5.3 The Special Rapporteur report further added;

‘In rural areas, 13 per cent of households live in homes known as “kutchha”, one-room makeshift structures built of poor quality materials, without ventilation or sanitation facilities and which do not provide protection from rain, wind or dust. It is estimated that there is a shortage of 40 million rural housing units and that 90 per cent of rural households requiring housing are living below the poverty line.

‘India faces sizeable gaps in infrastructure and essential services required for the enjoyment of the right to adequate housing: one third of households do not have access to electricity and close to 70 per cent lack clean, safe and affordable energy for cooking. In 2015, the estimated total of piped water in urban areas was 54 per cent, while in rural areas it was only 16 per

³² Bertelsmann Stiftung, ‘BTI 2018 Country Report – India’, (page 22), 23 March 2018, [url](#).

³³ HRC, ‘Special Rapporteur on adequate housing’, (paragraph 12), 10 January 2017, [url](#).

³⁴ HRC, ‘Special Rapporteur on adequate housing’, (paragraph 9), 10 January 2017, [url](#).

³⁵ HRC, ‘Special Rapporteur on adequate housing’, (paragraph 15), 10 January 2017, [url](#).

cent. The figures on sanitation also deserve attention: in 2015, in urban areas, 63 per cent of sanitation facilities improved, with 10 per cent open defecation remaining; in rural areas, 28 per cent of sanitation facilities improved, with a striking 61 per cent open defecation rate.³⁶

- 6.5.4 Freedom House noted in its 2018 report ‘Property rights are somewhat tenuous for tribal groups and other marginalized communities, and members of these groups are often denied adequate resettlement opportunities and compensation when their lands are seized for development projects. While many states have laws to prevent transfers of tribal land to nontribal groups, the practice is reportedly widespread, particularly with respect to the mining and timber industries.’³⁷
- 6.5.5 For further information see the January 2016 Housing and Land Rights Network (HLRN) report ‘[Housing and Land Rights in India. Status Report for Habitat III](#)’³⁸.
- 6.5.6 For information on tenant registration, particularly in Delhi, Mumbai, Kolkata and Bangalore, see the [IRB Research Directorate response](#), dated 9 May 2013³⁹.

[Back to Contents](#)

6.6 Education

- 6.6.1 See the Country Background Note on [India](#).

[Back to Contents](#)

6.7 Healthcare

- 6.7.1 Health care spending and services varied considerably across India’s states and union territories^{40 41}.
- 6.7.2 For further information on healthcare, see the Country Background Note on [India](#).

[Back to Contents](#)

Section 7 updated: 18 December 2018

7. Treatment of returnees

- 7.1.1 Information on India: Treatment by authorities of Indian citizens who are deported back to India, who return without a valid passport and/or who are suspected of having requested refugee status while abroad (2013 May 2016), was provided by the [Immigration and Refugee Board \(IRB\) of Canada Research Directorate](#), dated May 2016. According to sources cited in the IRB report, returning failed asylum seekers may face additional questioning upon arrival in India though, in general, faced no particular problems⁴².

³⁶ HRC, ‘Special Rapporteur on adequate housing’, (paragraphs 16-17), 10 January 2017, [url](#).

³⁷ Freedom House, ‘Freedom in the World 2018 – India’, (G2), 1 March 2018, [url](#).

³⁸ HLRN, ‘Housing and land rights in India’, January 2016, [url](#).

³⁹ IRB, ‘India: Requirements and procedures for tenant registration’, 9 May 2013, [url](#).

⁴⁰ International Journal for Equity in Health, 2017, [url](#).

⁴¹ DFAT, ‘Country Information Report – India’, (paragraph 2.16), 17 October 2018, [url](#).

⁴² IRB, ‘India: Treatment by authorities of Indian citizens’, 9 May 2016, [url](#).

Terms of Reference

A 'Terms of Reference' (ToR) is a broad outline of what the CPIN seeks to cover. They form the basis for the [country information section](#). The Home Office's Country Policy and Information Team uses some standardised ToRs, depending on the subject, and these are then adapted depending on the country concerned.

For this particular CPIN, the following topics were identified prior to drafting as relevant and on which research was undertaken:

- Freedom of movement
 - Legal rights
 - Restrictions
 - Internal movement
 - Police ability to locate a person
 - Transport network
 - Exit and entry procedures
- Key socio-economic indicators
 - Employment
 - Cost of living and average wage
 - Welfare
 - Property rights and housing
- Treatment of returnees

[Back to Contents](#)

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[Back to Contents](#)

Sources consulted but not cited

[Back to Contents](#)

Version control

Clearance

Below is information on when this note was cleared:

- version **1.0**
- valid from **23 January 2019**

Changes from last version of this note

First version in stand-alone CPIN format.

[Back to Contents](#)