

## **INFORMATION ON DEATHS INVOLVING BRITISH NATIONALS IN INDIA**

The death of a relative or friend is always distressing. But if it happens abroad the distress can be made worse by practical problems. Consular Directorate in the Foreign and Commonwealth Office and our High Commission and Deputy High Commissions in India are ready to help in any way that they can. You may be uncertain what to do next or who to contact for advice. These notes are designed to help you through the practical arrangements you will need to make. While care has been taken in compiling these notes, no legal liability for their contents is accepted by the British High Commission and Deputy High Commissions in India, or HM Government.

You should be aware that Indian procedures differ significantly from those in the United Kingdom. While we understand your need to make arrangements as quickly as possible, this may not always be possible.

Experience has shown and advice from established funeral directors in India is that within the first 24-48 hours the following actions should be completed without delay:

- **If the deceased had travel insurance the company needs immediate notification of the death.**
- **Decide on the appropriate mortuary and funeral options.**
- **Ensure that the local police and Foreigners Regional Registration Office are notified.**

*The information contained in this document is not meant to be a definitive statement of the law, nor is it to be taken as a substitute for independent legal advice.*

### **Mortuary Facilities**

There are mortuaries at most private hospitals in India, and at some government hospitals and funeral undertakers in large cities. The standards applied, for example in relation to storage temperature, vary from hospital to hospital. Unlike the UK, most rural areas have no refrigerated mortuaries. Given the extremely hot weather and humidity in India, it is therefore important that decisions on storage and repatriation are made quickly, particularly if the deceased is to be preserved for repatriation to the UK. If there is likely to be a delay in decisions regarding the type of repatriation to be made, the lack of modern and well-equipped undertakers outside of the main cities means that it is advisable to move the deceased's body to the nearest city undertaker as an interim measure.

In cases of the death of a foreign national, local authorities expect the High Commission/Deputy High Commission to make arrangements for the removal of the deceased's body immediately (if no family member/friend is available in India to take the responsibility). Regrettably, we cannot do this, and have made this clear to them.

**To avoid delays it is essential that the travel insurance company are notified as soon as possible of the death and asked to appoint a funeral director/undertaker who can collect and store the body appropriately. The British High Commission and its offices in India can issue an authorisation letter to the funeral director/undertaker appointed to carry out the funeral arrangements. Some insurers will ask for a cause of death before committing to pay. Since it may not be possible to get this in a**

**reasonable time frame, we advise you discuss this with them and, if necessary, consider making alternative interim arrangements to pay, and claim back the cost at a later date. If the deceased is not covered by travel insurance the next of kin will have to bear all associated costs.**

### **Autopsies (Post Mortems)**

**If the local police are not satisfied after a preliminary examination of the facts surrounding the deceased's death, they can request an autopsy. [Further details on Police/Judicial Inquiries are on page 4].**

Autopsies are carried out by appointed forensic doctors attached to the government. During an autopsy, complete organs or organ samples can be removed for testing, including toxicological studies, at the discretion of the doctor, **without** the consent of next of kin. Whilst you are not routinely informed about the removal of any organs, you can ask your appointed undertaker to make an enquiry on your behalf. Any organs removed are stored before they are sent for a chemical analysis report to ascertain the cause of death. They are then routinely destroyed. In some cases, it has taken over two years for the organs to be tested before they were destroyed. **Please note, the British High Commission cannot guarantee that only samples of organs will be taken.**

Organs cannot be removed for any purpose other than testing without prior consent of the deceased (for research) or next of kin (transplants). If you find that organs have been removed and you would like them repatriated to the UK please let the High Commission/Deputy High Commission know as soon as possible. We can then make a request that the organs are returned once all testing has been completed. **You will have to notify the travel insurance company that the organs are going to be repatriated separately and seek their agreement to meet the additional costs.**

The autopsy report is usually available soon after the post mortem is carried out; however, there can be delays in obtaining a copy of the report. In most cases, the cause of death is listed as 'pending chemical analysis'. Unfortunately, it is normal for toxicology tests to take **at least** a year to be processed by the local authorities in India. This is because all samples are sent to a limited number of Forensic Laboratories throughout India, where lengthy backlogs exist due to the volume of samples sent for processing and a lack of staff to undertake the work.

### **Funeral Options**

Following the death of a British national in India, the next of kin, or a formally appointed representative, must decide whether to

- i) repatriate the deceased to the UK;
- ii) have a local cremation and the ashes repatriated to the UK or scattered in India;
- iii) have a local burial (this may not always be possible, so it is advisable to check with the local authorities).

If the deceased was covered by travel insurance, it is important for next of kin to contact the insurance company immediately. If there is no insurance cover, the cost of repatriation or burial will need to be met by the family. Neither the Foreign and Commonwealth Office nor our British High Commission/Deputy High Commissions in India have budgets to meet these costs.

Consular staff in London will pass on to the British High Commission/Deputy High Commission in India the wishes of the next of kin about the arrangements for the deceased's body, and details of who is taking responsibility for the costs involved. We will do our best to ensure these wishes are carried out.

It is important to remember that if the deceased was travelling with a tour operator, they can be a valuable source of assistance and advice.

**If a local burial or cremation takes place, there will be no inquest carried out in the UK.**

#### Repatriation

A body can normally be released for burial, cremation or repatriation once the autopsy is complete. The local authorities may not require an autopsy to be carried out if the death certificate states that the person died due to natural causes.

If the deceased was covered by travel insurance, the insurance company will normally have a standing agreement with an international funeral director in Britain to arrange repatriations. If the deceased is not covered by insurance, the next of kin will need to appoint an international funeral director themselves in the UK. A list of companies is attached at the end of this document.

There are local undertakers in India who are equipped to carry out repatriation procedures and will provide the special caskets required for the international carriage of human remains. A death certificate from the doctor/hospital, a certificate of embalming, and a certificate giving permission to transfer the remains to the UK is required to ship the body. This will be arranged by the local undertaker. Local formalities for repatriation normally take two-three working days to complete. Undertakers in India need certain covering certificates from the British High Commission in India to complete the local formalities for repatriation.

In certain circumstances repatriation may not always be possible. Our consular staff will try and inform next of kin as soon as possible if this is the case.

#### Local Burial

If next of kin choose to proceed with a local burial (in some places this may not be possible), they will need to inform Consular Directorate at the FCO. Our High Commission/Deputy High Commissions in India can provide a [list of funeral directors](#) who may be able to help with indications of costs and other arrangements, if required.

#### Local Cremation

Cremation in India is normally performed on a wooden pyre. Main cities have electric crematoriums. If the next of kin choose local cremation and wish to take the ashes back to the UK themselves, they can do so. If not, [local undertakers](#) will be able to arrange the necessary paperwork and airfreight the ashes. Ashes cannot be sent by courier.

## **Registration of the death**

Deaths of British nationals overseas are not automatically recorded in the UK Register Office, nor is there any obligation for the death overseas of a British national to be registered with the British High Commission/Deputy High Commission. However, next of kin may find that there are advantages in doing so as the death will be recorded with the General Register Offices (for England, Wales and Northern Ireland) and the National Records Office of Scotland. Also, you can order a consular death registration certificate.

Comprehensive information on how to apply for Consular Death Registration and Certificates can be found on the following link: <https://www.gov.uk/register-a-death>.

\* Note: A local municipal death certificate is required to register the death. These can be difficult to obtain and long delays have occurred in the past. Next of kin or a locally appointed representative can apply for the local municipal death certificate from the police, doctor or hospital. A local undertaker can also provide this service for an additional charge if this has not already been agreed with the UK undertaker or insurance company.

## **Return of Personal Effects**

Personal effects are normally returned to next of kin, or their authorised representative, without any formalities. If personal effects need to be returned to the UK and next of kin are not present in India, the High Commission can assist by providing a list of companies who could assist with making arrangements by commercial means. All costs will have to borne by the family or insurance company.

## **Police/Judicial Inquiries / Inquests**

If the circumstances of the death are not unusual, the body will be released for repatriation or burial without much delay. If the local police are not satisfied after a preliminary examination of the facts surrounding the deceased's death, they can request an autopsy. Further investigations and interviews with witnesses may also be necessary before the investigating officer makes a decision on the cause of death.

In cases of sudden or unexpected death, whether by accident or misadventure or where a person dies unattended, the police will prepare an initial report of their findings and the body will be released for burial/cremation. The investigating officer's report will be submitted to the Court (only if foul play is suspected). However, if death was caused by a criminal act the police will be ordered to conduct a full investigation.

## **UK Coroners**

When a body is repatriated to England or Wales, a coroner will hold an inquest only if the death was violent or unnatural, or if the death was sudden and the cause unknown. In some countries the cause of death is not given on the death certificate, and coroners do not generally have access to judicial files from other

countries. Consequently coroners may order a post-mortem as part of the inquest.

Coroners can request copies of post mortem and police reports from the Indian authorities via the FCO in London. In some instances this can take several months.

In Scotland, the Scottish Executive is the responsible authority. However, they are not obliged to hold an inquest into cause of death. Coroners in Northern Ireland are also not obliged to hold an inquest into cause of death. However, next of kin can apply for a judicial review if no inquest is held.

### **Release of Information**

Post mortem reports are usually released soon after the post mortem is conducted. Requests for police investigation reports must be made through a legal representative. Our consular staff can provide [lists of English speaking lawyers](#) throughout India. However, any release of information may take months, and the documents will be in a local language. The High Commission/Deputy High Commission in India will be able to provide you with a [list of translators and interpreters](#), who may charge a fee for their services.

### **Legal Aid**

Legal Aid is not available to British nationals outside of Europe. If you have any queries, you should direct these to The Legal Services Commission in London (tel: 020 7759 0000).

### **Contact Details**

British High Commission,  
New Delhi  
Tel: 0091 11 24192100

British Deputy High Commission  
Mumbai  
Tel: 0091 22 66502222

British Deputy High Commission,  
Chennai  
Tel: 0091 44 42192151

British Deputy High Commission,  
Kolkata  
Tel: 0091 33 22885172

British Nationals' Assistance Office,  
Goa  
Tel: 0091 832 6636 777

Foreign and Commonwealth Office, ,  
Consular Directorate  
Tel: 020 7008 1500

FCO [Guide for bereaved families](#) (includes useful organisation and support).

If you think there has been inappropriate press comment or interest, you may wish to contact:

Press Complaints Commission  
Halton House  
20/23 Holborn, London EC1N 2JD  
Tel: 020 7831 0022  
Email: [complaints@pcc.org.uk](mailto:complaints@pcc.org.uk)  
[www.pcc.org.uk](http://www.pcc.org.uk)

### **International Funeral Directors**

<b>Funeral Director</b>	<b>Tel/Fax</b>	<b>Email/web</b>
Co-Operative Funeral Services	Tel: 0800 088 4883 Fax: 0141 4294169	<a href="mailto:cfsi@letsco-operate.com">cfsi@letsco-operate.com</a>
Kenyon Air Transportation	Tel: 020 7258 1130 Fax: 020 7243 3125	<a href="mailto:katuk@dial.pipex.com">katuk@dial.pipex.com</a> <a href="http://www.gnf24.dial.pipex.com">www.gnf24.dial.pipex.com</a>
Phoenix International	Tel: 020 8993 8767	
Rowland Brothers International	Tel: 020 8684 2324 Fax: 020 8684 8000	<a href="mailto:info@rowlandbrothersinternational.co.uk">info@rowlandbrothersinternational.co.uk</a> <a href="http://www.rowlandbrothersinternational.co.uk">www.rowlandbrothersinternational.co.uk</a>

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National Association of  
Funeral Directors

Tel: 0121 711 1343  
Fax: 0121 711 1351

[info@nafd.org.uk](mailto:info@nafd.org.uk)

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Please note that the listing of the companies above does not represent FCO endorsement of their services.

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**Support agencies you might find useful:**

The Compassionate Friends: (877) 969 0010 or (630) 990 0010

Cruse Bereavement Care: - 0808 808 1677

Samaritans: 08457 909090

Victim Support: 0845 30 30 900