

GOVERNMENT OF INDIA
MINISTRY OF EXTERNAL AFFAIRS
LOK SABHA
UNSTARRED QUESTION NO-4950
ANSWERED ON- 31/03/2023

IMMIGRATION OF INDIANS

†4950. SHRI DILESHWAR KAMAIT

Will the Minister of EXTERNAL AFFAIRS be pleased to state :-

(a) whether the Government is aware about the increasing number of illegal agencies helping Indians immigrating into other countries;

(b) if so, the details thereof;

(c) the proposed action to check the immigration of Indians through illegal travel agencies and if so, the details thereof;

(d) whether the Government proposes to make registration compulsory for such agencies;

(e) if so, the details thereof; and

(f) if not, the reasons therefor?

ANSWER

THE MINISTER OF STATE IN THE MINISTRY OF EXTERNAL AFFAIRS

(SHRI V. MURALEEDHARAN)

(a to f) The Government accords highest priority to the safety, security and well-being of Indians abroad. The recruitment of Indian nationals for overseas employment is regulated under the Emigration Act 1983. The Government of India encourages only legal form of migration from India, as per the provisions of Emigration Act, 1983. Since 2015, the process of overseas employment is being processed through eMigrate portal, which is a faceless, paperless and cashless digital platform to register Recruitment Agencies, Foreign Employers and issue of Emigration Clearance (EC) to prospective overseas migrant workers. At present, approximately 1000 Emigration Clearance applications are processed daily through 14 POE offices across the country.

To promote legal migration, Ministry has taken several initiatives such as Pravasi Bhartiya Bima Yojna (PBBY) and Pre-Departure Orientation & Training (PDOT) in ensuring that migrant workers undertake safe migration, have decent working and living conditions in destination countries, are aware of their rights and have access to GoI welfare schemes.

Further, Ministry of External Affairs (MEA) launched the '*Surakshit Jayen Prashikshit Jayen*' (Go Safe, Go Trained) campaign in 2018 to raise awareness among prospective emigrants. With this motto and to give further impetus on visibility of Ministry's campaign for safe & legal migration, Hon'ble Prime Minister released a postal stamp dedicated to safe and legal migration of our workers on the occasion of 17th Pravasi Bharatiya Divas on 9 January 2023.

It is also Government's constant endeavor to broad-base the location of recruitment agents and agencies so that small cities, towns, and villages also have fair opportunity. The new scheme, launched in December 2017, aims to provide business opportunities in the field of overseas employment to new entrepreneurs as well as those small entities already engaged in related activities such as travel consultancy, travel and tourism.

The Ministry regularly organizes outreach programs to sensitize various stakeholders about benefits of safe and legal migration and on possible ways of preventing illegal migration from fake or unregistered recruitment agencies. eMigrate portal publishes the list of legal and illegal recruitment agencies. As on 10 February 2023, 2458 illegal agents have been notified through eMigrate portal.

However, it has been noticed that several unscrupulous agents/travel agencies are also illegally involved in the business of manpower recruitment for overseas employment. On basis of complaints of cheating by such illegal agencies, the lawful authorities of States concerned are alerted to take appropriate actions against them.

The Ministry has also been coordinating with a number of State governments, relevant stakeholders and lawful agencies to disseminate information on the benefits of safe and legal channels and overseas employment opportunities. Further, as part of awareness campaign, Indian Missions abroad also play a crucial role in proactively sensitizing Indian job seekers through issuing Advisories and Press Releases about ramifications of fake job offers by fraudulent and illegal channels.

As and when complaints of illegal migration/human trafficking are received, such matters are referred to the State police for investigation and prosecution. Details of complaints received and forwarded to state police for action and investigation, requests received from state governments for issue of prosecution sanction and the prosecution sanctions issued during the last three years are as under:

Year	No. of complaints	Cases referred to state governments for action	Prosecution sanctions sought	Prosecution sanctions issued
2020	166	166	7	7
2021	139	139	7	7
2022	297	297	11	11

Under Chapter III Section 10 of the Emigration Act 1983, no persons/agencies can function as recruiting agent without a valid certificate issued by the registering authority. For application of registration by persons/agencies, the application has to be made in prescribed form and provide details such as financial soundness, trustworthiness, premises at which applicant intends to carry on his or her business. Registration of recruitment agencies is mandatory, with the stated goal of reducing fraud or exploitation of Indian workers recruited to work overseas. The Act imposed a requirement of obtaining emigration clearance (also called POE clearance) from the office of Protector of Emigrants (POE) offices. Registration of Recruitment Agents/Agencies and accreditation of Foreign Employers is scrutinized by Protector General of Emigrants through 14 POEs offices across the country and our Missions abroad, respectively. This requirement applies only for ECR passport holders travelling abroad to 18 Emigration Check Required countries.
