



Date: 20240305

Docket: IMM-5513-22

Citation: 2024 FC 359

[ENGLISH TRANSLATION]

Ottawa, Ontario, March 5, 2024

PRESENT: The Honourable Associate Chief Justice Gagné

BETWEEN:

UNKNOWN SANJEEV

Applicant

and

**THE MINISTER OF CITIZENSHIP AND
IMMIGRATION**

Respondent

JUDGMENT AND REASONS

[1] The applicant is challenging a decision of the Refugee Appeal Division (RAD) finding that he had an internal flight alternative in India and that he is therefore neither a Convention refugee in Canada nor a person in need of protection.

[2] The RAD held that the applicant was not perceived by the police as a militant or suspected of terrorist activity and so was not a person of interest. The RAD, like the Refugee Protection Division (RPD), was of the view that the police in his district have neither the motivation nor the means to find the applicant in the cities proposed as internal flight alternatives.

[3] The RPD's conclusion that it would be equally reasonable for the applicant to relocate to one of the proposed cities was not challenged before the RPD or before this Court.

[4] In his memorandum, the applicant mainly raises the issue of corruption in police activities in India and refers to certain excerpts from the relevant documentation of India. He does not specify how the SAR erred in its analysis of internal flight alternatives in India.

[5] Before this Court, counsel for the applicant admitted from the outset that the Indian authorities did not suspect the applicant of militant activity or association with a terrorist group, as they had made mere allegations with the aim of extorting money from him. This happened just once before he left his municipality for New Delhi, where he remained for five months, unmolested by the police, before leaving for Canada.

[6] Because the RAD applied the correct standard applicable to the appeal of RPD decisions, considered all the arguments before it and did not err in its consideration of the applicant's ability to find refuge in his country (nor was any such error seriously raised by the applicant), the application for judicial review will be dismissed.

[7] The parties did not submit any question of general importance for certification, and the facts of this case do not give rise to any.

JUDGMENT in IMM-5513-22

THIS COURT'S JUDGMENT is as follows:

1. The application for judicial review is dismissed;
2. No question of general importance is certified.

“Jocelyne Gagné”

Associate Chief Justice

Certified true translation
Francie Gow

FEDERAL COURT
SOLICITORS OF RECORD

DOCKET: IMM-5513-22

STYLE OF CAUSE: UNKNOWN SANJEEV v THE MINISTER OF
CITIZENSHIP AND IMMIGRATION

PLACE OF HEARING: MONTRÉAL, QUEBEC

DATE OF HEARING: MARCH 4, 2024

JUDGMENT AND REASONS: GAGNÉ ACJ

DATED: MARCH 5, 2024

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