

**GOVERNMENT OF INDIA  
MINISTRY OF HOME AFFAIRS**

**RAJYA SABHA**

**UNSTARRED QUESTION NO. 2744**

**TO BE ANSWERED ON THE 17<sup>TH</sup> DECEMBER, 2014/AGRAHAYANA 26, 1936 (SAKA)**

**ASYLUM TO FOREIGNERS FLEEING RELIGIOUS PERSECUTION**

**2744. DR. CHANDAN MITRA:**

**Will the Minister of HOME AFFAIRS be pleased to state:**

**(a) whether Government has framed a policy to grant asylum to foreigners/persons who fled religious persecution in neighbouring countries;**

**(b) if so, the details of the request received in this regard from Assam Government;**

**(c) whether certain organisations from Assam have objected to it;**

**(d) if so, the reaction of Government in this regard; and**

**(e) the steps taken by Government to have an amicable solution to the problem of settlement of foreigners in India on humanitarian grounds?**

**ANSWER**

**MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS  
(SHRI KIREN RIJJU)**

**(a): There is no national law on Refugees at present. Government has circulated a Standard Operation Procedure to all State Governments/Union Territories on 29<sup>th</sup> December, 2011 for dealing with foreign nationals who claim to be refugees. This Standing Operating Procedure stipulates that cases, which are prima facie justified on the grounds of a well founded fear of persecution on account of race, religion, sex, nationality, ethnic identity, membership of a particular social group or political opinion, can be recommended by the State Government/Union Territory Administration to the Ministry of Home Affairs for grant of Long Term Visa (LTV).**

**(b) to (e): A Public Interest Litigation has been filed in the Gauhati High Court and a Writ Petition has been filed in the Supreme Court of India seeking directions to frame a policy for granting asylum to those persons who were originally subjects of British India at the time of partition and who have had to face religious persecution and discrimination later compelling them to come to India for shelter. A reference has also been received from Government of Assam in this regard. The matter is sub-judice.**

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