



LEFT
Manikarnika Dutta has lived in the UK for 12 years. Above, with husband Souvik Naha. Andy Hall/the Observer

Academic studying India to be deported for long visits... to India

Historian ordered to leave after spending 'too many' days abroad researching archives for Oxford University

Diane Taylor

A high-achieving academic has been threatened with deportation from the UK because the Home Office says she has spent too many days conducting her research requiring access to historic Indian archives stored in India.

Manikarnika Dutta, 37, a historian, conducted the research as part of her academic commitments to the University of Oxford, which involved studying archives in cities in India and attending a series of international conferences.

According to Home Office rules, people who apply for indefinite leave to remain in the UK based on long residency of 10 years or more can be abroad for a maximum of 548 days during a 10-year period prior to

applying for indefinite leave. Dutta was away for 691 days.

Along with a rejection of her right to continue living in the UK based on the number of days abroad, the Home Office rejected her right to remain in the country on the basis that she does not have a family life in Britain, although she and her husband have been married for more than 10 years, and live together in south London.

Dutta is now an assistant professor at University College Dublin, in the school of history. She previously conducted research at the universities of Oxford and Bristol. She lives in Welling with her husband, fellow academic Dr Souvik Naha, a senior lecturer in imperial and post-colonial history at the University of Glasgow.

"I was shocked when I got an email saying I have to leave," Dutta told the

Observer. "I have been employed at different universities in the UK and I've lived here for 12 years. A large part of my adult life has been lived in the UK since I came to the University of Oxford to do my master's. I never thought something like this would happen to me."

Dutta first came to the UK in September 2012 on a student visa and later obtained a spouse visa as

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Manikarnika Dutta

a dependent of her husband, who obtained a visa on a "global talent" route. According to her lawyer, Naga Kandiah, at MTC Solicitors: "These research trips were not optional but essential to fulfilling her academic and institutional obligations. Had she not undertaken these trips, she would not have been able to complete her thesis, meet the academic requirements of her institutions or maintain her visa status."

In October last year she applied for indefinite leave to remain in the UK based on long residence. Her husband also applied. His application was granted, while hers was refused. She applied for an administrative review of the refusal, but the Home Office maintained its decision to reject her application.

The review concluded: "You must now leave the United Kingdom. If you don't leave voluntarily you may be subject to a re-entry ban of 10 years and prosecuted for overstaying."

Dutta has received support from academic colleagues since getting the Home Office rejection letter.

Naha said: "This decision from the Home Office has been terribly stressful for both of us. It has taken a psychological toll. I sometimes give lectures about these issues and have read articles about people affected, but never thought it would happen to us."

Kandiah has launched a legal challenge against the Home Office's decision to remove Dutta from the UK. The Home Office has responded by saying it will reconsider its decision in the next three months. However, the Home Office may confirm its original decision after the three-month period and, until then, Dutta is in limbo.

Kandiah said: "My client's case exemplifies how such situations severely undermine the UK's reputation and its ability to attract and retain global academic talent – particularly at a time when strengthening international relations is crucial."

"If the UK genuinely seeks to position itself as a global leader in academia and innovation, it must foster an environment that is welcoming to top talent."

"Without such an approach, UK universities will continue to lose highly skilled PhD researchers in whom they have invested years of resources, expertise and funding."

A Home Office spokesperson said: "It is longstanding government policy that we do not routinely comment on individual cases."