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16 May 2013

IND104430.E

India: Whether women who head their own households without male support can obtain housing and employment in Delhi, Mumbai and Chandigarh; government support services available to female-headed households in these cities; violence against women in these cities (2008-2011)

Research Directorate, Immigration and Refugee Board of Canada, Ottawa

This Response to Information Request replaces IND103726 of 9 May 2011. All of the information is the same, except the removal of information taken from the source *The Pioneer* of 19 September 2009. This information was removed because of erroneous statistics.

Media sources report that, according to India's census of 2001, there are approximately 36 million women in India who are widowed, divorced or separated from their husbands (IPS 22 Oct. 2009; *The Times of India* 8 Oct. 2009; Womens eNews 10 Jan. 2010). The National Forum for Single Women's Rights indicates that these single women are rejected by society and treated with indifference by the federal government (ibid.). For example, widows are said to face "deep social stigma" (IPS 22 Oct. 2009), "social marginalisation" (IANS 6 Oct. 2009) and "cruel" treatment by in-laws (*The Hindu* 7 Oct. 2009). Media sources similarly note that divorced women face social "stigma" (ibid. 30 Dec. 2009) and "ridicule" (*Mail Today* 2 Feb. 2011).

According to activist involved in launching a national forum for single women's rights in 2009, single women in India are subject to "unjust social customs" (IANS 6 Oct. 2009). Women's eNews, a non-profit Internet-based news service reporting on women's issues (n.d.), likewise explains that women who are unmarried or who were left by their husbands generally "live invisibly, often at the mercy of callous family customs" (10 Jan. 2010).

However, media sources also indicate that India's economy is booming, leading to an increase in the number of young, single women working in cities (*The New York Times* 26 Mar. 2011; *The Tribune* 9 Mar. 2011). These women have greater freedoms and opportunities than in the past (ibid.; *The New York Times* 26 Mar. 2011; DNA 4 July 2010).

Employment

According to *The New York Times*, the number of women in the Indian workforce has nearly doubled between 1996 and 2011 (26 Mar. 2011). Yet sources indicate that women in India earn less money than their male counterparts (UN 2009, 13; PCESCR May 2008, 16; US 8 Apr. 2011, Sec. 6). In a 2008 report submitted to the United Nations (UN), the People's Collective for Economic, Social and Cultural Rights (PCESCR)--an umbrella organization of over 100 non-governmental organizations (NGOs) in India--indicates that women in India earn approximately 38 percent of the "average male wage" despite the existence of a law providing for equal remuneration (PCESCR May 2008, 16, 88-91).

The PCESCR report states that 93 percent of female workers are employed in the unorganized and informal sector (ibid., 17, 58), which is defined by India's National Commission for Enterprises in the Unorganised Sector as "unincorporated private enterprises" that are owned by individuals or households, have less than 10 workers and sell or produce goods and services (India Apr. 2009, 3). As a result, the women experience job insecurity and poor work conditions and lack social security (PCESCR May 2008, 17, 58). A report published by the United Nations Development Programme (UNDP), which was authored by the Director of the Centre for Urban and Regional Excellence in New Delhi, similarly states that women in India are "largely employed at the bottom of the livelihood chain, in unprotected conditions of the unorganized sector" (UN 2009, 13).

The PCESCR report also notes that the new opportunities opening up for women in India's urban areas are generally poorly paid since they rely "primarily" on "self-employment, home-based work at piece rates [and] part-time work in the informal sector" (May 2008, 29).

In addition, the PCESCR reports that India's 66 million Dalit or "untouchable" women face particular "discrimination" in accessing employment (PCESCR May 2008, 19). The PCESCR states that Dalit women, who work primarily as agricultural labourers and cultivators, but also in households and in the unorganized sector of urban areas, are "denied just and equal wages, a fair share in economic distribution, and maternity benefits" (ibid.).

However, as already mentioned, other sources indicate that women in India have greater employment opportunities than in the past (Ganguly-Scrase and Scrase 2009, 86-89; *The Tribune* 9 Mar. 2011). According to the Chandigarh-based *Tribune*, modern Indian women are filling positions in new industries and in some previously male-dominated industries such as banking, human resource management, the computer industry, animation, multimedia, catering, corporate communications, psychology and counselling (ibid.). The *Tribune* also notes an increasing number of female doctors, scientists and professors in India (ibid.). The article indicates that despite India's traditional background, these new opportunities have allowed some women to live and earn money independently, and to marriage (ibid.).

Media and academics provide more specific examples of career and financial opportunities becoming available to women (IPS 11 Mar. 2011; DNA 22 July 2010; Patel 2010, 88; Mattingly 2005). Inter Press Service (IPS) reports that a high number of young women are joining the New Delhi workforce as a result of the growing economy and increased job opportunities (IPS 11 Mar. 2011). The Mumbai-based *Daily News and Analysis* (DNA) notes that the expanding information technology (IT) and education sectors in Navi Mumbai, twin-city to Mumbai, is attracting working women from across India (22 July 2010). Two academics also highlight the financial independence that work at Indian call centres can offer to young, single women who speak English (Patel 2010, 88, 104-105; Mattingly 2005).

One of the academics, San Diego State University professor Doreen J. Mattingly, notes that the average monthly wage earned by women in call centres is 10 times that of the national minimum wage, and approximately twice as much as other employment options open to college-educated women (ibid.). Similar findings were reported in a study of women working the night shift in Indian call centres, which was written by Reena Patel, a scholar with a PhD from the University of Texas at Austin (Patel 2010, 87-88). According to Patel, even though there is a social stigma associated with call centre work in India, the salary level of some young workers is on par with that of white-collar professionals such as engineers and architects (ibid.). Both academics report cases in which female call centre workers lived independently, able to meet their own expenses and, in some cases, help support other family members (Patel 2010, 87, 89, 101; Mattingly 2005).

However, in correspondence with the Research Directorate, a University of Michigan professor of women's studies and political science, who conducts research on India's middle class, points out that women who live alone might face discrimination if they disclose this information during a job interview (Professor 4 May 2011).

Housing

Sources indicate that, traditionally, women in India go from living with their parents to getting married and living with their husband (Patel 2010, 102) and his family (Mattingly 2005; Global Post 8 Aug. 2010). Single women who live away from their families face "social and family stigma," writes Patel, particularly if their families live in the same city (2010, 101). She adds that the suspicion with which single women are regarded makes accessing housing difficult (Patel 2010, 101).

According to India's Ministry of Women and Child Development, finding safe housing is one of the "main" problems for women who move to larger cities in search of employment (India n.d.b). Media and academic sources also report on the difficulties single women face trying to rent apartments in metropolitan areas (Global Post 8 Aug. 2010; DNA 4 July 2010; *The Straits Times* 4 Dec. 2010; Patel 2010, 101). The professor of women's studies and political science said that while access to housing is "significantly improving" for middle-class and high-income single women (including divorced and widowed women),

there continue to be significant social and cultural barriers around women's sexuality. Women residing alone may be viewed as having suspect reputations and may have to have family members vouch for them in order to gain access to housing. ...

In addition some housing arrangements may have restrictions such as curfews that interfere with employment demands (for women who work late or have night shifts). Women from lower caste backgrounds or lower income groups may have additional burdens of caste discrimination and may not have the financial means to gain access to housing. This may also be true for Muslim women who may face additional barriers of discrimination that intersect with gender obstacles. (Professor 4 May 2011)

In Delhi, where 60 percent of residents live in slums (PCESCR May 2008, 54), women who are arriving from other areas of India for an education or employment reportedly lack proper housing (*The Straits Times* 4 Dec. 2010). Access to adequate housing is also an issue in Mumbai, where 50 percent of residents live in slums (PCESCR May 2008, 54). For example, Global Post, a Boston-based Internet news agency, reports that single women in Mumbai have a difficult time finding landlords willing to rent them apartments (8 Aug. 2010). According to a real estate agent featured in the Global Post article, many Mumbai housing societies, which decide who can and cannot rent apartments, expect that single women "will use the apartments for sex work" (8 Aug. 2010). Patel similarly notes that some landlords suspect that single women are prostitutes or bar dancers (2010, 101). Media sources also indicate that such perceptions result in single women who live on their own being subject to scrutiny by neighbours (Global Post 8 Aug. 2010; DNA 4 July 2010). The DNA notes that another obstacle to finding "decent" housing is that many single women cannot afford the high rent for apartments in Mumbai (DNA 22 July 2010).

In correspondence with the Research Directorate, the Director of the New Delhi-based Lawyer's Collective Women's Rights Initiative said that "victims of domestic violence [also] have difficulty in accessing housing options as many of them lose their financial independence after marriage and sometimes as a result of being in a violent relationship" (18 Apr. 2011). She noted that such women are often dispossessed by their husbands and forced to rely on their parents, who may not be willing to support them (LCWRI 18 Apr. 2011).

Women's Rights to Housing, Land, Property and Inheritance

According to a report by the Habitat International Coalition (HIC), "an independent, international, non-profit movement of over 450 members" that advocates for the right to adequate housing, women in India "suffer discrimination with regard to their rights to adequate housing, land, property and inheritance" (Mar. 2009, 25, lxxiii). Freedom House similarly states that Hindu traditions and Muslim "personal-status laws" in India "discriminate against women in terms of inheritance ... and property rights" (2010). The HIC specifically notes that although 20 percent of rural households are headed by women, less than 2 percent of these women have land titles (HIC Mar. 2009, 25). Likewise, the UNDP indicates that only a "very small percentage" of women in India hold land titles (UN 2009, 12).

The UNDP describes the effects of Indian women's lack of rights to land and housing as a contributing factor to their poverty and insecurity and to making them "a voiceless and vulnerable constituency" (UN 2009, 12). The HIC points out that Dalit women, who face "social exclusion and discrimination," are particularly vulnerable to the effects of landlessness (HIC Mar. 2009, 25).

The HIC indicates that although the law on Hindu women's property rights was amended in 2005 to mandate "equal inheritance rights for men and women in agricultural land and family property," the law does not apply to non-Hindu women (ibid.). The HIC also states that, at the time of writing its report in March 2009, the prevalence of the dowry system made it uncertain as to what extent Hindu women would benefit, in practice, from the legislation (ibid.). Further information on the impact of the 2005 amendments to legislation on Hindu women's property rights was not found among the sources consulted by the Research Directorate.

Working Women's Hostels

According to India's Ministry of Women and Child Development, since 1972, the government has funded NGOs and other organizations engaged in women's welfare or education to build hostels for working women (India 2010, 18). The hostels are intended to provide safe and affordable housing to single working women; widowed, separated or divorced women; working women living outside their home towns or living without their out-of-town husbands; women undergoing employment training; and women studying in professional programs (ibid.).

There are reportedly 887 working women's hostels throughout India providing accommodation for approximately 65,000 women (ibid.). Women can stay in the hostels for up to three years, with the possibility of an extension in exceptional circumstances (India n.d.b). According to the Ministry, the hostels have day care centres for residents with children (India 2010, 18). The Ministry guidelines state that a working mother's children can reside with her at the hostel until they reach a certain age: female children can stay until the age of eighteen, and male children until the age of five (ibid. n.d.b). In contrast, the professor of women's studies and political science stated that hostels for middle-class working women "generally do not have accommodations for children" (Professor 4 May 2011).

Representatives of the community, NGOs, state governments and others provided feedback on various government programs developed to benefit women, including the hostels, for the Indian Planning Commission's mid-term appraisal of its eleventh five-year plan to improve conditions in the social sector (i.e., the ministries of health, women and child development, minorities, handicraft and handlooms) (India 2009, 35). According to the Planning Commission, working women's hostels are primarily located in cities, but are not found in every district (ibid., 39). There is reportedly a demand for more of these hostels, particularly in smaller towns (ibid.). The Planning Commission characterized the basic facilities in the hostels as being of "inferior quality," and noted that the sanitary conditions in most hostels are "very bad" (ibid., 39-40). The Commission added that the hostels do not provide the women residents with adequate access to health care (ibid., 40).

The professor of women's studies and political science stated that working women's hostels are "generally accessible to single employed women, particularly of middle class background" (Professor 4 May 2011). She also noted that the hostels often have complicated interview procedures that require family members to be interviewed (ibid.). The professor further reports that some hostels have "very strict rules," including "financial requirements, social restrictions, control over curfews and a lengthy application process" (ibid.). Patel likewise notes that women living in hostels are subject to strict rules and monitoring (2010, 102).

Delhi: According to the Department of Women and Child Development of the Government of the National Capital Territory of Delhi, there are 19 working women hostels in Delhi, with a capacity to house a total of 2,804 people (NCT of Delhi n.d.). The construction of sixteen of these hostels was funded by the Government of India (ibid.).

Chandigarh: The Administration of the Union Territory (UT) of Chandigarh operates a working women's hostel that can accommodate up to 72 people (Chandigarh n.d.). It also provides some funding to two NGOs that administer working women's hostels in Chandigarh (ibid.).

Mumbai: Two Internet sites that provide information about accommodations in Mumbai list 47 working women's hostels in Mumbai (MumbaiJourney.com n.d.; *Accommodation Times* n.d.). Information about the number of people that can be accommodated by the hostels could not be found by the Research Directorate.

The DNA reports that, according to officials, there is a "dire need" for more working women's hostels in Navi Mumbai (22 July 2010). However, the City and Industrial Development Corporation is reportedly planning for the construction of five new working women's hostels (DNA 22 July 2010).

Other Government-funded Support Services

India's Ministry of Women and Child Development also funds Swadhar Shelter Homes, which aim to provide accommodation, food, clothing, counselling and services for "marginalized" women and girls who are in "difficult circumstances," but who do not have support from their families (India 2010, 19). The target group includes widows, women prisoners released from jail, natural disaster survivors, victims of trafficking or terrorism, women with cognitive disabilities and women with HIV (ibid.). According to the Ministry, there are 318 Swadhar shelters across the country, as well as 238 help lines for women (ibid.). However, India's Planning Commission reports that the Swadhar shelters are underfunded and do not meet "[e]ven the basic needs" of the women (ibid. 2009, 40).

The government also offers other programs for women, such as the Support to Training and Employment Programme (STEP), which provides skills training to marginalized women (UNI 7 Nov. 2009; India 2010, 18). Single women also benefit from the *National Rural Employment Guarantee Act* (DNA 7 Aug. 2009; UNI 7 Nov. 2009), which guarantees them 100 days of paid employment (ibid.). However, rights advocates note that single women are not included in some other government programs, such as entitlement to a separate ration card if living with relatives (*The Hindu* 7 Oct. 2009).

Violence Against Women

Statistics from the National Crime Records Bureau (NCRB) indicate that, in 2009, there were 21,397 rapes reported in India, as well as 25,741 kidnappings and abductions of women and 38,711 cases of molestation (India n.d.a, 387, 389). The United States Department of State's *Country Reports on Human Rights Practices for 2010* says that official statistics show rape as the "fastest growing crime" in India, and also that legal redress for victims is "inadequate" and "overburdened" (US 8 Apr. 2011, Sec. 6). According to Freedom House, rape is a "serious" problem in India, particularly for lower-caste and tribal women (2010).

Delhi: Media sources indicate that Delhi is the least-safe city in India for women (*The Guardian* 22 Feb. 2011; *The Times of India* 3 Aug. 2010; *The New York Times* 26 Mar. 2011). Comparisons of 2009 crime figures in 35 large cities in India show that nearly 25 percent of rapes and almost 40 percent of kidnappings and abductions of women occurred in Delhi (*The Guardian* 22 Feb. 2011; *Kashmir Monitor* 6 Mar. 2011; India n.d.a, 388). Specifically, the NCRB reports that of the 1,696 rapes that occurred in the 35 cities, 404 happened in Delhi; of the 3,544 cases of kidnapping and abductions of women, 1,379 cases were reported in Delhi (ibid.). To put these figures in context, Delhi accounted for just 13.2 percent of the total number of crimes committed in the 35 cities (*Kashmir Monitor* 6 Mar. 2011; *The Guardian* 22 Feb. 2011).

According to *The Guardian*, many of these attacks against women involve gangs of young men who live on the outskirts of New Delhi and target young single women working in the IT sector (ibid.). *The New York Times* similarly notes that there have been a series of sexual assaults and gang rapes against young, educated working women in New Delhi (26 Mar. 2011). The violence is usually committed by young men from outlying villages who view women who work outside the home as "lacking in virtue and therefore deserving of harassment and even rape" (*The New York Times* 26 Mar. 2011). Media sources cite experts who blame the increase in sexual crimes on inadequate policing (*Hindustan Times* 8 Feb. 2011; *The Guardian* 22 Feb. 2011) and a lengthy judicial process (ibid.).

A 2010 survey published by the New Delhi-based NGO Jagori and UN Women indicates that women from different classes and professions experience sexual harassment in their daily lives, in both crowded and secluded areas of New Delhi (Jagori and UN Women 2011, xii). In the survey of over 3,800 women, 80 percent reported verbal harassment, 45 percent said they have been stalked and 31 percent reported having been physically harassed (ibid., xi-xiii). Yet only 0.8 percent of women respondents reported incidents of sexual harassment to the police (ibid., xv). According to the survey, girls and women faced the highest levels of harassment on public transportation and along roadsides (ibid., xii). Students between the ages of 15 and 19 and women working in the unorganized sector were reportedly the most vulnerable to harassment (ibid.).

NCRB statistics indicate that there were 113 cases of sexual harassment and 491 cases of molestation in Delhi reported to the police in 2009, accounting for 6.8 percent of sexual harassment cases and 14.1 percent of molestation cases in the 35 Indian cities (India n.d.a, 390).

Chandigarh: NCRB's 2009 crime statistics indicate that there were 29 rape cases, 36 cases of kidnapping and abduction, 26 molestation cases and 2 sexual harassment cases reported in the Union Territory (UT) of Chandigarh that year (ibid., 387, 389). These incidents accounted for 0.1 percent or less of such cases throughout India that year (ibid.).

Mumbai: NCRB crime statistics indicate that, in 2009, there were 182 rapes in Mumbai, accounting for 10.7 percent of rapes in the 35 Indian cities (India n.d.a, 388). According to *The Times of India*, the conviction rate for rape cases in Mumbai was approximately 20 percent in the years between 2005 and 2010 (3 Aug. 2010). Mumbai's police commissioner explained that the low conviction rate was caused, in part, by lengthy investigations that sometimes lasted for years after the crime (ibid.).

In addition, NCRB's 2009 crime statistics indicate that there were 86 kidnappings and abductions, 400 molestation cases, and 101 incidents of sexual harassment reported in Mumbai, accounting for, respectively, 2.4 percent, 11.5 percent, and 6.1 percent of those crimes in the 35 Indian cities (India n.d.a, 388, 390).

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.

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Oral sources: Attempts to contact representatives of the Women's Research and Action Group (WRAG), the Self Employed Women's Association (SEWA), the International Center for Research on Women (ICRW), WomenPowerConnect (WPC), the National Alliance of Women (NAWO), the Chandigarh Child and Women Development Corporation, and the Programme on Women's Economic, Social and Cultural Rights (PWESCR) were unsuccessful within the time constraints of this Response. A professor at Connecticut College was unable to provide information.

Internet sites, including: All India Women's Conference (AIWC), Asian Centre for Human Rights (ACHR), European Country of Origin Information Network (ecoi.net), Human Rights Watch, ICRW, NAWO, PWESCR, SEWA, United Nations Refworld, Women's Research and Action Group, WPC.

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