India: Situation of single women and of women who head their own households without male support, including access to employment, housing and support services, particularly in Delhi, Mumbai, Chandigarh and Bengaluru; women's housing, land, property and inheritance rights (2017-April 2019)

1. Overview

Sources report that, according to the 2011 census, there were 71.4 million single women in India (The Economic Times 4 Mar. 2018; IndiaSpend 23 June 2018). According to a report by India's Central Statistics Office (CSO) on youth, the percentage of married women aged between 15 and 49 years old has decreased from 84.4 percent in 1961 to 73.8 percent in 2011 (India Mar. 2017, 19). The Times of India, an English-language newspaper, indicates that, according to the 2011 census, 62 percent of single women in India live in rural areas, and that "[w]idows account for the highest proportion of single women in rural India, followed by those who are either divorced or separated, and those who have never been married" (The Times of India 22 Nov. 2015). The same source adds that while "[m]any" women opt to not marry young but rather to study or work, other women have been "deserted" by their husbands (The Times of India 22 Nov. 2015). Many of these men migrate to cities and do not send money to their wives in villages, "leading to their further impoverishment" (The Times of India 22 Nov. 2015). The same source adds that women in villages "may not have the opportunities to migrate elsewhere" (The Times of India 22 Nov. 2015). Further and corroborating information could not be found among the sources consulted by the Research Directorate within the time constraints of this Response.

According to the results of the 2015-2016 National Family Health Survey [1], 14.6 percent of households are led by women (IIPS and ICF Dec. 2017, 37). The same source specifies that in rural areas, the figure is 14.9 percent, while in urban areas it is 14.1 percent (IIPS and ICF Dec. 2017, 37).

IndiaSpend [2] reports that single women have to "depend [on] somebody's goodwill - in-laws, parents, brothers and sisters-in-law" in order to provide for them and their children (IndiaSpend 23 June 2018). In an article in the Hindu, an Indian daily newspaper, Sreemoyee Piu Kundu, [a columnist on sexuality and gender (IndiaSpend 23 June 2018)] who interviewed 3,000 single urban women in India, states that single women encounter "serious struggles with basic life issues such as getting a flat on rent or being taken seriously as a start-up entrepreneur or getting a business loan or even getting an abortion" (The Hindu 29 Jan. 2018). However, the Economic Times, an Indian English-language newspaper, states that "[t]he single working woman in Indian cities is less and less constrained by prejudices of the past," giving examples of women who have started their own businesses in various sectors such as aviation or waste management, or who are employed in the IT or banking sectors.
The Economic Times (4 Mar. 2018). The same source adds that in Indian cities, there is an increasing number of single, working women who can support themselves with the salary they earn (The Economic Times 4 Mar. 2018). Corroborating information could not be found among the sources consulted by the Research Directorate within the time constraints of this Response.

According to a study by Nestaway [3] on women who migrated within India to a city for employment or studies, Bengaluru is the "most preferred city" for single women, as per the preference of 27% of the women surveyed by the study (Nestaway 8 Mar. 2019). Nestaway notes that IT is the sector which employs the most women, and that IT is the biggest industry in Bengaluru (Nestaway 8 Mar. 2019). An article in the Deccan Chronicle, an Indian newspaper, citing the same study by Nestaway, states that this is due to Bengaluru's "openness and competitive work environment" (Deccan Chronicle 18 Mar. 2019). Corroborating information could not be found among the sources consulted by the Research Directorate within the time constraints of this Response.

2. Access to Employment

2.1 Pay Gap

In a report on the gender gap regarding employment in India, Oxfam India reports that women have access to fewer employment opportunities that match their skills and education level (Oxfam India Mar. 2019, 4). The same source indicates that, based on data from the Employment and Unemployment Survey of 2011-2012 [4], regardless of the sector of employment, female workers are paid less than their male counterparts (Oxfam India Mar. 2019, 23). Similarly, the International Labour Organization (ILO)'s Global Wage Report 2018/19 indicates that, based on data from the 2011-2012 Employment and Unemployment Survey, the mean gender gap between hourly wages is 34.5 percent in India [in other words, women's wages are, on average, 65.5 percent of men's wages] (ILO 2018, 24). Information on wages specific to single women could not be found among the sources consulted by the Research Directorate within the time constraints of this Response.

Sources indicate that, according to data from the 2011 census, single women between 15 and 49 years of age are less likely to work than married women in the same age range (The Times of India 19 Dec. 2016; Shethepeople.tv 19 Dec. 2016). The sources explain that 27 percent of unmarried women work, in comparison with 42 percent of married women, adding that in this age group, some unmarried women may be studying or are not allowed by their families to work (The Times of India 19 Dec. 2016; Shethepeople.tv 19 Dec. 2016). However, IndiaSpend explains that single women - who are divorced, widowed, abandoned or never married - are an exception to the general trend of Indian women leaving the workforce (IndiaSpend 23 June 2018). The source reports that, according to research by economists Jayati Ghosh and Nit Ranjan, who cited data for 2011 collected by the India Human Development Survey (IHDS) regarding the effect of marriage dissolution on women's workforce participation, workforce participation for this group rose to 47 percent after a marriage's dissolution, in comparison to an estimated average of 27 percent for all women across India (IndiaSpend 23 June 2018).

In a discussion paper on employment transitions of Indian women published by the
Institute of Labor Economics (IZA), a German research institute engaging in "research, scientific policy advice, and active transfer of knowledge" in labor economics (IZA n.d.), Sarkar et al.[4] state that, compared to married women, single women are less likely to work in rural areas, explaining that this may be due to social stigma among villagers attached to "single women's participation in economic activities outside of the home" (Sarkar, et al. Oct. 2017, 15). The same source indicates that single women are "more likely" to be employed in urban areas where greater freedom and more work opportunities may be available to them (Sarkar, et al. Oct. 2017, 15). The source also adds that, in urban areas, divorced or separated women are more likely to work than married women, and that women who are household heads are "more likely to be employed than any other member of the household" (Sarkar, et al. Oct. 2017, 15).

The Indian States Breakthrough Index [6] has ranked the Sikkim state as the most favourable for women in the workplace in India, because of the removal of restrictions regarding women's working hours (possibility to work at night), "high conviction rates for workforce crimes against women (albeit on a small sample size)" and high rates of female workforce participation (CSIS and Nathan Sept. 2016). Of the 32 states and union territories that were ranked, Karnataka state, where Bengaluru city is found, came in fourth position; Maharashtra state, where Mumbai is located, came in eighth position; and Chandigarh came in 18th position (CSIS and Nathan Sept. 2016). Delhi, according to the source, was ranked last, due to "its continued formal restrictions on women working at night in a wide range of sectors; and its lack of any incentives for female entrepreneurs in its industrial policies" (CSIS and Nathan Sept. 2016). Corroborating information could not be found among the sources consulted by the Research Directorate within the time constraints of this Response.

3. Access to Housing

IndiaSpend indicates that "[n]obody wants to rent to single women" and that, according to Shikha Makan, an Indian filmmaker who directed a documentary, Bachelor Girls, on the difficulties that single women face when looking for housing in Mumbai, a woman is expected to live with her father or with her spouse (IndiaSpend 23 June 2018). According to The News Minute, "a digital news platform reporting and writing on issues in India," particularly on southern India (The News Minute n.d.), the same documentary, which tells the stories of "mobile, urban and educated" single women, describes how women may need to visit numerous apartments before securing one and that they may face additional and "often invasive" questioning during the rental process (The News Minute 3 Dec. 2016).

Without providing further details, an article by Deutsche Presse-Agentur (DPA) notes that "[r]ecent studies" have shown that single women face difficulties in renting housing in Kolkata, Chennai and Mumbai (DPA 16 Nov. 2016). The Economic Times states that single women face prejudice when searching for a house and reports the example of a professional single woman in Jaipur who was told "unofficially" that her loan application "would be processed faster if it was taken in her brother's name" (The Economic Times 4 Mar. 2018). Regarding home ownership, MakaanIQ, a website providing information about real estate in India (MakaanIQ n.d.), explains, in an article on tips for single women looking to apply for a home loan, "[m]ost banks
prefer" that single women have a co-applicant (and that the "lender may still have a problem" if the co-applicant is her mother); that she have guarantors for the loan, and that she provide "security, other than the primary collateral" (MakaanIQ 7 Mar. 2019). However, without providing further details, the same source also mentions some advantages to apply for home mortgage as a woman: "[m]any banks offer home loans at lower interest rate[s]" to women and lower "stamp duty [7] charges" (MakaanIQ 7 Mar. 2019). Corroborating information could not be found among the sources consulted by the Research Directorate within the time constraints of this Response.

4. Inheritance and Land Rights

In her report on access to housing in India, the UN Special Rapporteur on Adequate Housing states that widows and single women "face multiple [forms of] discrimination in access, control, ownership and inheritance of housing, land and property" (UN 10 Jan. 2017, para. 63). The source adds, without providing further details, that "[c]ertain inheritance practices" still "deny women title to housing, land and property despite the fact that, under the Hindu Succession (Amendment) Act, 2005, daughters and sons have equal rights" (UN 10 Jan. 2017, para. 63). According to an article on the gender gap in land ownership in India by Anupma Mehta, editor at the National Council of Applied Economic Research (NCAER), an Indian independent non-profit economic policy research institute (NCAER n.d.), "83 per cent of the agricultural land is reportedly inherited by male members of the family and less than 2 per cent by their female counterparts" (Mehta 17 Apr. 2018). According to Shruti Pandey, [former] PIL [Public interest litigation] lawyer at the Supreme Court and at the Delhi High Court, as cited by Mehta, Indian women's property rights vary based on factors such as religion, marital status, region of origin, and tribal status, among others (Mehta 17 Apr. 2018). The same source adds that, according to Pandey, women's property rights are "vastly discriminatory and arbitrary" and that women are given "much lower shares in family property than men" (Mehta 17 Apr. 2018).

Similarly, in a case study on the gendered consequences of land dispossession in the Mahindra World City special economic zone in Jaipur, Rajasthan, Michael Levien, an assistant professor of sociology at Johns Hopkins University (Johns Hopkins University n.d.), explains that, as landowners, men received the rights for most compensation plots (land received in compensation for the loss of farmland during the development of commercial and residential areas) and that when women (such as widows) owned such plots, male relatives negotiated their sale (Levien July 2017, 17-19). Corroborating information could not be found among the sources consulted by the Research Directorate within the time constraints of this Response.

5. Children's Custody and Mothers' Ability to Move in the Country

According to sources, children's custody is regulated by the Guardians and Wards Act, 1890 (IndiaFilings n.d.; MyLegalWork 4 Aug. 2017). Sources indicate that this law is considered in conjunction with the applicable religious laws (IndiaFilings n.d.; MyLegalWork 4 Aug. 2017).
Regarding the "[n]atural guardians of a Hindu minor," the Hindu Minority and Guardianship Act, 1956 provides the following:

The natural guardians of a Hindu, minor, in respect of the minor's person as well as in respect of the minor's property (excluding his or her undivided interest in joint family property), are:

1. in the case of a boy or an unmarried girl - the father, and after him, the mother: provided that the custody of a minor who has not completed the age of five years shall ordinarily be with the mother;
2. in the case of an illegitimate boy or an illegitimate unmarried girl - the mother, and after her, the father;
3. in the case of a married girl - the husband. (India 1956, Sec. 6)

According to a 2015 report by the Indian government's Law Commission regarding reforms in guardianship and custody laws in India, this legislation is discriminatory and gives preferential treatment to the father (India May 2015, para. 2.3.5).

Sources indicate that under Muslim law, specifically the law or right of hizanat, the mother has the right to custody, except if she is deemed unfit to be a guardian (India Filings n.d.; MyLegalWork 4 Aug. 2017). The report by the Law Commission of India, however, specifies that the mother has custody of her children until male children are seven years old and female children reach puberty, after which the father is the natural guardian (India May 2015, para. 2.2.13).

Sources indicate that Christian and Parsi laws contain no provisions regarding child custody rights; for Christian children, custody issues are governed by the Indian Divorce Act, 1869 (India Filings n.d.; MyLegalWork 4 Aug. 2017). Issues of Parsi child custody are addressed by the Guardians and Wards Act, 1890, and by the Parsi Marriage and Divorce Act, 1936 (India Filings n.d.; MyLegalWork 4 Aug. 2017; India May 2015, para. 2.2.14).

Information on requirements for the father's approval for mothers to migrate within India with their children could not be found among the sources consulted by the Research Directorate within the time constraints of this Response.

A country information report on India by Australia's Department of Foreign Affairs and Trade (DFAT) states that, regarding internal relocation, the requirement 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" (Australia 17 Oct. 2018, para. 5.18). Similarly, Ram B. Bhagat, professor and head of the Department of Migration and Urban Studies at the IIPS in Mumbai (IIPS n.d.), indicates that, according to a 2012 source, two-thirds of migrant female workers migrate with children, compared to only one quarter of male migrant workers (Bhagat 12 Aug. 2017, 39). The same source explains that, because of a lack of "residential proof" (the "ability to own a house in [their] name or in the name of a family member, or rent a house under a leave and licence agreement") due to their poor access to property and housing rights, migrant women are unable to "open a bank account, get a ration card, or a driving license" (Bhagat 12 Aug. 2017, 39). Bhagat adds that [internal] migrants' children "are denied their right to education as seeking admission to schools is cumbersome, and language barriers are difficult to
“overcome” because their language “generally” differs from the local language (Bhagat 12 Aug. 2017, 39).

6. Government Support Services

Information on government services specifically aimed at single women could not be found among the sources consulted by the Research Directorate within the time constraints of this Response.

6.1 Shelters for Women

According to the website of the Department of Women and Child Development of the government of Karnataka, the state has 196 Santhwana centres operating "at Taluk and District level," which aim to provide "counseling legal assistance, temporary shelter and financial relief" to "victims of rape, sexual harassment, domestic violence and dowry harassment"; the centres are run by NGOs and funded by the department (Karnataka n.d.a). The same source also states that there are 48 Swadhar Gruha [Greha] centres in the state (Karnataka n.d.a), including 10 in Bengaluru's Urban district (Karnataka n.d.b). These centres, which are "implemented through voluntary organizations," aim to provide women "in difficult circumstances" with "food, shelter, clothing, training and education" (Karnataka n.d.a). According to sources, shelters for homeless people, including both men and women, are inadequate to meet the need for shelter in Bengaluru (The Economic Times 11 Jan. 2019; The Times of India 19 Jan. 2018), including lack of separate accommodation for women (The Times of India 19 Jan. 2018).

According to the website of the Women and Child Department of the Maharashtra state government, shelter homes for "[d]estitute" women, teenage mothers, and women who are "victims of atrocities," who are between the ages of 16 and 60, provide a "[s]afe and protected environment and basic facilities such as [f]ood, [c]lothing, [s]helter, [s]ecurity, [m]edical assistance, [e]ducation and [t]raining related facilities, [and] legal advi[c]e," among others (Maharashtra n.d.). However, The Hindu reports that young women who ran from home and traveled to Mumbai are left without government support and experience homelessness (The Hindu 10 March 2017). Sources also indicates that Mumbai's shelters, numbered between seven and nine, serve mostly children (The Daily Pao 4 May 2016; Next City 7 Jan. 2016).

The Ministry of Women and Child Development's National Repository of Information for Women (NARI) indicates that the Nari Niketan Home in Chandigarh provides shelter and protection to "[d]estitute, deprived, socially marginalized women in difficult circumstances" (India n.d.a). Further information on shelters for women in Chandigarh could not be found among the sources consulted by the Research Directorate within the time constraints of this Response.

A report by the Housing and Land Rights Network, India (HLNR), a human rights organization based in New Delhi, on homeless women in India and particularly in Delhi, indicates that shelters for homeless people lack space, which results in "overcrowding and congestion, leading to adverse health impacts on shelter residents" (HLRN [2017], 2). The same source adds that there is a shortage of shelters for women and for women with children (HLRN [2017], 1-2). Corroborating
information could not be found among the sources consulted by the Research Directorate within the time constraints of this Response. Further information on shelters for women in Delhi could not be found among the sources consulted by the Research Directorate within the time constraints of this Response.

6.2 Affordable Rural Housing for Women

The Prime Minister Awaas Yojana (PMAY) is a program that is aimed toward people living below the poverty line in rural areas in order to provide them with assistance for the construction of houses (India n.d.b). The program prioritizes widowed and unmarried women (India n.d.b). One of the program’s criteria is that the house must be under the name of "women members of the household" or in the "joint names of husband and wife" (India n.d.b).

Information on the implementation of the PMAY program could not be found among the sources consulted by the Research Directorate within the time constraints of this Response.

6.3 Working Women Hostels

According to the news agency AgenceTunis Afrique Presse (TAP), working women hostels aim to provide "safe and affordable accommodation to working women" (AGETAP 2 Jan. 2018). The source adds that the hostels have daycare facilities for residents' children and receive financial support from governmental authorities as well as from NGOs (AGETAP 2 Jan. 2018). The hostels are operated by NGOs or state governments (AGETAP 2 Jan. 2018). However, the New Indian Express newspaper reports that in Vijayawada, a Government Working Women's Hostel "lacks proper facilities and services" (The New Indian Express 20 July 2018). The source adds that the rooms are "very small" and do not have beds, so women "have to sleep on the floor," and that only eight washrooms are in proper conditions for 105 women (The New Indian Express 20 July 2018). The source further adds that since there is insufficient space in government hostels, there are over 200 private hostels in Vijayawada, but that the "majority" of those establishments lack fire safety equipment (The New Indian Express 20 July 2018). Similarly, the Times of India reports that, in Chennai, the privately-run hostels for working women presented "extremely poor" hygiene and infrastructure and that they do not meet state government guidelines for the minimum amount of space required per resident (Times of India 31 July 2018).

6.4 Mahila Kisan Sashatikaran Pariyojana (MKSP)

According to the Ministry of Women and Child Development's NARI, MKSP is an initiative aiming to "empower women in agriculture," to enhance their productive participation in agriculture, to create and sustain agriculture-based livelihoods for rural women and to enable them to have a better access to various government services (India n.d.c). According to a brochure by the Ministry of Rural Development, who launched this program in 2010-2011, the MKSP focuses primarily on "landless, small and marginal women farmers" who constitute the poorest 20 percent of rural society (India Oct. 2015). Information on implementation of the MKSP program could not be found among the sources consulted by the Research Directorate within
the time constraints of this Response.

6.5 Support to Training and Employment Programme (STEP) for Women

According to the Ministry of Women and Child Development's NARI, the STEP program is aimed at providing women over 16 years of age with skills that improve their employability and enable them to become self-employed or entrepreneurs in various sectors (India n.d.d). The Ministry of Women and Child Development allocates funds to "eligible organizations" that in turn implement the program (India n.d.d).

Information on implementation of the STEP program 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 2015-2016 National Family Health Survey was conducted between January 2015 and December 2016 (IIPS and ICF Dec. 2017, 6). Four questionnaires were administered to 601,509 households distributed throughout the country, including in rural and urban areas and in slum and non-slum areas (IIPS and ICF Dec. 2017, 1). The questionnaires were regarding the following topics: 1- general household demographic information; 2- information on women's status and health, including reproductive health and preferences, as well as "empowerment," including "household decision making, mobility," and "ownership of a house or land," among others; 3- information on men's status, including marriage, employment, fertility preferences, and "attitudes toward gender roles," among others; and 4- information on the household's members' "biomarker[s]," including various health indicators (IIPS and ICF Dec. 2017, 2-3).

[2] IndiaSpend is a non-profit organization based in Mumbai that uses "open data to analyse a range of issues with the broader objective of fostering better governance, transparency and accountability in the Indian government" (IndiaSpend n.d.).

[3] Nestaway Technologies Private Limited is a provider of "rental solutions" through its application that "allows users to find, book, and move-in to rental home[s]" (Bloomberg n.d.).


[5] Dr. Sudipa Sarkar is a Research Fellow at the Institute for Employment Research (IER) at the University of Warwick, with research interests in "empirical labour and
development economics" (University of Warwick n.d.). Soham Sahoo is an Assistant Professor at the Centre for Public Policy at the Indian Institute of Management (IIM) in Bengaluru; when the report was published, he was a post-doctoral researcher at the University of Göttingen's Development Economics Research Group (Sahoo n.d.). Stephan Klasen is a Professor of Development Economics at the University of Göttingen and his research focuses on "issues of poverty, inequality, environment and gender" (University of Göttingen n.d.).

[6] The Indian States Breakthrough Index addresses governance at the state level and focuses on topics of interest to domestic and international investors (CSIS n.d.a). It is produced by the Center for Strategic and International Studies (CSIS), a "bipartisan, nonprofit policy research organization dedicated to providing strategic insights and policy solutions" to assist decisionmakers (CSIS n.d.b), and Nathan Associates, a "private international economic and analytics consulting firm that works with government and commercial clients" (Nathan n.d.).

[7] The stamp duty is a government tax on property transactions (IIFL n.d.).

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"Vocational/Skill Training - Support to Training and Employment Programme (STEP) for Women." [Accessed 15 Apr. 2019]


"What is Stamp Duty & Why to Pay It?" India Infoline News Service. [Accessed 29 Apr. 2019]


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**Additional Sources Consulted**

**Oral sources:** Associate Fellow at the Institute for Human Development in Delhi; The Association of Strong Women Alone; Association of Women Entrepreneurs of Karnataka; Centre for Women's Development Studies in New Delhi; Indian Association for Women's Studies; Janodaya Trust; Joint Women's Programme; Krantijyoti Savitribai Phule Women's Studies Centre at Savitribai Phule Pune University; professors (2) at the Centre for Women's Development Studies; Research Centre for Women's Studies at SNDT Women's University, Mumbai; researchers (2) at the Department cum Centre for Women's Studies and Development at Panjab University; Self-Employed Women's Association.

**Internet sites, including:** Association of Women Entrepreneurs of Karnataka; CARE India; Delhi – Delhi Commission for Women, Department of Women and Child Development; Ernakulam Women's Association in Kerala State; EU – European Asylum Support Office; Human Rights Watch; India – Office of the Registrar General and Census Commissioner; Self Employed Women's Association.