# Country Policy and Information Note
India: Internal relocation

**Version 2.0**

**June 2023**

# Contents

# Assessment

**About the assessment**

This section considers the evidence relevant to this note – that is information in the [country information](), refugee/human rights laws and policies, and applicable caselaw – and provides an assessment of whether, **in general**:

- a person is reasonably able to relocate within India

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

## 1.     Material facts, credibility and other checks/referrals

### 1.1     Credibility

1.1.1     For information on assessing credibility, see the instruction on [Assessing Credibility and Refugee Status.]()

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

1.1.3     In cases where there are doubts surrounding a person's claimed place of origin, decision makers should also consider language analysis testing, where available (see the [Asylum Instruction on Language Analysis]()).

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1.1.4     The information in this section has been removed as it is restricted for internal Home Office use only.

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### 1.2     Exclusion

1.2.1     Decision makers must consider whether there are serious reasons for considering whether one (or more) of the exclusion clauses is applicable. Each case must be considered on its individual facts and merits.

1.2.2     If the person is excluded from the Refugee Convention, they will also be excluded from a grant of humanitarian protection (which has a wider range of exclusions than refugee status).

1.2.3     For guidance on exclusion and restricted leave, see the Asylum Instruction on [Exclusion under Articles 1F and 33(2) of the Refugee Convention](), [Humanitarian Protection]() and the instruction on [Restricted Leave]().

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## 2. Internal relocation

2.1.1  In general, a person fearing 'rogue' state actors and non-state actors is likely to be able to internally relocate to another area of India, particularly larger urban areas and cities such as (but not limited to) Mumbai, Delhi, Kolkata, and Hyderabad.

2.1.2  While the onus is on the person to establish a well-founded fear of persecution or real risk of serious harm, decision makers must demonstrate that internal relocation is reasonable (or not unduly harsh) having regard to the individual circumstances of the person.

2.1.3  Where the person has a well-founded fear of persecution or serious harm from the state, they are unlikely to be able to relocate to escape that risk.

2.1.4  India is a diverse, multi-ethnic, multi-lingual society with a population of approximately 1.4 billion. The country comprises 36 states and 'union territories'. There are multiple urban centres with populations of over 1 million and many major cities with populations of over 5 million (for more information on geography and demography see the India Country Background Note- available on request).

2.1.5  The law provides for freedom of movement and grants citizens the right to reside and settle in any part of the territory of India. In practice freedom of movement is generally possible; however, it is limited in some parts of the country by insurgent violence or communal tensions. There is a vast transport network and internal migration flows are substantial, with an estimated 450 million internal migrants in India (2011 census). Internal migrants' access to public services may be limited without appropriate identity documentation (see Freedom of movement and the India Country Background Note).

2.1.6  Citizens are entitled to free universal healthcare, although public services can be underfunded, meaning those who have the means to pay often use private providers (see India: medical and healthcare provision).

2.1.7  Decision makers must give careful consideration to the relevance and reasonableness of internal relocation taking full account of the individual circumstances of the particular person (for information on employment and cost of living, see India Country Background Note- available on request).

2.1.8  For further information on internal relocation for minority groups, including religious minorities, LGBTI persons, and women, see the Country Policy Information Notes on India: Religious minorities and scheduled castes and tribes, India: Sexual orientation and gender identity and expression and

[India: Women fearing gender-based violence](#)

2.1.9    For further guidance on the 5 Refugee Convention grounds see the Asylum Instruction, [Assessing Credibility and Refugee Status](#).

# Country information

**About the country information**

This contains publicly available or disclosable country of origin information (COI) which has been gathered, collated and analysed in line with the research methodology. It provides the evidence base for the assessment.

The structure and content of this section follow a terms of reference which sets out the general and specific topics relevant to the scope of this note.

Decision makers must use relevant country information as the evidential basis for decisions.

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## 3.    Freedom of movement

### 3.1    Legal rights

3.1.1    The United States Department of State (USSD) annual report on human rights in India (USSD report 2022) outlined:

'The law provides for freedom of internal movement, foreign travel, emigration, and repatriation. The government generally respected these rights.

'…The government may legally deny a passport to any applicant for engaging in activities outside the country "prejudicial to the sovereignty and integrity of the nation."'[1]

3.1.2    The Department for Foreign Affairs and Trade (DFAT) 2020 country information report on India (DFAT report 2020) based on a range of sources noted that: 'The complementary rights to reside and move freely throughout India are found in Articles 19(1)(d) and (e) of the constitution. Article 19(1)(d) guarantees all citizens of India the right to move freely throughout the territory of India including from one state to another or from one place to another in the same state.'[2]

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### 3.2    Restrictions

3.2.1    The DFAT report 2020 noted that the right to reside and move freely throughout the country:

'… can be curtailed under the 'reasonable restrictions' in Article 19(5); that is, in the interest of the general public or for the protection of the interest of any ST. Article 19(1)(e) gives every citizen the right to reside and settle in any part of the territory of India, subject to the reasonable restrictions in Article 19(5). The freedom of movement and residence may be curtailed and suspended during an emergency. Equally, any restriction which maintains public peace or safety can been considered in the interests of the general

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[1] USSD, '2022 Country Report on Human Rights Practices: India' (page 23), 20 March 2023
[2] DFAT, 'Country information report: India' para 5.29, 10 December 2020

public.'[3]

3.2.2    The USSD report 2022 stated that: 'The Ministry of Home Affairs and state governments required citizens to obtain special permits when traveling to certain states. Inner Line Permits are required in the states of Arunachal Pradesh, Nagaland, Mizoram, and Manipur.'[4]

## 3.3    Internal movement

3.3.1    World Bank noted in an article titled 'Internal Migration in India Grows, But Inter-State Movements Remain Low', published in December 2019 that: 'In India, as in most countries, there are generally no restrictions on internal movement. The number of internal migrants in India was 450 million as per the most recent 2011 census. This is an increase of 45% over the 309 million recorded in 2001. This far exceeds the population growth rate of 18% across 2001-2011. Internal migrants as percentage of population increased from 30% in 2001 to 37% in 2011.'[5]

3.3.2    The 2020 DFAT report noted: 'India has a long history of internal migration; however, in practice, it remains predominantly intrastate rather than interstate.

'… Inability to access social protection is a further deterrent. In practice, difficulties in procuring registration documents including proof of residency and legal tenancy can restrict internal migrants' access to public services including health and education and social security programs. These difficulties include complicated regulations and administrative requirements, and act as a disincentive, especially for temporary and seasonal migrants. Such people often face barriers in obtaining subsidised food and housing until they can establish identity and local residence.

'The absence of informal social networks that would normally assist with accommodation, employment and informal social protection may also limit relocation. Where local language and culture is different from region of origin, Indian nationals may also face harassment and political exclusion. Multiple sources told DFAT relocation in India is not straightforward, and many cultural, socio-economic and gender-based obstacles, in addition to language differences, prevail'[6]

3.3.3    Freedom House noted in their Freedom in the World report 2023 that: 'The constitution grants citizens the right to reside and settle in any part of the territory of India. However, freedom of movement is hampered in some parts of the country by insurgent violence or communal tensions. Several states require companies to reserve jobs for locals, limiting opportunities for interstate migration, although enforcement of the quotas is reportedly limited.'[7]

For information on the ability of specific groups to relocate internally see:

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[3] DFAT, 'Country information report: India' para 5.29, 10 December 2020
[4] USSD, '2022 Country Report on Human Rights Practices: India' (page 23), 20 March 2023
[5] World Bank, 'Internal Migration in India Grows, But Inter-State Movements…', 18 December 2019
[6] DFAT, 'Country information report: India' para 5.29, 5.32 , 10 December 2020
[7] Freedom House, 'India: Freedom in the World 2023 Country Report', 2023

- [Country policy and information note: Women fearing gender-based violence](#)

- [Country policy and information note: Religious minorities and Scheduled Castes and Tribes](#)

- [Country policy and information note: Sexual orientation and gender identity and expression.](#)

### 3.4    Property and housing

3.4.1    The Housing and Land Rights Network noted that: 'The Supreme Court of India, in several judgements, has held that the human right to adequate housing is a fundamental right emanating from the right to life protected by Article 21 of the Constitution of India ("No person shall be deprived of his life or personal liberty except according to procedure established by law").'[8]

3.4.2    In 2015 the government launched the Pradhan Mantri Awas Yojana – Urban (PMAY-U), scheme which was implemented by the Ministry of Housing and Urban Affairs (MoHUA). The scheme was set up to address the housing shortage among the Economically Weaker Section (EWS)/Low Income Group (LIG) and Middle Income Group (MIG) including slum dwellers by ensuring a pucca house (an all weather dwelling unit) to all eligible urban households by the year 2022. On 17 August 2022 the scheme was extended until 31 December 2024[9].

3.4.3    Habitat for Humanity noted that: 'The Government of India is still committed to provide housing for all by 2022 in meeting the Sustainable Development Goal 1 of ending poverty. The current shortfall of 10 million urban housing units is mostly driven by the economically weaker section and lower income group segment. With increasing urbanization, another 25 million homes are needed by 2030, according to a 2019 RICS-Knight Frank report.'[10]

3.4.4    The Times of India reported in November 2022 that:

'The demand for housing in semi-urban and rural areas is on the rise. There are many smaller towns and cities where people are being driven to the local money lenders for various needs such as housing, agriculture, vehicle and personal loans due to the lack of formal lending institutions. A few affordable housing financiers are now establishing themselves as niche players, studying the demographics of some 5-8 states with a deep penetration target of even tier-4/5/6 towns having a population of 50,000 or below.

'The central government schemes like Pradhan Mantri Awas Yojana (PMAY) and Credit Linked Subsidy Scheme with the aid and assistance of the state governments have helped significantly in providing low-cost housing to the economically weaker sections, especially in the urban areas. Urban housing crisis is something gigantic and very complex. Even today, over 2 lakh people in urban areas do not have shelter. In major cities, at least 7 crore people live in slums. The slum abolition and rehabilitation projects are

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[8] Housing and Land Rights Network, '[Indian Law and Policy',](#) undated
[9] Government of India, '[PMAY (U)'](#)
[10] Habitat for Humanity, '[Housing Poverty in India: Tackling Slums & Inequalities',](#) undated

lingering even in Mumbai as the unlocking of land in the urban areas is a major challenge for the projects. With this kind of ever-increasing urbanization, the situation is getting worse. Nearly 30 people migrate to Indian cities every minute. A migration of this magnitude will result in the urban population touching 60 crores by 2030.'[11]

## 3.5    Entry and exit

3.5.1    The 2020 DFAT report noted that:

'The Bureau of Immigration undertakes immigration functions in India. Indian nationals travelling abroad require a valid Indian passport and travel authority for the destination country. An Indian national, on re-entry to India, requires a valid Indian passport or travel document issued by the Government of India.

'Certain categories of Indian nationals have their passports endorsed with the 'Emigration Check Required' (ECR) stamp. In general, an ECR passport is issued to individuals who have not passed 10th grade/ class (matriculation or higher education pass certificate). Those with ECR passports seeking to travel for employment overseas as unskilled workers (to certain countries in the Middle East, Asia and Africa) need to obtain emigration clearance from the Ministry of External Affairs prior to departure.

'The purpose of the ECR process is to ensure safety of Indian low/unskilled workers in countries with no worker protection rights and who are at risk of exploitation. An ECR stamp in an Indian passport may provide a clue about the holder's education, travel and employment history as well as age and marital status.

'Since January 2019, non-ECR passport holders who are travelling for employment to one of 18 designated countries (Afghanistan, Bahrain, Indonesia, Iraq, Jordan, Kingdom of Saudi Arabia, Kuwait, Lebanon, Libya, Malaysia, Oman, Qatar, South Sudan, Sudan, Syria, Thailand, United Arab Emirates and Yemen) have been required to register with the Ministry of External Affairs prior to departure. The requirement is mandatory and failure to comply may result in the passenger being offloaded from flight.

'India has a border alert mechanism, known as a Look-Out Circular (LOC), that allows certain agencies to flag citizens and non-citizens for border intervention on entry to or exit from the country. Authorities can request LOCs in cases where a person is a suspect, accused or under investigation for cognisable offences under the Indian Penal Code or other penal laws. LOCs can be used to locate and prevent a person from exiting the country (via airports, ports or land border crossings), and allow for arrest in some cases (such as when a person is absconding). In other cases, immigration authorities may not prevent LOC subjects from travelling, but originating agencies will be informed about the person's departure or arrival. Generally, LOCs are valid for one year from the date of issue. In some cases validity can be longer (such as LOCs issued at the request of courts or Interpol, those with a specified duration or those linked to impounding of

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[11] Times of India, 'Low-income home loans turning affordable housing into a …', 30 November 2022

passports).'[12]

## 3.6 Treatment of returnees

3.6.1 Information on the treatment of returnees was limited amongst the sources consulted (see Bibliography).

3.6.2 The 2020 DFAT report stated that: 'DFAT is not aware of any evidence of mistreatment of returnees, including failed asylum seekers, by Indian authorities.'[13]

## 3.7 Documentation

3.7.1 For information on documentation including the Aadhaar ID see the Country Information Note: India (available on request).

section updated: 21 June 2023

## 4. Humanitarian situation

## 4.1 Internally Displaced Persons (IDPs)

4.1.1 The 2021 Internal Displacement Index Report published by the Internal Displacement Monitoring Centre (IDMC) noted that:

'Disasters were the main driver of displacement in India in 2020, resulting in 3.9 million new displacements. Cyclone Amphan, which affected West Bengal and Odisha state, caused the greatest number of displacements. Conflict in Kashmir and intercommunal violence triggered 3,900 new displacements, and the country had a total of 473,000 IDPs associated with conflict and violence at the end of 2020. An estimated 929,000 people were still displaced because of disasters at the end of the year.

'…India does not have national policies specifically addressing internal displacement associated with conflict. The National Disaster Management Plan, updated in 2019, acknowledges disasters as a driver of internal displacement and recognises the need to avoid secondary displacement when responding to disaster events. It addresses durable solutions in terms of social and economic rehabilitation measures for affected communities, considering the different impacts on women, children, the elderly and people with disabilities. 190 It does not, however, address displacement as a result of conflict or include measures to mitigate consequences on other affected groups.'[14]

4.1.2 The Internal Displacement Monitoring Centre (IDMC) noted that: 'India records some of the highest numbers of new displacements in the world every year, the vast majority of them triggered by disasters. The scale of displacement is a result of the country's exposure to intense and frequent hazards, its large population and socio-economic vulnerability. Disasters led

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[12] DFAT, 'Country information report: India', para 5.40- 5.45, 10 December 2020
[13] DFAT, 'Country information report: India', para 5.40- 5.45, 10 December 2020
[14] IDMC 'Internal Displacement Index 2021 Report', December 2021

to approximately 4.9 million displacements in 2021, and political and other forms of violence.'[15]

4.1.3 The 2022 USSD report noted that:

'Settlements of internally displaced persons (IDPs) existed throughout the country.

'…Precise numbers of those displaced by violence were difficult to obtain because the government does not monitor the movements of displaced persons, and humanitarian and human rights agencies had limited access to camps and affected regions. While authorities registered residents of IDP camps, an unknown number of displaced persons resided outside the camps. Many IDPs lacked sufficient food, clean water, shelter, and health care.

'National policy or legislation did not address the matter of internal displacement resulting from armed clashes or from ethnic or communal violence. The welfare of IDPs was generally the purview of state governments and local authorities, allowing for gaps in services and poor accountability. The central government provided limited assistance to IDPs but allowed NGOs and human rights organizations access to IDPs; neither access nor assistance was standard for all IDPs or all situations.'[16]

## 4.2 Conditions

4.2.1 Human Rights Watch's World report 2023 noted that: 'Climate change is expected to have a significant impact on India due to more frequent and intense heatwaves, sea level rise, drought, glacial melt, and changes in rainfall. India experienced an unusually early heatwave, beginning in March, recording the highest temperature in the month in over a century. The March heatwave was made 30 times more likely due to climate change, according to a study by the World Weather Attribution Network.'[17]

4.2.2 UNICEF India's 'End of year Humanitarian SitRep' published in February 2023 noted that:

'India experienced extreme weather events on 291 of the 334 days from January 1 to November 30, 20221, termed as the watermark of climate change, which claimed 3,006 lives, affected 1.96 million hectares of crop area and damaged 423,249 houses. Approximately 16.35 million people including an estimated 6 million children from 310 districts in 22 states were affected by the monsoon floods between May to October 2022. Within this ever expanding array of climate hazards in India, UNICEF responded to the acute needs of 220,000 people including 30,507 children impacted by floods in the states of Assam, Andhra Pradesh, Madhya Pradesh, Odisha, and Telangana.

'… India is highly vulnerable to climate change, and frequent extreme

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[15] IDMC 'India- overview', last updated 19 May 2022
[16] USSD, '2022 Country Report on Human Rights Practices: India' (page 28), 20 March 2023
[17] HRW, 'World Report 2023: India', 12 January 2023

weather events disproportionately affect marginalized communities.'[18]

4.2.3 World Food Programme's India Country Brief February 2023 noted that:

'While India has made tremendous progress over the last few decades in food grain production and a reduction in malnutrition rates, it continues to bear a huge burden of food and nutrition insecurity, ranking 107th out of 121 countries on the 2022 Global Hunger Index, with a score of 29.1 (serious level). Despite recent improvements, the prevalence of malnutrition is well above acceptable levels, and with large number of people, especially women and children, with micronutrient deficiency disorders. The Government of India has put in place some of the world's largest food-based safety nets, reaching nearly 1 billion vulnerable people every month.'[19]

4.2.4 Amnesty International's Annual Report 2022/23 for India noted that:

'The government lacked adequate disaster preparedness policies and failed to effectively respond to floods and air pollution. The north-eastern state of Assam remained vulnerable to intense floods which affected more than 4.8 million people in July. From April onwards, India faced average temperatures of up to 4.5°C above the normal range, particularly affecting people living in poverty and those in certain professions such as daily wage labourers, farmers and street vendors. From October onwards, air quality seriously deteriorated in Delhi, largely due to stubble burning, the use of firecrackers during the Diwali festival and vehicle emissions, violating the human rights to life and health.'[20]

## 4.3 Government support

4.3.1 The March 2023 World Food Programme's report 'Strengthening the Humanitarian System in India'

'India has a reasonably well-developed legal and institutional framework for providing humanitarian assistance to people affected by natural and man-made disasters. The operation and management of the system has evolved over the years, increasing the preparedness and transparency of responses. However, the system still focuses to provide enough assistance to help the affected populations to survive in a crisis without consideration of the longer term needs to enable them to recover from the crisis, to rebuild their lives and livelihoods.

'The system is still managed by the civil servants of the revenue and relief departments of the State Governments, who are not adequately trained and oriented to deliver humanitarian assistance with the full application of the humanitarian principles of humanity, neutrality, impartiality, and independence. There is also a lack of enrolment and utilisation of technical expertise to assist in effective delivery of multi-sectoral relief and recovery interventions. Usually, the relief package is pre-determined and not tailored to the specific needs of the affected population. Hence the operations and management of the system should be reviewed and strengthened in every

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[18] UNICEF, 'UNICEF India End of Year Humanitarian SitRep', 10 February 2023
[19] WFP, 'India Country Brief', 20 March 2023
[20] Amnesty International, 'Human rights in India', 28 March 2023

aspect – from the formulation of policies and guidelines to their implementation on the ground.'[21]

## 4.4 Non-Governmental Organisation support (NGOs)

4.4.1 NGO-DARPAN, a platform that provides space for interface between Voluntary Organisations (Vos)/ Non-Government Organisations (NGOs) and key Government Ministries / Departments / Government Bodies, has a list registered organisations. Of more than 165,000 registered organisations over 25,000 NGO's are involved in disaster management[22]. The full list of organisations can be accessed here.

4.4.2 With reference to the NGO-DARPAN the March 2023 World Food Programme's report 'Strengthening the Humanitarian System in India' noted: '…NGO Darpan does not provide a comprehensive information on the NGOs in the country as many civil society organizations who have been working in the field of humanitarian relief are not registered with the system.'[23]

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[21] WFP, 'Strengthening the Humanitarian System in India', 24 March 2023
[22] NGO Darpan, 'Home', undated
[23] WFP, 'Strengthening the Humanitarian System in India', 24 March 2023

# Research methodology

The country of origin information (COI) 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)](#), 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.

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

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
- whether the COI is consistent with and/or corroborated by other sources

Wherever possible, multiple sourcing is used and the COI compared and contrasted to ensure that it is accurate and balanced, and provides a comprehensive and up-to-date picture of the issues relevant to this note at the time of publication.

The inclusion of a source is not, however, an endorsement of it or any view(s) expressed.

Each piece of information is referenced in a footnote.

Full details of all sources cited and consulted in compiling the note are listed alphabetically in the [Bibliography](#).

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# Terms of Reference

A 'Terms of Reference' (ToR) is a broad outline of the issues relevant to the scope of this note and forms the basis for the country information.

The Home Office uses some standardised ToR, depending on the subject, and these are then adapted depending on the country concerned.

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

- Freedom of movement - legal status and documentation required to move within and into/out of country, legal and physical restrictions

- Treatment of returnees on and after arrival

- Humanitarian situation - areas affected by conflict/natural disasters, conditions these areas, including availability of food, water and shelter, internally displaced populations, government and non-government support and services provided to displaced populations

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**Sources cited**

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# Version control and feedback

## Clearance

Below is information on when this note was cleared:

- version **2.0**
- valid from **28 June 2023**

**Official – sensitive: Not for disclosure – Start of section**

The information in this section has been removed as it is restricted for internal Home Office use only.

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## Changes from last version of this note

Updated country information.

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## Feedback to the Home Office

Our goal is to provide accurate, reliable and up-to-date COI and clear guidance. We welcome feedback on how to improve our products. If you would like to comment on this note, please email the Country Policy and Information Team.

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## 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.