



Home Office

Country Background Note India

Version 1.0
January 2019

Preface

Purpose

This note provides a summary of and links to country of origin information (COI) for use by Home Office decision makers handling particular types of protection and human rights claims. It is not intended to be an exhaustive survey of a particular subject or theme.

It is split into two main sections: (1) general background to the country concerned, including demography and geography; and (2) issues which may be relevant to protection claims. Unlike country policy and information notes, it does **not** contain an assessment of risk, availability of protection or reasonableness of internal relocation.

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 in the country information section. Any event taking place or report/article published after this date 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:

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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](#).

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Country information

Section 1 updated: 18 December 2018

1. Geography and demography

1.1 Key geographic and demographic facts

Full country name:	Republic of India ¹
Area:	total: 3,287,263 sq km land: 2,973,193 sq km water: 314,070 sq km India is the 8th largest country in the world by area ²
Flag:	 ³
Population:	India has the world's second largest population, after China: 2011 Census: 1,210,569,573 ⁴ July 2017 estimate: 1,282 million (rounded up) ⁵ 51.5% male; 48.5% female ⁶ See also Population distribution and density
Capital city:	New Delhi ⁷
Other large cities:	See Population distribution and density
Position:	Southern Asia, bordering the Indian Ocean (Arabian Sea) and the Bay of Bengal, and the

¹ BBC, 'India Country Profile', updated 23 January 2018, [url](#).

² CIA Factbook, 'India', (Geography), updated 23 October 2018, [url](#).

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

⁴ Census of India 2011, 'Final population totals', [url](#).

⁵ CIA Factbook, 'India', (People and Society), updated 23 October 2018, [url](#).

⁶ Census of India 2011, 'Final population totals', [url](#).

⁷ CIA Factbook, 'India', (Geography), updated 23 October 2018, [url](#).

	countries Bangladesh, Bhutan, Burma (Myanmar), China, Nepal and Pakistan ⁸
Languages:	See Languages
Ethnic groups:	India is a multiethnic country that is home to thousands of small ethnic and tribal groups ⁹ . The main ethnic categories are Indo-Aryan 72% Dravidian 25% Mongoloid and Other 3% ¹⁰
Religions:	Hindu 79.8% Muslim 14.2% Christian 2.3% Sikh 1.7% Buddhist 0.7% Jain 0.4% other/not specified 0.9% (2011 Census) ¹¹
Castes:	See Caste

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1.2 Administrative divisions

1.2.1 India is divided into 29 States and 7 Union Territories:

Andaman and Nicobar Islands*, Andhra Pradesh, Arunachal Pradesh, Assam, Bihar, Chandigarh*, Chhattisgarh, Dadra and Nagar Haveli*, Daman and Diu*, Delhi*, Goa, Gujarat, Haryana, Himachal Pradesh, Jammu and Kashmir, Jharkhand, Karnataka, Kerala, Lakshadweep*, Madhya Pradesh, Maharashtra, Manipur, Meghalaya, Mizoram, Nagaland, Odisha, Puducherry*, Punjab, Rajasthan, Sikkim, Tamil Nadu, Telangana, Tripura, Uttar Pradesh, Uttarakhand, West Bengal.

The union territories are marked * above. (Although its status is that of a union territory, the official name of Delhi is the National Capital Territory of Delhi)¹².

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⁸ CIA Factbook, 'India', (Geography), updated 23 October 2018, [url](#).

⁹ Encyclopaedia Britannica, 'India', (People), n.d., [url](#).

¹⁰ Worldatlas, 'Biggest Ethnic Groups In India', updated 13 June 2018, [url](#).

¹¹ Census of India 2011, 'Religion PCA', updated 12 October 2018, [url](#).

¹² CIA Factbook, 'India', (Government), updated 23 October 2018, [url](#).

1.3.4 See also University of Texas: [Perry-Castañeda Library Map Collection: India](#)¹⁶.

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1.4 Physical geography

1.4.1 Upland plain in the south, flat to rolling plain along the Ganges, deserts in west, Himalayas in the north¹⁷.

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1.5 Population distribution and density

1.5.1 While India occupies 2.4% of the world's surface¹⁸, it supports 17.5% of the world's population¹⁹.

1.5.2 The 2011 Census showed that there were 382 people per sq.km, up from 325 per sq.km in 2001²⁰.

1.5.3 69% of the population resides in rural areas, 31% in urban areas²¹. There are some 600,000 villages in India²².

1.5.4 About half of the country's population is concentrated in five major states: Maharashtra, Uttar Pradesh, West Bengal, Bihar and Andhra Pradesh. Population density is highest in the Ganges river basin (Gangetic Plain), other northern plains and coastal areas^{23 24}.

1.5.5 There are more than 50 urban areas in India which have a population of over 1 million²⁵. 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)²⁶.

1.5.6 For more information see:

- Office of the Registrar General & Census Commissioner, Ministry of Home Affairs, 2011 Census Data, [Census Info Dashboard](#).
- World Population Review, '[India Population 2018](#)'.

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¹⁶ University of Texas, 'Perry-Castañeda Library Map Collection: India', (website), [url](#).

¹⁷ CIA World Factbook, 'India', (Geography), updated 13 November 2018, [url](#).

¹⁸ Boston Globe online, 'India's population reaches 1.21 billion', 1 April 2011, [url](#).

¹⁹ The Economic Times, 'Census of India 2011: Shocking gender bias among 17.5%...', [url](#).

²⁰ Census of India 2011, 'Final population tables', [url](#).

²¹ Census of India 2011, 'Final population tables', [url](#).

²² Census 2011, 'City Census 2011', [url](#).

²³ Toppr.com, 'Population of India', 2016, [url](#)

²⁴ Census 2011, 'City Census 2011', [url](#).

²⁵ World Population Review, 'India Population 2018', [url](#).

²⁶ Census 2011, 'City Census 2011', [url](#).

1.6 Transport links

- 1.6.1 Roads carry almost 85% of the country's passenger traffic and more than 60% of its freight²⁷.
- 1.6.2 Indian Railways (IR) carried an average of 22.2 million passengers per day in 2016-17. IR has over 1.3 million employees. In 2017 there were 67,368 km of track, mainly broad gauge²⁸.
- 1.6.3 There are 128 airports, including 15 international airports²⁹.
- 1.6.4 India has 13 major and 199 minor and intermediate sea ports³⁰.

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1.7 Languages

- 1.7.1 Ethnologue has listed 462 languages for India. Of these, 448 are living and 14 are extinct. Of the living languages, 421 are indigenous and 27 are non-indigenous³¹. The 2011 Census, however, actually recorded '121 languages and 270 mother tongues'.³²
- 1.7.2 There are 22 officially recognised languages, of which the principal ones – with the proportion of the population speaking each – are: Hindi 43.6%; Bengali 8%; Marathi 6.9%; Telugu 6.7%; Tamil 5.7%; Gujarati 4.6%; Urdu 4.2%; Kannada 3.6%; Odia 3.1%; Malayalam 2.9%; Punjabi 2.7%; Assamese 1.3%; and Maithili 1.1%³³.
- 1.7.3 Hindustani is spoken widely throughout northern India but is not an official language³⁴.
- 1.7.4 English is classified as a subsidiary official language, but is the language mainly used for national, political, legal and commercial communication³⁵.
- 1.7.5 The number of people listing each language as their 'mother tongue' was given in the 2011 Census [here](#)³⁶.
- 1.7.6 The following map³⁷ shows the language most commonly spoken in each state or union territory:

²⁷ World Bank, 'India Transportation', 23 September 2011, [url](#).

²⁸ Indian Railways, 'Facts and figures 2016-17', n.d. [url](#)

²⁹ World Bank, 'India Transportation', 23 September 2011, [url](#).

³⁰ World Bank, 'India Transportation', 23 September 2011, [url](#).

³¹ Ethnologue, 'Languages of the World: India', 2018, [url](#).

³² Census of India 2011, 'Abstract of speakers' strength of languages and mother tongues - 2011, [url](#).

³³ CIA Factbook, 'India', (People and Society), updated 23 October 2018, [url](#).

³⁴ CIA Factbook, 'India', (People and Society), updated 23 October 2018, [url](#).

³⁵ CIA Factbook, 'India', (People and Society), updated 23 October 2018, [url](#).

³⁶ Census of India 2011, 'Abstract of speakers' strength of languages and mother tongues - 2011, [url](#).

³⁷ Smore.com, 'India: History and culture: Languages', n.d, [url](#).



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Section 2 updated: 18 December 2018

2. Economy

2.1.1 Key economic points

Currency:	Indian Rupee (INR)
Exchange rate:	1 GBP = 94.2 INR (90-day average to 16.11.2018) ³⁸
GDP growth:	7.6% in 2017 (est.), 10.3% in 2010 ³⁹
GDP per capita:	US\$ 1,614 in 2017 (est.) ⁴⁰ or US\$ 7,200 in 2017 (est.) based on purchasing parity power (PPP) ⁴¹

2.1.2 Other notable points:

- The Agricultural sector employs almost half of the country's workforce⁴², but, in 2016, accounted for only 16% of total economic output⁴³. The services sector accounts for nearly two-thirds of total GDP⁴⁴.

³⁸ XE.com, 'XE Currency Converter: GBP to INR', as at 16 November 2018, [url](#).

³⁹ UN data, 'India', n.d., [url](#).

⁴⁰ UN data, 'India', n.d., [url](#).

⁴¹ CIA World Factbook, 'India', (Economy), updated 13 November 2018, [url](#).

⁴² CIA World Factbook, 'India', (Economy), updated 13 November 2018, [url](#).

⁴³ Statista, 'Proportions of economic sectors...in 2016', n.d, [url](#).

⁴⁴ CIA World Factbook, 'India', (Economy), updated 13 November 2018, [url](#).

- As of 2016, only about 21% of the country's workforce was in formal, salaried employment; more than 70% of all working people were self-employed or casual workers⁴⁵.
- India is ranked 130 out of 189 countries in the [2017 index produced by the UN Human Development Programme](#)⁴⁶.
- 22% of the population is living below the poverty line (2011 est.)⁴⁷.

2.1.3 For more information see:

- [The World Bank in India](#)
- Asian Development Bank: [India: Economy](#)
- CIA World Factbook: [The Economy](#)

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3. History

3.1.1 Key Timeline⁴⁸

1858	India comes under direct rule of the British crown
1920-22	Mahatma Gandhi launches anti-British civil disobedience campaign
1947	Partition of the sub-continent into mainly-Hindu India and Muslim-majority state of Pakistan. India becomes an independent state
1948, 1965 and 1971	Three wars with Pakistan over disputed territory of Kashmir
1951-52	First general election – Congress Party comes to power under Jawaharlal Nehru
1966	Following Nehru's death, his daughter Indira Gandhi becomes prime minister
1984	Troops storm Golden Temple, Sikhs' most holy shrine, to force out Sikh militants pressing for self-rule. Indira Gandhi assassinated by Sikh bodyguards and her son, Rajiv, becomes PM
1989	Falling public support leads to Congress defeat in general election
1990	Muslim separatist groups begin campaign of violence in Kashmir
1992	Hindu extremists demolish mosque in Ayodhya, triggering widespread Hindu-Muslim violence

⁴⁵ The World Bank, 'Country dashboard: India', 2018, [url](#).

⁴⁶ UNDP, Human Development Indices and Indicators 2018 Statistical Update (Summary), 2018, [url](#).

⁴⁷ CIA World Factbook, 'India', (Economy), updated 13 November 2018, [url](#).

⁴⁸ BBC News, 'India profile – Timeline', updated 23 January 2018, [url](#)

1996	Congress Party suffers worst ever electoral defeat; BJP (Bharatiya Janata Party) forms coalition government
2000 (May)	India marks the birth of its billionth citizen
2002	Inter-religious bloodshed breaks out after 59 Hindu pilgrims are killed in a train fire in Gujarat. More than 1,000 people, mainly Muslims, die in subsequent violence
2003	India matches Pakistan's declaration of a Kashmir ceasefire
2006	India's largest-ever rural jobs scheme is launched, aimed at lifting 60 million families out of poverty
2008	Islamist militants from Pakistan launch co-ordinated attacks in Mumbai, resulting in several hundred deaths and injuries
2009	Congress Party-led alliance under PM Manmohan Singh wins general election
2014	Bharatiya Janata Party (BJP) and its candidate for prime minister, Narendra Modi, win parliamentary elections by a landslide

3.1.2 For further information see:

- BBC: India profile – [Timeline](#).
- Encyclopaedia Britannica: India – [History](#).

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Section 4 updated: 18 December 2018

4. Media and telecommunications

4.1.1 Key media/telecommunications points

Dialling code:	+91 ⁴⁹
Time in India	see World Clock
Internet domain:	.in ⁵⁰
Broadcast media:	Doordarshan, India's public TV network, has a monopoly on terrestrial broadcasting and operates about 20 channels ⁵¹ . There are nearly 800 licensed satellite TV stations ⁵² . All India Radio, the government AM service, operates domestic and external networks; privately owned FM stations have been permitted since 2000 and their numbers have increased rapidly ⁵³ .

⁴⁹ WorldStandards.eu, n.d., [url](#).

⁵⁰ WorldStandards.eu, n.d., [url](#).

⁵¹ CIA World Factbook, 'India' (Communications), updated 13 November 2018, [url](#).

⁵² BBC News, 'India profile – Media', updated 9 May 2017, [url](#).

⁵³ CIA World Factbook, 'India', (Communications), updated 13 November 2018, [url](#).

The press	There are about 12,000 newspaper titles in India ⁵⁴ .
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4.1.2 Other notable points:

- US Department of State noted that, in 2017, 'The constitution provides for freedom of speech and expression, but it does not explicitly mention freedom of the press. The government generally respected these rights, although there were instances in which the government allegedly pressured or harassed media outlets critical of the government.'⁵⁵
- Independent media generally expressed a wide variety of views in 2017. The law prohibits content that could harm religious sentiments or 'provoke enmity' among population groups, and authorities enforced these provisions⁵⁶.
- Freedom House, in its 2018 Freedom on the Net report, rated India 'partly free' in respect of internet user rights. Although the Supreme Court recognized privacy as a fundamental right in August 2017, internet freedom has been limited by local internet shutdowns and new rules restricting connectivity. There is a high incidence of misinformation, rumours and fake news on social media⁵⁷.
- Most people who access the internet do so using smartphones⁵⁸.
- Official statistics recorded almost 430 million mobile phone subscribers in March 2018, the second highest number in the world after China⁵⁹.
- There are several private-sector mobile phone service providers; between them they provide coverage across all states and union territories⁶⁰.
- The landline telephone network, which is government-controlled, is dense in the main urban areas, but many towns and villages have no telephone service⁶¹.

4.1.3 For more information see:

- [Freedom House, 'Freedom on the Net 2018 - India'](#), June 2018
- [US Department of State Country Report on Human Rights Practices for 2017, India](#), 20 April 2018 (Section 2).
- [List of major Indian newspapers](#), by language (W3newspapers.com).

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⁵⁴ BBC News, 'India profile – Media', updated 9 May 2017, [url](#).

⁵⁵ USSD, 'Human Rights Report for 2017', (Section 2a), 20 April 2018, [url](#).

⁵⁶ USSD, 'Human Rights Report for 2017', (Section 2a), 20 April 2018, [url](#).

⁵⁷ Freedom House, 'Freedom on the Net 2018 - India', June 2018, [url](#).

⁵⁸ Freedom House, 'Freedom on the Net 2018 - India', June 2018, [url](#).

⁵⁹ Freedom House, 'Freedom on the Net 2018 - India', June 2018, [url](#).

⁶⁰ Telecom Talk, 'Circle wise winning Operators in GSM Subscriber base', 21 June 2014, [url](#).

⁶¹ Encyclopaedia Britannica, 'India', updated 14 November 2018, [url](#).

5. Citizenship and nationality

5.1.1 According to the US Department of State:

'By law parents confer citizenship, and birth in the country does not automatically result in citizenship. Any person born in the country on or after January 26, 1950, but before July 1, 1987, obtained Indian citizenship by birth. A child born in the country on or after July 1, 1987, obtained citizenship if either parent was an Indian citizen at the time of the child's birth.

Authorities considered those born in the country on or after December 3, 2004, citizens only if at least one parent was a citizen and the other was not illegally present in the country at the time of the child's birth. Authorities considered persons born outside the country on or after December 10, 1992, citizens if either parent was a citizen at the time of birth, but authorities did not consider those born outside the country after December 3, 2004, citizens unless their birth was registered at an Indian consulate within one year of the date of birth.

'Authorities could also confer citizenship through registration under specific categories and via naturalization after residing in the country for 12 years.'⁶²

5.1.2 Dual nationality is not permitted under Indian law⁶³.

5.1.3 As of July 2018, a new Citizenship Bill was before Parliament⁶⁴.

5.1.3 For more information see:

- [The Citizenship Act](#) (Act No.57 of 1955).
- [Constitution of India](#) (part II: Citizenship).
- Ministry of Home Affairs: [Bureau of Immigration](#) (includes links to other relevant legislation and rules).

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6. Official documents

6.1 Birth certificates

6.1.1 The Australian DFAT advised in a report of October 2018 that 'Birth certificates are issued inconsistently across India, with considerable variations between and within states.'⁶⁵ UNICEF estimated that 58 per cent of births in India are registered⁶⁶.

⁶² USSD, 'Human Rights Report for 2017', (Section 2d), 20 April 2018, [url](#).

⁶³ The Constitution, as amended to 2006: Part II Article 9, [url](#).

⁶⁴ The Independent, 'Why India's new citizenship ..', 6 July 2018, [url](#).

⁶⁵ DFAT, 'Country Information Report – India', (paragraph 5.22), 17 October 2018, [url](#).

⁶⁶ USSD, 'Human Rights Report for 2017', (Section 6), 20 April 2018, [url](#).

- 6.1.2 According to the US Department of State, 'Children lacking citizenship or registration may not be able to access public services, enroll in school, or obtain identification documents later in life.'⁶⁷

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6.2 Unique Identification Numbers ('Aadhaar' project)

- 6.2.1 In 2009, the government established a Unique Identification Authority to issue 12 digit 'Aadhaar' (individual identification numbers), designed to establish a unique identity for each person in the country⁶⁸. An Aadhaar ID is verifiable online and carries demographic information (name, date of birth (verified), or age (declared), gender, address, mobile number and/or email address (optional)), and biometric information (fingerprints, iris scans, photograph). By 16 November 2018, over 1 billion Aadhaar numbers had been generated, meaning that most residents of India had been issued one⁶⁹.
- 6.2.2 An Aadhaar card is proof of identity, not of citizenship, as numbers are issued to any individuals residing in India, including foreign nationals⁷⁰.
- 6.2.3 Further information on Aadhaar, including requirements and procedures for obtaining an Aadhaar number; use of the Aadhaar (including in accessing housing, employment and private and public services) and whether authorities use the Aadhaar system to track individuals across the country, was provided by the Immigration and Refugee Board (IRB) of Canada in a [response](#) dated 23 May 2018⁷¹.

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6.3 Passports

- 6.3.1 The Ministry of External Affairs (MEA) is responsible for issuing passports in India and at diplomatic and consular missions abroad. Current requirements for an adult passport are: proof of date of birth, such as a birth certificate; proof of identity with photograph; proof of residence; and proof of nationality (verified by the MEA). All new passports issued in India are machine-readable⁷².

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6.4 Fraudulent documents

- 6.4.1 DFAT noted in the report of October 2018:
- 'Document fraud is a common criminal activity. Organised networks of agents are known to provide complete packages of fake documents. These agents, and others, charge significant fees for the provision of fraudulent documents.'

⁶⁷ USSD, 'Human Rights Report for 2017', (Section 6), 20 April 2018, [url](#).

⁶⁸ DFAT, 'Country Information Report – India', (paragraph 5.23), 17 October 2018, [url](#).

⁶⁹ Govt. of India: Unique Identification Authority, 'About Aadhaar' and 'Dashboard', n.d., [url](#).

⁷⁰ Govt. of India: Unique Identification Authority, 'About Aadhaar' and 'Dashboard', n.d., [url](#).

⁷¹ IRB, 'India: Requirements and procedures to obtain the Aadhaar number', 23 May 2018, [url](#).

⁷² DFAT, 'Country Information Report – India', (paragraph 5.27), 17 October 2018, [url](#).

'Documents vulnerable to forgery include civil registry documents, curricula vitae, letters of employment, financial documents, educational qualifications, newspaper articles, political party registration, and websites created specifically to validate other documents. Although all documents are vulnerable to fraud, some are more difficult to forge. Passports are relatively more difficult to forge than other types of identity documents, but genuine passports may be obtained relatively easily using fraudulent information.'⁷³

6.4.2 For more information see:

- Unique Identification Authority of India: [About Aadhaar](#).
- DFAT's [Country Information Report](#) of October 2018 (page 28) includes further information on birth certificates, passports and document fraud.

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7. Healthcare

7.1.1 While public health care funding comes mainly from the central government, each of the state governments is responsible for the delivery of medical services. Thus, according to DFAT, 'A large disparity exists between the services and health outcomes of each state and between urban and rural areas ... With the majority of health care expenditure in the private sector, a large proportion of the population is vulnerable to poverty in the event of catastrophic illness.'⁷⁴

7.1.2 Since 2017, the Indian government increased health spending and focused on improving the availability and efficiency of services. They are committed to moving India towards universal health care and relaunched a programme which incorporates state-run and national schemes with the aim of providing coverage of up to US \$10,000 for over 100 million lower income families⁷⁵.

7.1.3 For further information see:

- World Health Organisation: [India Country Profiles](#) (click on thematic links) and [Country data and statistics](#).
- Ministry of Health and Family Welfare: '[Related links](#)'.
- [All India Institute of Medical Sciences](#), New Delhi (a public facility)
- [Apollo Hospitals](#), India.

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⁷³ DFAT, 'Country Information Report – India', (paragraphs 5.28,5.29), 17 October 2018, [url](#).

⁷⁴ DFAT, 'Country Information Report – India', (paragraph 2.16), 17 October 2018, [url](#).

⁷⁵ DFAT, 'Country Information Report – India', (paragraph 2.17), 17 October 2018, [url](#).

Key issues relevant to protection claims

The issues below are not meant to be exhaustive; rather the key topics which may be relevant to protection claims. They are listed in alphabetical order.

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8. Caste

8.1.1 The caste system dates back over 2,000 years. A person is considered a member of the caste into which he or she is born and remains within that caste until death, although the particular ranking of that caste may vary by region and over time⁷⁶.

8.1.2 As noted in a DFAT report of October 2018:

‘Hindu tradition divided society into a hierarchy of hereditary groups, associated with particular occupations. Four principal groups [“varnas”] exist within the system’s hierarchy: Brahmin priests and teachers, Kshatriya warriors and rulers, Vaishya farmers, traders and merchants and Shudra labourers. There are thousands of subgroups [“Jatis”] within the four main strata. Caste is predominately a Hindu concept, but has become a cultural phenomenon that exists within other religions and across India’s many social, linguistic and religious communities.

‘A group known as “Dalits” (sometimes referred to as “Untouchables”) fell outside (and below) the four principal groups. Dalits were historically associated with work seen as less desirable, including work involving cleaning or waste, and traditional taboos existed against members of the four castes touching them. Many Dalits continue to work in occupations that include scavenging, street cleaning and handling of human or animal waste, corpses or carcasses.

‘According to the Socio Economic and Caste Census of 2011, Dalits comprised 18.45 per cent of the total population.

‘Violence and discrimination against Dalits continues. Dalits have more limited educational and employment opportunities and face discrimination in health care and access to other essential services. The US State Department reported in 2017 that Dalit women were more likely than other women to suffer, or be threatened with, sexual assault.

‘[T]he Constitution contains several provisions relating to “Scheduled Castes” (mainly Dalits)... Section 17 abolishes the practice of “untouchability”. Section 15 allows for positive discrimination for the “advancement” of “socially and educationally backward classes” ... Some Dalits have achieved high [political] office, helped in some cases by quotas for educational, public service and political representation.’⁷⁷

8.1.2 A number of laws have been enacted to put into operation the provisions in the Constitution. For example, the Scheduled Castes and Scheduled Tribes

⁷⁶ HRW, ‘Broken People: Caste violence...’ (Section III), March 1999, [url](#).

⁷⁷ DFAT, ‘Country Information Report – India’, (paragraphs 3.47-3.52), 17 October 2018, [url](#).

(Prevention of Atrocities) Act of 1989 criminalised acts of violence and intimidation against dalits; the Act carries more severe sentences for several offences already criminalised under the Indian Penal Code⁷⁸. The Act was last amended in July 2018⁷⁹.

8.1.3 See also the CPIN on [India: Religious minorities](#).

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9. Children

9.1 Infant mortality

9.1.1 Infant and child mortality rates in India have reduced substantially in recent years⁸⁰.

9.2 Education and child labour

9.2.1 The Right to Education Act, 2009, provides that every child aged 6-14 has a right to free, quality elementary education based on principles of equity and non-discrimination⁸¹. In 2017, the student enrolment rate at primary level was over 90%, including for girls⁸². However, a 2014 survey showed that 28% of children with disabilities, aged 6 to 13, did not attend school⁸³.

9.2.2 Statistics on child labour and education⁸⁴:

Children	Age	Per cent (%)
Working	5 to 14	1.4
Attending school	5 to 14	90.7
Combining school and work	7 to 14	0.3

9.2.3 In 2017, law enforcement agencies in India took action to combat child labour. But adequate enforcement was hindered by a lack of coordination between the central and state governments and insufficient data, and the conviction rate for offences under the Child Labour (Prohibition and Regulation) Act was low⁸⁵.

9.2.4 According to a report by the US Department of Labour:

‘In 2017, India made a significant advancement in efforts to eliminate the worst forms of child labor. The government ratified both ILO Convention 182 and Convention 138 and amended the Child Labor Act to prohibit children under age 18 from working in hazardous occupations and processes. The government also launched the Platform for Effective Enforcement for No

⁷⁸ Commonwealth Human Rights Initiative, ‘Scheduled Castes and...’, 7 June 2018, [url](#).

⁷⁹ India Today, ‘Modi cabinet approves amendment to SC/ST Act’, 1 August 2018, [url](#).

⁸⁰ Times of India, ‘About 802,000 infant deaths reported in India...’, 18 September 2018, [url](#).

⁸¹ UNICEF India, ‘Fast facts – Timeline’, 5 January 2017, [url](#).

⁸² DFAT, ‘Country Information Report – India’, (paragraph 2.21), 17 October 2018, [url](#).

⁸³ USSD, ‘Human Rights Report for 2017’, (Section 6), 20 April 2018, [url](#).

⁸⁴ US Department of Labor, ‘2017 Findings on the Worst Forms of Child Labor – India, 2018, [url](#).

⁸⁵ US Department of Labor, ‘2017 Findings on the Worst Forms of Child Labor – India, 2018, [url](#).

Child Labor to more effectively enforce child labor laws and implement the National Child Labor Programme.⁸⁶

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9.3 Child marriage

9.3.1 The legal age for marriage is 18 for women and 21 for men; however, child marriage is common⁸⁷. The law does not characterise marriage below these ages as “illegal,” but the courts have the power to annul such marriages. Data collected in 2015-16 showed a decline in the number of women under 18 getting married⁸⁸.

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9.4 Violence against children

9.4.1 The US Department of State report for 2017 noted:

‘The law prohibits child abuse, but it does not recognize physical abuse by caregivers, neglect, or psychological abuse as punishable offenses. Although banned, teachers often used corporal punishment.

‘The Counsel to Secure Justice reported...99 percent of overall child sexual abuse cases were not reported.

‘The government sponsored a toll-free 24-hour helpline for children in distress working with 640 partners in 402 locations.’⁸⁹

9.4.2 Children were trafficked for commercial sexual exploitation and for forced labour⁹⁰. See [Trafficking and modern slavery](#).

9.4.3 The Ministry of Home Affairs reported in 2017 that Maoist armed groups in the states of Bihar, Jharkhand, Chhattisgarh, and Odisha had recruited boys and girls aged 6 to 12 into specific children’s units. The children were deployed in combat and intelligence-gathering roles⁹¹.

9.4.4 For more information see:

- Section 13 of this Country Background Note: [Trafficking and modern slavery](#).
- United States Department of Labor, [2017 Findings on the Worst Forms of Child Labor - India](#), 2018.
- US Department of State [Country Report on Human Rights Practices for 2017](#), India, 20 April 2018 (Section 6: Children).
- Australian Department of Foreign Affairs and Trade, [Country Information Report – India](#), 11 October 2018.

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⁸⁶ US Department of Labor, ‘2017 Findings on the Worst Forms of Child Labor -- India, 2018, [url](#).

⁸⁷ DFAT, ‘Country Information Report – India’, (paragraph 3.64), 17 October 2018, [url](#)

⁸⁸ USSD, Human Rights Report for 2017, (Section 6), 20 April 2018, [url](#).

⁸⁹ USSD, Human Rights Report for 2017, (Section 6), 20 April 2018, [url](#).

⁹⁰ US Department of Labor, ‘2017 Findings on the Worst Forms of Child Labor – India, 2018, [url](#).

⁹¹ USSD, Human Rights Report for 2017, (Section 6), 20 April 2018, [url](#).

10. Political activity

10.1.1 Key points about the political system

Government:	Federal constitutional democracy ⁹² .								
Union (national) legislature	Bicameral Parliament: 'Lok Sabha' ('peoples' or lower house, 545 members) and 'Rajya Sabha' (upper house, 245 members) ⁹³ .								
General elections	Lok Sabha members represent geographical constituencies. Elected every 5 years on a 'first past the post' system. Next election due by May 2019 ⁹⁴ .								
State legislatures	Each of the 29 states and most of the 7 union territories has an elected legislature and a council of ministers, which is headed by a chief minister ⁹⁵ .								
Major political parties represented in parliament since 2014:	<p>There are more than 2,000 registered political parties⁹⁶. See here for a full list of parties which won seats in the 2014 general election⁹⁷. Of these, the parties with more than 20 seats are:</p> <table> <tr> <td>Bharatiya Janata Party (BJP)</td> <td>282 seats</td> </tr> <tr> <td>Indian National Congress</td> <td>44 seats</td> </tr> <tr> <td>All India Anna Dravida MK</td> <td>37 seats</td> </tr> <tr> <td>All India Trinamool Congress</td> <td>34 seats⁹⁸.</td> </tr> </table>	Bharatiya Janata Party (BJP)	282 seats	Indian National Congress	44 seats	All India Anna Dravida MK	37 seats	All India Trinamool Congress	34 seats ⁹⁸ .
Bharatiya Janata Party (BJP)	282 seats								
Indian National Congress	44 seats								
All India Anna Dravida MK	37 seats								
All India Trinamool Congress	34 seats ⁹⁸ .								
Main Political Figures:	<p>Head of State: President (largely ceremonial) elected by parliament: Shri Ram Nath Kovind⁹⁹.</p> <p>Prime Minister: Narendra Modi (BNP), since 2014¹⁰⁰.</p>								

10.1.2 Other notable points:

- India is the world's largest democracy. A general election, in which 462 national and regional political parties fielded candidates and 553 million people voted, was held in phases from 7 April to 12 May 2014¹⁰¹.
- State governments' responsibilities include, among other matters, law and order (the police), health, and education¹⁰².

⁹² DFAT, 'Country Information Report – India', (paragraph 2.26), 17 October 2018, [url](#).

⁹³ DFAT, 'Country Information Report – India', (paragraph 2.27), 17 October 2018, [url](#).

⁹⁴ DFAT, 'Country Information Report – India', (paragraph 2.27-2.29), 17 October 2018, [url](#).

⁹⁵ Maps of India, 'List of Chief Ministers in India', updated 16 August 2018, [url](#)

⁹⁶ DFAT, 'Country Information Report – India', (paragraph 2.28), 17 October 2018, [url](#).

⁹⁷ Maps of India, 'Lok Sabha Election Results, 2014', updated 20 December 2016, [url](#).

⁹⁸ Maps of India, 'Party-wise General Election Results', 2014, updated 20 December 2016, [url](#).

⁹⁹ CIA World Factbook, 'India', (Government), updated 13 November 2018, [url](#).

¹⁰⁰ CIA World Factbook, 'India', (Government), updated 13 November 2018, [url](#).

¹⁰¹ Election Commission, '2014 General Election', updated 10 August 2018, [url](#).

¹⁰² USSD, 'Human Rights Report for 2017', 20 April 2018, [url](#).

- Elections in India have generally been peaceful, broadly free and fair, have reflected the will of the electorate and resulted in regular transfers of power at central and state levels. There are no constitutional, legal or other institutional restrictions preventing minorities from participating in politics¹⁰³.
- The law provides for freedom of association and the government generally respects that right. The law provides for freedom of assembly; authorities often require permits and notification prior to parades or demonstrations, but local governments generally respect the right to protest peacefully, except in the state of Jammu and Kashmir¹⁰⁴.
- The risk of political violence between rival supporters increases during parliamentary and state election periods, and there have been reports of violence around polling stations. However, in general, elections in India are peacefully conducted¹⁰⁵.

10.1.3 For more information see:

- [Constitution of India](#).
- [Election Commission of India](#).
- United States Department of State [Country Report on Human Rights Practices for 2017, India](#), 20 April 2018 (Elections and Political Participation).
- Australian Department of Foreign Affairs and Trade, [Country Information Report – India](#), 17 October 2018 (Political opinion – actual or imputed).

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Section 11 updated: 18 December 2018

11. Religious freedom

11.1.1 See the CPIN on [India: Religious minorities](#).

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Section 12 updated: 18 December 2018

12. Sexual orientation and/or gender identity

12.1.1 See the CPIN on [India: Sexual orientation and gender identity](#).

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Section 13 updated: 18 December 2018

13. Trafficking and modern slavery

13.1.1 India is a source, destination, and transit country for men, women, and children subjected to forced labour and sex trafficking. Forced labour is India's primary trafficking problem; men, women, and children in debt

¹⁰³ DFAT, 'Country Information Report – India', (paragraphs 3.20-3.21), 17 October 2018, [url](#).

¹⁰⁴ USSD, Human Rights Report for 2017, (Section 2b), 20 April 2018, [url](#).

¹⁰⁵ DFAT, 'Country Information Report – India', (paragraph 3.25), 17 October 2018, [url](#).

bondage work in brick kilns, rice mills, factories and agriculture. The most disadvantaged social strata – Dalits, members of tribal communities, religious minorities, and women and girls from excluded groups – are most vulnerable¹⁰⁶.

- 13.1.2 Section 370 of the Indian Penal Code criminalises slavery, servitude and most forms of sex trafficking and prescribes penalties ranging from seven years to life imprisonment¹⁰⁷.
- 13.1.3 The government maintained law enforcement efforts, but the number of investigations, prosecutions, and the conviction rate are disproportionately low relative to the scale of trafficking in India, particularly in respect of bonded and forced labour¹⁰⁸.
- 13.1.4 The Ministry of Women and Child Development funds NGO- and government-run shelters and rehabilitation services for women and children, although NGOs relied primarily on donor contributions. NGOs reported that the number of government shelters was insufficient and that overcrowding compromised rehabilitation. In May 2016 the central government upgraded its program for the rehabilitation of bonded labourers¹⁰⁹.
- 13.1.5 The US Department of Labor reported:
- ‘Within India, children are trafficked for commercial sexual exploitation and for forced labor in domestic service. Children are also forced to work as bonded laborers in brick kilns and stone quarries to pay off family debts owed to moneylenders and employers. Children from India’s rural areas migrate or are trafficked for employment in industries, such as spinning mills and cottonseed production, in which they are forced to work in hazardous environments for little or no pay...
- ‘Child victims of commercial sexual exploitation, forced labor, and human trafficking are more likely to be children from marginalized groups, such as low-caste Hindus, members of tribal communities, and religious minorities.’¹¹⁰
- 13.1.6 For more information see:
- US Department of State, [Trafficking in Persons Report 2018](#) (Page 221).
 - Australian Department of Foreign Affairs and Trade, [Country Information Report – India](#), 17 October 2018.

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Section 14 updated: 18 December 2018

14. Women

- 14.1.1 See the CPIN on [India: Women fearing gender-based violence](#).

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¹⁰⁶ USSD, ‘Trafficking in Persons Report 2018’, (page 225), 28 June 2018, [url](#).

¹⁰⁷ USSD, ‘Trafficking in Persons Report 2018’, (page 222), 28 June 2018, [url](#).

¹⁰⁸ USSD, ‘Trafficking in Persons Report 2018’, (page 222), 28 June 2018, [url](#).

¹⁰⁹ USSD, ‘Trafficking in Persons Report 2018’, (pages 223-224), 28 June 2018, [url](#).

¹¹⁰ US Department of Labor, ‘2017 Findings on the Worst Forms of Child Labor – India, 2018, [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:

- Country overview
 - Geography
 - Physical geography
 - Administrative divisions
 - Maps
 - Demography
 - Population and density
 - Distribution: urban/rural, community size, etc
 - Main cities
 - Economy
 - History: timeline
 - Media and internet
 - Citizenship and nationality
 - Official documents
- Main issues relevant to protection claims (including, but not limited to):
 - Caste issues
 - Children
 - Political association
 - Religious freedom
 - Sexual orientation and gender identity
 - Trafficking
 - Women

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Version control

Clearance

Below is information on when this note was cleared:

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

First version of this note

First version of country background note.

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