

Ministry of External Affairs

Subject- 'Inputs of MEA in the case of Madhurima Mridul v. Union of India & Anr. W.P (C) Diary No.10842/2020'

I. COVID-19 situation in the UK:

That, currently about 400,000 Indian nationals, including about 50,000 students are in the UK. They have visas of different types and different duration.

2. Due to COVID-19 Pandemic all governments in the world are taking appropriate stringent measures to contain the further spread of the COVID virus in their territory. The High Commission of India, London, UK is working with organizations, community support groups and individuals across UK so that stranded Indian citizens could be reached and assisted as possible.
3. In this context, it is pertinent to mention that a large number of students have been contacted by the High Commission directly and also through student bodies, the Indian National Students Association UK (INSAUK) and the National Indian Students and Alumni Union (NISAU UK) which are also providing guidance and help to the Indian students. In addition, there are community associations which are helping stranded Indians. Details of such associations, organizations, community support groups and individuals are on the High Commission's social media platforms. These details are being continuously updated. Indian citizens have been requested to follow the advice of National Health Service (NHS) of UK or other government health authorities and stay connected with the High Commission through social media platforms, emails and helplines to access updated information, lists and advisories. Advisories and FAQs to guide the Indian nationals are being circulated and updated on a regular basis.
4. The UK government has also published guidance for residential educational settings on 21st March 2020. The guidance has specifically asked the institutions to "...operate a 'non-eviction' policy if students have no alternative residence, so that no student is required to leave halls if their contract is up, or if their rental agreement does not cover holiday periods. This is particularly important for international students who may not be able to return home due to travel restrictions." Full Guidance under reference may be accessed at <https://www.gov.uk/government/publications/coronavirus-covid-19-guidance-on-isolation-for->

[residential-educational-settings/coronavirus-covid-19-guidance-on-isolation-for-residential-educational-settings#university-or-college-halls-of-residence-for-students-aged-18-or-over.](https://www.nhs.uk/using-the-nhs/nhs-services/visiting-or-moving-to-england/how-to-access-nhs-services-in-england/)

5. That the healthcare sector in the UK is governed by the National Health Service (NHS) guidelines. The NHS, which has all the modern amenities, is considered one of the best public-funded healthcare systems in the world. Emergency consultation and treatment facility is available under NHS free of cost for international students including Indian students. NHS Guidance in this regard is as follows:

“Overseas visitors to England, including anyone living in the UK without permission, will not be charged for:

- *testing for coronavirus (even if the test shows you do not have coronavirus)*
- *treatment for coronavirus – if you start treatment and a test then shows you do not have coronavirus, you may be charged for any treatment you have after getting the test result”*

Full NHS Guidance may be accessed at the following link:

<https://www.nhs.uk/using-the-nhs/nhs-services/visiting-or-moving-to-england/how-to-access-nhs-services-in-england/>

6. UK National Health Service has been making efforts to address covid-related needs in the country. Additional hospital infrastructure is getting established, including new facilities, additional beds, etc. Retired doctors have been returning to their jobs. In order to address the challenge flowing from shortage of essential medicines including paracetamol, the UK Government has reached out to other countries including India which can supply essential medicines to them. India has recently granted exemption to enable export of considerable quantities of paracetamol for the UK.
7. That, to date, there is neither a general shortage of food nor appreciable increase in the food prices in the UK. The UK Government have imposed strict measures to ensure supply of food items and prevent any black marketing.
8. Further, the UK Government has also enacted the Coronavirus Act, 2020, which grants the government emergency powers to handle the 2020 coronavirus pandemic. The Act allows the

government the discretionary power to limit or suspend public gatherings, to detain individuals suspected to be infected by COVID-19, and to intervene or relax regulations in a range of sectors to limit transmission of the disease, ease the burden on public health services, and assist healthcare workers and the economically affected. Areas covered by the Act include the National Health Service, social care, schools, police, Border Force, local councils, funerals and courts. The Act has a two-year time limit that may be shortened or lengthened by six months at ministerial discretion. **(Copy of the UK Coronavirus Act, 2020 enclosed)**

II. Situation of Indian students in UK and assistance provided to them by HCI, London:

That, most of the Indian citizens in UK, including students, have regular accommodation provided by either their educational institutions, companies for which they are working, privately rented or other types. Some of them are also living with their family members some of whom are British citizens.

2. That, most of the Indian students in the UK continue to have their hostels available to them to stay. The UK Government have published guidance for residential educational settings on 21st March 2020. The guidance has specifically asked the institutions to “... *operate a ‘non-eviction’ policy if students have no alternative residence, so that no student is required to leave halls if their contract is up, or if their rental agreement does not cover holiday periods. This is particularly important for international students who may not be able to return home due to travel restrictions.*”

Full Guidance under reference may be accessed at

[<https://www.gov.uk/government/publications/coronavirus-covid-19-guidance-on-isolation-for-residential-educational-settings/coronavirus-covid-19-guidance-on-isolation-for-residential-educational-settings#university-or-college-halls-of-residence-for-students-aged-18-or-over> /<https://www.gov.uk/government/publications/coronavirus-covid-19-guidance-on-isolation-for-residential-educational-settings/coronavirus-covid-19-guidance-on-isolation-for-residential-educational-settings#university-or-college-halls-of-residence-for-students-aged-18-or-over>]

3. In some cases where students are living in privately rented accommodations, the UK Coronavirus Act 2020 **[enclosed]** protects most lessees by requiring that when lessors do need to issue notices seeking possession, the notice period must be for three months. The lessors may choose to give longer

notice period. Even at the expiry of the three-month notice, a lessor cannot force a lessee to leave their home without a court order.

4. That, in a few cases where Indian citizens have been left stranded during transit through the UK when their onward flights to India were cancelled in the wake of suspension of international commercial passenger flights by the Directorate General of Civil Aviation, most of such passengers are being provided accommodation in hotels by their respective airlines.
5. That, only in some cases Indian students are said to have vacated their hostels or rented accommodations. In such cases, the High Commission of India, London and Indian Consulates have arranged accommodation and food at highly subsidised rates.
6. The Indian National Students Association (UK) and the HCI, London are working closely to address specific issues faced by Indian students across UK during COVID crisis. The HCI, London has also been disseminating timely information regarding various travel advisories issued by the UK authorities to the student community through social platforms as well as through the 24x7 helpline on a day-to-day basis. Individual students who have reached out to Mission seeking information have also been advised about the situation back in India and the travel restrictions imposed to contain further spread of the deadly COVID 19 virus.
7. That, a large number of students have been contacted by the High Commission directly and also through student bodies, the **Indian National Students Association UK (INSAUK)** and the **National Indian Students and Alumni Union (NISAU UK)** which are also providing guidance and help to the Indian students.
8. Some Indian citizens including students had concerns that their visas were expiring while they were unable to leave the UK due to COVID19 related travel restrictions. The High Commission raised this matter with the UK authorities concerned. The UK government has now extended visas till 31st May 2020 and has issued necessary guidelines in this regard.

III. Steps taken by HCI, London to assist the Indian citizens in UK:

The High Commission of India, London is in touch with the Indian citizens in the UK through two email IDs info.london@mea.gov.in and inf.london@mea.gov.in, two helpline numbers [+44

[7768765035](tel:7768765035) / [+44 7739363521](tel:+447739363521)] which are handled by officers of the Mission and its social media platforms [Twitter handle and Facebook page] to disseminate updated information, travel advisories, lists of individuals and organizations offering help to the Indian citizens and spreading guidance of the UK government about visa extension and health advisories. An officer of HCI, London has also been designated as a nodal officer to provide all possible assistance to Indian citizens in this regard.

2. The High Commission has also worked with the *British Association of Physicians of Indian Origin (BAPIO)*, a private group of hospitals in London, a voluntary association and with Panel Doctors of the Mission to arrange medical consultation for the Indian citizens during the COVID19 crisis in cases where stranded Indian citizens have run out of prescription medicines or need other medical help. However, in case a person is detected COVID19 positive, the only treatment available will be in one of the hospitals under NHS.

3. That the High Commission is working with organizations, community support groups and individuals across UK so that stranded Indian citizens could be reached and assisted as possible. There are community associations, which are helping stranded Indians. Details of such associations, organizations, community support groups and individuals are on our social media platforms as well as on Mission's website. These details are being continuously updated.

4. Indian citizens have been requested to follow the advice of National Health Service (NHS) of UK or other government health authorities and stay connected with the High Commission through social media platforms, emails and helplines to access updated information, lists and advisories. Advisories and FAQs to guide the Indian nationals are being circulated and updated on a regular basis.

Efforts by the Government of India for the safety of Indian citizens abroad:

Since the outbreak of COVID-19 in different parts of the world, the Govt of India has been proactively taking steps to ensure safety, welfare and well being of the Indian nationals abroad as well as its people in India.

2. On the domestic front, a high level Group of Ministers (GoM) has been formed to continuously monitor and review the evolving situation and provide policy direction for taking appropriate steps and actions for prevention and management of COVID-19. The Prime Minister of India himself is

keeping a close watch and monitoring the situation constantly. Prime Minister himself took stock of the situation regarding well being of the Indian community abroad, through video-conferencing with Ambassadors/High Commissioners recently. The Government of India is conscious of its responsibility and committed to the safety and well-being of the Indians who are abroad and has been issuing advisories from time to time for the people who are abroad and for those coming to India from abroad as well.

3. A COVID-19 Cell has been formed in the Ministry of External Affairs and to ensure greater access and precision of information, sub-groups dealing with different regions of the world have also been created. Missions /Posts abroad have been advised to setup dedicated helpline numbers and publicize them extensively to assist stranded Indians. Ministry of External Affairs has already established a functional helpline for coordination on COVID-19, which has been functioning 24x7 at South Block. The telephone numbers of the Control Room are 1800118797 (toll free), +91-11-23012113, +91-11-23014104 and +91-11-23017905, Fax number - +91-11-23018158 and email : covid19@mea.gov.in.

4. Further, officers posted at the Headquarters have been identified who are available to provide assistance for the respective geographical areas/countries of the world as mentioned. **(List of officers of MEA COVID-19 Control Centre enclosed)**

5. Nodal officers have been identified and designated at each Mission/Post to provide assistance to Indian nationals abroad and 24*7 helpline numbers and emails have also been made functional for this purpose. These helpline numbers and email ids are being widely publicized through social networking sites, official government website etc. so that the Indians abroad can get information regarding the same. Further, wherever there are a large number of Indian students studying in that country, our Missions are in constant touch with their Universities/educational institutions for rendering assistance to those students. **(List of nodal officers of Missions/Posts abroad including HCI, London/Posts is enclosed)**

6. Wherever possible, the Ambassadors are interacting with the Indian community through virtual platforms for their engagement in this time of crisis and to provide them assistance. Indian community/nationals are being mobilized by our High Commissions/Embassies/Posts to help fellow Indians in distress in that country. Wherever possible, missions are also providing food,

accommodation etc. to the stranded Indian students. Mission is also informing/guiding about the restrictions being imposed, advisories being issued by the local Governments of those countries.

7. Indian community/nationals abroad are being mobilized by our High Commissions/Embassies/Posts to help fellow Indians in distress in that country. Wherever there is a concern of expiration of visas of such Indian nationals in those countries, the foreign governments on the request of the missions/posts have extended the visas of such Indian nationals. For instance, the UK government has now extended visas till 31st May 2020 and has issued necessary guidelines in this regard.

V. GoI position regarding evacuation of Indians citizens from abroad :

It is submitted to the Hon'ble Court that in view of the evolving spread of the coronavirus, the measures taken by Government of India to prevent the spread of COVID 19 have progressively increased since late January 2020, culminating in the total lock-down announced by the Prime Minister on 23 March 2020.

- The GOI had issued the initial travel advisory on 17 January 2020 advising travellers to China to follow public health measures at all times. As the situation evolved, the Government issued an advisory on 25 January 2020 advising avoidance of all non-essential travel to China.
- As the situation further unfolded, visa restrictions were placed for nationals coming from Italy, Iran, South Korea, Japan and China. With further spurt in the cases, the Government of India had to take drastic measures to curtail the spread of infections. Accordingly, from 13 March 2020, all existing visa (except diplomatic, official, UN/International Organization, employment and project visa) was suspended till 15th April 2020. Visa free travel granted to OCI card holders was kept in abeyance till 15th April 2020.
- From 15 March 2020, all types of passenger movements through designated Immigration Land Check posts (some exceptions have been made) located at Indo-Bangladesh Border, Indo-Nepal Border, Indo-Bhutan border and Indo-Myanmar border have also been suspended.

- Travel of passengers from member countries of European Union, European Free Trade Association, Turkey, Afghanistan, Philippines, Malaysia and United Kingdom was prohibited with effect from 18 March 2020 till 31 March 2020. Finally, on 19 March 2020, India decided to suspend all scheduled international commercial passenger flights effective from 0001 hrs GMT on 22 March 2020 till 0001 hrs GMT 29 March 2020, now extended till April 14, 2020.
- Prime Minister announced a total lock-down for 21 days on 23 March 2020. This includes stoppage of intra-city movements except only in case of essential services.

2. The successive restrictions including temporary suspension of international and domestic flights were put in place as majority of countries across the world now have reported cases of COVID-19. Some of these countries have reported a very large number of cases including deaths, putting passengers from these countries particularly at higher risk of infection. Travel back of such passengers to different regions of India poses a grave risk to the country of a population of over 1.3 billion.

3. It may be noted that most governments in the world are also taking appropriate stringent measures to contain the further spread of the COVID virus in their countries. These include complete lock-downs, selective lock-downs, travel restrictions etc. In many cases, even domestic movement of people including Indian nationals may not be possible so as to reach airports from different locations within a particular country.

4. India has a very large Indian community abroad (13 million) including NRIs and Indian students abroad. For example, in the United Kingdom alone currently there are about 400,000 Indian nationals, including about 50,000 students are in the UK. It is true that the GoI initially undertook some evacuation operations of Indian nationals as also nationals of other countries from China, Japan, Iran and Italy when the situation of CORONA virus situation in India was not so grim. Many of the persons evacuated from these countries were then brought and subjected to quarantine in India. However, given the present situation of the corona virus outbreak in India and the available limited resources, it is not feasible to selectively evacuate Indian citizens from abroad when a large number of them from a number of countries want to return back due to various reasons.

5. The severe risk posed by arrivals from an increasing number of countries affected by COVID-19 is something that the Government is seeking to minimize. The approach of the Government has, therefore,

been to advise the Indian nationals to stay put where they are in line with Government's approach to contain the further spread of the virus within India and allowing health machinery to focus on domestic containment effectively.

6. There are many Writ Petitions/PILs being filed across the country in various High Courts and the Hon'ble Supreme Court for seeking evacuation of Indians stranded abroad due to the travel restrictions imposed by the Government of India. In all such cases, the Hon'ble High Courts have been informed that all possible assistance is being given by our missions/posts abroad to Indians stranded abroad including Indian students in those countries. The Hon'ble High Courts have noted the steps and efforts being undertaken by the Government of India to assist Indian nationals abroad and have also acknowledged that due to the lockdown situations prevailing both in India as well as other countries it will not be possible to repatriate Indian nationals at this stage.

S.no	Name of Case	Court	Brief facts of the case	Details of proceedings	Next date of hearing
1.	Shehla Saira v. Union of India	Delhi High Court	Writ Petition has been filed for evacuation of Indian students who are studying in Kazakhstan and were left stranded in Almaty after the imposition of travel restrictions by GoI.	MEA informed about the efforts and steps being undertaken to assist the Indians abroad including designation of nodal officers at each mission/posts abroad. Keeping in view, the steps undertaken by MEA, the Hon'ble Court disposed of the case.	Disposed of on 27.03.2020
2.	Gaurav Kumar Bansal v. UOI	Delhi High Court	Writ Petition has been filed for evacuation and providing assistance to Indian students stranded in Bangladesh, particularly studying in Medical colleges of Bangladesh.	Nodal officer from the mission had contacted each student and the students had informed that the college authorities were looking after their welfare. After examining the status report of MEA and acknowledging the steps undertaken	Disposed of on 03.04.2020

				by MEA to ensure the welfare of the students, the Court then disposed of the matter.	
3.	Ramesh Chander Goyal v. Union of India	Delhi High Court	Writ Petition has been filed to challenge the circular of DGCA imposing travel restrictions on international flights to India by GoI and for evacuation of petitioner's son from Scotland.	MEA had taken all necessary steps and given all necessary information for the assistance of the Petitioner's son. The nodal officer of the mission is providing all necessary help and assistance to the Indian students in Scotland under the guidance of HCI, London. The Court after acknowledging the efforts of MEA disposed of the case.	Disposed of on 03.04.2020
4.	Azra Usmail v. UT of J&K	Jammu and Kashmir High Court	Writ Petition has been filed to deal with different issues related to COVID-19 in the UT of J&K. The Court while hearing the petition on 30.03.2020 had directed MEA to provide assistance to Indians in New York and to look into the aspect of evacuation of Indians from New York.	The Court was informed about the steps undertaken by MEA to provide assistance to Indians abroad including formation of COVID control centre at MEA, designation of nodal officers at each mission/posts and 24*7 helplines at each mission/posts. The Court acknowledged the efforts of MEA and therefore, passed no further directions for MEA.	No further directions for MEA after 03.04.2020
