

**Migration of Indian citizens through fake agents**

235. SHRI KANWAR DEEP SINGH:

SHRI N.K. SINGH:

Will the Minister of OVERSEAS INDIAN AFFAIRS be pleased to state:

- (a) whether there are a number of migrants leaving the country through fake recruitment agents;
- (b) if so, the details thereof;
- (c) the steps being taken by Government to monitor and regulate the migration of Indian citizens; and
- (d) if so, the details thereof?

THE MINISTER OF OVERSEAS INDIAN AFFAIRS (SHRI VAYALAR RAVI):

(a) and (b) Emigration of Indian workers seeking employment in 17 Emigration Check Required (ECR) notified countries is regulated under the Emigration Act, 1983. Despite the existing framework to facilitate legal migration and the efforts made by the Government to prevent irregular migration, complaints regarding fraudulent offers of overseas employment and cheating of job seekers are recieved by the Ministry from time to time. Such complaints include fraudulent advertisements for jobs abroad, fake recruitments for non-existing employers or for foreign employers who never authorized the agents, thus rendering the workers without jobs; and offers of exaggerated benefits to lure job seekers. These complaints are received against registered Recruiting Agents, unauthorized intermediaries as well as some Foreign Employers. The details of the complaints received against unregistered agents during the last four year and the current year ending July, 2012 are given below;

Year	No. of complaints	Prose-cution Sanction issued	Cases referred to State Government/POE for action
2008	93	56	37
2009	136	14	136
2010	166	10	166
2011	225	9	225
2012 (31st July)	183	10	171

(c) and (d) The Government has taken steps to monitor and regulate the emigration of Indian workers, to reform and simplify the emigration process and to prevent illegal emigration. These, *inter-alia*, include the following:

- (i) Emigration Check Required (ECR) passport holders need to obtain clearance from any of the 9 POE offices located at Delhi, Mumbai, Chennai, Hyderabad, Trivandrum, Jaipur, Cochin, Kolkata and Chandigarh before emigrating for overseas employment to any of the 17 ECR notified countries.
- (ii) The Ministry has amended the Rules vide Emigration (Amendment) Rules 2009 on 9th July, 2009. The important changes are as under:
  - The amount of security to be furnished by the Recruiting Agent (RA) in the form of Bank Guarantee has been increased to twenty lakh rupees for all, in place of the three earlier categories, on the basis of the number of workers to be recruited by the RA.
  - The application fee for Registration Certificate has been increased from Rupees Five thousand to Twenty five thousand rupees.
  - In order to obtain a permit for direct recruitment of workers from India, the Foreign Employer will have to furnish a Bank Guarantee of Ten thousand rupees per worker subject to a minimum of One lakh rupees and a maximum of Twenty lakh rupees, valid for a period of one year over and above the duration of the employment contract.
  - the recruiting agents have been entrusted with specific duties and responsibilities with a view to safeguarding the interests of the emigrant workers. They will also have to maintain certain basic facilities.
- (iii) A National Awareness-cum-Publicity campaign is undertaken from time to time to create wider awareness among the general public and particularly among the potential migrants on the risks of illegal migration and safeguards against illegal practices by unauthorized intermediaries and fraudulent recruiting agencies.
- (iv) The Government has constituted a high level Core-Group to lead and monitor action of combating and preventing irregular migration. The Core-Group is headed by Secretary, MOIA and has representatives from the relevant central Ministries and State Governments. The Core-Group

has circulated a template amongst state governments to formulate action plans against irregular migration from their states.

- (v) An Overseas Workers Resource Centre (OWRC) has been established which runs a 24x7 helpline in 8 languages to provide information and guidance to emigrants.
- (vi) Migrant Resources Centres have been established in Cochin, Hyderabad and Panchkula, Haryana for information dissemination and counselling of potential migrants.
- (vii) An Indian Workers Resource Centre (IWRC) has been established in UAE.
- (viii) The Ministry has been holding annual consultation with the major states of origin to ensure better coordination and enforcement of various provisions of Rules and Regulations.
- (ix) Attestation of work contracts by the Indian mission concerned has been made mandatory in all cases of women workers holding ECR passports, emigrating to ECR countries.
- (x) Whenever a complaint is received against a registered Recruiting Agent about cheating or exploitation of an emigrant, action is initiated for suspension or cancellation of the registration certificate of the recruiting agent. If the recruiting agent indulges in forgery of documents he is also prosecuted through the state police. Complaints against illegal agents are referred to the state police for prosecuting them. If there is a complaint against an employer about exploitation of the worker, proceedings for blacklisting of the employer are initiated.
- (xi) The Ministry has signed bilateral labour MoUs with all the GCC countries (except Saudi Arabia) and with Jordan and Malaysia to enhance bilateral cooperation in the management of migration. Joint Working Groups have been constituted under these MoUs that meet regularly to resolve labour issues.

#### **Indian Muslims residing abroad**

236. SHRI MOHAMMED ADEEB: Will the Minister of OVERSEAS INDIAN AFFAIRS be pleased to state:

- (a) the details of Indian Muslims settled/residing abroad, country-wise;