

GOVERNMENT OF INDIA
MINISTRY OF EXTERNAL AFFAIRS
RAJYA SABHA
UNSTARRED QUESTION NO-560
ANSWERED ON- 07/12/2023

ACTION AGAINST AGENCIES INVOLVED IN ILLEGAL EMIGRATION

560. DR. FAUZIA KHAN

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

- (a) whether Government is aware of the increasing number of illegal agencies facilitating emigration of Indians to other countries;
- (b) If so, the details thereof;
- (c) whether Government has records or data on unregistered illegal travel agencies and whether action has been taken or proposed to be taken to prevent the emigration of Indians through such agencies;
- (d) If so, the details thereof over the last three years, year-wise;
- (e) whether Government will consider compulsory registration of such agencies;
- (f) If so, the details of the steps taken to achieve this task; and
- (g) If not, the reasons therefor?

ANSWER

THE MINISTER OF STATE IN THE MINISTRY OF EXTERNAL AFFAIRS

(SHRI V. MURALEEDHARAN)

(a to d) It has been noticed that several unscrupulous agents/travel agencies are illegally involved in the business of manpower recruitment for overseas employment. Information about illegal agents is uploaded and updated on regular basis on the eMigrate Portal. As on 30 October 2023, 2896 illegal agents have been notified through eMigrate portal.

Quick and decisive action is taken by concerned Indian Missions/Posts as well as by Protector of Emigrant offices in India whenever instances of exploitation of workers by illegal agents are noticed.

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
2023 (till November)	80	77	15	15

(e) 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 an aim to reduce fraud and 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 the Protector of Emigrants (POE). Registration of Recruitment Agents/Agencies and accreditation of Foreign Employers is scrutinized by Protector General of Emigrants through 14 POEs offices located across the country and our Missions abroad, respectively. This requirement applies only for ECR passport holders traveling to 18 Emigration Check Required countries.

(f & g) The Government accords highest priority to the safety, security and well-being of Indians abroad. The Government of India encourages only legal form of migration from India and the recruitment of Indian nationals for overseas employment is regulated under the 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 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, on the occasion of 17th Pravasi Bharatiya Divas on 9 January 2023, released a postal stamp dedicated to safe and legal migration of Indian workers.

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 through fake or unregistered recruitment agencies. Such communications are also issued by concerned Indian Missions/Posts abroad through their websites and social media handles and through the print media.

Based on MoUs signed with the GCC countries, matters related to welfare and protection of workers are taken up during regular meetings of Joint Working Groups with concerned countries. In addition, such matters are also regularly taken up with respective host governments through diplomatic channels.
