

ActionAid Association (India) Submission to the UPR IV Process – 2022

Acronym: AAA

Website: actionaidindia.org

Postal Address: F-5 Kailash Colony (First Floor), Delhi 110048

Email id (for correspondence):

Sandeep.chachra@actionaid.org

Iyce.malhotra@actionaid.org

Koustav.majumdar@actionaid.org

ActionAid India is an Indian not-for-profit entity, entitled legally as ActionAid Association. We are working in India since the 1970s on issues of poverty, patriarchy and marginalization through our efforts on the fronts of disability, women's rights, agriculture, fisheries, right to education, livelihood collectives/cooperatives, right to dignity of *Dalits* and *adivasis* etc. We have also been working during all major and minor emergencies since the Uttarkashi earthquake in the 1980s, providing humanitarian support of immediate relief followed by rehabilitation. Rights of women and girl children have been a priority area of work for us in the 25 states and 1 Union Territory where we have presence through 12 regional and 2 field offices. For more details on our efforts on the various fronts, you could visit our [website](#).

ActionAid India has been participating in several stakeholder consultations for the last two decades in preparation of shadow reports to various international treaties, for example UNCRC, UNCRPD, and UPR I, II and III. Its partner organizations spread across India contribute to various such processes on regular basis. We have submitted a shadow report to the UN on Government of India's II, III, IV, & V Combined Report on ICESCR to the Committee on Economic, Social and Cultural Rights in 2008. It was a rich country wide process involving 152 organizations¹.

¹ http://www2.ohchr.org/english/bodies/cescr/docs/cescr40/ActionAid_India.pdf

UPR Round IV Submission

Precarious Conditions of Informal Workers

1. Estimated 90% of India's workforce is in the informal sectorⁱ, makes it imperative for the government to ensure workers' human rights, dignified wages, social protection and protection from discrimination. The pandemic saw exacerbations in the already precarious condition of migrant and informal workers. They lost livelihoods, wages, and workdays during and after the lockdown. Majority of informal workers work in poorly regulated enterprises and such work engagements gives way to practices of job insecurity, denial of minimum wages, decent work standards and any social protection.
2. The new labour lawsⁱⁱ are still to be implemented as none of the states of India, even several months after enactment, have implemented required rulesⁱⁱⁱ. While there are gaps in the current labour laws, additional delays in finalising rules has led to severe denials of workers' rights including deaths of workers^{iv}.
3. The need for augmenting employment is urgent, especially in a post-COVID scenario. Pre-pandemic, PLFS 2019-20 reported youth unemployment rate of 15%^v. NFHS 2019-21^{vi} report indicates substantial increase in levels of anemia among Indian women, and secular increase in levels of wasting and stunting among children below the age of 5 years. Even the Economic Survey of India 2021-22^{vii} states that private consumption in the year 2021 is below pre-pandemic levels, affecting the wellbeing of majority of Indians. All these tendencies call for ensuring employment and livelihood guarantee for all Indians and preferentially for all historically, socially and religious marginalized groups whose proportional representation is higher among informal workers^{viii}.
4. The MG-NREGS must be expanded to provide work for 200 days annually and similar employment guarantee schemes must be incorporated for urban households. A minimum Rs 18,000 monthly income and a monthly pension of half the minimum wages to workers across all spectrums of work should be guaranteed. In this progression a National Employment Policy must be implemented which should move towards a national right to employment.
5. An overwhelming part of workers' income is spent on housing although several reports indicate that informal and migrant workers reside in poorly constructed urban settlements with several health and sanitation issues, susceptible to fire hazards, and low access to basic utility like supply of water and electricity. Government has taken several steps with the ARHC scheme under PMAY-U^{ix}, which are welcome; however, it creates issues of affordability, location and implementation. There is a strong need for moving towards social housing, which should be looked through the lens of cyclical migration flows. Short-term rental housing options like hostels for cyclical migrant workers, shelters for the homeless and public investment on housing development for the poorer households need to be prioritised.
6. Eviction and loss of housing of informal and migrant workers is an ongoing process, even during the pandemic^x. The government must put a moratorium on all evictions without consent, resettlement and rehabilitation. For the slum dwellers on tenable land, full property rights must be guaranteed together with in-situ development option. For residents living on non-tenable hazardous land and homeless persons, full

rehabilitation must be provided for before any efforts to relocate them.

7. New forms of work constitute new kinds of bondage for a large section of the unorganized sector. The Government of India must take cognizance of the new emerging forms of bondage and thereby expand its definition in the law.^{xi} One time assistance as provided in the law should be replaced with sustainable rehabilitation and livelihoods.
8. ASHA, ANM, Anganwadi^{xii}, mortuary, crematorium, burial ground, rag pickers, sanitation and waste workers have been at the frontline of the fight against the pandemic, yet they have not been given their due recognition, compensation and protection. The Government must recognise them as frontline workers, at par with medical workers and provide them added compensation, protective gear and the due social security benefits.

Sewer Deaths

9. The practice of caste based cleaning of sewer lines and septic tanks must be abolished immediately and the process should be mechanised. The government must take immediate action to stop the loss of lives of the Dalit community to this gross human rights violation. Since 1993, nearly 2000 deaths have been recorded due to servicing sewers.^{xiii} The definition of manual scavenging in the law^{xiv} must be expanded to the servicing of sewers and septic tanks on an urgent basis.

Agrarian Issues, Land Rights, Access to Commons

10. The number of landless farmers in India has grown steadily since independence and has overtaken that of landed cultivators. The 2011 Socio Economic and Caste Census shows that 56% of households in rural India do not own any agricultural land^{xv}. According to the NSSO 77th Round Report 2019, about 70.4% of 'agricultural households' and 98.9% 'non-agricultural households' possessed less than a hectare of land^{xvi}.
11. Land to the tillers, landless agricultural workers and historically oppressed communities such as SCs, STs and DNTs must be ensured^{xvii}. The unfinished agenda of land reforms must be reinitiated and implemented to ensure land rights, dignity and sustainable livelihood options for landless agricultural workers.
12. Moreover, given the developments in agriculture and irrigation, it is imperative to revisit the outdated land ceiling laws. The land ceiling must be reduced in order to generate surplus land for redistribution. The tendency of states to lower land ceilings in favour of industries must be curbed immediately.^{xviii}
13. Government must promulgate comprehensive legislation which protects the rights and livelihoods of fisherfolk, especially small scale fish workers and fisherwomen. By enshrining the inalienable traditional and customary rights of fisher people over coastal lands, rivers, lagoons, back waters, creeks and estuaries, the river beds, ocean resources, and the ocean seabed. Mechanisms should be developed to ensure that all developmental and industrial planning near coastal areas is done in consultation with fishing communities.

Women's Rights

14. Women remain drastically underrepresented in the workforce, more so after the pandemic. As per the PLFS 2019-20 report, female labour force participation rate in India stood at 22.8% just before the pandemic^{xxix}. The pandemic has only further reduced women's access to dignified livelihood.
15. Government should ensure absolute compliance with laws related to provision of rest rooms, lunch rooms, crèches and women's toilets at all workplaces as well as safety during journey from the workplace premises to the residence in order to enable women's employment and transportation. Government should formulate legislation to ensure gender responsive public services near households, public spaces and worksites. These should include free and accessible public toilets, household water connection, providing access to safe and secure public transport, installing CCTV cameras in public spaces, and ensuring adequate lighting to prevent sexual harassment and violence against women.
16. In 2020, as per the NCRB records, although reported cases of violence against women reduced, India still recorded an average of 77 rape cases per day^{xx}. 30.2% of all recorded cases were registered as 'cruelty by husband or relatives'^{xxi}. The PoSH Act^{xxii} provides for the constitution of district level Local Complaints Committees (LCCs) to address issues of sexual harassment at workplace for women in the informal sector, including domestic workers and home-based workers and establishments with less than 10 workers. Studies have shown that LCCs are not present in many districts and if present are not functioning properly^{xxiii}. Government must immediately ensure that LCCs are functioning as mandated across all districts. Budgetary allocations and proper social monitoring framework of these LCCs should be provisioned and non-compliance should be severely penalised.
17. Gender wage equality mandated by Equal Remunerations Act, 1976 and its replacement, Code on Wages, 2019 needs to be ensured in all sectors of the economy. PLFS 2019-20 reports almost double income for men than women engaged in casual and self-employed activities.^{xxiv} Women continue to be discriminated at work through differential allocation of work and work participation rates of women in India remain very low. A Women's Employment Policy similar to the aforementioned National Employment Policy is needed. A vigilant mechanism for gender parity and compliance with minimum wages of the state is needed. Monitoring of wage differentials basis gender, caste and other social identities in the informal sector is imperative.
18. Current legislations and policies on maternity benefits^{xxv} are unable to effectively cover most of India's women workers. Government must make legislations to ensure women across all sectors of work including those engaged in agricultural and informal activities receive paid maternity leave of a minimum of six months. At the least, state mandated minimum wages should be provided as compensation during these months of leave through the employer or the state.
19. Another major challenge to women's participation in paid employment or higher education in India is them being overburdened with unpaid domestic work including care. The NSSO Time Use in India Report 2019^{xxvi} reveals that among those between the ages of 15 and 59, 92.3% women participated in unpaid domestic household work compared to just 28.9% men. Moreover, the time spent in such activities per day on average was 315 minutes among women versus an average of 95 minutes among men of the said age group. The government needs to initiate a national campaign backed by effective policy decisions in order to redistribute domestic work equitably among household members of all genders.
20. According to Government estimates there are 5.23 million people engaged in domestic work.^{xxvii} They don't have fixed wage, job security, access to social security, any formal terms of employment and are often subjected to abuse.^{xxviii} A strong,

uniformly applicable law is required to ensure the rights of domestic workers as well as protect them from exploitation. The long pending national legislation on domestic workers should be fast tracked and enacted. The proposed legislation should clearly define domestic work and ensure a minimum wage, regular hours, provision of weekly off, paid annual leave and protection from sexual and physical assault.

21. The Census 2011 identified 71.2 million single women in the country, a 39% growth from the Census 2001.^{xxxix} A mechanism of identification through self-certification and ratification by the concerned local governance body should be put into place to bring a comprehensive definition of single women. They face sexual violence and are considered vulnerable.
22. In some rural areas, single women are subjected to patriarchal practices such as witch branding.^{xxx} A comprehensive national law should be formulated to abolish witch branding and rehabilitate and support survivors, as this practice disproportionately targets single women belonging to marginalized sections of society. Strong campaigns should be run against practices like witch branding by the Government.

Nomadic and De-Notified Tribes

23. There are nearly 1,500 nomadic and semi-nomadic tribes and 198 de-notified tribes^{xxxix}, comprising 15 crore Indians, according to the Renke Commission, 2008. The de-notified communities continue to rank amongst the most stigmatised, discriminated and socio-economically deprived in India, facing routine harassment from the police and society^{xxxii}. De-notified communities score lowest on several indicators, including possession of land and housing; and other social indicators; and high on incarceration^{xxxiii}. The Government of India must take long pending measures of protecting the civil, political, economic and social rights of the DNT communities.
24. While the setting up of the National Commission on Nomadic Tribes and De-notified Tribes is a step in the right direction, a permanent NT-DNT Commission is required^{xxxiv}.
25. The Government of India must identify the NT-DNT population by enumerating them in the Census 2021. NT-DNTs should be given special focus in any future caste census as well as priority in the issuing of government ID cards and caste certificates.
26. A caste certificate is a pre-requisite if NT-DNTs are to receive, at a minimum, entitlements that SCs, STs or OBCs get. Special drives should be conducted to provide NT-DNTs with Voter Identity Cards, BPL Cards, Ration Cards, MGNREGS Job cards etc. During this process, pastoral and ex-hunter forest communities should be given special attention due to their geographical isolation.
27. Given the denials of human rights faced by NT-DNTs, the government should set up policies for positive discrimination as adopted for Dalits and tribals.^{xxxv} Furthermore, a special component plan^{xxxvi} similar to the one set up for Scheduled Castes and Scheduled Tribes should be created for NT-DNTs.
28. A national campaign should be undertaken aimed at sensitising NT-DNT communities about their rights, and for the society to give up their historical prejudices against these groups. Violation of rights of NT-DNT communities must be made punishable by law. The Habitual Offenders' Act 1952 must be repealed.
29. A focussed effort should be made to ensure that members of the community are given alternative livelihood options such as collective and cooperative enterprises, as also land and forest rights.

Refugees

30. India has a rich history of taking in refugees from neighboring countries. According to UNHCR reports, as of 28th February 2022, 2,16,331 refugees are living in India with 47,098 registered with UNHCR as asylum seekers or refugees^{xxxvii}. However, Indian national law does not recognize refugees as a group. There is no national legislation to regulate the entry and stay of refugees. ^{xxxviii}Thereby rendering the treatment of refugees' ad-hoc. This leads to arbitrary detentions and forced repatriation.^{xxxix}
31. India is also not a signatory to the 1951 Refugee Convention which enshrines the humanitarian principle of *non-refoulement*.
32. India should draft and implement a national legal framework recognizing refugees and asylum seekers. The government should ensure this law does not discriminate based on nationality, religion ethnicity, race etc. and emboldens the core principles of international refugee law- the right to seek asylum in another country, and the right not to be returned to a country where they face a threat to their life. Provisions and rules should be made for a graduated process towards citizenship based on the interest expressed by refugees in order to avoid conditional application of citizenship.
33. The law should set clear clauses for the reception, repatriation, resettlement and integration of refugees and asylum seekers. Until this law is enacted, refugees held arbitrarily should be released from jails and detention centers.
34. In consonance with rights enshrined in the Indian Constitution as well as international law, refugees should be provided with adequate access to health care, shelter, food, psycho-social care, sanitation etc. Inclusion of refugees in socio-economic institutions should be done basis the card issued to refugees and asylum seekers by the UNHCR or the provision of a legal document issued by the government. Additionally, refugees should be allowed to pursue livelihood opportunities.
35. Strong efforts should be made to reunify separated children and unaccompanied minors with their families and refugee children should be given access to schools even in the absence of legal documents.

Displacement due to Climate/Environmental Disasters

36. As per IDMC, 3.85 million people were internally displaced in India in 2020^{xl} due to disasters, as a result of a combination of increasing hazard intensity, increasing disaster frequency and high levels of socio-economic vulnerability. The majority of the displacements are triggered by flooding during monsoon. India is also prone to other sudden and slow-onset hazards including earthquakes, tsunamis, cyclones, storm surges and drought. A study^{xli} conducted by CANSA and ActionAid stated that by 2020, India had approximately 14 million people internally displaced due to environmental disruptions and over 45 million people will be forced to leave their homes by 2050.
37. There is a pressing need to develop a national framework for protection, safety and rights of people displaced due to climate change. The scope of this framework should be broad enough to include those who are suddenly displaced due to rapid onset climatic events, slow onset climate events, development project and those who are forced to migrate “voluntarily” due to worsening livelihood conditions such as recurring droughts, desertification.
38. Slow-onset climate change events such as increased aridity, recurrent droughts, desertification, increased soil salinity, sea-level rise, and glacial melt among others is affecting the livelihood of all engaged in the primary sector. Adequate compensation

framework should be developed in lieu of damages caused and losses incurred due to such events including but not limited to direct cash transfers, land grants and housing support.

39. This should progress towards a national policy on migration or displacement caused due to climate and/or environmental disasters. This policy must focus on rehabilitation based on consent and livelihood options. It is the responsibility of the state to protect the poorest and most vulnerable from adverse outcomes of climate change, of which they are merely victims without any fault of their own.

ⁱ Informal Employment trends in the Indian Economy: Persistent informality, but growing positive development (2019), ILO Working Paper No 254. Retrieved from https://www.ilo.org/wcmsp5/groups/public/---ed_emp/---ifp_skills/documents/publication/wcms_734503.pdf

ⁱⁱ The Government of India has merged 29 existing labour laws into four labour codes – (i) Code on Wages, 2019; (ii) Code on Social Security 2020; (iii) Industrial Relations Code 2020; and (iv) Occupational Safety, Health and Working Codes, 2020

ⁱⁱⁱ <https://www.financialexpress.com/industry/centre-says-at-least-18-states-uts-have-pre-published-draft-rules-for-four-labour-codes/2466978/>

^{iv} Negligence of government officials, irresponsible management and non-compliance with existing rules and laws have led to deaths of several workers. Some examples in recent months are cited below:
<https://www.thehindu.com/news/national/telangana/migrant-worker-die-massive-fire-bhoiguda-godown/article65251494.ece>
<https://www.newindianexpress.com/nation/2022/feb/05/five-workers-dead-as-slab-collapses-at-construction-site-in-pune-four-arrested-for-negligence-2415448.html>
<https://www.newsclick.in/bihar-faulty-boiler-negligent-management-behind-blast-killed-7-workers-injured-10>

^v Periodic Labour Force Survey 2019-20, Ministry of Statistics and Program Implementation, Government of India. Retrieved from https://www.mospi.gov.in/documents/213904/301563/Annual_Report_PLFS_2019_20m1627036454797.pdf/18afb74a-3980-ab83-0431-1e84321f75af

^{vi} National Family Health Survey 2019-21, Ministry of Health and Family Welfare, Government of India. Retrieved from http://rchiips.org/nfhs/factsheet_NFHS-5.shtml

^{vii} Economic Survey 2021-2022, Ministry of Finance, Government of India. Retrieved from <https://www.indiabudget.gov.in/economicsurvey/>

^{viii} The PLFS 2019-20 reports, 39.2% SCs, 29.3% STs, 21.4% OBCs are engaged in casual work whereas only 12.2% from other social groups are engaged in casual work. Consequently, only 20.4% SCs, 13.6% STs and 20.5% OBCs are engaged in regular/salaried employment as compared to 32.9% from other social groups. Report available at https://www.mospi.gov.in/documents/213904/301563/Annual_Report_PLFS_2019_20m1627036454797.pdf/18afb74a-3980-ab83-0431-1e84321f75af

^{ix} COVID-19 pandemic has resulted in reverse migration of urban informal workers in the country to their native villages. Urban migrants stay in slums/ informal settlements/ unauthorised colonies/ semi-urban areas to save cost on housing. They need decent rental housing at affordable rate at their work sites. In order to address this need, Ministry of Housing & Urban Affairs has initiated Affordable Rental Housing Complexes (ARHCs), a sub-scheme under Pradhan Mantri AWAS Yojana- Urban (PMAY-U). This will provide ease of living to urban migrants/ poor in Industrial Sector as well as in non-formal urban economy to get access to dignified affordable rental housing close to their workplace. More information available at <http://arhc.mohua.gov.in/>

^x Forced Evictions in India in 2020: A Grave Human Rights Crisis During the Pandemic, Housing and Land Rights Network, 2021 reports that approximately 257,700 people were evicted across India during the period from March 2020 to July 2021. The report can be accessed from https://www.hlrn.org.in/documents/Forced_Evictions_2020.pdf

^{xi} The Bonded Labour System (Abolition) Act, 1976 defines a bonded labourer as "a labourer who incurs, or has, or is presumed to have incurred a bonded debt". The government must take into cognisance neo-bondage in the form of advance payment of wages, specially to migrant workers, and then prohibiting fundamental freedoms of movement and communication, often with violence and withholding of identity proofs until the period for which the wage is paid is served.

^{xii} ASHA refers to Accredited Social Health Activists; ANM refers to Auxiliary Nurses and Midwives and Anganwadi are the public childcare centres, instituted under the Integrated Childcare Development Scheme focusing on nutrition and wellbeing of lactating mothers and children below the age of 6 years.

^{xiii} Bezwada Wilson, National Convenor of Safai Karmachari Andolan in an interview with Heena Gambhir, Mirror Now, 30th March 2020

^{xiv} The prohibition of Employment as Manual Scavengers and their Rehabilitation Act, 2013 defines the cleaning of sewers and septic tanks as hazardous cleaning instead of manual scavenging thereby excluding persons engaged in cleaning sewers from the protection of the law.

^{xv} Socio Economic and Caste Census 2011, Government of India. Retrieved from <https://secc.gov.in/homepage.htm>

^{xvi} NSS REPORT NO. 587: Situation Assessment of Agricultural Households and Land and Livestock Holdings of Households in Rural India, 2019, Ministry of Statistics and Program Implementation, Government of India. Retrieved from <https://mospi.gov.in/web/mospi/download-tables-data/-/reports/view/templateFour/25302?q=TBDCAT>

^{xvii} NSS REPORT NO. 587: Situation Assessment of Agricultural Households and Land and Livestock Holdings of Households in Rural India, 2019, Ministry of Statistics and Program Implementation, Government of India states that SCs comprise 21.6% of all rural households but only 10.2% of all landholding households. Retrieved from <https://mospi.gov.in/web/mospi/download-tables-data/-/reports/view/templateFour/25302?q=TBDCAT>

^{xviii} India Spend, 'In 12 Years, 11 States Changed Land Ceiling Laws in Favour of Industry Over Farmers', <https://www.indiaspend.com/land-rights/in-12-years-11-states-changed-land-ceiling-laws-in-favour-of-industry-over-farmers-724650>

^{xix} Periodic Labour Force Survey 2019-20, Ministry of Statistics and Program Implementation, Government of India. Retrieved from https://www.mospi.gov.in/documents/213904/301563/Annual_Report_PLFS_2019_20m1627036454797.pdf/18afb74a-3980-ab83-0431-1e84321f75af

^{xx} <https://timesofindia.indiatimes.com/india/average-77-rape-cases-daily-in-2020-crimes-against-women-down-from-2019-ncrb-data/articleshow/86228139.cms>

^{xxi} <https://www.thehindu.com/news/cities/Delhi/crimes-against-women-dip-by-24-cybercrimes-see-55-rise-ncrb-data/article36486113.ece>

^{xxii} The Sexual Harassment of Women at the Workplace (Prevention, Prohibition and Redressal) Act, 2013, commonly known as the Prevention of Sexual Harassment (PoSH) Act. Retrieved from <https://legislative.gov.in/sites/default/files/A2013-14.pdf>

^{xxiii} <https://www.indiaspend.com/women/8-years-on-poor-compliance-with-sexual-harassment-law-729370>

^{xxiv} Periodic Labour Force Survey 2019-20, Ministry of Statistics and Program Implementation, Government of

India. Retrieved from

https://www.mospi.gov.in/documents/213904/301563/Annual_Report_PLFS_2019_20m1627036454797.pdf/18afb74a-3980-ab83-0431-1e84321f75af

^{xxv} The Code on Social Security 2020, which replaces the Maternity Benefits Act, 1961 and its further amendments provides for 26 weeks of maternity leave with payment of average of daily wages during the time of the leave subject to certain conditions of employment. This is largely available to only those women working in the organised sector with formal employer-employee relationships. For majority of India's women, maternity benefits can be construed as the assistance of Rs 5,000 which they receive under the PM Matru Vandana Yojana for the first live birth.

^{xxvi} Time Use in India 2019, Ministry of Statistics and Program Implementation, Government of India. Retrieved from <https://mospi.gov.in/web/mospi/time-use-survey>

^{xxvii} Periodic Labour Force Survey Report 2017-2018, Ministry of Statistics and Programme Implementation, Government of India

^{xxviii} The News Minute, 'India's domestic workers face abuse without legal protection', 31st October, 2017, <https://www.thenewsminute.com/article/indias-domestic-workers-face-abuse-without-legal-protection-70827>

^{xxix} IndiaSpend, '71 Million Single Women, 39% Rise Over a Decade', 14th November 2015.

<https://www.indiaspend.com/71-million-single-women-39-rise-over-a-decade-54854/>

^{xxx} Data by the National Crime Records Bureau as analysed in the report 'Witch Branding in India A Study of Indigenous and Rural Societies' by ActionAid Association India indicates that 1,623 murders have been committed between 2009 and 2020 with the accusation of witchcraft

^{xxxi} The Criminal Tribes Act of 1871, passed by the British Parliament categorised certain nomadic communities as hereditary criminals. In the list of criminal tribes, were included much of India's performing artists – musicians, singers, gymnasts, tightrope walkers, story tellers, those who entertained with animals such as snakes, monkeys, bears. Also included were pastoral nomads, traders of milk and animal products, herders. There were also artisans who worked with iron, clay, bamboo, and repaired and polished utensils, implements; petty traders who carried merchandise from place to place. Lastly there were those who survived on charity and providing spiritual services – the fakirs, mendicants, fortune tellers, faith healers and traditional healers. The racist law was repealed after India's independence from British Colonial Rule in 1952, and the so-called 'criminal tribes' were 'de-notified'.

^{xxxii} <https://thewire.in/rights/members-of-de-notified-tribes-picked-up-to-cover-up-shoddy-investigations-justice-chandrachud>

^{xxxiii} <https://indianexpress.com/article/opinion/people-of-denotified-tribes-continue-to-bear-the-burden-of-an-unjust-colonial-past-7095613/>

^{xxxiv} The National Commission for De-notified, Nomadic and Semi-Nomadic Tribes (NCDNSNT) is a national commission set under the Ministry of Social Justice and Empowerment, Government of India, in 2003 to study various developmental aspects of de-notified and nomadic or semi-nomadic tribes in India.

^{xxxv} In India, positive discrimination has been applied on a very large scale in favour of low castes. There are quotas in education, for employment in the public sector and reserved seats in political elections

^{xxxvi} Special Component Plan is an umbrella under which schemes implemented by State and Central Governments are dovetailed by apportioning funds exclusively for SCs for addressing their needs/problems.

^{xxxvii} UNHCR India Factsheet February 2022. Retrieved at

<https://reliefweb.int/sites/reliefweb.int/files/resources/India%20-%20Factsheet%20-%20February%202022.pdf>

^{xxxviii} At present, they are governed by the Foreigners Act of 1946, Passport Act of 1967, Extradition Act of 1962, Citizenship Act of 1955 (amended in 2019) and the Illegal Migrant (Determination by Tribunals) Act of 1983.

^{xxxix} Aljazeera, 'Supreme Court has signed our death warrant': Rohingya in India', 9th April 2021,
<https://www.aljazeera.com/news/2021/4/9/supreme-court-has-signed-our-death-warrant-rohingya-in-india>

^{xl} <https://www.internal-displacement.org/countries/india>

^{xli} Costs of Climate Inaction: Displacement and Distress Migration, retrieved from
<https://actionaid.org/publications/2020/costs-climate-inaction-displacement-and-distress-migration>