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Institute of Social Sciences

# **Smuggling of Migrants** from India to Europe and in particular to UK:

## **A Study on Punjab & Haryana**



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# **SMUGGLING OF MIGRANTS**

**from India to Europe and in particular to UK:**

**A Study on Punjab & Haryana**

**2009**

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## FOREWORD

**M**igrant smuggling affects almost every country in the world and costs thousands of people their lives every year. This is a serious crime and one that is increasingly controlled by transnational organized crime syndicates. What little we do hear, however, gives ample cause for human rights concerns- numerous press articles describe cases of migrants drowning in unsafe vessels or suffocating to death in overcrowded truck compartments and ships, or being victimized for revealing information about smuggling gangs. Many of those who do reach their destination find themselves locked in cycles of violence, exploitation, and abuse. These violations tend to go unreported because the persons fear arrest and deportation on one hand, and retribution by smuggling gangs on the other. According to the Global Commission on International Migration Report (2005), each year, around half a million undocumented migrants arrive in the European Union. These figures however mask the complex and various experiences of the men, women, and children caught up in such processes...

The United Nations Protocol against the Smuggling of Migrants by Land, Sea and Air, was adopted in order to prevent and combat the smuggling of migrants, promote cooperation among states, and protect the rights of smuggled migrants. Pursuant to this objective, UNODC Regional Office for South Asia, commissioned a study on smuggling of migrants from Punjab/Haryana in India to Europe, particularly the UK, in collaboration with the Institute of Social Sciences (ISS), New Delhi, and Heal Society, Chandigarh. This field-based research study is a detailed assessment of the situation of irregular migration from Punjab and Haryana. An examination of records of relevant government agencies in the public domain and data from other sources, as well as focus group studies were undertaken. The study concludes by recommending a number of concrete actions which will help to protect the interests of lawful unskilled labour going overseas for employment and minimize exploitation of vulnerable smuggled migrants.

On behalf of UNODC, I would like to thank Mr. K.C. Saha, IAS, as the Principal Author of this study. I would also like to thank the Institute of Social Sciences, New Delhi for collating this report and Heal Society, Chandigarh for providing assistance in the research. I also extend my gratitude to all the key stakeholders from the Government and civil society of Punjab and Haryana for their unstinted support in facilitating information and data collection. I am confident that the findings of this study will strengthen the evidence base to build a policy environment in order to facilitate operational measures to countermand migrant smuggling, which is a matter of global concern.



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**Cristina Albertin**

*Representative*

UNODC Regional Office for South Asia



# PREFACE

Smuggling and irregular migration of individuals across international boundaries in violation of established laws is a grave problem in India. It is one of the most serious organised rackets (crime) from a human rights perspective, and one which needs to be tackled on an urgent basis. During the last few decades, irregular migration to Europe from some parts of India has assumed an alarming scale, although there are no precise figures of the migrants available. Both 'push' and 'pull' factors are at work in this process. Lack of employment opportunities at home, rising aspirations for a better life stimulated by the forces of globalisation and the attraction of real or imaginary opportunities for high earnings in European countries have fuelled this flow.

Unscrupulous intermediaries such as travel agents and brokers have exploited the aspirant migrants and encouraged them to take life threatening risks on their journeys, often using forged travel documents. Many of them have faced tragic consequences. Some of the migrants have also sold their lands and other properties to pay travel agents and brokers.

In order to understand the issues from an holistic perspective, it is essential that before embarking on problem-oriented policing and administration, proper research should be done. This systematic report “Smuggling of Migrants from India to Europe and in particular to the United Kingdom: A study on Punjab and Haryana” was prepared by UNODC, with the objective to prevent and combat the smuggling of migrants. It was prepared in conjunction with the Institute of Social Sciences (ISS), New Delhi with support of the Heal Society, Chandigarh and financial assistance from the British High Commission in New Delhi. An expert in the field Mr. K C Saha, IAS who has done extraordinary work to prevent smuggling and irregular migration, and was on secondment with UNODC, conducted this study.

This is an important study of trans-national importance. The Institute of Social Sciences is proud to be associated with the project as it will show the way to tackle this menace. Our immediate task is to discourage irregular migration with the close cooperation of the countries of origin, transit and destination. Of course, the Government of India, in collaboration of State Governments, has been taking various measures to tighten immigration controls, raise awareness of the dangers to its own population and protect the interests of unskilled labour going for overseas employment. It is hoped that this study will provide background and recommendations on ways to strengthen actions in this direction.

I am sure that this project report will prove to be a ground breaking work for future research in this vital area of concern. I look forward to developing more effective information and intelligence sharing arrangements within the region to obtain a comprehensive picture of smuggling and trafficking activities, and other forms of illegal migration as well as improving the cooperation between law enforcement agencies to enhance deterrence. It is important to fight against illegal immigration networks by enhancing co-operation on border and visa systems, and increasing public awareness of smuggling and trafficking operations to discourage illegal movement. Those susceptible to smuggling and trafficking must be made aware of the dangers involved.



**George Mathew**

*Director*

Institute of Social Sciences, New Delhi





# ABBREVIATIONS

<b>CBI</b>	<b>Central Bureau of Investigation</b>
<b>Cr PC</b>	<b>Criminal Procedure Code</b>
<b>CRORE</b>	<b>10 million</b>
<b>DC</b>	<b>Deputy Commissioner of a district</b>
<b>EU</b>	<b>European Union</b>
<b>FIR</b>	<b>First Information Report</b>
<b>FRRO</b>	<b>Foreigner Regional Registration Office</b>
<b>IOM</b>	<b>International Organization of Migration</b>
<b>IPC</b>	<b>Indian Penal Code</b>
<b>LAKH</b>	<b>100,000</b>
<b>MEA</b>	<b>Ministry of External Affairs</b>
<b>MHA</b>	<b>Ministry of Home Affairs</b>
<b>MOIA</b>	<b>Ministry of Overseas Indian Affairs</b>
<b>NRI</b>	<b>Non Resident Indian</b>
<b>PIO</b>	<b>People of Indian origin</b>
<b>POE</b>	<b>Protectorate of Emigrants</b>
<b>PS</b>	<b>Police station</b>
<b>R/O</b>	<b>Resident of</b>
<b>Rs</b>	<b>Indian rupees</b>
<b>SP</b>	<b>Superintendent of Police</b>
<b>SSP</b>	<b>Senior Superintendent of Police</b>
<b>UNODC ROSA</b>	<b>United Nations Office on Drugs and Crime, Regional Office for South Asia</b>
<b>UNODC</b>	<b>United Nations Office on Drugs and Crime</b>



## EXECUTIVE SUMMARY

This report concludes a study into the scope and magnitude of irregular migration from the northern states of Punjab and Haryana in India. The study was based on law enforcement authority records, discussion with officials, public representatives, extensive field visits in the districts of Jalandhar, Kapurthala, Nawanshahr and Hoshiarpur of Punjab and interviews with a large number of respondents, including irregular migrants and their family members, co-villagers of irregular migrants, agents involved in human smuggling and police officers who investigated cases against agents. These four districts were chosen because of the large number of cases of irregular migration reported from here.

Analysis of the data and the information available, suggests that irregular migration from Punjab is substantial. Every year more than 20,000 youths from Punjab attempt irregular migration. The pattern of irregular migration has undergone a change over the years whereby it has not only spread to new areas in Punjab but also to the neighbouring states of Haryana, Himachal Pradesh and Jammu & Kashmir, which had hitherto not seen high numbers of irregular migrants going to other countries. Haryana, in fact is fast emerging as a state for irregular migration. Moreover, earlier irregular migration was confined to few caste groups like Jat Sikhs and Lubana Sikhs in Punjab but it has now spread to other caste groups also. More and more youths are now able to afford the high cost of irregular migration. A rising trend of irregular migration from Punjab was noted.

It was noted that out of the cases of immigration-offence related records examined at the Indira Gandhi International airport at Delhi for the years 2005, 2006 and 2007, an average of 47 per cent or almost one half of the of the cases, related to destination countries in Europe. It was further noted that of the total number of cases of irregular migration to Europe about 27 per cent or little over one fourth of the cases related to the UK. Further during field visits, cases of irregular migration to the UK were noted from almost every village in Jalandhar, Kapurthala, Nawanshahr and Hoshiarpur districts of Punjab. It is reasonable to presume that there might be such cases in the other districts in the state as well. Amongst all the destinations in Europe, the UK is the most preferred destination for the migrants.

It has been noted that most of the cases of irregular migration to the UK were via France. It was also learnt that many migrants were travelling to various countries on tourist visas and thereafter entering the UK illegally. In the Jalandhar, Kapurthala, Nawanshahr and Hoshiarpur districts many cases of visa overstay in the UK were noted. It was learnt that the agents were able to procure tourist visas for the UK for many migrants who, upon reaching, remained indefinitely. Officials at the British High Commission in Delhi report however, that to their knowledge, the majority of irregular migrants from India enter the UK clandestinely and not on a visa which they abuse. The other destination countries in Europe included Germany, Austria, Spain, Belgium, France, Italy, Greece, Norway, Switzerland, Bosnia, Sweden, Netherlands, Portugal, Finland, Poland, Czech Republic, and Hungary.

As the option of legal migration for most of the potential migrants was ruled out because of limited opportunities for unskilled migrants, they resort to irregular migration. It is difficult to specify reasons why

certain districts report large number of cases of irregular migration. This may be due to the past migration history, social network, high unemployment rate, failed agriculture, rural debt, proactive role of agents etc. Of all these reasons, those which are significantly important are the high unemployment rate and the general attitude of young men that migration abroad is perhaps the best alternative. The potential irregular migrants consider other successful migrants from their neighbourhood their role models. However, as noted elsewhere, they do not always hear about or believe the migrants' reports of the hardships and dangers they face en route and on arrival.

The phenomenon of irregular migration is not at all a stigma amongst the families of the migrants, provided it is successful. The social structure in the village which was traditionally based on caste, landholding, family background and educational achievements has now changed and distinguishes between those families which have members in other countries and those families which do not.

It has been noted that in Punjab, Jalandhar is the hub of activities of agents. But it is India's capital Delhi which has emerged as an important centre for irregular migration in northern India. Apart from migrants from Punjab and Haryana, those from other states and even from other countries were found to use the airport at Delhi for irregular migration. The nationals of other countries included those from Sri Lanka, Bangladesh, Nepal, Nigeria and even China. It was noted in particular that Chinese nationals from Fujian province had attempted to migrate irregularly to the UK using forged South Korean passports.

Since it was noted that cases of irregular migration were particularly large in certain areas of Punjab, the identification of such areas may be useful for close monitoring of visa applications from these areas and also launching of awareness campaigns in future.

The proliferation of a large number of sub-agents in rural areas has also been noted. However, the main agents are mostly based in Delhi. It was noted that some of the agents have relocated to other countries. This may be due to the fact that it is difficult to prosecute a person if an offence is committed outside India, as it requires special approval of the Government of India under the Indian legal system. The agents generally operate under the guise of travel or recruitment agencies. It is the sub-agents who bring potential migrants into contact with the representatives of the main agents. It has been observed that these agents are able to carry on their business without any hindrance from the local law enforcement authorities and the civil society as they operate clandestinely. It appears that their services are appreciated by a variety of clients from agricultural families in rural areas, family members of public representatives, government servants, employees of private sectors and others, as long as they succeed.

It was found that the agents adopt various methods to facilitate irregular migration. These include use of forged Indian passports, photo substitution in Indian and foreign passports, jacket substitution of Indian passports, use of re-stitched passports, the exchange of boarding cards in the security areas and the use of forged foreign passports, visas and residence permits. Some of the seized forged documents were examined with the cooperation of law enforcement authorities and it could be said with certainty that such forged documents were of exceptionally high quality and that their detection would only be possible by specially trained professionals. These forged documents often relate to many different countries and it might be difficult for law enforcement agencies to detect all the forged documents put to use by the agents. It was noted that the Immigration Authorities at Delhi prevented irregular migration in 45 per cent of the cases or almost one half of the cases on an average during the reference period.

It appears also that fees charged by the agents has gone up considerably in recent years, not only because of stricter enforcement measures but also because of the limited number of cases of irregular migration taken up by the agents at one time. However, the demand is far greater than they can cater to. During the field study it was observed that agents carry on their activity in such a way as to generate least suspicion amongst law enforcement authorities. They are generally content with handling a limited number of cases at a time. It was noted that the fees for USA and Canada were much higher than any country in Europe. Usually it was more than Rs 20,00,000 (US\$ 50,000) for the USA and Canada whereas it ranged from Rs 6,00,000 to Rs 12,00,000 (US\$15,000 to US\$ 30,000) for a destination country in Europe. For destinations to the UK the fees was higher in comparison to the other countries in Europe. The fees for the UK varied from Rs 9,00,000 to Rs 12,00,000 (US\$ 22,500 to US\$ 30,000).

The high success rate of agents in Jalandhar, Kapurthala and Hoshiarpur was noted. This could only be achieved if irregular migrations were organised through highly efficient international networks with links in the countries of origin, transit and destination. Many cases of victimisation of poor migrants by the agents in various districts of Punjab were also noted. These poor migrants had paid sums varying from Rs 80,000 to Rs 120,000 for jobs in destination countries in the Middle East or South East Asia.

It has been noted that if a migrant fails to reach his destination, either the money paid by him is returned by the agent after deducting the costs incurred or he is promised a second attempt to the same destination or an alternative destination. It appears that an informal understanding has emerged between migrants and the established agents whereby a migrant knows that he may get back the money if he does not reach his destination. The agent also knows that he may have to refund the money in such cases and this is something he does not mind, considering the huge profit he makes. Complaints are filed with the police only as a last resort when such mutual understandings between the agents and the prospective migrants break down. As the police also attempt to bring about a conciliation between the parties involved, more than 80 per cent cases end up in a compromise. Only in a few unresolved cases based on the statement of a complainant, do the police register a case of cheating against the agents. A case of cheating is very difficult to establish in the absence of any documentary proof of payment of money. As a result, if the agents are arrested, they are released by courts within a few days. It should however, be noted that in Punjab many agents have been arrested.

A number of recommendations are put forward in the report, suggesting a conceptual framework for future UNODC technical assistance initiatives pertaining to the overall fight against irregular migration from this region.



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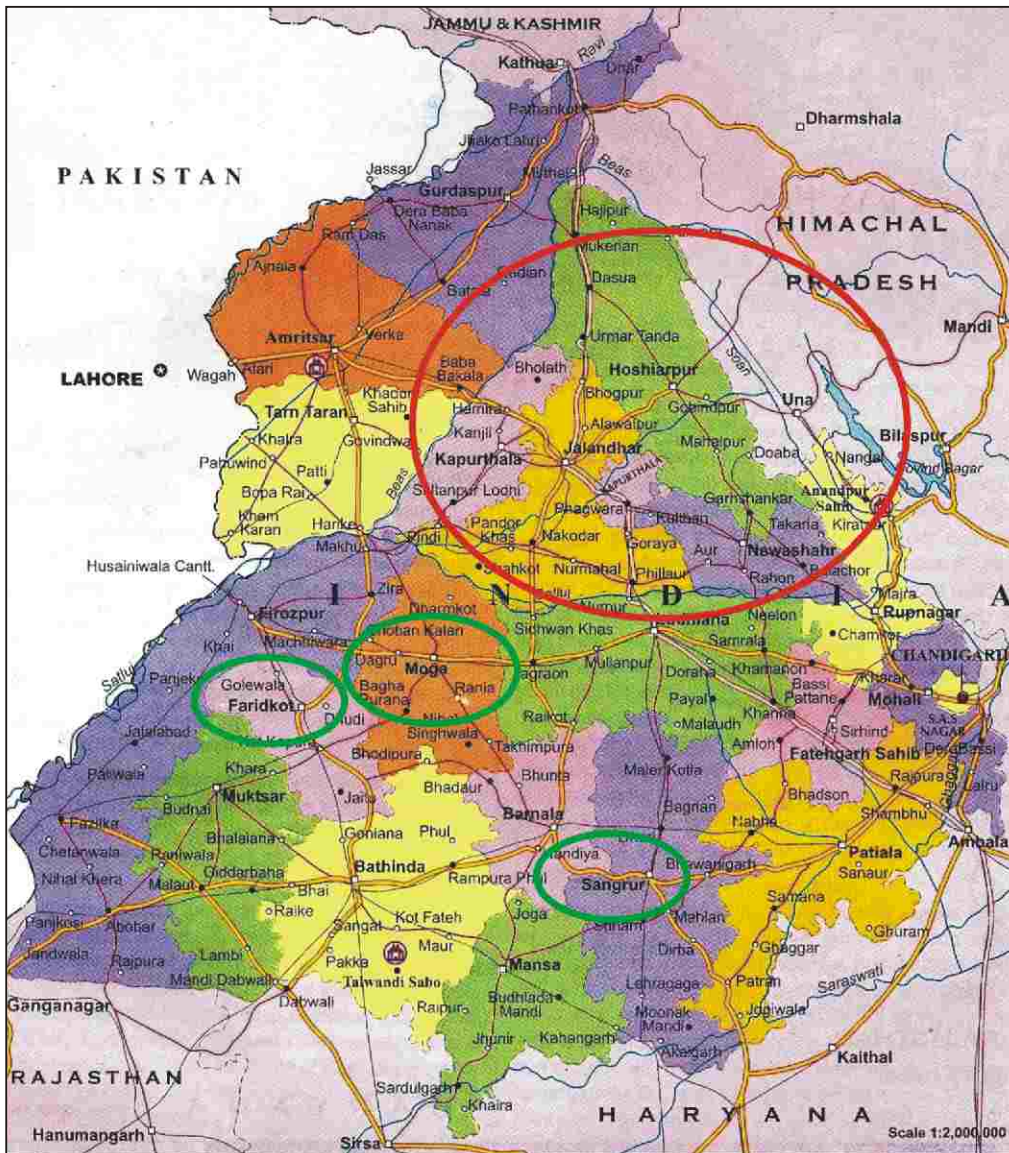


## MAP OF INDIA WITH THE STATES OF PUNJAB AND HARYANA HIGHLIGHTED.



# MAP OF PUNJAB

MAP 2

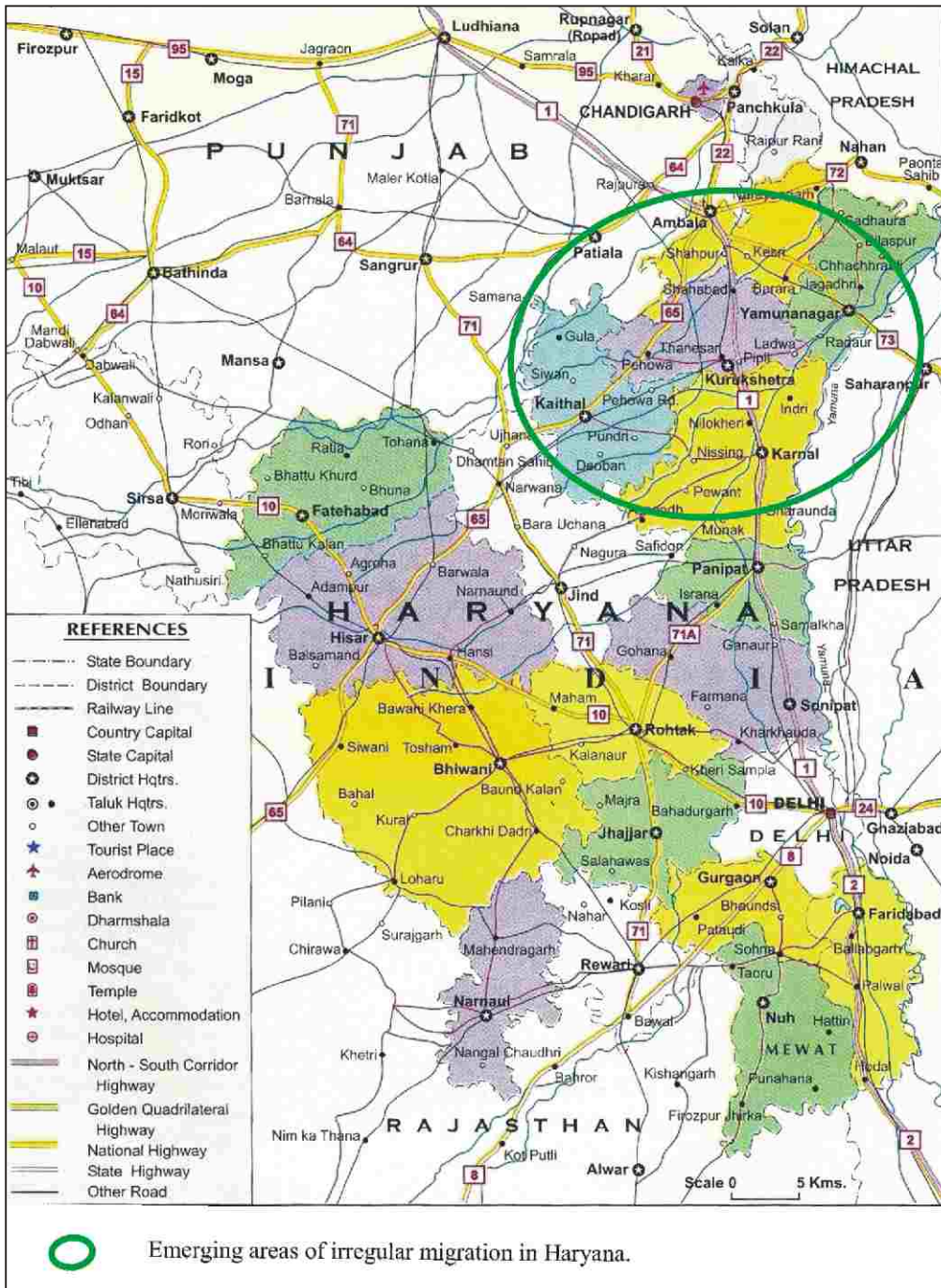


REFERENCES			
	International Boundary		Golden Quadrilateral
	State Boundary		National Highway
	District Boundary		State Highway
	Railway Line		Other Road
	State Capital		District Hqtrs.
	Taluk Hqtrs.		Aerodrome
	Other Town		Bank
	Tourist Place		Restaurant
	Gurudwara		Akal Takht
	Temple		Church
	Mosque		Hospital
	Hotel, Accom.		

- Emerging areas of irregular migration in Punjab
- Areas highly prone to irregular migration in Punjab

# MAP OF HARYANA

MAP 3





# *Introduction*

## **Punjab**

Punjab is a state in northwest India, bordered by Pakistan in the west, Jammu and Kashmir in the north, Himachal Pradesh in the northeast, Haryana in the south and southeast, and Rajasthan in the southwest. The erstwhile Punjab was divided into three states in the year 1966 leading to the formation of Punjab, Haryana and Himachal Pradesh. The literal meaning of the word 'Punjab' is land of five rivers. the Jhelum, Chenab, Ravi, Beas and the Sutlej.

Punjab has a population of 24,289,296 as per the 2001 Census and covers an area of 50,362 sq. kms.

Agriculture in Punjab is highly developed as land is fertile and irrigation is assured. During the 1970s, the green revolution brought increased economic prosperity to the Sikh community in the state. Punjab produces 60 per cent of India's wheat, and 40 per cent of India's rice. Today, it is believed that agriculture in the state is over-exploited and further exploitation would not only be economically expensive but also environmentally hazardous.

Punjab is considered to have the best infrastructure in India. This includes road, rail and air links. It has the highest per capita generation of electricity in India. All of Punjab's villages have electricity. The major industries in the state include manufacture of scientific instruments, electrical goods, machine tools, textile, sewing machines, sports goods, fertilizers, bicycles, garments, and the processing of pine oil and sugar. Industrial development in the state is dominated by small-scale manufacturers.

Punjab also has the lowest poverty rate in India at 6.16 per cent (1999-2000 figures). The National Human Development Report 2001 ranks the state second in the Human Development Index amongst the major states in India. However, the unemployment rate in Punjab is high. It stands at 2.3 per cent for rural males, 6.2 per cent for rural females compared to all India average rates of 2.1 per cent and 1.5 per cent respectively.<sup>1</sup> It is estimated that the debt burden of farmers in Punjab is Rs 5,700 crores (US\$ 14.25 million). The average per acre debt of small and marginal farmers is Rs 10,105 (US\$ 252).<sup>2</sup> The literacy rate in the state is 69.95 per cent, according to the 2001 Census.

## **Haryana**

Haryana is a state in north India that was carved out of erstwhile Punjab in 1966. It is bordered by Punjab and Himachal Pradesh on the north, Rajasthan on the west and south, by Uttarakhand and Uttar Pradesh on the East. Haryana also surrounds Delhi on three sides, forming the northern, western and southern borders of Delhi. Consequently, a large area of Haryana is included in the National Capital Region.

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<sup>1</sup> Human Development Report 2004, Planning Commission of India, Government of India.

<sup>2</sup> Ibid.

Haryana has a population of 21,144,000 according to the 2001 Census and covers an area of 44,212 sq. kms.

Despite recent industrial development, Haryana is primarily an agricultural state. About 70 per cent of its residents are engaged in agriculture with wheat and rice being the major crops. Haryana is the second largest contributor after Punjab to India's central pool of food grains. Dairy farming is also an essential part of the rural economy. More than a 1000 medium and large industries have been established in the state. The city of Gurgaon is emerging as a major hub for the information technology industry.

The National Human Development Report 2001 ranks the state fifth for Human Development Index amongst the major states in India while the 2001 Census puts the literacy rate in the state at 69.95 per cent.

## Emigration from Punjab

The Punjab has a long tradition of international migration, especially from the central Doaba region comprising of Jalandhar, Kapurthala, Nawanshahr and Hoshiarpur districts. Since the 1880s there has been a regular stream of adventurous young men who have left their villages in Punjab to travel overseas. The initial destinations for the migrants were countries closer to home like Singapore and Hong Kong. Later, these became the stepping stones for journeys to more distant lands like Australia, Canada and the USA.

A regular pattern of migration from Punjab began with the induction of Sikhs into the Indian Army after the British annexation of Punjab in 1849. Sikh soldiers were taken to distant places under the British Empire. The soldiers, who returned from overseas, brought back stories and visions about foreign lands. This in turn, led enterprising and vigorous young men to go to the British colonies to seek their fortunes. And thus began the saga of overseas migration from Punjab (Singh, Shubha, 2008).<sup>3</sup>

After World War II, Great Britain needed labour for reconstruction; Canada initiated an economic expansion programme and the U.S.A also opened its doors to Indians. Punjabis made use of all these developments and migrated in large numbers to these countries.

The migrants from Punjab were not from the poorest section of society in the state; they were young men whose families could put together the money to send them overseas. Most of the families involved in migration were neither very poor nor very rich; migration was a family strategy where the younger sons joined the army or went abroad to add to the family's fortunes.<sup>4</sup> It was mainly adult men who migrated, either alone or with a close relative or friend. Adding to the family land holdings with the savings was a prime objective for migration abroad. Big houses were also constructed as this enhanced the status of the family in the village.

Of the total Sikh population of around 15 million, it is estimated that approximately 1 to 1.5 million have migrated, constituting about 10-15 per cent of native-born Indians settled abroad (La Brack, 1989), as quoted by Thandi, (1996).<sup>5</sup> The period between the 1950s and 1960s was a period of mass migration from Punjab to the UK. In the beginning, most of the Sikh emigrants from Punjab to the UK came from the

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<sup>3</sup> Singh Shubha (2008): 'Punjabi Diaspora in the Pacific Region', paper presented at a Conference on "Indian Diaspora: Migration and Development with focus on the State of Punjab" – January 14-15, 2008 at CRRID, Chandigarh.

<sup>4</sup> Barrier, N.G. and Dusenbery (ed.) (1989): *The Sikh Diaspora: Migration and the Experience Beyond Punjab*. Delhi: Chanakya Publication.

<sup>5</sup> Thandi Shinder, (1996): "The Punjabi Diaspora in the U.K. and the Punjab Crisis", op cit.

middle peasantry (Thandi, 1996).<sup>6</sup> Emigration of rich farmers to the UK coincided with the success of the green revolution in Punjab in the 1970s. The Sikh community in the U.K has emerged as the most successful community in the economic arena during the last four decades (Helwed, 1986).<sup>7</sup> Currently, Indians form the largest group of immigrants in the UK. According to the 2002 Census, there are 336,000 Sikhs in the UK.

Punjab continues to have a strong emigration culture even today. Some go to the extent of saying, “it is wanderlust, and it's in our blood. Punjabis have traveled far and wide.”<sup>8</sup> It has been reported that “today emigration is Punjab's fastest growing business. The buzz is there for all to see. Newspapers are full of migration ads, billboards display these eagerly and migration is the content of many conversations.”<sup>9</sup>

## 1.1 Aims and Objectives

The main aim of this report is to attempt to assess the current extent and nature of irregular migration from Punjab and Haryana with the objective of improving evidence-based knowledge on the profile of the migrants, the modus operandi of the agents, the countries to which migration is destined, and the government's response to curb irregular migration.

It aims furthermore to make suitable recommendations to control this phenomenon and assist in filling gaps by raising awareness of the problems as well as strengthening the capacities of law enforcement authorities.

## 1.2 Legal Framework, Definitions and Terminology

The United Nations Convention against Transnational Organized Crime (UNTOC) and its supplementing Protocol, specifically addressing smuggling of migrants, provide the overall legal rationale and guidance for this study.

The Protocol against Smuggling of Migrants by Land, Sea and Air, supplementing the UNTOC, aims to prevent and combat the smuggling of migrants, as well as promote cooperation among State parties, while protecting the rights of the smuggled migrants. The Smuggling Protocol provides the following, internationally agreed, definition of smuggling of migrants [Art. 3(a)]:

“Smuggling of migrants' shall mean the procurement, in order to obtain, directly or indirectly, a financial or other material benefit, of the illegal entry of a person into a State Party of which the person is not a national or a permanent resident.”

Defining who is an irregular migrant is complex. Some migrants enter another territory illegally by land, air or by sea. Some use false or forged documents, others travel without documents. Some try to enter on an individual basis; others make use of organised criminal networks. A significant proportion of irregular residents enter legally with a valid visa or under a visa-free regime, but stay beyond the expiry date of the visa or change the purpose of stay without the approval of the authorities. Failed asylum seekers enter into

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<sup>6</sup> Ibid.

<sup>7</sup> Helwed, Arthur Wesley (1986): *Sikhs in England*: Delhi : Oxford University Press.

<sup>8</sup> Grewal Manraj (2000), "Go West Why Migration is Punjab's No.1 industry," *The Indian Express*, New Delhi, August 17.

<sup>9</sup> Ibid.

an illegal status if they do not leave the country once all considerations of their asylum applications have been exhausted.

As will be apparent, irregular migration is a broad term and encompasses cases of smuggling also.

An agent in the context of this study is someone who facilitates irregular migration. It has been used synonymously with the term 'smuggler'.

A deportee for the purpose of this study is any person who has violated the terms of his or her admission to a country of destination and has been deported from there. People who have been refused admission and deported and also people who have not been allowed to depart from the country of origin by the immigration authorities due to irregularities have also been included in this category. For the purpose of the study the term deportee has been used synonymously with the term 'irregular migrant'.

Human trafficking is distinct from human smuggling as defined above. Victims of trafficking are forced rather than willing migrants. Protocol to Prevent, Suppress and Punish Trafficking in Persons, Specially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime provides for following definition of human trafficking (art. 3(a)):

"Trafficking in persons" shall mean the recruitment, transportation, transfer, harbouring or receipt of persons, by means of threat or use of force or other form of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation. Exploitation shall include, at a minimum, the exploitation or the prostitution of the others or the forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs.

State in the study means the state to which a deportee belongs. India is a federation of 28 states. Each state is divided into smaller administrative units called districts. District in the study means the district to which the irregular migrant belongs. Identification of the state and the district of irregular migrants are important for checking whether the phenomenon of irregular migration is concentrated in a particular region.

Doaba is an area of Punjab, comprising of districts of Jalandhar, Kapurthala, Nawanshahr and Hoshiarpur.

### 1.3 Methodology

The methodology used to conduct this study primarily includes collecting, collating and analysing existing, relevant information on irregular migration. In order to have evidence-based data, efforts were made to obtain as much information in the public domain as possible from the law enforcement authorities.

A total of 340, 276 and 196 cases of immigration-offence related records<sup>10</sup> at the Indira Gandhi International airport at Delhi for the years 2005, 2006 and 2007<sup>11</sup> respectively, were examined with the cooperation of the law enforcement authorities. These records constituted about 54 per cent, 43 per cent

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<sup>10</sup> These records related to irregular migrants from the states of Punjab and Haryana and also of Sikh migrants from other states. An immigration-offence related record means a record where the police in India register a case for immigration violations under the Indian law. Such records also include deportation of Indians from other countries. However, no case is registered if a deportee has not committed any violations under the Indian law. For instance if a person overstays his visa and is deported by a country, no case is registered.

<sup>11</sup> For the year 2007 the data relates to the period January to November 2007.



and 44 per cent of 628, 638 and 450 cases recorded at this airport in the years 2005, 2006 and 2007, respectively.

Tables 1-2, 6-40 and 42-48 at the end of the report are based on the above records. Table 3 is based on the records of the Amritsar airport. Tables 49-53 are based on the reported case studies.

The sources for Tables 4, 5, 41, 54 and 55 are shown on the relevant page.

Only the records relating to irregular migrants from Punjab and Haryana and also those pertaining to irregular Punjabi migrants from the other states<sup>12</sup> were examined. Conclusions on trends and pattern of irregular migration can be drawn from an analysis of the data. All these cases were registered at the police station located at the International Airport in Delhi, one of the most important international airports in India. Further, 39 immigration-offence related records for the year 2007 at the international airport in Amritsar, Punjab, were also examined. In addition, 103 records of police cases registered against agents based on complaints of by migrants or their family members in the districts of Jalandhar, Kapurthala, Nawanshahr and Hoshiarpur were also examined. These records are of particular significance to understand the modus operandi of agents.

Further 18 interviews with deportees/their family members, six with agents and police officers who investigated cases against the agents and 18 interviews with co-villagers/public representatives in more than 30 villages were also conducted. Also 26 and 9 case studies on irregular migration were collected from Punjab and Haryana, respectively, by investigators who were sent to different villages in these states. These interviews form an important data source for the study as these made it possible to capture details about the involvement of families in irregular migration, how the phenomenon of irregular migration is seen in Punjabi society, the reasons for irregular migration, the modus operandi of agents and also the response of the law enforcement authorities to control such irregular migration.

The study was also based on discussions and interactions with focus groups, which included law enforcement authorities, other officials at the district and village level, public representatives and journalists. Further discussions were held with officials of the visa section and the risk assessment unit at the British High Commission in New Delhi.

In addition, a 10 day study visit was undertaken to the UK and France. During the seven day stay in the UK, discussions were held with immigration officials at the UK Border Agency, dealing with irregular migration from India. Discussions were also held with senior officials of the Foreign Commonwealth Office, in London, the UK Serious Organized Crime Agency and the London Metropolitan police. In addition, discussions were held with officials of International Organisation of Migration (IOM) in London, who manage the 'voluntary return programme' of irregular migrants. Visits were undertaken to some areas of London where a large number of migrants reside. During the three-day stay in France, discussions were held with the IOM officials at Calais involved in the 'Voluntary Return Programme' in France. About 20 Afghan irregular migrants were also interviewed at Calais in Northern France. Being Urdu and English speakers, they were included in the study for additional background (see Para 1 page 39 and Table 49, Item 16 page 105). Discussions were also held with UK Border Control officials at Calais. In addition, discussions were held at Paris with senior officials of IOM and also senior French officials' responsible for 'voluntary return programme' of migrants in France. The study visit to the UK and France was of

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<sup>12</sup> Identification of Punjabi irregular migrants of other states was done on basis of information on their religion available in the records examined.

importance as it was possible to see the magnitude of the problem of irregular migration from the perspective of destination countries and also the problems encountered in detection and return of irregular migrants to their country of origin.

### **1.3.1 Methodological shortcomings**

The difficulties in making accurate assessments of the size and characteristics of irregular migration are well accepted. This is due to the clandestine nature of such migration, which limits the number of irregular migrants known to authorities. In this report, we have used data provided by law enforcement authorities, which can not be regarded as comprehensive.

It has to be appreciated that irregular migration is a very sensitive subject. During the field study in the districts it was noted that family members of irregular migrants were extremely suspicious of the purpose of the enquiry and it was very difficult to reassure them otherwise. As a result, reliance had to be placed more on information provided by the co-villagers. However, much reliable information relating to many irregular migrants was collected during the field visits.

It was also difficult to contact most of the deportees as they were not available in the villages. It was learnt that most of them managed to reach an alternative destination with the help of the agents within a short period of time. It would have been possible to collect more accurate details by revisiting these villages but this was not possible due to time constraints.

Efforts have been made to collect multiple sets of data as indicated in the Section 1.3 on the methodology, so that the conclusions drawn were objective but it would not be appropriate to generalise such conclusions. It must be remembered that even within a particular state there are wide variations regarding the trends and patterns of irregular migration. Further, even within a particular area, such trends and patterns keep changing in a short time span.

## **2. Findings on Irregular Migration from Punjab and Haryana**

The findings relate to the following areas: trends and volume of irregular migration; profile of irregular migrants; reasons for irregular migration and destination countries; profile of agents, sub-agents and their modus operandi and government responses.

### **2.1 Trends and Volume of Irregular Migration**

At the outset, it should be noted that data on irregular migration is not systematically maintained by authorities in India. In such a situation, one can only comment on the trends and volume of irregular migration through field observations, opinions of the law enforcement authorities, media reports, interpretation of data on deportations, complaints lodged against agents and case studies.

#### **2.1.1 Trends of irregular migration**

During the field study in different villages of Punjab, it was observed that areas with a long migration

history to particular countries continued to send a majority of migrants to the same countries, though migration to other countries from such areas has also been observed. The social networks which the migrants have in other countries helps them to contact agents, who manage to get them to their destinations. This phenomenon of **chain migration** from Jalandhar, Kapurthala, Nawanshahr, Hoshiarpur districts of Doaba region in Punjab, in particular, is resulting in a regular flow of potential migrants from these villages every year.

The pattern of irregular migration has undergone a change over the years whereby it has not only spread to new areas in Punjab but also to the neighbouring states of Haryana, Himachal Pradesh and Jammu & Kashmir, which had hitherto not sent irregular migrants to other countries. It has been reported that:

“Haryana appeared to be fast catching up with Punjab in pursuing the foreign dream. Increasing number of immigration related frauds were being reported from all parts of the State, especially Kurukshetra, as hapless youths are falling prey to travel agents promising better life abroad. Kurukshetra Superintendent of Police Abhitabh Dhillon said during the last one week the police had registered six cheating cases against travel agents.”<sup>13</sup>

Moreover, earlier irregular migration was confined to a few caste groups like Jat Sikhs and Lubana Sikhs in Punjab but it has now spread to other caste groups. More youths are now able to afford the high cost of irregular migration. As a result there has been a proliferation of agents who offer services to facilitate irregular migration. The agents have also become highly professional. They are not only using high quality forged documents but also many more countries as transit points for irregular migration.

It was further learnt that about five to six people from almost each village in the Doaba region of Punjab had migrated irregularly to Europe, in the last one or two years. The news of the safe arrival of irregular migrants to their destinations can prompt others in the villages to attempt irregular migration. It is not, however, common for news of the dangers and hardships faced during their journey and on arrival at the destination country to reach back home. It has been often noted that although migrants often wish to prevent their friends and family going through the same difficulties, they are not always believed. Others may think that the migrant is trying to keep them from having the same perceived benefits of an overseas life. It was noted that the majority of the irregular migrants deported from other countries again tried to migrate irregularly. Increasing number of complaints against agents in Punjab also points to the fact that more and more migrants are attempting irregular migration. One senior police officer said that cases of immigration fraud were increasing by 20 to 30 per cent in Punjab. Taking all these facts into account, it can be said that irregular migration in Punjab is on the rise.

## 2.1.2 Volume of irregular migration

Table 1 gives the details of countries/places from where the irregular migrants have actually been deported. This is based on the records available at Delhi International Airport (see note on page 22) and does not cover irregular migrants stopped at or deported through other airports in India. It also gives the number of cases of irregular migrants who were not allowed to depart by the immigration authorities at

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<sup>13</sup> "Immigration frauds increasing in the region", *The Times of India*, Chandigarh, July 16, 2007.

Delhi and Amritsar. Table 2 gives the details of the destination countries/places departure to which was stopped by the immigration authorities in Delhi.

Tables 1 and 2 indicate that in 2005, 2006 and 2007, the percentages of irregular migrants moving to/from destination countries in Europe were about 56, 49 and 36 respectively. Thus it can be said that about 47 per cent or almost one half of the cases on an average, related to destination countries in Europe. The lower percentages shown in the statistics for Delhi international airport in 2006 and 2007 do not, however, necessarily allow us to conclude that irregular migration to Europe is on the decline. The lower percentage could be due to several reasons such as lower detection by the immigration authorities in Delhi; shifting of migrants to other international airports in India etc. Out of the cases of irregular migration to Europe for 2005, 2006 and 2007, the number of cases for the UK is comparatively high. In 2005, 2006 and 2007, the percentages of irregular migrants to/from the UK (of all cases in Europe) was about 34, 23 and 26 respectively. Thus it can be said that of the total number of cases of irregular migration to Europe, about 27 per cent or a little over one-fourth of the cases on average related to the UK. The percentage will certainly rise further, potentially by a significant margin, because many irregular migrants from different countries in Europe do move on to the UK as their final destination. Instances of irregular migration to the UK are particularly high from Amritsar international airport. Table 3 gives the details of countries/places from where irregular migrants have been deported to this airport. It also gives the number of cases of irregular migrants who were not allowed to depart by the immigration authorities at the international airport at Amritsar.

It is noted that 56 per cent of the cases of irregular migration from Amritsar airport related to the UK.

The high volume of irregular migration from India is also corroborated by the all-India deportation statistics for 2004, 2005 and 2006 shown in Table 4.

Though these figures relate to all the states in India, the number from Punjab is likely to be high. Further, it should be noted that a large number of migrants were deported from the UK in these years, which may reflect the increased enforcement activity in the UK.

That irregular migration from Punjab has been consistently high over the years is further corroborated from the immigration-offence related data for different years from the international airport of Delhi. Table 5 shows such data for the years from 2001 to 2007.

It has already been noted that out of the total cases registered at the international airport at Delhi about 45 to 55 per cent relate to Punjab.

The cases of irregular migration detected by immigration authorities in Delhi, Amritsar and other countries constitute only a small proportion of the total cases of irregular migration. Large-scale irregular migration has been extensively reported in the media. It has been reported that:

“The unending lust of Punjabi youths to settle abroad, mostly through illegal channels, has proved to be a saga of harassment and nightmare for these youths as well as their families. Over one lakh such illegal immigrants have been finally caught by the foreign police authorities and most of them have landed behind bars on foreign lands. According to statistics sourced from the Ministry of External Affairs, over one lakh residents of six districts of Punjab (Jalandhar, Nawanshahr, Gurdaspur, Amritsar, Hoshiarpur and Kapurthala), mostly from Doaba region, faced deportation from different countries for not traveling on valid travel documents during last five years. The immigration experts revealed that in most cases, the unscrupulous travel agents arranged visas for the countries that had come into existence after the breakup

of the erstwhile USSR. The strategic geographical proximity of these countries with the EU countries was a significant factor. After 'safe landing' of the gullible Punjabi youths on the land of these countries, they were pushed to the nearest EU country, using land route during the night. Mr. Amarjit Singh, Regional Passport Officer, here reveals, 'Whenever someone is caught by the foreign police on the charge of traveling without valid documents, the latter refer their names to the Indian Embassies and Missions concerned for the verification of their antecedents and nationality. According to information available here, the Regional Passport Office (RPO), had received 15,785 inquiries in the year 2000, while the figure touched new heights in the year 2001 with 21,571 inquiries. In the year 2002, 24,398 inquiries were received. Similarly, the RPO authorities received as many as 21,156 such cases in the year 2003, while 19,101 cases were received in the year 2004. The actual figure of such illegal immigrants was on the higher side, as the authorities concerned first try to get information through the inter-office computerised network to facilitate the deportation process,' he said, adding that most of such cases had been referred to by the Indian Embassies in Germany, Italy, UAE, USA and the UK."<sup>14</sup>

From this report it is evident that over 20,000 youths from Punjab have been apprehended every year since 2000 to 2004. The number *attempting* irregular migration is likely to be more than 20,000 every year. It has further been reported that:

“smuggling human beings is a multi-million rupee business in Punjab where hundreds of youth, unable to face poverty and unemployment and lured by the promise of a comfortable lifestyle in developed countries, have been the willing victims. The business of illegal immigration has risen sharply, especially in the Doaba belt and parts of the Malwa area (southern Punjab). Investigations reveal that 10,000 to 20,000 able bodied youth from Punjab contribute to this flourishing business each year by paying anything between Rs 2.5 lakh and Rs 10 lakh each on being promised greener pastures abroad. The destinations, though varied are mainly the USA, Canada, Australia, England, Germany, Italy and Greece.”<sup>15</sup>

Large volume of irregular migration from Punjab is corroborated also by the following two reports:

1. “A member of the Minority Educational Institutions Commission, Mr. B.S. Ramoowalia, today left for Madrid to sort out the problems faced by the illegal immigrants in getting the necessary documents to avail of general amnesty granted by Spain. In a petition submitted to the National Human Rights Commission (NHRC), the relatives alleged that the Indian embassy in Madrid was 'refusing' to issue duplicate passports to at least 10,000 youth stranded in that country.”<sup>16</sup>
2. “There were 25,000 families in Punjab who had been duped by human smugglers in the garb of travel agents. The amount of money they paid to these 'agents' ran into a stupendous figure of Rs 1,250 crore, said sources in the Police Department.”<sup>17</sup>

While the first report (1) suggests that large number of irregular migrants are able to reach various destination countries in Europe every year and hope to get regularized; the second (2) highlights the fact that agents are facilitating irregular migration of more and more migrants, many of whom are cheated.

Many youths from Punjab have been detained in other countries before their deportation. The following five reports provide details of the detention of irregular migrants from Punjab in other countries. These reports also point towards a large volume of irregular migration:

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<sup>14</sup> Malhotra J.S, "Unscrupulous travel agents make hay as youths languish in foreign jails", *The Tribune*, Chandigarh, January 28, 2005.

<sup>15</sup> Singh Prabhjot, "Smuggling humans a Rs 1,000-Cr business, Punjabi youth fall easy prey", *The Tribune*, Chandigarh June 18, 2001.

<sup>16</sup> "Ray of hope for Punjabi migrants", *The Tribune* Chandigarh, April 17, 2005.

<sup>17</sup> Singh Prabhjot, "Fast-track courts for economic offences sought", *The Tribune* Chandigarh, October 20, 2002.

1. “While deciding to deport 1195 Punjabi youths, detained for entering their land using illegal channels in search of greener pastures in the past one year, as many as 20 countries had approached the Indian Government to confirm their antecedents for the completion of the deportation process. According to information gathered by this correspondent, the Regional Passport Officer (RPO) had received communication from Indian missions based in 20 countries to verify the nationality of these Punjabi youths. While Ukraine topped the list of detainees by arresting 282 persons, 111 youths belonging to Punjab were in Turkey. Similarly, 52 persons in Saudi Arabia, 39 in Slovakia, 15 in Germany, 14 in Doha, 2 in Tehran were arrested in the recent past. The other countries included Malaysia, Romania, Poland and Hong Kong.”<sup>18</sup>

2. “As many as 106 Punjabi youths, mostly from the Doaba, financially and mentally broke, are now looking forward to returning home, thanks to the joint efforts of the Sikh community of Tehran and the Indian Embassy in Iran. These youths, in the age group of 18 to 35 years, were lured by travel agents back home who promised to get them settled abroad, mostly in Europe, against a fee varying between Rs 2 lakh and Rs 10 lakh per person. Most of them had been sent to Iran from Turkey after their futile attempts to enter Greece. Some of them had been in Iran since May 28 this year (2004). The reasons they were housed in Tehran gurdwara was because there was no one to help them. 'Every day we have cases of deportation from Greece, Turkey and Lebanon where these people are treated in most inhuman conditions without food, clothing and water and sent to the Iranian borders. These poor victims can barely walk, are sick, suffering from hunger and pain. Some how few make it to the 'Gurdwara Sahib' in Tehran where a small population of 10-odd Sikhs contribute for their welfare' said Mr. Pervinder Singh Chandok, an Iran-born businessman and social worker.”<sup>19</sup>

3. “Nearly 63 youths from Punjab had been arrested in Moscow and Ukraine for allegedly entering the countries without valid travel documents. As many as 31 persons who entered Belarus in Russia were arrested in Minsk while 32 Punjabis were arrested by the police in Kiev, said the Regional Passport Office authorities.”<sup>20</sup>

4. “33 Indians were discovered by the Czech Police hidden in a truck which was heading from the Lovosice Ro-La for Germany. This was the largest ever group of refugees attempting to cross over to Germany in a truck. Again, most of those arrested were Punjabis.”<sup>21</sup>

5. “116 irregular immigrants, believed to be from India's Punjab state, detained by the Turkish authorities could be sent back within weeks.”<sup>22</sup>

**The following three reports highlight the tragedies associated with irregular migration and also point towards a large volume of irregular migration:**

1. “17 persons, suspected to be Indians, who were feared to have drowned or escaped while trying to cross the swollen Moravia river from Slovakia into the Czech Republic. Three other illegal immigrants caught in Slovakia gave the information regarding the 17 persons. All of them were believed to have been heading for Britain. The three said that the 17 illegal immigrants had been trying to cross the Moravia, also known as the Danube, at night by making a human chain holding hands. Most of the victims were feared to be Punjabis.”<sup>23</sup>

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<sup>18</sup> "1195 Punjabi youths detained in 20 nations", *The Tribune*, Chandigarh, January 6, 2003.

<sup>19</sup> Singh Prabhjot, "Punjabi youths take refuge in Tehran gurdwara", *The Tribune*, Chandigarh July 25, 2004.

<sup>20</sup> "63 illegal immigrants arrested", *The Tribune*, Chandigarh, September 21, 2002.

<sup>21</sup> Singh Prabhjot, "Smuggling humans a Rs 1,000-Cr business, Punjabi youth fall easy prey", *The Tribune*, Chandigarh June 18, 2001.

<sup>22</sup> Suri Sanjay, "Turkey to deport 116 Indians", *The Tribune*, Chandigarh, May 3, 2002.

<sup>23</sup> Suri Sanjay, "Search on for 17 illegal immigrants", *The Tribune*, Chandigarh, June 16, 2001.

2. “A Turkish court formally arrested a Greek captain and three crewmen of a cargo ship loaded with illegal immigrants that ran into a coral reef and sank off Turkey's Mediterranean coast, leaving at least nine dead. The vessel, which should have been carrying only a 10-man crew, was also transporting an estimated 80 illegal immigrants, mostly from South Asia, according to accounts from survivors. Thirty two persons were rescued after the disaster. The Turkish media has speculated that survivors could have reached the shore after the crash and fled.”<sup>24</sup>

3. “Another boat capsized near Greece, seven of the occupants were rescued and 50 went missing. All the seven turned out to be Punjabi boys, who disclosed that the missing occupants were also from Punjab. Six of the boys in this boat were from Nawanshahr district.”<sup>25</sup>

Despite the tragedies associated with irregular migration the trend in irregular migration from Punjab is rising. Incidents of large-scale irregular migration to Europe have been noted in 2007. It has been reported that:

“an Italian patrol boat serving the EU frontier agency FRONTEX intercepted a ship, MS Happy Day at about 180 km of Senegal last week with 300 Asian would be immigrants. The migrants on board were believed to be from Pakistan & India. The incident followed the interception of another ship carrying nearly 370 Asians and Africans by a Spanish rescue vessel in late January 2007.”<sup>26</sup>

During the field study in different villages in Punjab, details of which have been recorded in Tables 49, 51 and 52, it was noted that hundreds of migrants from Punjab entered different European countries, including the UK, irregularly over the past two years. During the field visit to Tanda police station in Hoshiarpur district in Punjab, the officer in-charge stated that in his police station area alone about 2,000 youths migrate irregularly every year to other countries.

As most of the irregular migrants are generally taken by agents legally to third countries, including on tourist visas, such cases can not be easily checked by the immigration authorities. It may be mentioned that irregular migration by way of abuse of tourist visas or transit through third countries to Europe from Punjab have not been studied and need to be studied separately. If all cases of irregular migration to destination countries in Europe, including abuse of tourist visas are put together, the numbers from Punjab would probably be substantial.

## 2.2 Identification of Areas Prone to Irregular Migration

### 2.2.1 State of origin of irregular migrants

Table 6 and Graph 1 show that the majority of irregular migrants were from Punjab. In 2005, 2006 and 2007, the percentage of irregular migrants from Punjab was as high as 86, 87 and 80 respectively. It may be noted that the absolute number of irregular migrants in 2006 and 2007<sup>27</sup> is lower than that of 2005. But that does not allow us to conclude that irregular migration from Punjab is declining. This lower number may be due to the fact that more and more migrants may be using other international airports in India or departing

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<sup>24</sup> "Captain and 3 crewmen held", *The Tribune*, Chandigarh, January 7, 2001.

<sup>25</sup> Sharma Reeta, "Home they left, desperate", *The Tribune*, Chandigarh, August 14, 2002.

<sup>26</sup> "Ship with 300 Asian illegals returning to Guinea-Conakry" DPA March 27, 2007, see <http://news.monstersandcritics.com/europe/news>

<sup>27</sup> Figures, up to November 2007.

India on regular visas to transit countries before undertaking irregular migration. Taking into account various data discussed earlier in the Section 2.1 on 'Trends and Volume of Irregular Migration' and the data in Table 6, it can be concluded that Punjab continues to be a major state of irregular migration from India.

The neighbouring state of Haryana is also emerging as a source state of irregular migration. It has been noted that a small number of the Sikh families settled in Delhi and also some of the Sikh Afghan refugees living in Delhi are resorting to irregular migration.

## **2.2.2 Districts to which irregular migrants from Punjab belong**

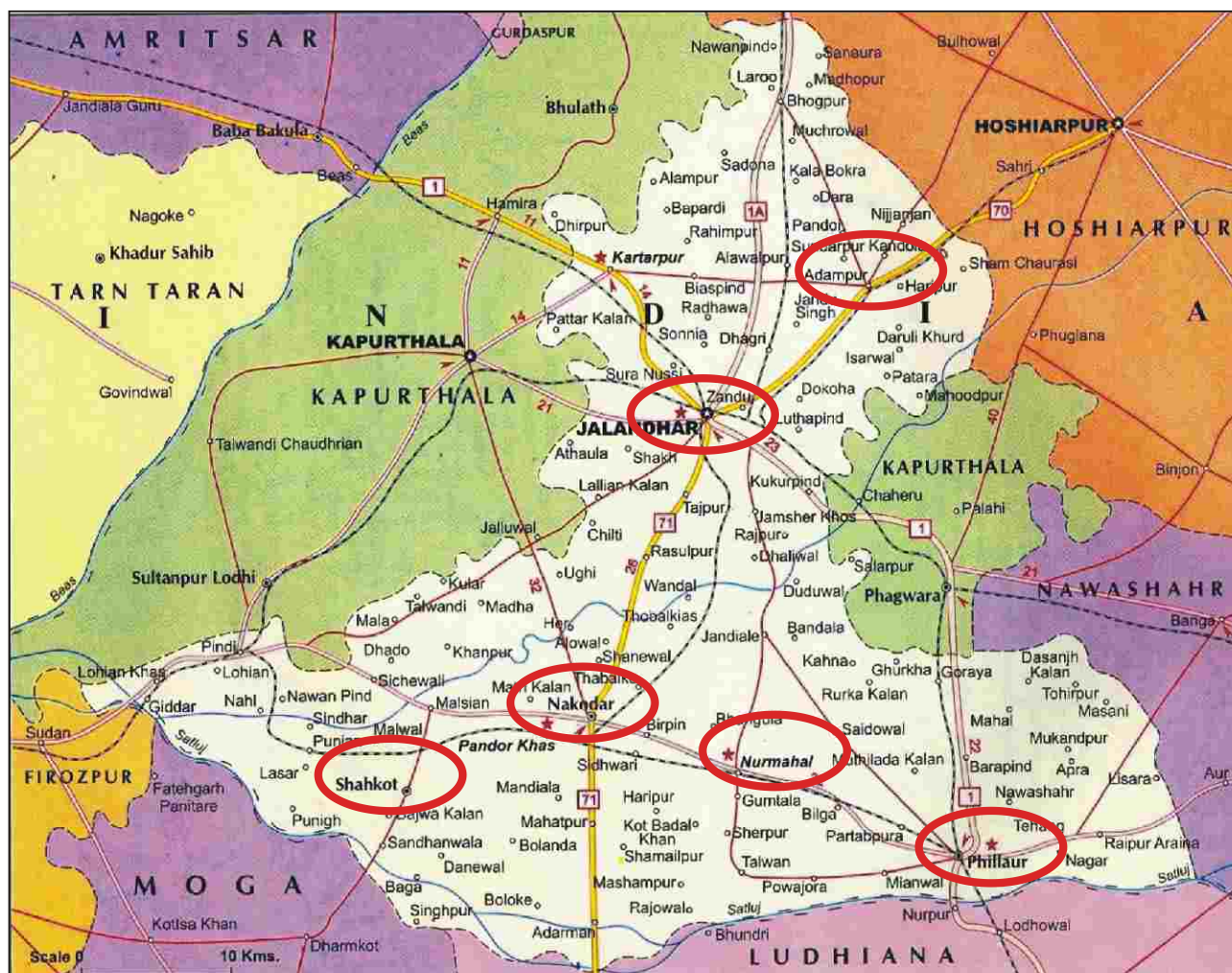
Table 7 and Graph 2 show that in Punjab, the districts of Jalandhar, Kapurthala, Nawanshahr and Hoshiarpur are the major districts from where irregular migration takes place. These districts alone reported about 65 per cent, 63 per cent and 67 per cent cases of irregular migration in 2005, 2006 and 2007 respectively. Of these four districts, Jalandhar and Hoshiarpur consistently reported high number of irregular migrants. Jalandhar reported about 26 per cent, 17 per cent and 18 per cent of cases in 2005, 2006 and 2007 respectively, while Hoshiarpur reported about 11 per cent, 14 per cent and 20 per cent of the cases. The districts of Jalandhar, Kapurthala, Nawanshahr and Hoshiarpur are prosperous districts in Punjab and have a long history of migration. More than 50 per cent of the families in many villages have at least one member abroad; as a result, their social networks in other countries are very strong. These social networks facilitate irregular migration, as the migrants are aware that if they are able to reach their destinations they will be able to sustain themselves. These social networks also help mobilise resources to meet the high cost of irregular migration. In Map 2 the areas prone to irregular migration in Punjab have been highlighted. While these districts figure prominently, there are other districts with substantial numbers of cases of irregular migration as well. It is noted from Table 7 that many youths from Amritsar, Gurdaspur and Ludhiana districts of Punjab also attempt irregular migration. Irregular migration from Moga, Sangrur and Faridkot districts, in the southwest of Punjab is a more recent phenomenon.

## **2.2.3 Districts to which irregular migrants from Haryana belong**

Table 8 and Graph 3 show that in Haryana, the districts of Ambala, Karnal, Kurukshetra and Kaithal which are adjoining Punjab are emerging as source districts for irregular migration. In Map 3, the areas prone to irregular migration in Haryana have been highlighted.



## MAP OF JALANDHAR

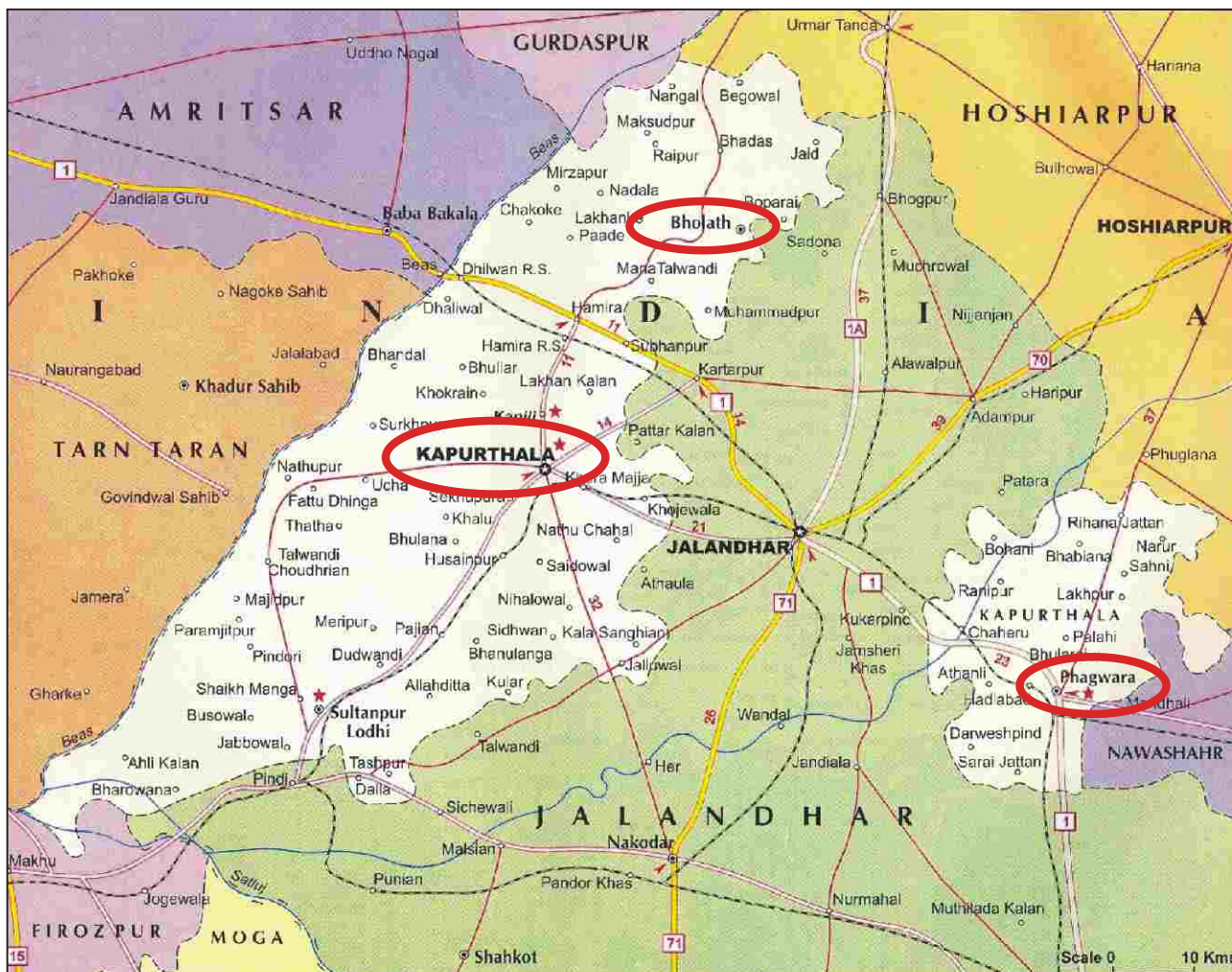


 Police stations in Jalandhar district prone to irregular migration

### 2.2.4 Police stations in Jalandhar, Kapurthala, Nawanshahr and Hoshiarpur districts in Punjab prone to irregular migration

Table 9 and Graph 4 give the specific police stations in areas of Jalandhar district where large number of cases of irregular migration have been recorded. Other than the reasons identified elsewhere, the specific reasons for these police stations recording high numbers of irregular migration cases have not been studied. However, the identification of such areas and police stations may be useful for monitoring of visa applications from these areas. Further, awareness campaigns and other government interventions may be targeted in such identified areas. In Map 4, the police stations in areas of Jalandhar district, that are prone to irregular migration have been highlighted.

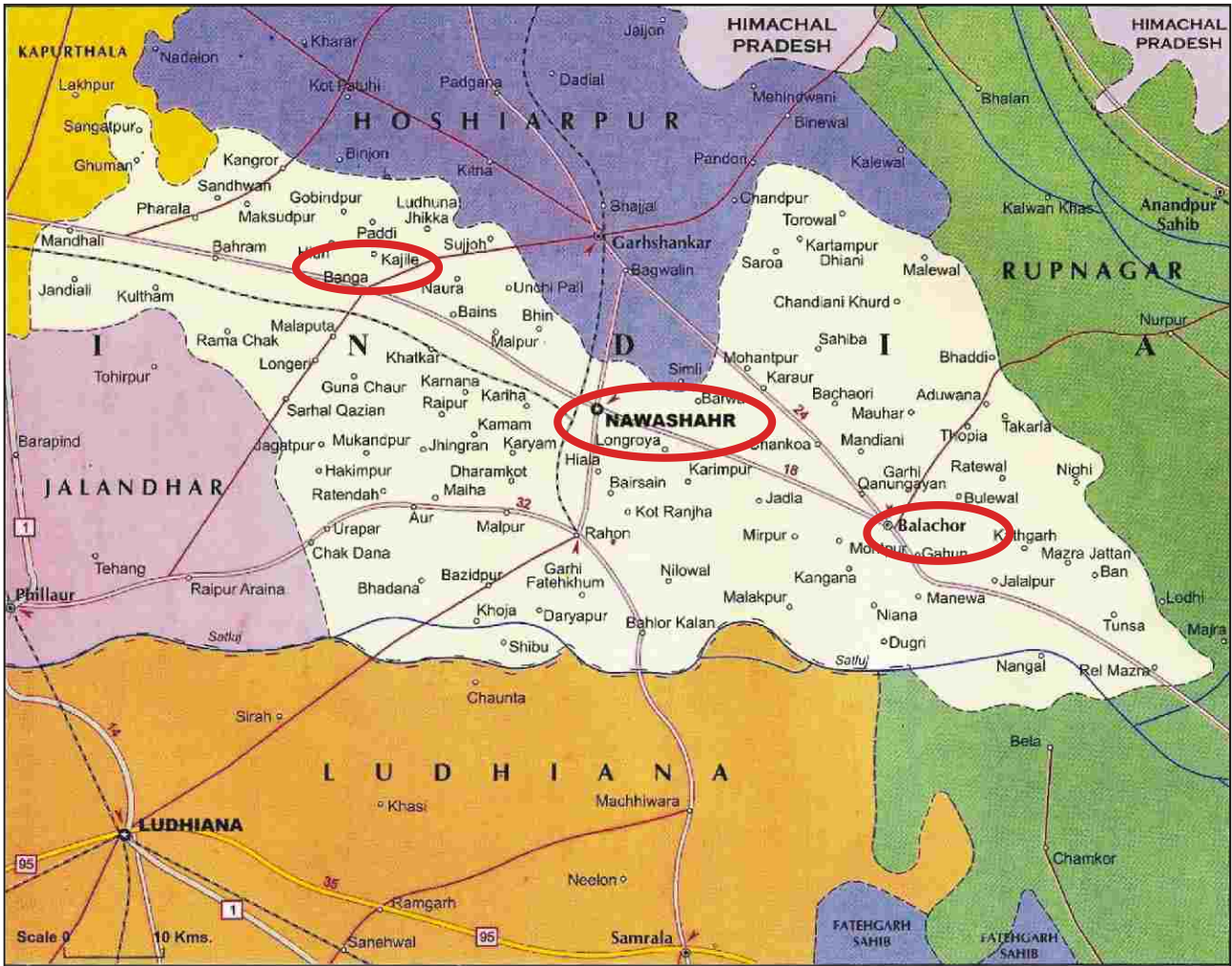
## MAP OF KAPURTHALA



 Police stations in Kapurthala district prone to irregular migration

Table 10 and Graph 5 give the specific police stations in areas of Kapurthala district with a large number of cases of irregular migration. In Map 5, the police stations in areas of Kapurthala district that are prone to irregular migration have been highlighted.

# MAP OF NAWANSHAHR




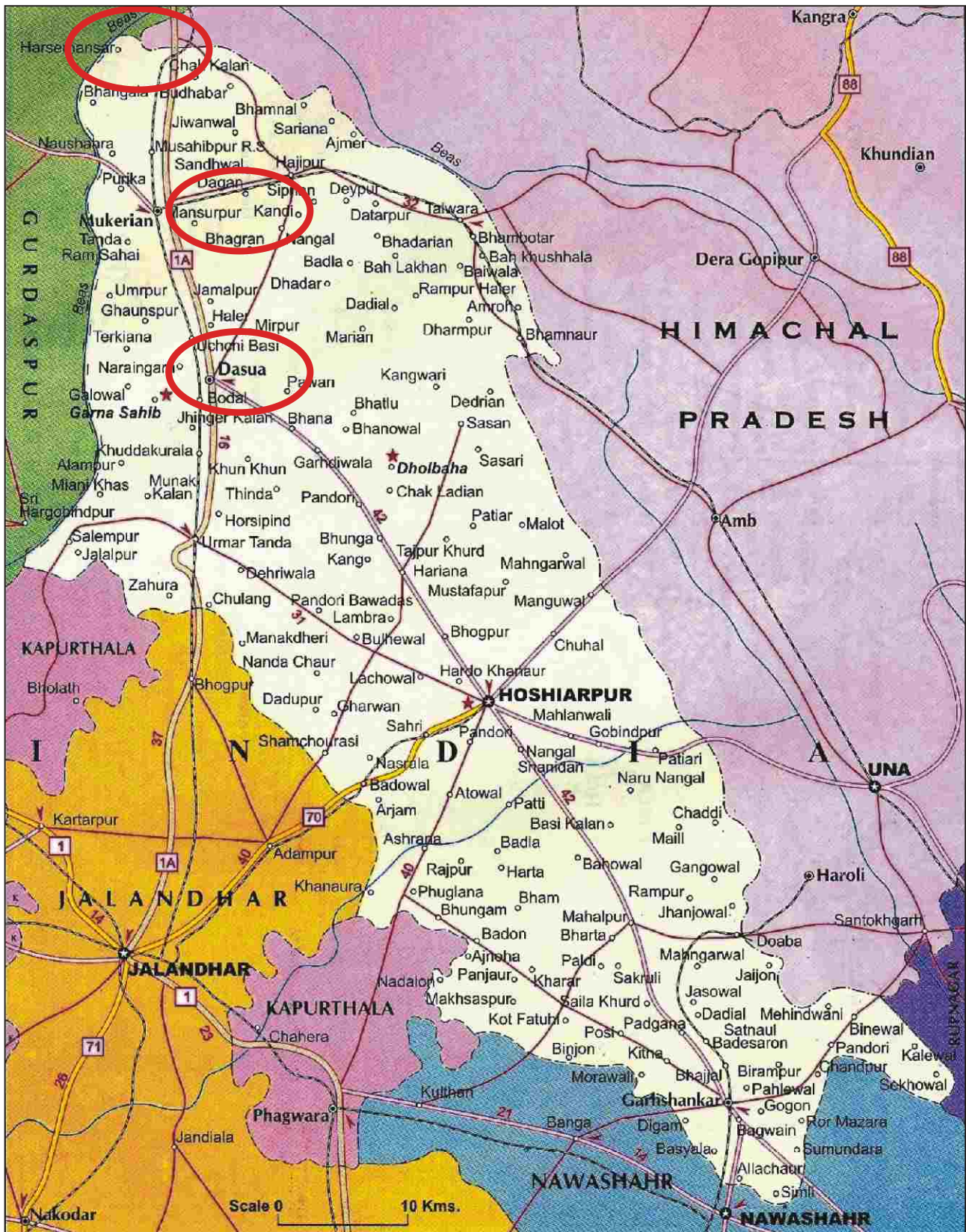
 Police stations in Nawanshahr district prone to irregular migration

Table 11 and Graph 6 give the specific police stations in areas of Nawanshahr district with a large number of cases of irregular migration. In Map 6, the police stations in areas of Nawanshahr district that are prone to irregular migration have been highlighted.

# MAP OF HOSHIARPUR




 Police stations in Hoshiarpur district prone to irregular migration

Table 12 and Graph 7 give the specific police stations in areas of Hoshiarpur district with a large number of cases of irregular migration. In Map 7, the police stations in areas of Hoshiarpur district, that are prone to irregular migration have been highlighted.

## **2.3 Profile of Irregular Migrants, Reasons for Irregular Migration and Destination Countries**

### **2.3.1 Profile**

Table 13 and Graph 8 show that the majority of irregular migrants were from rural areas. In 2005, 2006 and 2007 the percentage of irregular migrants from rural areas was as high as 80, 87 and 84 respectively. The primary reason for irregular migration from rural areas is likely to be high unemployment. Agents may be targeting youths from agricultural families in rural areas who can mobilise resources to meet the high cost of irregular migration. Moreover, news of successful irregular immigration of some migrants travels easily in rural areas by word of mouth. As a consequence, other youths in here also feel motivated to attempt irregular migration. They may not hear about the dangers involved and more needs to be done to ensure that messages on the risks of irregular migration are spread.

Table 14 and Graph 9 show that about 92 per cent, 91 per cent and 94 per cent of the irregular migrants in 2005, 2006 and 2007, respectively, were male. This accords with the general trend noticed in most studies on irregular migration. It is the men who try to migrate irregularly leaving the family behind and send remittances home. The majority of women do not attempt irregular migration because of the associated risks.

Table 15 and Graph 10 show that most female irregular migrants were from Punjab. It was noted that some of the female irregular migrants attempted irregular migration to join their husbands who were unable to return to India due to their irregular status in other countries. It was also noted that the females generally used forged documents for irregular migration.

Table 16 and Graph 11 show that about 61 per cent, 53 per cent and 50 per cent of the irregular migrants in 2005, 2006 and 2007, respectively, were in the age group of 21 and 30. Young people have an increased inclination to take risks as there is reduced family liability. Hence, their proportion is likely to be higher in any situation of irregular migration. It is to be particularly noted that about 11 per cent, 24 per cent and 23 per cent of irregular migrants were also in the age group of 31 to 40. A smaller number of migrants were in the age group of 41 to 50 (about 8 per cent in 2007). Reasons for irregular migration in the higher age groups need to be studied.

Table 17 and Graph 12 show that about 54 per cent, 46 per cent and 37 per cent of the irregular migrants had education up to the Matriculation level (Standard X) only. Further, about 15 per cent, 18 per cent and 24 per cent of the irregular migrants in 2005, 2006 and 2007 respectively, had education up to the Intermediate (Standard XII) level. Therefore, it can be seen that the majority of irregular migrants from Punjab and Haryana had poor educational attainment. It should be noted that youths with such poor educational attainments, are less likely to find employment in India and more likely therefore to attempt irregular migration.

It has been noted that amongst Sikhs, a substantial number of irregular migrants were from a few particular castes. Table 18 indicates that about 64 per cent, 52 per cent and 41 per cent of the irregular migrants in 2005, 2006 and 2007 respectively, were Jat Sikhs. It is to be further noted that a substantial number of

irregular migrants were Lubana Sikhs. This is explained by the fact that many Jat and Lubana Sikhs from Punjab are settled in other countries and thus have strong social networks, which perpetuate irregular migration.

### 2.3.2 Reasons for irregular migration

As the option of legal migration for most potential migrants is ruled out because of limited opportunities for unskilled workers, they resort to irregular migration. It is difficult to specify reasons why certain districts report large numbers of cases of irregular migration. This may be due to the areas' past migration history, social networks in other countries, high unemployment rate, failed agriculture, rural debt, active role of agents, etc. Of all these reasons, the most important are the **high unemployment rate** and the **general attitude among youth** from the area, that migration to the other countries was perhaps the best alternative. The potential irregular migrants consider other successful migrants from their neighbourhood as their role models.

The phenomenon of irregular migration is not a stigma amongst the families of the migrants, provided it is successful. The social structure in the village which was traditionally based on caste, landholding, family background and educational achievements, has now been transformed to distinguish between those families which have members in other countries and those which do not.

Thus there is an indirect social pressure on families who do not have members living in other countries as well as pressure on some within the family who have not made it abroad. It was noted that in some villages 80 per cent of families had at least one member in another country. It was also noted that in many families more than one member is in another country.

Some of the respondents mentioned that in families with migrants already in other countries, the other members also migrate in due course if family situation permits. This is corroborated by the fact that in many families more than one member is already in another country. It is interesting to note how initial migration of one member of the family facilitates the migration of others. This phenomenon of **chain migration** was particularly noted from the Doaba area of Punjab. It is likely that those who migrate irregularly organize legal documents such as work permits for family members through their contacts in the destination countries. Thus, what starts as an irregular migration may become legal in the subsequent migration of other family members. Such irregular migrants may also try to get someone into a country illegally through contacts developed with agents in those countries. In such a situation initial irregular migration further facilitates irregular migration.

A senior police officer in Punjab said during field visit that:

“youths in the region have no employment opportunities. There has been no recruitment in the government. In the private sector also the jobs are few. Moreover, admissions in good institutions are also difficult. They start considering the option of migration. They are aware that youths from the area have migrated successfully in the past and are now well settled there. It becomes a craze in these youths and they want to go at any cost.”

It was gathered during field visits that once a family in Punjab is able to send someone abroad legally/illegally, its status increases. It was mentioned that the daughters in such families get married easily because it is a gateway to prosperity. Such families can easily mobilise loans from different sources. In some

of the villages, public representatives mentioned that there is a perception amongst Punjabi families 'that the cheapest way to settle someone's son is to spend Rs 4-5 lakh (US\$10,000-US\$12,250) to send him abroad. With Rs 4-5 lakh no business or job can be secured'.

A social worker narrated an incident of a youth in Punjab, who had approached him to facilitate his migration to Australia. When he was asked as to why was he considering wasting Rs 5 to 6 lakh and taking all the risks, he replied that he was aware of all the risks, and was prepared to spend up to 20 lakh rupees (US\$50,000) and not just Rs 5 to 6 lakh for the purpose. The following true story of an irregular migrant depicts this strong urge amongst youths in Punjab.

## True story

X r/o Lohia Khas, District Jalandhar. Aged 29. The family has about 10 acres of agricultural land. He studied up to matriculation level (Standard X). His other two brothers are settled in Austria. The elder brother went abroad irregularly, through an agent 14 years back. He legalized his status by marriage in Austria. The second brother went on a tourist visa and continued thereafter. He has also regularized his status through a fake marriage in Austria. X went to the Netherlands in 1998. The visit was arranged by an agent r/o, Jalandhar town for Rs 2.5 lakh rupees. He went on an Air France flight booked for Antigua via Paris. In Antigua one can get a visa on arrival. During transit in Paris he was allowed to go out of the airport. From Paris he went to the Netherlands and stayed there for three years. He speaks Dutch fluently. He has worked in a restaurant owned by a Dutch national of Surinamese origin. There were two other irregular migrants from India. One was from Hoshiarpur in Punjab and other from Haryana. They all worked in the kitchen. During enforcement action he was caught and deported in 2001. In 2006, he again attempted irregular migration to the Netherlands on a forged resident card sent by a relation settled there. He was deported from Paris. Again in October 2007, he attempted irregular migration to Italy on a forged Belgian passport. X sent his photographs to a friend with whom he used to work in the restaurant. His friend, a Dutch citizen of Moroccan origin arranged a forged Belgian passport for which he paid 1500 Euros. The security features of the forged passport were of such quality that these were near impossible to detect. He was stopped by the immigration authority at the international airport in Delhi.

Reasons for irregular migration have been extensively reported in the media. It has been reported that:

As told to a correspondent of *Hindustan Times* "In Chameara village near Jalandhar, a minimum of one son per family is definitely abroad, and beyond that the number can vary from two to all. There are roughly 300 houses in our village. Even if you put six members to a family the population would total up to 1,800 out of which speaking conservatively 50 per cent people are abroad. A majority of this 50 per cent were in the age group of 28 to 40. Youngsters go and if they get successful they also call their families and parents, so many of the houses you see are locked now. 'Even among the people who are here, many have attempted to settle abroad but returned because they either got cheated by an unscrupulous travel agent or because they could not find a foothold,' explains Sohan Singh, who in his heydays, went to Greece to find a fortune that he realize did not exist. The land, in the meantime, remains the responsibility of the elders for as long as it is in them to oversee its work, after which it is given on '*theke*' (contract). In many cases the wives and children of those looking to find their feet abroad also become the responsibility of elders only."<sup>28</sup>

<sup>28</sup> Sharma Shivani, "A generation gone", *The Hindustan Times*, Chandigarh, January 30, 2005.

It may be noted that migration is considered to be a family strategy. If some members are able to migrate successfully, it opens up the same possibility for others in the family. Further youths in Punjab are not interested in taking up agriculture as their occupation, so while they migrate to other countries elders in the family look after the family land. The urge to migrate is so strong in the young men of Punjab that it is of no significance if this is secured through irregular means. It has been reported that:

“Kulwinder Kaur, a widow with seven years old son, is the wife of Shailender Singh, who died in a boat tragedy. Shailender had mortgaged his share of land to pay Satnam Singh. When this correspondent asked the family whether they knew that everything about the immigration was illegal, they did not shy from the truth. Then why did they indulge in it? Brothers, Mohon Singh and Manjit Singh, said, 'Alcohol, cigarettes and all the brands of tobacco very clearly say that it is injurious to health, yet people consume them. We were aware that it was illegal, yet our brother wanted to take the risk.' Onkar Singh (19), a plus one student, and his brother, Ajmer Singh, owned just one acre of land in Nawanshahr district. The family mortgaged this one acre and also borrowed money from relatives to send Onkar Singh to Greece. They too paid 1.5 lakh to Satnam Singh. Another missing boy, 20-years-old Jasbir Singh, and his brother, Ranjit Singh, owned only 1.5 acres along with their father. They too had mortgaged it to send him abroad. Both families knew that the entire method of immigration was illegal but were depending upon luck as many other boys from the village had earlier succeeded in migrating in these very ways.”<sup>29</sup>

It may thus be noted that irregular migration in Punjab, is seen as an adventure with its associated risks. The majority of irregular migrants are aware that they may be arrested in other countries and ultimately deported, and they are prepared for this eventuality. But they may not be aware about the other dangers of irregular migration. It has been noted earlier that youths with poor educational attainment attempt irregular migration. However, the families of these youths have good incomes, which are sufficient to support the migration aspirations of their younger members. It has been reported that:

“Punjab is very much in the bottom half of India's literacy rankings. Over the last decade, unemployment (though not alarming compared with states like Kerala) went up a point to around 4 per cent. But there is another figure that's telling: only two of every 10 students pass class XII. 'The new generation of youth doesn't even seem competent enough to supervise farm work.' says a well-known social worker. Instead, because families do have decent incomes from land, they move around towns like Jalandhar and Nawanshahr with cars that have things like 'Singh is King' pasted on their rears. The best bet especially for parents, is to sell some land (going rates: Rs 7-10 lakh an acre) and send their children abroad. Somehow, the idea that in India there's a link between a good education and career opportunities, hasn't really filtered down. Parents would rather send a son abroad to do work that he would get very little pay for here (driving a truck, say) if he could overcome social pressure and do it all. The investment, argue those who have made it, is worthwhile: there are recurring returns. Once a family member is naturalised, everyone else can move one by one.”<sup>30</sup>

### 2.3.3 Destination countries

As reflected in Tables 1 & 2, the UK appears to be the preferred destination for irregular migrants in Europe. Earlier it has been noted that of the total cases of irregular migration to Europe irregular migration to the UK is little over one -fourth, but likely to be significantly higher. According to the

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<sup>29</sup> n.25.

<sup>30</sup> Sen Avirook, "Understanding why people migrate", *The Hindustan Times*, New Delhi, October 15, 2003.



interviews, the reasons for travelling to the UK include; the existing Indian community, the language and the belief that they will be able to find work. The role that the language plays in the decision to travel to the UK was proven during a field visit to Calais. About 20 irregular migrants from Afghanistan were interviewed. Many of these migrants could continue to stay in France or go to other countries in Europe and some could even get asylum. However, they were determined to go to the UK as they felt that one cannot survive without knowing the language of the country and it was too difficult for them to learn a new language, when their survival was at stake.

Tables 1 and 2 indicate that irregular migrants have attempted to go to 57 different countries. Various destination countries in Europe include Germany, Austria, Spain, Belgium, France, Italy, Greece, Norway, Switzerland, Bosnia, Sweden, Netherlands, Portugal, Finland, Poland, Czech Republic, and Hungary, as well as the UK. Amongst these destination countries, Bosnia, Portugal, Poland, Czech Republic and Hungary are likely to be transit countries for onward travel to more prosperous countries in western Europe. These transit countries are preferred as it is easier for agents to organize visas for these countries. The duration of stay of migrants in transit countries can vary from a few days to several months and even years. It requires a lot of planning, resources and contacts before migrants are able to move from one location to another.

It may be also noted from Tables 1 and 2 that Italy and France together were the destination for about 18 per cent, 7 per cent and 15 per cent of migrants in 2005, 2006 and 2007, respectively. It is also interesting to note that some of the migrants chose to go to the Scandinavian countries from where some entered the UK illegally.

Further it is to be noted that Russia and Ukraine continue to be important transit countries for migration to Western Europe. It was also noted that Kazakhstan and Uzbekistan in Central Asia are emerging as new transit countries. Apart from destination countries in Europe, the other destination countries (excluding countries in the Middle East and South East Asia) were the USA, Canada, South Korea, Japan, South Africa, Australia and New Zealand. Thus it can be seen that destination countries have become more varied. It seems that agents explore the possibilities of irregular migration to many countries in order to maintain flexibility in their operations and evade enforcement action. It allows them to bring irregular migrants in groups at different intervals to a particular country. Further, it appears that it is the agents who decide the destination country for many migrants. The large number of destination countries also indicates that international networks of agents are spreading in many new countries and more people are getting involved in human smuggling. Apart from the data on destination countries in Tables 1 and 2, data of 103 case records against agents also offer interesting information about destination countries as seen in Table 19.

From Table 19, it can be seen the majority of migrants who had been cheated by agents indicated that either the UK or Italy were their destinations. The other destination countries in Europe included Spain, Germany, France, Belgium, Greece and the Netherlands. It is interesting to note that about 16 per cent of migrants had agreed to go to any country in Europe. It is likely that many migrants feel that once they reach a country in Europe, they would be able to travel on to their destination country later. Table 19 also shows that apart from the countries in Europe, migrants had intended to migrate irregularly to many other countries. Many irregular migrants had been deported from transit countries as indicated in Table 20.

Some of the countries in Table 20 are destination countries in themselves, but as travel documents of the irregular migrant had indicated specific destination countries, these countries have been recorded as transit countries. It may be noted that transit countries are varied. For irregular migration to Europe the transit

countries need not necessarily be in close proximity to Europe. It has been noted that agents have utilised countries in South East Asia and the Middle East also for irregular migration. During field visits one respondent in a village in Punjab mentioned that some migrants from his village were waiting in South Korea for a few months to migrate irregularly to Europe. It may be noted further that irregular migration to countries in Western Europe via Moscow is continuing. Irregular migration via transit countries has not been studied and needs to be studied separately.

## **2.4 Profile of Agents, Sub-Agents and their Modus Operandi**

### **2.4.1 Profile**

Table 21 and Graph 13 show that in 2005, 2006 and 2007 about 76 per cent, 64 per cent and 54 per cent respectively of agents were from Punjab. The proliferation of agents in Punjab can be attributed to the high demand for their services. Many of these agents are actually, sub-agents of other principal agents, who are based in cities in Punjab and in Delhi. It is interesting to note that more and more migrants are directly contacting the agents in Delhi. It is likely that such migrants prefer to hand over money directly to agents in Delhi instead of going through sub-agents. Sub-agents are the lowest in the hierarchy and work for primary agents, finding clients and facilitating links. Table 21 and Graph 13 show that in 2005, 2006 and 2007 about 17 per cent, 26 per cent and 39 per cent of the agents respectively were from Delhi. It has been noted that some agents operated from the more prosperous areas of Delhi and even from 5-star hotels. It has also been noted that some of the agents who were earlier based in Punjab, had now shifted base to Delhi. For the agents who have built a client base in Punjab, it is easy to operate from a big city, as it helps them to maintain their anonymity and carry on their clandestine activities unhindered.

Table 22 and Graph 14 give the age groups of agents. Though the data is limited, but it offers interesting information. It may be noted that in 2005 and 2006, the majority of agents were in the age group of 21 to 25. These young agents were likely to be the new entrants in the business of human smuggling. They were likely to mobilise migrants for different principal agents as it was easier for them to convince potential irregular migrants who were of the same age group. As more youths are joining the business, it is leading to further proliferation of agents. It may also be noted that about 50 per cent of agents were in the age group of 31 to 50. It is likely that the agents in this age group have been in the business of human smuggling for many years. Also, it was that most of the agents operated as travel or recruitment agents.

Table 23 and Graph 15 show that most of the agents were male but it may be seen that a few females were also engaged in human smuggling. It was noted that in some cases both husband and wife were operating as agents.

Table 24 and Graph 16 show that some of the agents had reached matriculation standard, or had educational level up to the intermediate level. They had become agents given the good chances of earning substantial money in a short period of time. Also, some of them had become agents after having some time in other countries, where they developed contacts with other networks of agents.

Table 25 and Graph 17 show that in 2005, 2006 and 2007 respectively, about 54 per cent, 28 per cent and 32 per cent of the agents were from Jalandhar. Thus, it appears that Jalandhar is a key hub of activities for agents. It is also to be noted that there was a substantial presence of agents in those very districts where irregular migration was high. It is also to be noted that in the districts of Sangrur, Fatehgarh Sahib, Moga and Faridkot in Punjab, agents are beginning to make their presence felt and it is likely that irregular migration from these districts will increase in the coming years.

Table 26 shows that the agents are beginning to make their presence felt in some districts in Haryana. This state is fast emerging as a source of irregular migration. The number of agents is therefore likely to increase in the coming years.

## 2.4.2 Proliferation of sub-agents

During the field visits it was seen that there was a proliferation of self-appointed sub-agents in rural areas. These sub-agents get into the business of irregular migration by establishing contacts with some recruitment agents who advertise job opportunities in different countries in the local newspapers. They do rounds of the passport offices and soon acquire enough confidence to carry on the liaison work between the migrants and the agents. Usually, they have a business or other professional activity of their own, and they work as sub-agents on the side. It has been learnt that some of them had worked overseas. The sub-agents operate mostly in their own neighbourhood. Thus, they are able to mobilise willing migrants. The responsibility of a sub-agent is limited to accompanying the migrants to establish initial contacts with the agents. Often, he need not even accompany the migrants; as such contacts can be established over the telephone. The sub-agent takes his share of commission from both the migrant as well as the agent. For mobilizing one migrant, the sub-agent is often able to earn about Rs 10,000 to Rs 15,000 (US\$250-US\$375). Depending on their capacity to mobilize migrants, the sub-agents are able to earn substantial amounts.

Contrary to the general impression that the agents are rarely arrested, Table 27 and Graph 18 show that a substantial number of agents had actually been arrested. The table reflects only those arrests recorded at Delhi international airport, and the figures do not, therefore, show the arrests recorded elsewhere. The actual number is therefore far higher. Police can take action against agents provided they get timely information from victims. It has also been seen that migrants often do not have much information about their agents. Further, many migrants negotiate directly with the agents for return of money paid by them. It has also been seen that the agents give false hope of returning the money or to sending the migrant to his destination or an alternative destination. All this results in undue delay and it becomes difficult for the police to take action.

Table 28 and Graph 19 show that in a number of cases more than one agent was involved. It has been noted that in some cases up to three agents were involved. Information on the origin of a second and third agent is relevant because it reflects the growing organization of human smuggling agencies. Tables 29 and 30 give the limited data available on the origin of second and third agents.

It may be noted from Table 29 that the majority of second agents were also from Punjab. This may suggest that agents often operate in a group in which individuals share responsibilities. Further, it must be remembered that a human smuggling operation involves many activities, thus it becomes easy to work in a group. It is particularly interesting to note that some of the second agents were based in Delhi. This indicates that agents in Punjab operate through agents in Delhi.

Table 30 gives the origin of third agent. It should be noted that there is very little information about these agents, as they are rarely apprehended.

Table 31 show that in a few cases, carrier agents accompanied irregular migrants to their destination countries. Some of the carrier-agents disclosed to the police that they had been paid by primary agents to accompany the migrants. It has been noted that some of the carrier-agents had long-term business visas for

many countries, which facilitated their travel. It was also disclosed by some carrier-agents that they had accompanied migrants on several occasions earlier also. Thus it appears that the system of professional carrier-agent is common to human smuggling operations. It was also noted that a few of the carrier-agents were female. Female carrier-agents were particularly found to accompany minor children. Female carrier-agents are likely to be preferred, as they are less likely to invite suspicion from enforcement officials. It was also found that most of the carrier-agents were from Delhi. The service of carrier-agent becomes necessary for some migrants as they do not feel confident to travel alone with fraudulent documents. The amount paid to a carrier-agent depends on the number of migrants. Information on the amount of money paid to a carrier-agent was available only in six cases. It was noted from this limited data that the amount varied from Rs 2 to Rs 6 lakh (US\$5,000 to 15,000). The other expenses of travel, lodging and boarding of the carrier agents were also met by the agents. It has been noted that irregular migrants, who were accompanied by carrier agents, had paid very high fees to the agents.

It has been noted that some of the irregular migrants from India contacted agents in other countries. Table 32 shows the different countries/places where these agents were located.

It is to be noted that a significant number of migrants contacted agents in Bangkok. While Bangkok is emerging as an important centre for travel document forgery in the East, London continues to be such a centre in the West. During a field visit to the UK, a senior police officer of the Metropolitan Police, London, mentioned that the police had uncovered several units involved in forgery of travel and other documents. He added that the documents seized from those units related to forged sponsorship documents and residence permits. He also mentioned that the finishing of forged documents sent by agents from other countries was carried out in London; a forged British passport can command as high a price as £10,000. He added that police action against such units often leads to their breaking into smaller, more clandestine units.

Table 33 shows that a comparatively high number of agents based in other countries are of Indian origin. This may include those who are of Indian origin but citizens of other countries and also those who are staying temporarily in other countries and carrying on their activities as agents. It thus appears that some of the agents have relocated to other countries, since it is difficult to prosecute a person if an offence is committed outside India as it requires special approval of the Government of India under the Indian law. It is likely that the agents are aware of this legal position and in future many more may relocate themselves to other countries. It is interesting to note that earlier agents in other countries were catering to their own ethnic communities, but now agents offer their services openly to anyone who needs them and is able to pay.

### **2.4.3 Modus operandi of agents**

Table 34 gives the modus operandi of agents. This includes jacket substitution of Indian passports, photo substitution in Indian and foreign passports, use of forged foreign visas, use of re-stitched passports, use of forged Indian and foreign passports, use of forged discharge certificate of ship, use of forged residence permits, and exchange of boarding cards in security areas at airports and forging of POE stamp.

Table 34 shows that in 2005, 2006 and 2007 there were about 17 per cent, 9 per cent and 5 per cent cases of jacket substitution, respectively. It seems jacket substitution in Indian passports is a common practice for irregular migration. What is done in jacket substitution is explained below:

Assuming X has a passport with a visa for a destination country in Europe and Y wants to go to that country. What the agent does is to replace the bio-page of Y's passport containing all particulars about Y with X's bio-page.

Use of photo substituted passports is also a common practice followed by agents. Use of forged visas of different countries by the agents is particularly to be noted. In 2005, 2006 and 2007 in about 36 per cent, 23 per cent and 33 per cent cases, respectively, forged visas had been used.

### **2.4.3.1: Forged visas**

Table 35 shows that forged visas of as many as 41 countries had been used. The task of keeping track of visas of all the countries is difficult for immigration authorities. It seems that it is not difficult for Indian agents to procure forged visas from their foreign counterparts. It also seems that the clandestine markets for forged visas are operating in other countries. Instances of forged visas were particularly noted for Italy, Greece, France, Spain and the UK. Use of forged visas for eastern European countries indicate that these countries are being increasingly used as transit countries for irregular migration to the countries in western Europe. Instances of visa forgeries for Scandinavian countries and the Baltic States indicate that of late agents are also using these countries as routes for irregular migration, particularly because of free movement of labour from these countries to countries in western Europe. It was noted that agents had also used stolen Schengen visas for irregular migration. Some instances of forged work visas also came to notice.

### **2.4.3.2: Forged passports**

Table 36 shows the nationalities of the forged passports that had been detected. Many instances of re-stitched passports also came to notice. Re-stitching in passports is resorted to, either to remove an objectionable folio with a refusal stamp or to insert a folio with appropriate visa in the passport. Instances have come to notice where irregular migrants tried to depart on genuine passports but also possessed forged foreign passports for subsequent use from transit countries. Passports of dead persons have also been used. In addition, passports of people of Indian origin and now citizen of other countries were used for irregular migration. Such passports are generally used for irregular migration of family members as it is easy to impersonate a family member. One particular instance was noticed at Amritsar airport where the agent had hired a special barber to give the immigrant a haircut and beard style that was almost same as in the photo of the passport of a person of Indian origin. Experienced immigration officers at the airport, however, detected the fraud. Instances of Indian citizens using Nepali passports for departure also came to notice.

### **2.4.3.3: Forged residence permits**

Table 37 gives the nationalities of the forged residence permits that had been detected. Cases came to the notice where boarding cards were exchanged in the security areas. This modus operandi is explained below:

A wants to migrate irregularly to a country X. He contacts an agent B who manages a valid visa for himself for the country X. Both A and B travel together from Delhi on an international flight which transits through Mumbai. A's air ticket and boarding pass are for Mumbai whereas that of B are for country X. It

may be mentioned that such journeys to domestic stations on international flights are possible in some airlines. In the security area, A and B exchange the boarding cards. B disembarks at Mumbai and A continues to country X.

Apart from forgery of visas, passports and residence permits, many instances of faking the stamps of the office of the Protectorate of Emigrants were also noted. This clearance is needed for overseas employment, for certain countries, for unskilled migrants from India who do not have a high school education qualification. The need to forge such stamps should not normally arise if an agent has genuine job offers. But it seems that many agents are exploiting innocent migrants with promises of jobs when no such offers exist and they hand over forged documents. As a result, the migrants get deported from the destination countries.

Agents do not hesitate to use any document which may facilitate irregular migration. Agents have also been found to use forged discharge certificate of ships which allows a person to join a ship,

During discussions with the UK Border Agency in London, it was learnt that most of the cases detected in the UK of documents abused by Indian nationals for irregular migration in recent years related to forged UK stamps, forged UK visas, impersonation, jacket substitution and alteration to the details in the travel documents. It was also learnt that the authorities are aware of instances of criminal gangs in the UK stealing passports of young people to be used to facilitate irregular migration.

#### **2.4.3.4: Agencies that detected the irregularities**

Table 38 and Graph 20 show that the local police of the transit/destination countries had detected irregular migrants during enforcement action in about 34 per cent, 26 per cent and 17 per cent of cases in 2005, 2006 and 2007, respectively. It is also to be noted from Table 38 and Graph 20 that in about 13 per cent, 11 per cent and 15 per cent cases in 2005, 2006 and 2007, respectively, irregular migrants were deported by the transit countries. It must be remembered that in the majority of the cases of irregular migration from India, the irregular migrants are taken first to transit countries by the agents and then made to proceed to their destination countries. The transit countries can, therefore, play a significant role in controlling irregular migration.

Table 38 and Graph 20 also show that in 15 per cent, 13 per cent and 12 per cent cases in 2005, 2006 and 2007, respectively, irregular migrants did manage to reach their destination countries and as such, irregularities were detected by immigration authorities in these countries. This indicates that the forged documents being made available by agents to irregular migrants are of such quality that they escape detection at different levels. It was noted in a few cases that irregular migrants were able to make several journeys on a forged travel document before it was detected. It is therefore felt that there is need for some technological up-grade at airports for the detection of fraudulent documents. It is to be particularly noted from Table 38 and Graph 20 that it was due to the efforts of the immigration authorities at Delhi airport that many cases of irregular migration were prevented. It was felt that training of law enforcement officials in detection of fraudulent documents may further increase their effectiveness. It needs to be appreciated that the immigration authorities at Delhi were able to prevent irregular migration in about 39 per cent, 50 per cent and 55 per cent cases in 2005, 2006 and 2007, respectively. Thus, on an average, immigration authorities in Delhi, prevented irregular migration in 45 per cent of cases or almost one-half.

Table 39 gives the destination countries for cases where irregular migration was prevented by immigration authorities in Delhi. Table 39 shows that the majority of the cases where immigration authorities in Delhi prevented irregular migration, related to destination countries in Europe.

Table 40 shows the irregularities noted in deportation cases from the UK. It may be noted that many migrants had been deported for illegal stay in the UK. On the basis of the figures in Table 40, it should not be concluded, however, that only a small number of migrants have been deported to India. The number of migrants deported from the UK to India is much higher. As had been clarified earlier, that immigration-offence related cases are registered only when there are immigration violations under Indian law. Table 41 gives the data on removals, voluntary departures and assisted returns.<sup>31</sup> of Indian Asylum applicants from the UK. The data on non-asylum cases of Indians is however, not available.

Table 42 shows that many migrants came back of their own volition from different countries in Europe, including the UK. The status of these migrants was irregular but they were able to remain in the destination countries without any hindrance and escape all controls and enforcement action. It again corroborates the fact that it is difficult to detect and deport irregular migrants once they are there in a destination country. However, enforcement work has recently been increased significantly and UK government information shows that both irregular migrants and their employers are being detected in the UK, and action is being brought against them. During discussion with IOM officials in London it was learnt that some of the irregular migrants from India have returned under the Assisted Voluntary Return for Irregular Migrants (AVRIM) programme run by the IOM. Under this programme, the return of irregular migrants is merely facilitated and no financial assistance is given to them beyond the purchase of documents/tickets for their travel. The reason why some migrants wanted to return voluntarily was ascertained from the IOM officials. It was learnt that some of the migrants were fed up with their clandestine existence, and others wanted to return due to personal reasons. The IOM facilitated travel documents of some of these migrants who were finding it difficult to return, as they did not possess any document for return and feared prosecution from the enforcement authorities. IOM facilitated travel documents for such migrants. As per data for AVRIM provided by IOM officials, it was seen that in 2005, 2006 and 2007, 6, 26 and 60 Indians, respectively, returned. IOM officials felt that many more irregular migrants may be willing to return voluntarily if some financial assistance was provided to them. Here, it must be noted that financial assistance for return and re-integration is provided under another programme run by IOM--Voluntary Assisted Return and Reintegration Programme (VARRP).

#### **2.4.3.5: Periods of irregular stay in other countries**

Table 43 shows the periods of irregular stay in other countries. It may be noted that in 2005, 2006 and 2007, 55 per cent, 42 per cent and 39 per cent of irregular migrants, respectively, stayed in destination country for between three to five years, while some of them stayed for longer periods of 6 and 10 years and some even beyond 10 years. It may be noted that they have not been home during these years due to their illegal status. While the reasons for their return to India were not studied, it was seen during visit to a village in Jalandhar district, as disclosed by an irregular migrant's wife, he had returned home after 17 on his own volition. When he had left the village, his son and daughter were only 3 and 4 years old, respectively.

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<sup>31</sup> The Voluntary Assisted Programme (VARRP) in the UK, for instance, has been operating since February 1999. It is designed to assist asylum seekers and those with exceptional leave to remain who wish to return to their country of origin. It is implemented by the International Organisation for Migration (IOM) and supported by Refugee Action. The Home Office's Immigration and Nationality Directorate (IND) confirms the eligibility of applicants.

Table 44 shows the period of irregular stay in the UK. The pattern is similar. Some irregular migrants who have spent a few years in destination countries and saw no hope of regularisation may opt to return voluntarily. Financial assistance may further encourage them to return, specially if their financial situation in destination countries is poor, as was often the case.

In order to control irregular immigration it is important to see the routes taken by agents for irregular migration. Table 45 shows the various routes adopted by them.

#### **2.4.3.6: Routes for irregular migration**

As can be seen, the routes for irregular migration are varied. Routes via Russia and countries in the East Europe to countries in the western Europe are the traditional routes. Entry to western Europe via Greece has been continuing for many years. However, routes via countries in Central Asia or west and north Africa are gaining in popularity. It is to be noted that irregular migrants from India are also being taken through countries in the Middle East and South East Asia.

Data in respect of irregular entry to the UK could only be collected in a few cases. Table 46 shows how illegal entry to the UK had been made. It may be noted here that illegal entry into the UK was mostly via France. Though the data was limited, it is of significance as the findings were further corroborated while talking to the immigration officials in the UK Border Agency, London, which handles case work relating to the return of irregular migrants. Here, apart from the routes taken by the agents, it is important to see the fees charged by them.

#### **2.4.3.7: Fees charged by agents**

Table 47 and Graph 21 show the fees charged by agents to facilitate irregular migration have increased considerably over the years primarily for two reasons. First, due to the strict immigration checks in the countries of origin, transit and destination. The second reason is more interesting and is explained by the interplay of demand and supply. It is generally believed that the agents can send any number of persons irregularly to destination countries every day. However, it has to be appreciated that agents manage to send only a limited number of people in certain favourable periods, taking into account the hindrances they have to overcome at different stages, beginning with procurement of documents, exit from the country and arrangements in the transit countries and onward journeys to the destination countries. At every stage they have to take into consideration the fact that their actions should not cause any suspicion to the authorities. Thus, they are likely to be satisfied with a small number of facilitations at any one time. Due to these limitations, it can be seen that the supply side has its limits but the demand side is growing every day as more and more people become interested in migrating irregularly, resulting in an increase of fees. Due to this, the amount the agents are likely to charge may depend on the volume of their business and also the costs they incur. Agents who are new in the business are likely to charge lower than the others in order to establish themselves.

It was also noted that the fees for the USA and Canada were much higher than that for any country in Europe. Usually it was more than Rs 2000,000 (US\$ 50,000) whereas for a destination country in Europe, it ranged from Rs 600,000 to Rs 1200,000 (US\$15,000 to US\$30,000). For the UK, the fees were higher compared to other countries in Europe and varied from Rs 900,000 to Rs 1200,000 (US\$22,500 to US\$30,000). It has also been noticed that for a particular destination country different amounts have been



charged. It is likely that the agents try to extract as much money as they can from a potential irregular migrant. It would be interesting to note the mode of payment adopted for such services. Table 48 shows the mode of payment of fees to the agents.

Though the data is very limited, it shows that the agents sometimes adopt flexible modes of payment whereby part payments are accepted at the time of departures and the balance is paid by the family members on getting the news of safe arrival of the migrant in the destination country. An instance of full payment on reaching destination was also observed. It was seen during field visits to Punjab that sometimes the family members or relations of migrants settled in other countries undertake to pay the fees to the agents. In such situations, the agents are likely to accept full payment when irregular migrants reach their destination countries. During a field visit to a police station in Punjab, an officer mentioned that he had come across cases in which irregular migrants had transferred their agricultural land to relatives abroad in lieu of money they spent to get them to other countries. In majority of the cases, however, the agents insist on down payment of the full fee.

#### **2.4.3.8: Professionalization of agents and high success rate**

During field visits, many cases of irregular migration to the UK were noted from almost every village in Jalandhar, Kapurthala, Nawanshahr and Hoshiarpur districts. However, while the agents succeeded in getting their clients to a destination outside India, the case studies do note that many migrants were deported from the destination country.

Several police officers and public representatives in Punjab mentioned that the agents have become more professional over the years. They operate through closely-knit networks within and outside the country, and possess excellent capabilities to forge documents.

It has been observed that the agents are able to carry on their business without any hindrance from the local law enforcement authorities, and civil society. One gathers the impression that their services are appreciated as long as they succeed in managing to send the migrants to their destination. During the field study, it was noted that the clients of the agents were varied and included agricultural families in rural areas, family members of public representatives, government servants, employees of private companies among others.

Following true stories highlight the modus operandi of agents:

#### **True story**

X r/o Nawanshahr town, District Nawanshahr. Aged 24. Occupation-Agriculture. Agent r/o Kukran, P.S Garhshankar, District Hoshiarpur. X was first taken to Abidjan and then to Mali and then to Morocco. From Morocco he entered the Spanish enclave of Melilla. He was then pushed back. For survival he lived in a desert area in Morocco and survived by begging. He contacted his home. His father contacted Mr Ramoowalia , President of Lok Bhalai party who through the Indian Embassy could ensure his return. There were five other boys, all from Punjab, who went with him from Delhi. At Mali, the agent in Delhi had his representative. His journey took several months. The representative of the agent took charge for two months. Rest he had to manage with the money he was

carrying. There were about 60 migrants in Morocco from different nationalities. Some were from Punjab. He had earlier attempted illegal migration to Australia. The route followed by the agent then was Delhi-Singapore-Turkey-Cyprus-Turkey-Australia. He was sent back to Turkey from Australia and he was in jail in Turkey for 17 days. Two of his brothers had successfully migrated illegally with the help of agents; one is in Portugal since 2001 and the other in Greece since 2003. They have since repaid all the loans they had taken from the bank.

## True story

X r/o Kataro, District Nawanshahr. X along with eight other boys met their agent in a hotel in Paharganj in Delhi. From Delhi they were taken to Algeria. They stayed in Algeria for about a-month-and-half. There were about 60 migrants. Some of them were from Pakistan and Bangladesh. From Algeria they were asked to cross over to Morocco in the night. From Morocco they attempted to cross to Spain by boat but ran into trouble. They came back to Morocco. In Morocco the agents used to beat them. They had to get money from home. They were given bread only one time a day. X was put in the boot (luggage compartment) of a car and dropped into the Spanish enclave of Melilla. X fainted in the car and was rescued, given first-aid and was subsequently deported by the Spanish authorities.

## True story

X r/o of village Bharuwal, Jalandhar was deported from Mauritania in February 2007. The Mauritania incident involved deportation of about 300 irregular migrants from India, Pakistan, Bangladesh and Sri Lanka from Spain in February 2007. His brother is in Spain and he had directed him to contact an agent in Paharganj in Delhi. He went there. He did not pay any money. It was his brother who arranged the payment. He was flown to Guinea. He was made to stay in a safe house in Guinea town. It was a big house without electricity. When he along with four others from Punjab reached there, 38 others from Punjab were already there. Some of them had been there for more than a month. Every two to three days, two to three migrants kept joining. Ultimately the number reached 80. They stayed in this safe house for three months. They used to go out twice a week to buy vegetables etc. They prepared their own food. They slept on the floor with floor rugs only. The agent, who was a local from Guinea, used to give them money to buy provisions but it was not sufficient, so they used to spend their money which they had taken in dollars. After almost three months they were taken to the port of Guinea, in the middle of the night. There, they found migrants from Pakistan, Bangladesh, Sri Lanka and other countries. At the port, the local police detected them. But the owner of the ship bribed them and thereafter they did not create any problem. The ship left Guinea and was on the sea for 36 days. The ship ran into trouble. A Spanish patrol party spotted them and shifted them out to another ship. About 20 migrants fell sick, mostly due to allergy and malaria. The Spanish authorities and the Red Cross provided medical care, food and they were taken care of. Each of the deportees was given money by the Spanish authorities to meet contingency expenses before their deportation. If the ship had not developed trouble they would have safely landed in Spain. X says he will not try to go to Europe any more but he will definitely go to Dubai after some time. X works as casual labourer in the village, he also makes floor rugs.

## True story

X r/o Patiala was taking two migrants to Greece in June 2007 on stolen visas for Greece. X is an owner of petrol station in Patiala district. He had earlier taken two boys to Moscow in March 2007. X disclosed that the main agent was Y who was from Chandigarh. Y runs a Educational Institution in Chandigarh. Y also had a business firm registered in Moscow and imported iron scrap from Ukraine. He used to get invitation letters from his own firm and send boys to Moscow for irregular migration. Y was arrested by the police. When news about Y's arrest was known to others many migrants came to lodge complaints with the police that they had also been cheated by him. Four boys disclosed to the police that they were kept in a house in Moscow, given to eat only potatoes and bread. The house had a telephone so the boys could make phone calls to their homes but this led to a hefty telephone bill. The owner of the safe-house demanded money. Y sent message to the families of the boys and demanded more money. Two boys were kept for seven months while the other two were kept for three months in Moscow. Y had an account in a reputed bank in a fraudulent name and the money and cheques collected from the boys were deposited in this account.

The modus operandi of agents has also been reported extensively in the media from time to time.

Many agents issue attractive advertisements in local newspapers for jobs abroad, particularly for countries in the Middle East and South East Asia and even conduct selection interviews in big hotels before collecting a large sum of money from unsuspecting migrants and disappearing. The following three reports describe the modus-operandi of such agents:

1. "130 youths from Punjab were duped by a company Kenya Exports Limited, Mumbai. The company opened a local office in Jalandhar and took Rs 1 lakh to 1.30 lakh on the pretext of providing them jobs as truck drivers, carpenters, petrol pump staff besides other employment avenues in Kenya, Singapore, Qatar and adjoining countries. The police could arrest the manager of the company but the main accused Tony D'Suza who had withdrawn Rs 1.25 crore from a bank in Mumbai where the demand drafts of the youths were deposited, could not be arrested."<sup>32</sup>

2. "A number of unsuspecting persons eager to find a job in the Gulf countries were about to lose their hard-earned money when a con man, running an illegal immigration consultancy service in Sector 42 in Chandigarh was arrested by the Chandigarh police. The illegal business was being run under the name of Continental Services. The modus operandi of the conman was to call clients for interviews, conduct their medical examination and charge Rs 2,500 as the processing fee. After sometime the client would be asked to deposit Rs 60,000 for being sent to Dubai or other Gulf countries."<sup>33</sup>

3. "A case was registered against Massa Singh and his kins, belonging to the Sangat area of Bhatinda district and now residing in Malaysia for their alleged involvement in committing fraud on a number of youths on the pretext of taking them abroad. In his complaint, Mr Gurtej Singh of Pacca Kalan village alleged that Massa Singh had taken Rs 1.25 lakh from each youth for taking them to Malaysia. He said that when they reached Kuala Lumpur airport, they did not find Massa Singh there. However, they came in contact with a

<sup>32</sup> Vasdev Kanchan, "Immigration racket: one accused held, Main accused withdraws money collected from victims", *The Tribune*, Chandigarh, July 11, 2006.

<sup>33</sup> "Conman running 'consultancy' held", *The Tribune*, Chandigarh, May 4, 2003.

woman, who arranged construction jobs for them. He said that they worked with that woman for about three months but she did not pay wages to them. They could return to India with the help of the Indian High Commission.”<sup>34</sup>

Sometimes the agents use innovative ways to lure migrants and target people who can afford the high cost of irregular migration. The following two reports indicate their modus operandi:

1. “Thousands of innocent people from Punjab were being duped by the mushrooming fake marriage bureaux, placement agencies and '*Jyotish Kendras*' (astrology centres). Firstly, most of the owners of such *kendras* entice people through advertisements about availability of easy spiritual solutions to vexed problems. Then they lure their clients with promises to send them abroad or get them some job, Mr Ramoowalia, President of Lok Bhalai Party, said.”<sup>35</sup>

2. “Five persons of an alleged gang, including a couple from Ludhiana, have been arrested on the complaint of three persons including two retired teachers and a former PSEB (Punjab State Electricity Board) employee for cheating them. They specialised in targeting recently retired persons who had money and were desperate to settle their unemployed wards. They have made the youths undergo training at a local factory for getting a job abroad. They were arrested after a case under Section 420 and 120B of IPC was registered. Joginder Singh, a retired teacher of nearby village, Maholi Khurd (near Mandi Ahmedgarh) alleged that Shamsher Singh, a resident of Vajidke Khurd village, his son Kulwant Singh and their accomplice Makhan Singh of Tibe Dera, Phillaur, duped him of Rs 20.65 lakh on the pretext of sending his two grandsons and a nephew abroad. Narrating the sequence of events, he said he had met the accused at an educational academy at Sudhar village. Joginder said, “Shamsher Singh and Makhan Singh were introduced to me as established travel agents by Amar Singh at his academy in November 2001. These agents promised to send Gurpeet Singh and Gurdeep Singh, my grandsons, and nephew to America on a permanent basis and the deal was finalised for Rs 20.65 lakh.’ Joginder Singh paid Rs 5.65 lakh to Shamsher Singh, Makhan Singh and Kulwant Singh in the presence of Amar Singh and Harkamal Singh at a shop owned by Surinder Kumar, a commission agent. Both boys along with their passports were sent with the agents for training in a factory. They were told that training was required for getting the youths a lucrative job in a foreign country. ‘We made the balance payment of Rs.15 lakh after seeing visas and tickets booked for a flight on January 5, 2002. The family was shocked when Shamsher Singh brought back both the boys after a month and said there was some problem in the papers. He said he would send them abroad after some time. The accused disappeared later and the telephone calls went unanswered. The victims managed to trace a co-accused Makhan Singh, who maintained that the Shamsher Singh was the main person in the scam. Joginder Singh reported the matter to the SSP Sangrur. Mr Rajinder Dheer, another retired teacher, has also lodged a complaint against Surrinder and Bhupinder Singh a couple of Mukund Singh Nagar, Ludhiana, for allegedly duping him of Rs 45,000. He said, ‘Surinder Kaur and her Bhupinder Singh used to come to our home and promised to send my son Ashish Dheer to Nairobi. The deal was settled for Rs 50,000.’ The complainant paid Rs 45,000 in two installments along with the passport of his son in June 2002. Instead of sending Ashish to Nairobi as promised, the accused started demanding more money. He said that the police had initially not taken any action and all our complaints went unnoticed. The police lodged an FIR when more victims came.”<sup>36</sup>

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<sup>34</sup> Prakash Chander, "4 of a family booked in cheating case", *The Tribune*, Chandigarh, February 14, 2005.

<sup>35</sup> Fake marriage bureaux mushrooming: LBP, *The Tribune*, Chandigarh, May 8, 2006.

<sup>36</sup> Singh Jupinder, "Another Immigration racket busted, 5 held", *The Tribune*, Chandigarh, December 24, 2003.

The agents also lure students promising them admission to educational institutions in other countries and a job thereafter. It has been reported that:

“addressing a press conference here on Sunday, Lok Bhalai party chief Balwant Singh Ramoowalia said a recent advertisement that appeared in a vernacular daily has set the ball rolling for another fraud running into crores of rupees. The advertisement issued by an NRI couple, talks about 1,07,000 seats in various engineering and professional courses for Indian students in the largest college of Canada, named 'Seneca'. Ironically, the basic qualification for the course is just matric and there are no minimum marks specified for admission. Students have also been assured easy scholarships, free accommodation for three months, free air tickets and tourist visas for their families. They have also been provided 100 per cent guarantee for easy visas to other countries after getting admission in this college. There would be no interview, no test and even IELTS is not required. However, a tuition fee of 4,000 Euros had been fixed. 'The fraud lies here' said Ramoowalia, adding that if this tuition fee alone was multiplied by the number of seats it worked out to over Rs 2,500 crores and prospective students could easily be cheated after they submit the same.”<sup>37</sup>

Agents are ruthless once the irregular migrants are in their control. Irregular migrants are like commodities to the agents in other countries. Agents in other countries are only responsible for lodging irregular migrants in safe-houses and getting them from one point to the other. They are not concerned whether the irregular migrants suffer or die during the process. The following 10 reports highlight the modus operandi of agents and the suffering caused to the irregular migrants in the process :

1. “ In October 2004, 37 youths from various villages in Doaba region had left their houses for greener pastures in Italy after some travel agents belonging to their villages promised that they would immigrate legally and get lucrative jobs there. Two months after they last heard from them was from Mali. All the youths were duped by two Africa based agents, Satnam Singh and Ajay Kumar, through their sub-agents in their villages. All the youths reached Mali after boarding flights from Delhi and Mumbai on different dates.”<sup>38</sup>

2. “Mr Rajinder Kumar, who returned to India after spending six months in Italy and various jails in Kiev, capital of Ukraine, had alleged in the complaint that Paramjit Singh Pamma, his mother and sisters belonging to Fatehgarh Sahib district along with other travel agents were indulging in sending Punjabis to foreign countries in lieu of money through illegal means. He alleged that he paid Rs 3 lakh to Pamma, his mother and sisters in his house in presence of his parents and friends in May 1999 for going to Italy. He stated that Pamma had promised that he would arrange four years' of stay for him in Italy after taking him by air. He stated that he was taken to Moscow by Pamma and after few months to Kiev illegally. After reaching the Ukraine-Slovakia border, the agents asked them to jump over the live fencing wire. When they refused to do that they were left in a forest. He said that they were arrested by the border police of Kiev. The police tortured them they were forced to drink their urine. They were kept hungry for days together.”<sup>39</sup>

3. “Vasudev was being moved between the countries of Jordan, Iraq, Syria, Lebanon and Turkey till he landed on the Iranian border in the hands of some Kurds who helped him to board a bus to Teheran. The Kurds did this after charging their 'hefty fee' which they extorted from him through his relatives and other contacts supporting his 'going abroad mission' using *hawala* (illegal) channels. Dr. Kanwaljit Singh, a doctor who runs a dispensary was shocked on seeing his condition. He wants that Vasudev should be

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<sup>37</sup>“ LBP chief seeks action against 'fake' colleges”, *The Times of India*, Chandigarh, July 16, 2007.

<sup>38</sup> Vasdev Kanchan, "37 immigrated youths missing", *The Tribune*, Chandigarh, June 28, 2006.

<sup>39</sup> Prakash Chander, "Immigration 'racket' legal opinion sought", *The Tribune*, Chandigarh November 16, 1999.

immediately sent to India for special treatment or else he may risk losing his feet forever. Gurpreet Singh and Manish Kumar, both 18, Talwara, left India together on May 3 this year for Jordan by air. They were deported from Turkey to Iranian borders. They were beaten badly by Turk soldiers. They were captured by Kurds on the Iranian border that got them medical treatment and gave them shelter after seeking the ransom money from their families through *hawala network*.”<sup>40</sup>

4. “A former policeman and resident of Bainsawan village in Hoshiarpur, Kashmira Singh, one of those hiding in Algerian woods narrated his experience to Hindusthan Times over the phone. 'We are facing death. Five Punjabi youth died recently, while three others were suffering from jaundice. There is no medical aid available to illegal immigrants. We have been forced to drink urine to survive. With language problems, we cannot even arrange food from city areas. In one instance, five youths were mercilessly beaten by local goons, who often attack us to loot what little we collect.' 'His mother said they had paid Rs 7 lakh to one Daljeet Singh of their village, Bainsawan, about two years back. After dilly dallying for a year, Daljeet finally asked Kashmira to board a flight to Italy, he finally landed in Algeria.' 'Simarjit Kaur (45) of Waddi Miani village in Hoshiarpur, wife of another victim, said her husband Amrik Singh was down with jaundice in Algeria. We paid Rs 4 lakh to send Amrik to France. But for the past one year he is in Algeria.' 'Shital Kaur was another victim. She paid Rs 4.22 lakh to Delhi-based travel agent Manjit Singh to send her 26 year-old son Balbir Singh to Italy. Balbir too is in Algeria for the past one year and the agent is not helping him in any way. Besides I paid Rs 2.2 lakh to another agent to arrange Balbir's return, Jagjit Singh Jaggi, but that money too has gone down the drain.’”<sup>41</sup>

5. “Bhupinder Singh of Fatowal village in Kapurthala district committed suicide after being arrested while crossing the Russian border illegally. The youth was duped by two agents from Basowal and Giderwindi villages who took Rs 7 lakh from him on the promise of sending him to England. He was instead sent to Russia. Bhupinder's family members said that Bhupinder along with 10 other boys were treacherously taken to Ukraine, where they were made to walk for miles without water and food. Thereafter, the Russian police arrested Bhupinder who during his captivity of four months wrote to his parents to approach Lok Bhalai Party chief Balwant Singh Ramoowalia for his freedom. Bhupinder's parents instead confronted the travel agents, who forcefully planned his escape from Slovak border on June 1, 2007, where he was again arrested by the Russian police. Weary of the torture and imprisonment in an alien land Bhupinder ended his life on June 8. It was after repeated correspondence that the party activist got an affirmation from the Indian Embassy for transportation of the body in lieu of a draft of Rs 1.55 lakh.”<sup>42</sup>

6. “A dozen Punjabi youths are languishing in Sri Lankan jails for the last one year after they were arrested for staying there without legal documents. However, it was none of their fault as they were duped by a husband-wife duo who promised to send them to Greece. Revealing this here on Sunday, Lok Bhalai party chief Balwant Singh Ramoowalia, who presented the families of these youths before the media-persons, alleged that though a complaint was submitted to Jalandhar police in April a case is yet to be registered against the accused who are residents of village Garhi Maha Singh near Phillaur. Ten of the arrested youths hailed from Phillaur area, he revealed, and said each family had paid between Rs 3 to 6 lakh to send their wards to Greece. Ramoowalia said the Indian ambassador in Sri Lanka had revealed that the 12 youths would be released on July 19 after the completion of their punishment and then would be deported to India immediately.”<sup>43</sup>

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<sup>40</sup> Singh Prabhjot, "Battered and bruised in the 'promised land'", *The Tribune* Chandigarh, December 22, 2004.

<sup>41</sup> Malhotra Jasdeep, "Home in Punjab, lost in African woods, Five youth dead, 150 fighting disease, hunger in Algeria, Morocco jungles", *The Hindusthan Times*, June 25, 2006.

<sup>42</sup> "Dollar dream meets death in Russia, Kin blame travel agents for youth's suicide", *The Hindustan Times*, Chandigarh, June 28, 2007.

<sup>43</sup> Travel agent still not booked, *The Times of India*, Chandigarh, July 16, 2007.

7. "In the Malta Boat tragedy the Jalandhar police identified Vijay Kumar Pandit, a travel agent of Amritsar, as the kingpin who sent 23 boys abroad. Another boat capsized near Greece in April 2001, seven of the occupants were rescued and 50 went missing. All the seven turned out to be Punjabi boys, who disclosed that the missing occupants were also from Punjab. Six of the boys in this boat were from Nawanshahr district and each had paid Rs. 1.5 lakh to a travel agent Satnam Singh, in Delhi. Another Rs 1.5 lakh was to be paid on reaching Greece. They were roped in by one Gurmeet Singh, who had claimed to be a travel agent in Greece. On his directions, the money was paid to Satnam Singh, who met the boys separately in a Karol Bagh hotel. No one knew his real address and none bothered to cross-check his credentials."<sup>44</sup>

8. "More than about 200 Indians and Pakistanis were detained in southern Spain after their boat was found drifting off the coast. The 30-metre-long boat was towed into the port of Cadiz, after a fishing vessel came across it about nine nautical miles from the town of Chipiona. A regional government spokesman said Greek and Italian flags were found in the boat, which indicated that one of those countries was their destination. The official said it contained 216 passengers, all men, from India and Pakistan, mainly from Kashmir, plus seven crew members from Gambia, Mauritania and Senegal. The vessel had sailed from the Gulf of Guinea of West Africa and was apparently preparing eastward through the Straits of Gibraltar."<sup>45</sup>

9. "Kurukshetra SP Abhitabh Dhillon said during the last one week the police had registered six cheating cases against travel agents. In fact, a cell was also created two years back. Dhillon said police raided the premises of over half a dozen agents, who had cheated people of Rs 16 lakh, during the last one week, but the accused managed to abscond. He said police with help from NGOs would hold camps in the area to make people aware of legal channels to go abroad. Dhillon said police registered a case of cheating on the direction of the court here. In his complaint Krishan Lal, a resident of village Gitalpur of Karnal district, had alleged Balbir Singh, Jarnail Singh and Satish Kumar, all residents of Kurukshetra, took Rs 4.6 lakh from him in 2004 assuring that he would be taken to the UK. However, they did not keep their promise; neither did they return their money. On the contrary, they threatened with dire consequences if he continued to pursue his case. In another case, the police registered a case of cheating against three persons including a woman, on the complaint made by Chandernal of Berthali village. The complainant said he paid Rs 4 lakh to a couple Sultan Singh and his wife Darshan Devion on February 12, 2005, for sending him to Germany. He alleged that the accused took his passport and eight passport size photographs and signatures on blank papers for doing the needful. They did not turn up after that."<sup>46</sup>

10. "Ramoowalia, President of Lok Bhalai Party claimed that about 1,500 Punjabi illegal entrants had died so far in 20 countries."<sup>47</sup>

The agents find various dubious ways to facilitate irregular migration to other countries. The following four reports highlight some of these ways:

1. "A martial art expert who had been allegedly sending people to countries like Korea and Greece, respectively, has been arrested police sources said. The police after arresting him claimed to recover 14 passports from his possession. He had collected Rs 50,000 each as advance from 14 persons while promising them to send to western countries."<sup>48</sup>

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<sup>44</sup> n.25.

<sup>45</sup> "Illegal immigrants' from India, Pak detained", *The Tribune*, Chandigarh, July 11, 2006.

<sup>46</sup> "Immigration frauds increasing in the region", *The Times of India*, Chandigarh, July 16, 2007.

<sup>47</sup> "Up to 25,000 illegal immigrants", *The Tribune* Chandigarh, April 27, 2007.

<sup>48</sup> "Martial art expert arrested", *The Tribune*, Chandigarh, April 19, 2002.

2. "An immigration mafia is reportedly active in Punjab duping hundreds of gullible people of lakhs of rupees. The mafia is said to have devised a unique method of sending people to Canada by including them in various cultural troupes who visit Canada and the USA for various performances. For each illegal immigration, Rs 8 to 10 lakh are charged from aspiring immigrant. Each aspirant is registered with the music group. He or she is imparted training for a month or two to make him familiar with one or the other musical instrument. In order to make it look more credible, even photographs are printed on fake covers of musical cassettes and attached with the application for the visa. The entire expenditure is booked by the aspiring immigrant. But even that does not guarantee a visa and hundreds of youth, particularly from villages are duped this way. What makes the mafia to carry out its operation successfully is the subtle and meticulous way of observing formalities. One cultural troupe, consists of about 20 persons. At least 10 of them are aspiring migrants. After they reach Canada the promoter takes back their passports and produces them at the Canadian High Commission here as a proof that the person has returned to India."<sup>49</sup>

3. "Take Joginder from Delhi. A fictitious cricket tournament participant in the UK and now part of suburban London's underbelly. He does not exist officially. The Indian immigration stamp on his passport shows he left the UK before his visa expired eight months ago. 'But he is still here' British Indian solicitor Iphrahim told TOI, 'and waiting for a British work permit before he is reunited with his passport and gets to legally re-enter the UK and live here.' Joginder uses borrowed identity to do menial jobs."<sup>50</sup>

4. "The disappearance of five members of a women's cricket team, sent by a Jalandhar-based club to play cricket in London, has once again raised the issue of human trafficking. According to the reports from Jalandhar, two of the missing girls have rejoined the team in England. The parents of some of them claim to have paid Rs 2 lakh to the Lynex Travel Club that sent them abroad."<sup>51</sup>

Agents in India involved in human smuggling operate through international network in which each link in the chain provides a specific service and has to be paid for. Following seven reports highlight their modus operandi:

1. "Mr Balwant Singh Khera, Chairman of the Malta Boat Tragedy Probe Mission told newsmen that in a representation to the Chairman, European Commission it has been informed that the mafia of human traffickers was present in 14 countries. Turab Ahmed Sheikh, a Pakistani national married to a Maltese woman was allegedly the chief conspirator and was running a restaurant in Malta. The case for his extradition to Italy was going on in a court in Malta. Similarly cases were going on in the courts of Greece against 11 human traffickers. Many co-conspirators belonged to India, Pakistan and Sri Lanka."<sup>52</sup>

2. "Six people of Indian origin who began their ill-fated journey from India to Canada via Britain have started year-long jail sentences here for possessing forged UK passports. The six, all from Punjab, were seeking to fly to Canada from Birmingham. Three men each turned up at the check-in-desk for an Air India flight to Toronto. One of the migrant, Mann revealed that he had paid £10,000 for transport from India to Canada, and had first been provided with an Indian passport for the journey to this country where he had been given a British passport for the final leg. Jagtar Singh told an identical story, although he had paid £3,000. Bal Singh made no comment. They all managed to get past the check-in stage. But as they headed to the departure lounge they had to go through a second passport control manned by Special Branch officers who spotted the forged British passports they were using."<sup>53</sup>

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<sup>49</sup> Sumbly Vimal, "Immigration mafia active", *The Tribune*, Chandigarh, January 2, 2001.

<sup>50</sup> Ahmed Rashmee Z, "UK's uninvited guests who overstayed their visas", *The Times of India*, New Delhi November 2 2003.

<sup>51</sup> "Missing cricketers, Sports a ruse for illegal immigrants", *The Tribune*, Chandigarh, August 27, 2003.

<sup>52</sup> "Malta Boat Tragedy, European Commission intervention sought", *The Tribune*, Chandigarh December 23, 2002.

<sup>53</sup> "6 Punjabis held for passport fraud in UK", *The Tribune*, Chandigarh, April 21, 2007.



3. “Equally important has been the strong bonds between the collaborators or suppliers from Punjab and those abroad, making the business of helping illegal immigrants an international racket. The increasingly clever and clandestine methods used by the criminals, high profits involved and the non-interference of other countries, which often welcome 'illegal immigrants' into their territories as 'refugees' has been the supporting factors. The success rate varies. While the success stories are seldom played up in the media, failures get screaming headlines. Unfortunately after the much graver Malta boat tragedy, neither the Indian Government nor the Punjab Government initiated any action to check such trafficking. 'Instead of legislation, educating people about the risks involved in human trafficking may be more useful,' commented a senior official of the Punjab Government. It is in Lebanon and other 'softer' countries, where getting visas is not a big problem, that the actual racket starts. 'The job of the agent or smuggler-trafficker ends once the illegal immigrants have been pushed into the promised country,' remarked a police official.”<sup>54</sup>

4. “It is also found that road route from Nigeria or Addis Ababa is also taken to sneak into Spain. Mr Singh Protector General of Emigrants added. MOIA has written to immigration authorities at major international airports to be vigilant while stamping passports of persons in mid-twenties, who have obtained visas for countries like Algeria, Ethiopia, Burkina Faso and other African countries.”<sup>55</sup>

5. “Two Russian citizens of Pakistani origin, who allegedly abducted nine illegal immigrants a year ago, went on a trial in Moscow. The Russian security service sleuths, on January 20 last, freed the Indians from the rented house of Bhut brothers in the nearby town of Tula. For over a month, the Indians were kept on a lean diet and were forced to make calls to India to pay \$ 3,200 per person for their release. The Pakistani brothers, who took Russian citizenship sometime back, were linked to an international racket operating in Pakistan, India and Bangladesh for trans-shipping illegal immigrants to the West through Russia, Ukraine and Belarus. International warrants have been issued to nab other members of the group.”<sup>56</sup>

6. “In March, the British police cracked a big smugglers gang who were reported to have made millions of dollars smuggling illegal immigrants into the country. The gang brought Gujaratis into Britain and provided them with forged British passports, birth certificates and driving licenses. The Gujaratis became slave labour as soon as they were brought in. Several were kept crowded into rooms from where they were taken for manual labour in farms and factories. The police seized 151 stolen passports, birth certificates, driving licenses and forgery equipment from a house in Leicester, about 100 miles north of London, from where the gang operated. 'We can not put a figure on the number of illegal immigrants involved with this gang, but we believe it to be in thousands,' Detective inspector Bob White, who led the 24-member team working on the operation, said after the raid. The arrested men in this case included Pravin Patel, 45, a forger who played a leading role in the illegal enterprise along with Mohammed Garja, 37, and Hari Krishna Patel, 31, of Wembley in London. Each was jailed for five years. Vinod Bhai Patel 41, was jailed for four years at the same hearing, while Ahmed Jogi, 30, was sentenced to 15 months.”<sup>57</sup>

7. “A Midland-based gang that smuggled illegal immigrants from India into the UK and made thousands of pounds by offering a 'club class' service, is to be sentenced today at Canterbury Crown Court. The gang was busted following a joint British and French surveillance operation codenamed 'Gular'. The immigrants, believed to be from Punjab, paid £8,000 each to be smuggled in through ferry ports before

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<sup>54</sup> Singh Prabhjot, "Smuggling humans a Rs 1,000-Cr business, Punjabi youth fall easy prey", *The Tribune*, Chandigarh June 18, 2001.

<sup>55</sup> "Illegal immigration: The Africa connection", *The Times of India*, July 11, 2006.

<sup>56</sup> "2 Pak-origin men to face trial", *The Tribune*, Chandigarh, December 23, 2003.

<sup>57</sup> Suri Sanjay, "Search on for 17 illegal immigrants", *The Tribune*, Chandigarh June 16, 2001.

being dropped as part of a 'door-to-door' service. They were 'fed and watered' and transported in people's carriers by the gang members. The immigrants reportedly sold land and businesses in their home country to reach the UK via safe houses in Paris. The gang leader, Shakean Chahal (29) of Meeting street, Wednesbury, and Talbinder Gill (29) of Raven Road, Walsall, allegedly brought in around 400 illegal immigrants over two years. Chahal lived the life of luxury, driving a Ferrari and a Range Rover. Authorities are now trying to seize assets worth more than £ 2 lakh, which he accumulated through the scam. Chahal, Talbinder Gill and three others have all pleaded guilty to conspiracy to facilitate illegal immigration at an earlier court hearing. Detectives of the National Crime Squad and the Kent police were first alerted about the gang when members of the gang were stopped at a port in 2001. In June, 2002, the Kent police had charged some of the smugglers, including Chahal, but released on bail. Finally, arrests were made in June, 2003 after the police found people carriers containing 14 illegal immigrants near Canterbury.”<sup>58</sup>

### 3. Case Studies

The data on immigration-offence related cases and the media reports examined so far have helped us in understanding the different aspects of irregular migration from India but it needs to be supplemented with data and information collected through case studies in order to have a complete picture. Through these case studies it has been possible to capture details about the involvement of the families in irregular migration, how irregular migration is viewed in society, the reasons for irregular migration, the modus operandi of agents and also the response of the law enforcement authorities to control such irregular migration. Table 49 gives the details of 18 interviews with irregular migrants or their family members. How these interviews were recorded, brief facts and the findings based on these interviews are also indicated in Table 49. It should be noted that it required considerable effort and co-operation of the district authorities to record these interviews.

Table 50 gives the details of six interviews with agents and police officers who investigated cases against agents. Brief facts and the findings based on these interviews are also indicated in Table 50.

Table 51 gives the details of 18 interviews with co-villagers and village-level public representatives during visit to villages in Punjab. Brief facts and the findings based on these interviews are also indicated in Table 51.

Table 52 gives the details of 26 case studies collected by the investigators during visit to villages in Punjab. Brief facts and the findings based on these interviews are also indicated in Table 52.

Table 53 gives the details of 9 case studies collected by the investigators during visit to villages in Haryana. Brief facts and the findings based on these interviews are also indicated in Table 53.

### 4. Criminal Justice Response to Irregular Migration

Police cases are registered under the Indian Passport Act 1967 as well as the relevant provisions of the Indian Penal Code (IPC), based on the facts and documents submitted by the concerned immigration officer who detects such a case. If the migrant is a citizen of another country, cases are registered under the

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<sup>58</sup> "Gang smuggling Indians into UK to be sentenced", *The Tribune*, Chandigarh, May 29, 2004.

Foreigners Act 1946 and also the relevant provisions of the Indian Penal Code. Further cases can be registered against 'Recruitment Agents' under the Emigration Act 1983. The Emigration Act makes it mandatory for registration of all recruitment agents. A senior police officer from Punjab who had been the Senior Superintendent of Police in three districts remarked that as of now, the power of prosecution under the Emigration Act rests with the Government of India; he felt that the responsibilities should be transferred to the state governments to deal with the erring recruitment agents.

It was learnt that the Government of Punjab is considering a legislation to regulate the activities of travel and recruitment agents. The majority of cases of illegal migration are from Punjab (as evidenced in this report) and therefore such a state legislation will be very useful. Cases are also registered against agents on the basis of complaints from migrants or their family members. It is noted that such complaints are lodged only when any compromise between the migrants and the agents fails.

#### **4.1 Compromise between Agents and Migrants in Cases of Failure to Reach Destination Countries**

It was learnt during the field visits that if a migrant fails to make it to the destination country, he may again contact the sub-agent for a refund of the money paid by him. The sub-agent in such a situation informs the migrant that the money paid by him had to be paid to the agent and he is no longer in possession of that money. In some situations the money is paid directly by the migrant to the agent. If repeated requests made by the migrant for the refund of money yield no result, he may threaten to report the matter to the police. The sub-agent in such a situation pursues with the agent and in 80 per cent of the cases the money is refunded, deducting the costs already incurred in sending the migrant to the transit countries etc. In situations when all negotiations between the migrant and the sub-agent fail, a complaint is usually filed with the police.

A senior police officer in Kapurthala district confirmed that on an average, in a year, about 500 complaints against the agents are received in the district. About 80 per cent of complaints end up in a compromise. He said that these outcomes were reflected in other districts of Punjab. He also cautioned that the number of complaints coming to the police may be only a small proportion of all such cases, as the majority of the cases are settled by the parties themselves. In this scenario, the migrant knows that he is likely to get back the money and the agent knows that he may have to return the money in a few cases.

This settlement is often by way of a promise to send the migrant again to his destination or to an alternative destination. It appears that the agents enter into such compromise for three reasons. First, they do not want a bad publicity, which may be harmful for their business. Secondly, they do not want to be on the wrong side of the law enforcement authorities. Thirdly, such refunds are likely to be small in comparison to the huge profits they make in their business.

Action taken by police in complaints lodged against agents in the district of Kapurthala and Hoshiarpur districts in Punjab in 2007 were analysed. Tables 54 and 55 give details of action taken in 395 and 748 cases in Kapurthala and Hoshiarpur districts respectively.

Table 54 and 55 show that in Kapurthala and Hoshiarpur districts due to the intervention of police, compromise between the migrants and the agents was reached in 110 and 477 cases, resulting in the return of Rs 8 and Rs 34 million, respectively, by the agents to the migrants. Also, 34 and 72 police cases were registered in these two districts respectively in 2007. It may be noted that these are the cases in which no compromise could be reached or the agents had absconded. While the role of the police in mediating a

compromise between the agents and the migrants may be appreciated because victims get back their money, this practice is also indirectly encouraging irregular migration as other irregular migrants may feel that in case of failure they will also get back their money and the agents escape any legal action merely by providing a refund.

Most of the cases against agents are registered under section 420 of the Indian Penal Code (IPC). This section deals with '**cheating and dishonestly inducing delivery of property**'. Even the agents involved in human smuggling are being booked under this omnibus provision of the IPC in the absence of any specific law on human smuggling. It should be noted that a case of cheating is very difficult to establish in the absence of any documentary proof of payment of money. As a result, even when cases are registered against agents, it results in their acquittal by the courts in the absence of conclusive evidence against them.

It has been noticed that when an agent involved in human smuggling comes to know that a case has been registered against him in any police station, he tries to get anticipatory bail to avoid arrest. In most of these petitions for bail, the grounds taken include that the petitioner had been falsely implicated and that from the reading of the first information report (FIR, on the basis of which police register a case), the grounds for a Section 420 IPC indictment are neither specifically established nor supported with any material evidence against the petitioner. Further it is stated in the petition, that all the statements in the FIR are vague. It is important to see some of the decisions of Hon'ble courts. The following eight decisions in the year 2007, of the **High Court of Punjab and Haryana** were studied:

1. In a petition for anticipatory bail filed on behalf of an agent the court ruled that

“in the meantime, in the event of his arrest, the accused applicant is ordered to be released on interim bail at the satisfaction of Arresting officer but subject to condition he will not leave India without prior permission of the trial court, shall join the investigation and shall not tamper with the prosecution evidence.”<sup>59</sup>

2. In a petition for anticipatory bail filed on behalf of an agent the court while granting the bail ordered that

“the petitioner shall appear before the investigating officer and shall join investigation and continue joining so.”<sup>60</sup>

3. In a petition for anticipatory bail filed on behalf of an agent the court ordered that

“learned counsel for the petitioner states that petitioner's son X is running Emigrant Consultancy Center at Mumbai and petitioner has nothing to do with the act of sending the thirteen persons to Kuwait. It is also contended that the thirteen persons allegedly duped by the petitioner and his co-accused Y, have made statements before Deputy Superintendent of Police, even before registration of the instant First Information report, to the effect that they had been sent to Kuwait by Y, who had also paid back part of the amount received from them and has promised to pay back the remaining amount. The petitioner if arrested shall be released on interim bail on furnishing bail bonds to the satisfaction of the arresting officer subject to the conditions specified in Section 438(2) of the Code of Criminal Procedure.”<sup>61</sup>

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<sup>59</sup> X, resident of village Samundra, District Hoshiarpur vs. State of Punjab  
Petition Under Section 438 Criminal Procedure Code (CrPC) for grant of anticipatory bail in case bearing FIR Nodated under Section 420 Indian Penal Code.  
Date of order July 31, 2007.

<sup>60</sup> Petitioner, resident of village Dhaliwal Dona, District Kapurthala vs State of Punjab  
Petition Under Section 438 Criminal Procedure Code (CrPC) for grant of anticipatory bail in case bearing FIR Nodated under Section 420/406/120-B Indian Penal Code and Section 24 of Emigration Act, Police Station Garhshankar, District Hoshiarpur. Date of order September 7, 2007.

<sup>61</sup> Petitioner, resident of Mumbai vs State of Punjab  
Petition Under Section 438 Criminal Procedure Code (CrPC) for grant of anticipatory bail in case bearing FIR Nodated under Section 420/406 Indian Penal Code, Police Station City, District Hoshiarpur. Date of order September 26, 2007.

4. In a petition for anticipatory bail filed on behalf of an agent the court ordered that

“the main allegation is against X, who was the travel agent. It is further urged that petitioner was a sub-agent. On the other hand, the petitioner would contend that he himself had just simply introduced as he had earlier traveled through this travel agent. In the event of arrest of the petitioner, he shall be released on anticipatory bail to the satisfaction of the Arresting Officer, subject to the conditions contained in Section 438(2) CrPC. He will join the investigation as and when required.”<sup>62</sup>

5. In a petition for anticipatory bail filed on behalf of an agent the court ordered that

“it is directed that petitioner shall be admitted to anticipatory bail to the satisfaction of the Arresting/Investigating Officer. The petitioner shall join the investigation as and when called upon to do so and shall abide by the conditions as envisaged under Section 438(2) CrPC.”<sup>63</sup>

6. In a petition for anticipatory bail filed on behalf of an agent the court ordered that

“interim bail is ordered to be confirmed subject to the conditions that he would join the investigation as and when required by the police; shall not leave the country except with the prior permission of the court and not to threat, promise or induce witnesses of prosecution. The bail application is accordingly allowed.”<sup>64</sup>

7. In a petition for anticipatory bail filed on behalf of an agent the court ordered that

“counsel for the petitioner in reference to the allegations in the FIR contends that the complainant along with X, his relative, is alleged to have visited the petitioner and on demand paid a sum of Rs 7.50 lacs to petitioner and X for arranging his immigration to England. It is also alleged in the FIR that fabricated stamp of Visa had been supplied by the petitioner to the complainant. Counsel for the petitioner contends that the allegations are seven years old. Meanwhile, an interim direction is issued that the petitioner will join investigation and in case of his doing so he will be released on interim bail to the satisfaction of the Arresting Officer.”<sup>65</sup>

8. In a petition for anticipatory bail filed on behalf of an agent the court ordered that

“Learned counsel for the petitioner contends that earlier, complainant's father made a complaint to the police on the same allegations but compromise was effected in the said complaint with complainant's father and the same was accordingly filed by the police. It is contended that now the complainant has moved fresh complaint on the same allegations. The petitioner if arrested, shall be released on interim bail, on furnishing bail bonds to the satisfaction of Arresting Officer, subject to the conditions specified in Section 438 (2) CrPC.”<sup>66</sup>

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<sup>62</sup> X, resident of village Mautian, Police Station Mahilpur, Tehsil Garhshankar, District Hoshiarpur vs State of Punjab. Petition Under Section 438 Criminal Procedure Code (CrPC) for grant of anticipatory bail in case bearing FIR Nodated under Section 420/406, 120-B Indian Penal Code and Section 10 of the Emigration Act 1985, Police Station Tanda, District Hoshiarpur. Date of order October 4, 2007.

<sup>63</sup> X daughter of Y, aged about 33 years, resident of village Mehndipur, Police Station Biza, Tehsil Khanna, District Ludhiana vs State of Punjab. Petition Under Section 438 Criminal Procedure Code (CrPC) for grant of anticipatory bail in case bearing FIR Nodated under Section 420, 120-B Indian Penal Code Police Station Tanda, District Hoshiarpur. Date of order October 4, 2007.

<sup>64</sup> X, resident of village Vadi Miani, Tehsil Dasuya, District Hoshiarpur vs State of Punjab. Petition Under Section 438 Criminal Procedure Code (CrPC) for grant of anticipatory bail in the event of arrest in case bearing FIR Nodated under Section 420 Indian Penal Code and Police Station Tanda, District Hoshiarpur. Date of order October 11, 2007.

<sup>65</sup> CrI. Misc. No----of 2007, police station Tanda, District Hoshiarpur, Date of order October 17, 2007.

<sup>66</sup> X, resident of village Gilzian, P.O Miani, P.S Tanda, Tehsil Dasuya, District Hoshiarpur vs State of Punjab. Petition Under Section 438 Criminal Procedure Code (CrPC) for a direction to the Arresting Officer to release the petitioner on bail forthwith in the event of his arrest in case FIR---dated---under Section 420/406 Indian Penal Code registered at Police Station Tanda, District Hoshiarpur. Date of order November 29, 2007.

It may be noted from the decisions of the High Court of Punjab and Haryana that the agents were able to get bail from courts in the absence of evidence against them.

In addition to the earlier mentioned cases of the High Court of Punjab and Haryana the following 13 cases of immigration related offences of the **District Courts in Delhi** were studied:

1. In a case against an irregular migrant, the court ordered that

“the accused a Nepali citizen used a jacket substituted Nepali passport. Held there is no document on record to show that the jacket page of the passport was forged or that the accused had intention and entertained the intention to play fraud on the immigration authorities. Acquitted.”<sup>67</sup>

2. In a case against an irregular migrant, the court ordered that

“the offence if any, has been in London. Impersonation has also taken place in London and Emergency Certificate has also been obtained in the name of Jaswant Singh in London. Since no sanction under Sec 188, acquitted.”<sup>68</sup>

3. In a case against an irregular migrant, and an agent the court ordered that

“the accused was trying to leave for Saudi Arabia on a forged visa arranged by one agent on payment of 20,000. Accused no 2 the agent had disclosed that he arranged the visa. Only evidence against the accused 2 is his own statement. Further payment of Rs 20,000 had not been proved. Discharged.”<sup>69</sup>

4. In a case against an irregular migrant, the court ordered that

“the accused had departed from Indira Gandhi International Airport at Delhi on 10.9.99 on his passport for Paris. He remained illegally in France. Got an Emergency Certificate, furnishing wrong details about personal particulars. The present accused is a deportee and offence, if any had taken place in France. No sanction u/s 188 CrPC discharged.”<sup>70</sup>

5. In a case against an irregular migrant, the court ordered that

“The offence had taken place at Bangkok and Police had not applied for any sanction u/s 188 CrPC (Criminal Procedure Code)

'...when an offence is committed outside India (a) by a person of India, whether on the high seas or elsewhere or (b) by a person not being such citizen on any ship or aircraft registered in India he may be dealt with in respect of such offences as if it had been committed at any place within India at which he may be found. It provides that notwithstanding anything in any of the preceding sections of this Chapter, no such offence shall be inquired into or tried in India except with the previous sanction of the Central Government...'

It has been held in the case of *K.Satwant Singh Vs State of Punjab*, AIR 1935 Mad 326, that before the provisions of Section 188 of the CrPC could apply to a case, it was necessary to establish that the crime was committed outside British India.

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<sup>67</sup> State vs. X. In the Court of Additional Chief Metropolitan Magistrate, Delhi. Date of order August 22, 2006.

<sup>68</sup> State vs. X. In the Court of Additional Chief Metropolitan Magistrate, Delhi. Date of order September 5, 2006.

<sup>69</sup> State vs. X. In the Court of Additional Chief Metropolitan Magistrate, Delhi. Date of order October 10 2006.

<sup>70</sup> State vs. X. In the Court of Additional Chief Metropolitan Magistrate, Delhi. Date of order October 18, 2006.

Allegation against the accused is that he had been apprehended with his passport having a chemically washed Schengen Visa. The said visa was affixed at Bangkok and there is nothing on record to show that any part of the offence or conspiracy took place in India. It was necessary for the IO (Investigating Officer) to have applied a sanction u/s 188 CrPC. in the absence of which the accused cannot be prosecuted in any court in India which he has not done. Hence, no useful purpose would be served by continuing with the present litigation further. The accused is hereby acquitted.”<sup>71</sup>

6. In a case against an irregular migrant, the court ordered that

“the accused had departed from Indira Gandhi International Airport at Delhi on 10.9.99 on his passport for Paris. He remained illegally in France. Got an Emergency Certificate, furnishing wrong details about personal particulars. The present accused is deportee and offence, if any had taken place in France. No sanction u/s 188 CrPC discharged”<sup>72</sup>

7. In a case against an irregular migrant, the court ordered that

“the accused is reported to be a deportee. As per allegations visa affixed on the passport was forged but the same was not present on the passport. No proof of any conspiracy in the Territory of India. The only incriminating evidence against the accused is, his own disclosure statement. The journey was stated to have been arranged by one agent Sunil who is resident of Greece and even otherwise the offence has not been taken in the Territory of India. No sanction U/S 188. Discharged.”<sup>73</sup>

8. In a case against an irregular migrant, the court ordered that

“he paid money Rs 4.5 lakh to an agent r/o Phagwara to reach him to Greece. He was deported from Greece. No sanction u/s 188 CrPC or U/S 15 of the Passport Act. Offence if any outside India hence acquitted.”<sup>74</sup>

9. In a case against an irregular migrant, the court ordered that

“Additional Public Prosecutor has conceded that the Investigating Officer (IO), has not filed the passport verification report and the departure confirmation report. Further, it is submitted that in the present case, the offence if any has been committed in USA. The allegations against the accused are of departure. Under Sec 188 CrPC which not been applied for by the IO. Even otherwise, only material against the accused is his own disclosure statement. So the accused is acquitted.”<sup>75</sup>

10. In a case against an irregular migrant, the court ordered that

“he had gone to Moscow on his passport. Destroyed his passport and entered the UK illegally. Came as a deportee. There is nothing showing the incident of any conspiracy in India. No sanction U/S 188 CrPC. Discharged.”<sup>76</sup>

11. In a case against an irregular migrant the court ordered that

“the accused is reported to be a deportee. As per allegations visa affixed on the passport was forged

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<sup>71</sup> State vs. X, In the FIR No. /2002. In the Court of Additional Chief Metropolitan Magistrate, Delhi. Date of order November 8, 2006.

<sup>72</sup> State vs. X. In the Court of Additional Chief Metropolitan Magistrate, Delhi. Date of order December 12, 2006.

<sup>73</sup> State vs. X. In the Court of Additional Chief Metropolitan Magistrate, Delhi. Date of order December 13, 2006.

<sup>74</sup> State vs. X. In the Court of Additional Chief Metropolitan Magistrate, Delhi. Date of order January 6, 2007.

<sup>75</sup> State vs. X. In the Court of Additional Chief Metropolitan Magistrate, Delhi. Date of order January 11, 2007.

<sup>76</sup> State vs. X. In the Court of Additional Chief Metropolitan Magistrate, Delhi. Date of order January 12, 2007.

but the same was not present on the passport. No proof of any conspiracy in the Territory of India. The only incriminating evidence against the accused is his own disclosure statement. The journey was stated to have been arranged by one agent Sunil who is resident of Greece and even otherwise the offence has not been taken in the Territory of India. No sanction U/S 15 and 188. Discharged.”<sup>77</sup>

12. In a case against an irregular migrant, the court ordered that

“as per allegations, the accused is reported to be a deportee and his passport was found to be containing fake UK Home Passport Stamp on page no. 7. As per his disclosure statement accused had got this stamp affixed from a British National Jony in Birmingham against payment of 100 pounds. Held offence if any had taken place in the UK. No sanction u/s 188. Discharged.”<sup>78</sup>

13. In a case against an irregular migrant, the court ordered that

“as per the allegations involved, the scrutiny of the passport of the accused has revealed that stitching thread of the passport was disturbed and tampered by putting some adhesive. Under these circumstances, the offence is clearly covered under the provision of Sec 12 Clause 3 of the Passport Act. According to which

“whoever contravenes any condition of a passport or travel documents or any provision of this Act or rule made there under for which no punishment is provided elsewhere in this Act shall be punishable with imprisonment for a term which may extend to three months or with fine which may extend to five hundred rupees or with both”

The case of the accused is covered within the provision of Sec 12 of the Passport Act. Since there is a violation of Rule 19 of the Passport Rule 1980 which provides that

“..the holder of a passport or travel is personally responsible for its safe custody. It must not be willfully lost, damaged or destroyed. In case of an unintentional loss or destruction, the fact and circumstances of such loss or destruction should be immediately reported to the nearest passport authority in India or (if the holder of the passport is abroad) to the nearest Indian Mission or post and to the local police...”

Under the circumstances, the sanction U/S 15 of the Passport Act was necessary which has not been obtained till date. Even otherwise the offence is of the year 2004 and the charge sheet has been filed in April, 2006 being clearly time barred. I do not find sufficient material to proceed against the accused.”<sup>79</sup>

It may be noted from the decisions of the District Courts in Delhi that in the absence of strong evidence and not obtaining required sanctions under law, the courts have discharged the agents as well as the irregular migrants.

On the basis of analysis of the above, and weaknesses in the current legislation that it highlights it is felt that there is a need for a specific legislation in respect of human smuggling.

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<sup>77</sup> State vs. X. In the Court of Additional Chief Metropolitan Magistrate, Delhi. Date of order January 23, 2007.

<sup>78</sup> State vs. X. In the Court of Additional Chief Metropolitan Magistrate, Delhi. Date of order March 2, 2007.

<sup>79</sup> State vs. X. In the Court of Additional Chief Metropolitan Magistrate, Delhi. Date of order March 23, 2007.



## 5. Government Responses

One primary concern for the Government of India and the state governments is to protect the interests of lawful unskilled workers going overseas for employment. The government feels that labour outflows from India for contractual/temporary employment overseas are still dominated by semi-skilled and unskilled categories. Since the capabilities of such emigrants to negotiate acceptable terms of employment with foreign employers and recruitment agents are not high, it is incumbent upon the State to continue to intervene in the overseas employment market through institutional mechanisms, which offer support and protection for vulnerable migrants.

The Government of India has expressed concern about the increase in the number of cases of irregular migration from India and the involvement of agents in such irregular migration. It has, therefore, in collaboration with the state governments, tightened immigration clearances at the airports.

Minister for Overseas Indian Affairs Vayalar Ravi had disclosed that

“the amendments to the Emigration Act had been finalized in consultation with the missions and are expected to be in place shortly. Among the important changes, the proposed amendments will seek to give the Indian missions a statutory role in the protection and welfare of workers coupled with provisions for stringent action against those indulging in human trafficking.”<sup>80</sup>

The declared policy of the Government of India is that it does not support irregular migration into its territory or irregular migration of Indians to foreign territories. The Government is also keen to facilitate return of irregular migrants apprehended in other countries after proper verification of their nationality. The return of illegal migrants is sometimes hampered by false information given by the migrant regarding his true identity.

The Government of India has also cautioned the state governments about the widespread network of unscrupulous agents engaged in human smuggling and requested them to keep close watch on the activities of such agents. The Protector General of Emigrants had particularly drawn attention of the state government of Punjab in 2006 towards victimisation of irregular migrants by agents. In this regard it has been reported that:

“some Punjabi youths revealed their woeful tale of being forced to beg in Morocco, where they landed after they were duped by travel agents, Protector General of Emigrants RK Singh has sought Punjab government to discourage youths from opting illegal routes to Europe, as it could land them in bigger troubles. In a communication to Punjab Chief Secretary, RK Singh told that Indian youths particularly Punjabis, try to sneak into Europe illegally. It's a common perception that Morocco is the easiest route to reach Spain. So people first manage to land in Algeria and from there through Mauritania or directly through Algeria they cross over to Morocco. According to Singh, normally the human traffickers push these youths into Morocco saying that it is Europe and then disappear.”<sup>81</sup>

The Government of Punjab has directed all the Deputy Commissioners, who are the district heads, to launch awareness campaigns to make people aware about the risks involved in irregular migration. It has been reported that:

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<sup>80</sup> "Policy to protect overseas Indian workers", *The Tribune*, New Delhi, September 11, 2007.

<sup>81</sup> Garg Balwant, "Punjab told to restrain youth from illegal migration", *The Times of India*, July 11, 2006.

“the Punjab Government has asked all the Deputy Commissioners to launch an awareness campaign in Punjab to make people aware of the risks involved in illegally trying to enter Europe via countries like Mauritania and Morocco. A letter in this regard has been sent to all the DCs, and SSPs by the Under Secretary (Home). This action follows the letter written by the Protector General of Emigrants, MOIA to the Punjab Government in which the dangers of illegal immigration have been listed.”<sup>82</sup>

The Government of Punjab has appointed a very senior police officer of the rank of Additional Director General of Police, to particularly look into the cases of human smuggling. In this regard, it has been reported that:

“Punjab has woken up to the harsh reality, it has decided to appoint an officer of the rank of the Additional Director General of Police (ADGP) to expeditiously deal with such cases and to provide quick relief to the victims. If the announcement is implemented with the seriousness it deserves, and does not become just a pretext to have yet another ADGP, it can indeed ease life for the duped people. To begin with, enticing and misleading advertisements have to be banned.”<sup>83</sup>

The Government of India had taken prompt action in cases of human smuggling involving high-profile individuals. It has been reported that:

“first, it was a very senior Indian Foreign Service officer in March 2006, then an MP in April 2007 now it is the turn of a Brigadier and a wife of a Lieutenant Colonel of Indian Army who were booked by the Central Bureau of Investigation (CBI) for being part of a racket misusing 'maroon' diplomatic and 'white' official passports.”<sup>84</sup>

The Government of India had also taken action against airlines officials found involved in the racket of human smuggling. In reply to a parliamentary question, the government informed the house that:

“12 Indian Airlines Officials and 3 Air India Officials were found involved in facilitation of illegal immigration during last three years. The cases of all the 12 Indian Airlines officials have been investigated by the police or the Central Bureau of Investigation”<sup>85</sup>

## 6. Concluding Remarks

Irregular migration is a complex phenomenon affecting the countries of origin, transit and the destination. Many innocent migrants become victims of the unscrupulous acts of agents. If irregular migration is not controlled, it will adversely affect legal migration from India. However, as opportunities for legal migration are limited, there will always be a demand for smugglers, despite the many cases in which potential immigrants are cheated by them, exploited, abused and even left to die along the smuggling route. In order to prevent and combat human smuggling, international co-operation among countries of source, transition and destination is imperative. It would be desirable to widen the ambit of legal migration for low-skill jobs in certain sectors such as agriculture, construction works, and service sectors for limited periods through country specific bilateral agreements. The role and efforts of the Government of India and also the state governments of Punjab and Haryana in addressing irregular migration, needs to be appreciated. The recommendations for further action made in the study are intended to strengthen their efforts.

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<sup>82</sup> "Illegal immigration: govt launches awareness drive", *The Tribune*, Chandigarh, July 8, 2006. "Dupers on the prowl, End the fake travel menace", Editorial, *The Tribune*, Chandigarh, April 27, 2007.

<sup>83</sup> "Dupers on the prowl, End the fake travel menace", Editorial, *The Tribune*, Chandigarh, April 27, 2007.

<sup>84</sup> Mohan Vishwa, "Brigadier held for human trafficking", *Times of India*, Delhi, December 1, 2007.

<sup>85</sup> Lok Sabha unstarred question no 5062 dated August 27, 2001.

## 7. Recommendations for Future Action in this Study

### i) An independent legislation to check human smuggling

In the absence of specific legislation to check human smuggling, the police and the judicial authorities are constrained in dealing with the cases against agents under the existing legal provisions which have been noted to be inadequate to address this organised crime. Thus specific legislation declaring human smuggling a serious crime needs to be considered. Such legislation should consider delegating adequate powers to the state governments.

### ii) Specialised counter-smuggling law enforcement units at the national level and in states

Having specific legislation alone may not help unless specialised counter-smuggling law enforcement units at the national level and in states are set up or strengthened within the existing structures. As agents from several states collaborate in their operation such specialised units would be in a position to effectively investigate such cases. Considering the fact that the agents operate through international networks, it may involve coordination with authorities of other countries and sharing of data, which can be effectively done by the unit at the national level. Mechanisms may be worked out for international law enforcement cooperation, including those of Europol, Interpol and FRONTEX and exchange of best practices to prevent the smuggling of migrants. Staff in these units should be trained in best practice investigative methods. UNODC can effectively play such a coordinating role in view of its mandate, geographical presence and experience in this field.

### iii) Data collection and sharing mechanism at the national level and in the states

It is very important to establish a database on human smuggling. Within the proposed specialised counter-smuggling law enforcement units at the national level and in states, sub-units could be set up for establishment of databases. The staff of such units should be trained to systematically collect, analyse and use information as well as to develop and share intelligence and provide evidence-based input to the formulation of overall counter-smuggling policies.

### iv) Improved equipment at airports and training of immigration officials in detection of fraudulent travel documents

It was noted that agents are making use of high quality forged travel documents of a wide number of countries. The immigration authorities were not able to detect irregularities in all the cases. It is felt that improved equipment and advanced training in detection of fraudulent documents will further enhance their capabilities (however, it should be noted that we were not able to ascertain the abilities of the current equipment or the level of training provided). There would be benefits in the creation of training institutes in all the cities with international airports. If required, foreign experts could also be associated in such training institutes. As part of a technical cooperation programme, immigration officers and police officers at all levels may also be deputed to internationally-reputed training institutes from time to time.

v) National and regional level workshops on human smuggling

It is important to discuss different aspects of human smuggling through national and regional level workshops involving the judiciary, prosecuting lawyers, immigration, police, journalists, public representatives, civil society and other stakeholders. Findings of such workshops should be disseminated widely.

vi) Close monitoring of applications of visas from identified areas

The identification of areas with a large number of cases of irregular migration may help in the close monitoring of visa applications from such areas. Further, this may also help in scrutinising the departure of such migrants. Further, visa compliance exercises undertaken by the Visa Services of different countries from time to time, to verify how many have returned to the country before the expiry of the visas, may focus on these areas.

vii) Strengthening of Risk Assessment Units and the system of Airport Liaison officers

Risk assessment units attached to the visa sections of the British High Commission and Deputy High Commissions in India, had been effective in profiling high risk categories of migrants and identifying forged documentation and other forms of visa abuse, thus providing effective support to the decision-making operations. It was found that they had been working in close liaison with the state governments for verification of suspect documents. Airport Liaison officers also had been closely working with the immigration authorities in India and training airline staff in forgery detection techniques. This has helped the immigration authorities and airlines operating in India to prevent irregular migration in many cases.

viii) Findings of the study good basis for collaboration and cooperation with the government

The findings of this study can establish a solid basis for collaboration and cooperation between the Governments of destination countries and the Government of India. It must be appreciated that the involvement of the government agencies at all levels is a must to control irregular migration.

ix) Awareness campaign in identified areas

It is necessary to launch targeted awareness campaigns in the identified areas. Such campaigns have to be broad-based involving the community leaders, administration at the village, district and state level, educational institutions, NGOs and the media and need to be sustained over a long period of time. Further, such campaigns can be enhanced with the strong partnership of the Government of India and the state governments. The impact of such campaigns should be evaluated from time to time and necessary changes made based on the basis of feed back. A part of such information campaigns should focus on the opportunities and correct avenues for legal migration. The British High Commission in New Delhi launched an awareness campaign in 2007 in some areas in Punjab, the result of which, as assessed by an independent evaluation agency, was found to be positive. During a field visit to Punjab some of the respondents indicated that films on the dangers of irregular immigration on television in the past, had been effective and people are now at least becoming aware about the dangers.

It is sometimes argued that when the desire of youths is so strong that they want to migrate by any means, such awareness campaigns may not have any impact. It is accepted universally that prevention of irregular migration at source is better than enforcement action in destination countries. Awareness campaigns should be seen as part of the strategy to discourage irregular migration at source. Awareness campaigns have to be creative. During the visit to the villages, it was noted that the mothers who have lost their sons are bitterly opposed to irregular migration. Some of them volunteered to take up the battle against irregular migration. Women's groups in villages can be created to raise awareness and discourage families to consent to such irregular migration.

UNODC ROSA, while conducting this study, had interacted at different levels with the community leaders, migrants and administrative authorities; and is mandated to provide technical expertise to member states in this area.

x) *Periodic Field Studies and Research*

Trends, patterns and the modus operandi of irregular migration change rapidly. It is therefore, necessary to conduct periodic field studies so that law enforcement authorities are able to work out their strategies based on the feed back of the latest studies. The present study which is based on the data of 2005, 2006 and 2007, needs to be followed up to see the changes in the trends and volume of irregular migration from Punjab and Haryana. Universities and other institutions may be encouraged to take up research into this important area. Fellowships may be provided to select research institutes.

xi) *A separate study on irregular migration through transit countries*

Mechanisms of irregular migration through some of the transit countries need to be studied separately. This is necessary to understand the scale of the operation. Moreover, such a study may also help to know more about the involvement of the international human smuggling networks. Further, it may help to understand how irregular migration from specific countries is facilitated by agents in transit countries.

xii) *Regional focus on irregular migration from South Asia*

In order to have an integrated view of irregular migration and also to work out prevention strategies, a regional perspective is considered to be more appropriate. It has been seen that the international networks always group together the migrants from the region. "Among the victims of the Malta boat tragedy of 1996 in which 272 youths lost their lives, 170 were from India, 71 from Sri Lanka and rest from Pakistan."<sup>86</sup> While studying the immigration-offence related records of irregular migration at the Delhi airport for the states of Punjab and Haryana, many cases of irregular migration of nationals of other countries were noticed. These included nationals from Sri Lanka, Bangladesh, Nepal, Nigeria and even China. It was particularly noted that Chinese nationals from Fujian province attempted irregular migration using forged South Korean passports to the UK. Regional dialogue in South Asia needs to be fostered resulting in common regional response strategy and increased cooperation to prevent and combat human smuggling.

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<sup>86</sup> Boat tragedy probe team to visit Pakistan, *The Indian Express*, New Delhi, 22 November 2000.

xiii) Voluntary return and re-integration of irregular migrants

In order to encourage voluntary return of irregular migrants, limited financial assistance to them could be considered.

xiv) Training of UK Border Agency officials handling cases of irregular migrants from India

Border Agency officials handling cases of irregular migrants from India should be sent for orientation training to India to better understand the geographical and cultural background, and the mindsets of the irregular migrants intercepted in their home countries.

## 8. Tables and Graphs

**Countries/places of deportation of migrants recorded at  
the international airport at Delhi**

Countries/places	Number of cases		
	2005	2006	2007
Germany	10	11	4
Delhi airport	101	104	68
Japan	3	3	3
Canada	19	13	3
UK	43	25	12
Dubai	18	8	2
Malaysia	3	7	12
Austria	2	3	2
Moscow	15	7	
Syria	1		
USA	13	11	4
Spain	1	2	3
Hong Kong	9	2	1
Belgium	1		1
France	17	6	8
New Zealand	3		1
Italy	18	6	3
Uzbekistan	2	1	
Greece	3		1
Norway	2		
Cyprus	4		
Ukraine	1		
Switzerland	1	3	3
South Korea	1		
Philippines	2	4	
Singapore	1	4	
Abu Dhabi	1		
Indonesia	1		1
Bosnia	5		
Bangkok	1	2	4
Ghana	2		
Nigeria	1	3	

Sweden	1		
Netherlands		5	
Mauritius		1	
Morocco		2	
Portugal		1	
Doha		2	2
Bahrain		1	2
South Africa		1	2
Finland		1	
Togo		3	
Poland			1
Senegal			3
China			1
Turkey			2
Tanzania			1
Jordan			1
Albania			5
Amritsar airport, Punjab			1
<b>Total</b>	<b>306</b>	<b>243</b>	<b>157</b>

**Destination countries/places when deported/prevented by the  
Immigration Authorities at Delhi**

Countries/places	Number of migrants		
	2005	2006	2007
Canada	3	23	6
Moscow	3	2	1
Italy	13	5	8
France	6	1	4
USA	2	3	5
UK	21	6	6
Greece	9	1	3
Germany		3	4
Austria	2	1	
Spain	8		2
Czech Republic	5		
Dubai	5	34	4
Hungary	3		
South Korea	1		1



Finland	1		
Hong Kong			3
Malaysia	1	3	3
Portugal		1	1
Thailand		2	1
Singapore		1	
Australia		1	
Kuwait		4	
Kazakhstan		2	
Syria	1		3
Cuba			1
Doha			1
Bahrain			1
Muscat			1
Poland			2
Netherlands			1
Libya			1
<b>Total</b>	<b>84</b>	<b>93</b>	<b>63</b>

**Countries/places of deportation of migrants recorded at  
the international airport at Amritsar in 2007**

Countries/places	Number of migrants
UK	22
Canada	4
USA	3
Italy	2
Spain	1
Greece	1
Sweden	1
Uzbekistan	2
Dubai	2
South Korea	1
<b>Total</b>	<b>39</b>

## All India deportation statistics for 2004, 2005 and 2006

Countries	Years			Countries	Years		
	2005	2006	2007		2005	2006	2007
Australia	24	15	19	Philippines	20	14	8
Belgium	7	13	9	Poland	7	7	15
Canada	89	109	127	Portugal	3	2	3
China	11	8	16	Qatar	16	24	57
France	104	77	99	Russia	143	89	104
Germany	65	73	64	Saudi Arabia	13	622	433
Greece	16	28	38	Senegal	0	1	2
Hong Kong	124	110	205	Singapore	323	388	287
Ireland	3	2	1	Slovakia	0	11	1
Japan	162	86	151	South Africa	38	31	105
Jordan	1	15	9	Spain	11	9	9
Kazakhstan	2	0	1	Sri Lanka	100	87	207
Kenya	29	56	44	Sudan	1	2	6
Korea South	161	229	315	Sweden	2	8	22
Kuwait	75	75	87	Switzerland	6	12	10
Lebanon	1	6	2	Syria	15	12	17
Libya	4	7	3	Thailand	1433	792	1325
Lithuania	2	0	0	Turkey	13	8	29
Malaysia	829	869	548	Turkmenistan	1	16	0
Maldives	12	20	23	UAE	466	827	1108
Malta	2	5	0	Uganda	4	0	8
Mauritius	20	22	15	USA	252	203	253
Morocco	10	32	2	UK	300	378	538
Netherlands	35	32	48	Ukraine	61	7	18
Norway	12	5	3	Uzbekistan	18	12	2
New Zealand	51	49	17	Yugoslavia	1	21	6
Nigeria	1	16	2	Zimbabwe	7	5	0
Oman	102	116	131				
<b>Total of all the countries</b>					<b>5424</b>	<b>7078</b>	<b>7261</b>

(Source: Law Enforcement authorities in Delhi)

## Immigration-offence related cases at Delhi airport for different years

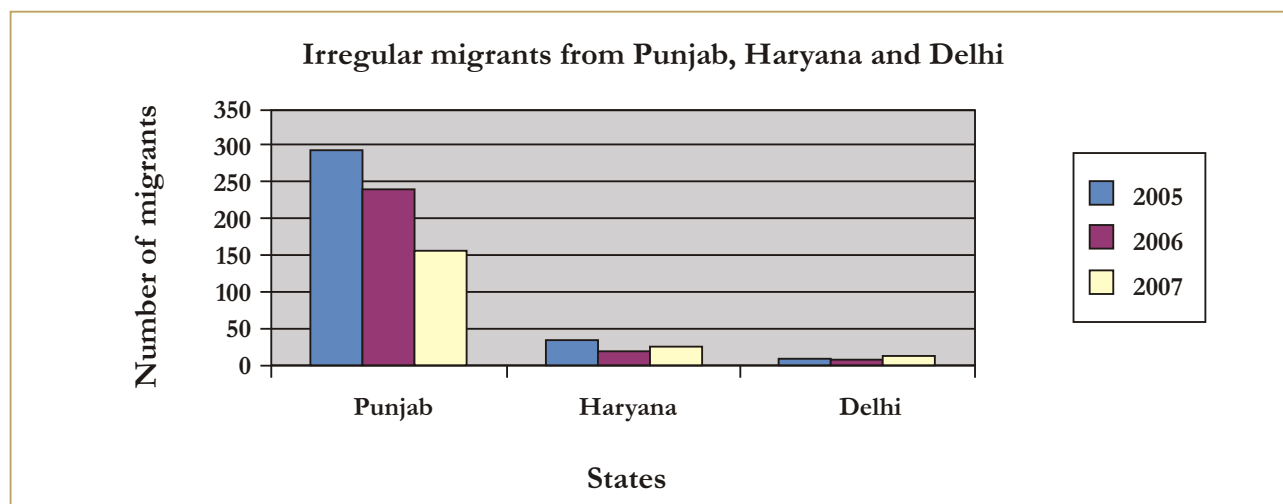
S. No.	Year	Total	Cases relating to Punjab and Haryana or Sikhs in other states	Percentage
1.	2001	500	N/A	
2.	2002	600	N/A	
3.	2003	504	N/A	
4.	2004	483	N/A	
5.	2005	628	340	54
6.	2006	638	276	43
7.	2007	450*	196	44

(Source: Law Enforcement authorities in Delhi. \*For 2007 up to November)

## States to which irregular migrants belong

States	Number of migrants		
	2005	2006	2007
Punjab	294	242	157
Haryana	34	18	24
Delhi	9	5	11
Union Territory of Chandigarh	2	4	2
Rajasthan		1	3
Himachal Pradesh		2	
Uttar Pradesh		3	
Uttaranchal		1	
<b>Total</b>	<b>339</b>	<b>276</b>	<b>196</b>

## Irregular migrants from Punjab, Haryana and Delhi



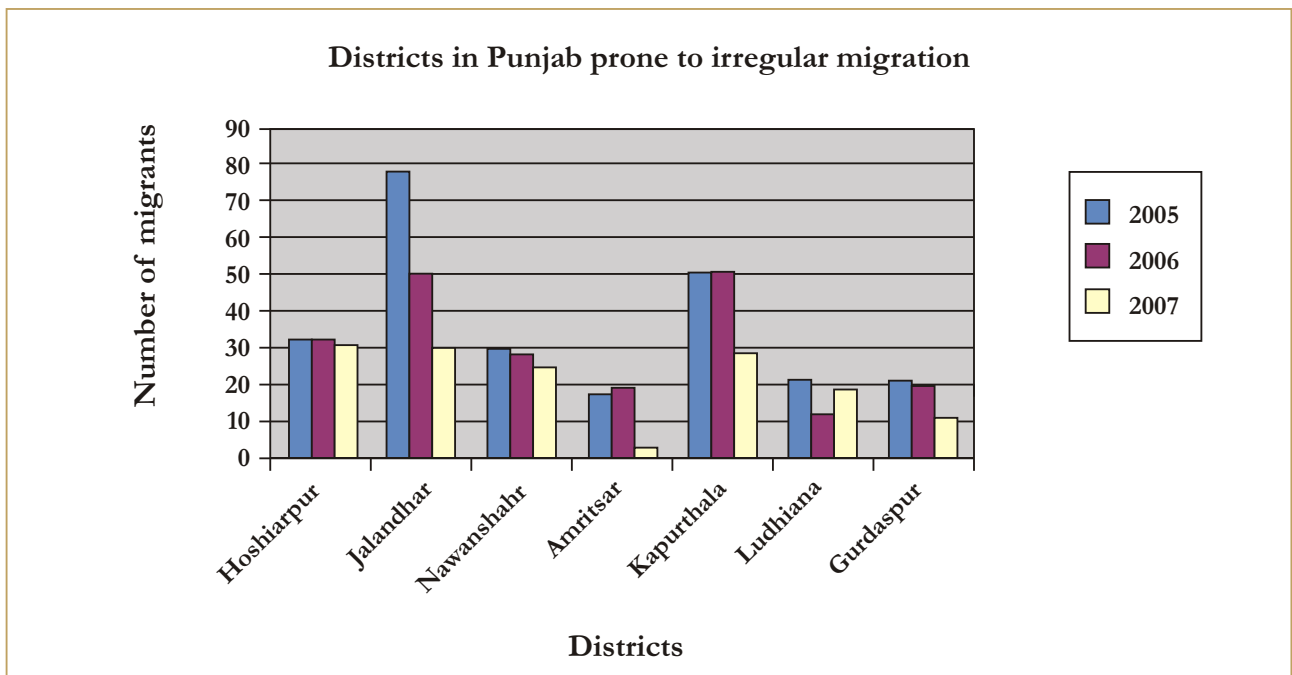
## Irregular migrants from different districts of Punjab

TABLE 7

Districts	Number of migrants		
	2005	2006	2007
Ropar	12	11	1
Hoshiarpur	33	33	31
Jalandhar	77	50	29
Nawanshahr	29	19	17
Amritsar	17	19	4
Kapurthala	51	51	27
Sangrur	6		2
Fatehgarh Sahib	9	6	3
Gurdaspur	21	20	11
Patiala	8	8	5
Ludhiana	21	13	18
Moga	4	7	3
Faridkot	3	1	
Bhatinda	2	1	
Firozpur	1	3	1
Tarn Taran			3
<b>Total</b>	<b>294</b>	<b>242</b>	<b>155</b>

## Districts in Punjab prone to irregular migration

GRAPH 2



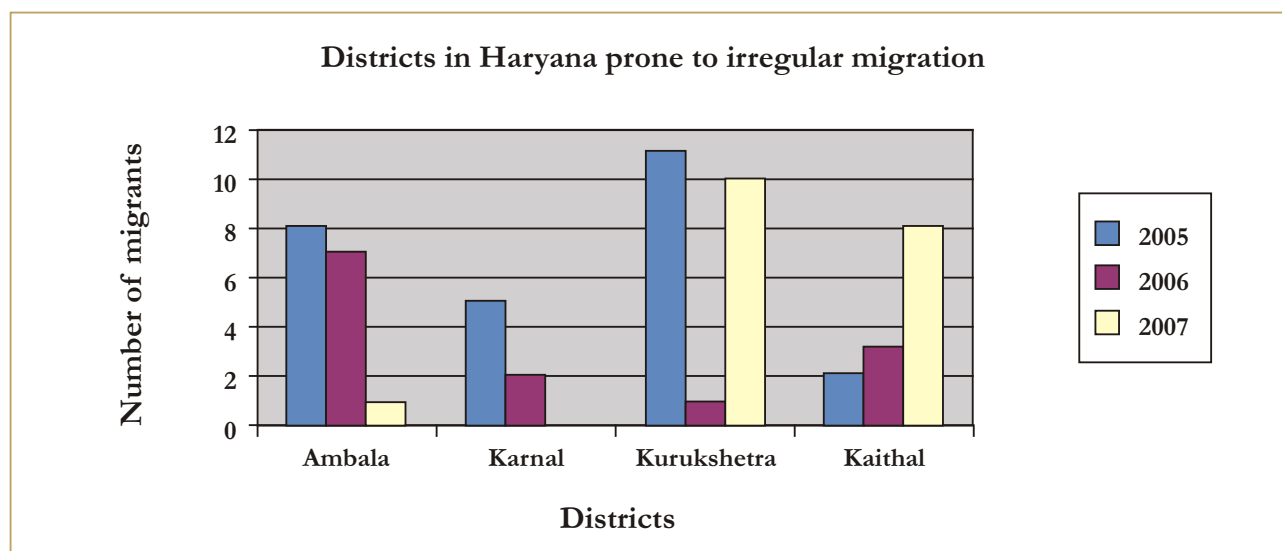
## Irregular migrants from different districts of Haryana

TABLE 8

Districts	Number of migrants		
	2005	2006	2007
Ambala	8	7	1
Karnal	5	2	
Kurukshetra	11	1	10
Kaithal	2	3	8
Yamuna Nagar	3		
Faridabad	2		1
Panchkula	1		
Sirsa	1		
Fatehbad	1	1	2
Jind		3	
Panipat		1	
Sonepat			1
Gurgaon			1
<b>Total</b>	<b>34</b>	<b>18</b>	<b>24</b>

## Districts in Haryana prone to irregular migration

GRAPH 3

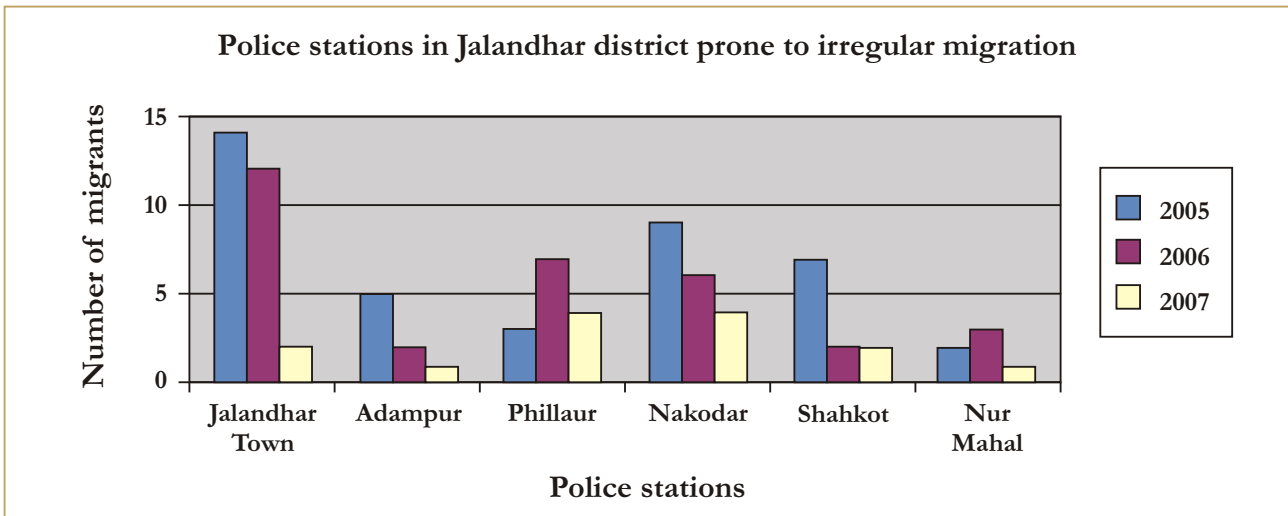


### Irregular migrants recorded at different police stations in Jalandhar district

Police stations	Number of migrants		
	2005	2006	2007
Jalandhar Town	14	12	2
Kartarpur		1	1
Bhogpur	1	1	1
Adampur	5	2	1
Phillaur	3	7	4
Nakodar	9	6	4
Shahkot	7	2	2
Nur Mahal	2	3	1
Goraya		1	2
Bilga			1
<b>Total</b>	<b>41</b>	<b>35</b>	<b>19</b>

TABLE 9

### Police stations in Jalandhar district prone to irregular migration



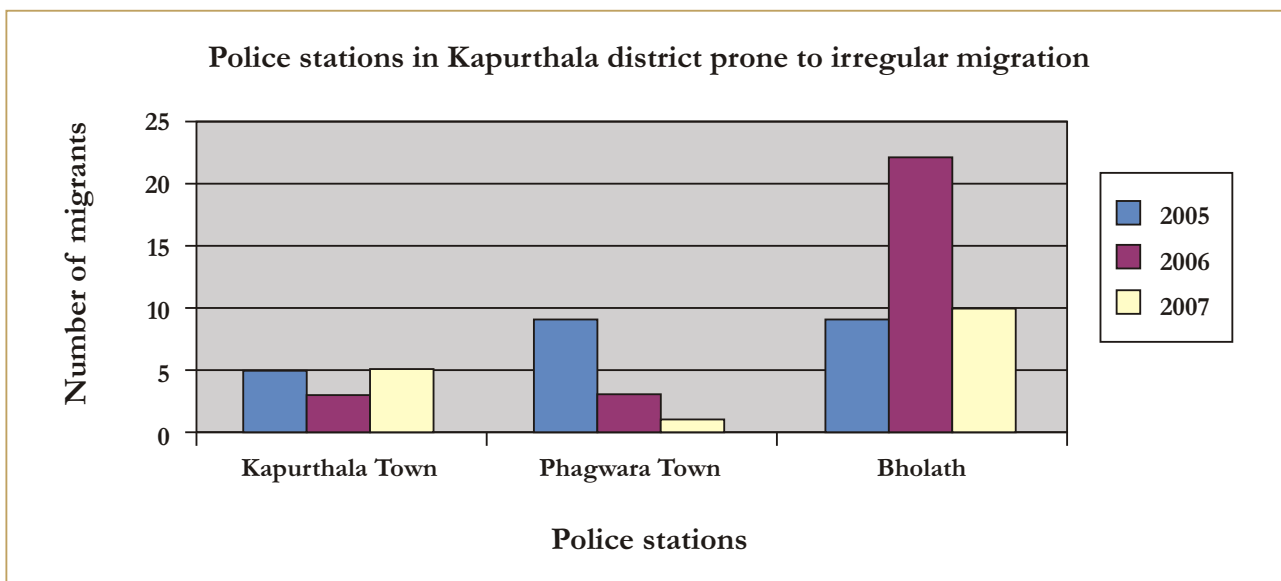
GRAPH 4

### Irregular migrants recorded at different police stations in Kapurthala district

Police stations	Number of migrants		
	2005	2006	2007
Kapurthala Town	5	3	5
Phagwara Town	9	3	1
Bholath	9	22	10
Mukerian			1
Begowal			4
<b>Total</b>	<b>23</b>	<b>28</b>	<b>21</b>

TABLE 10

## Police stations in Kapurthala district prone to irregular migration



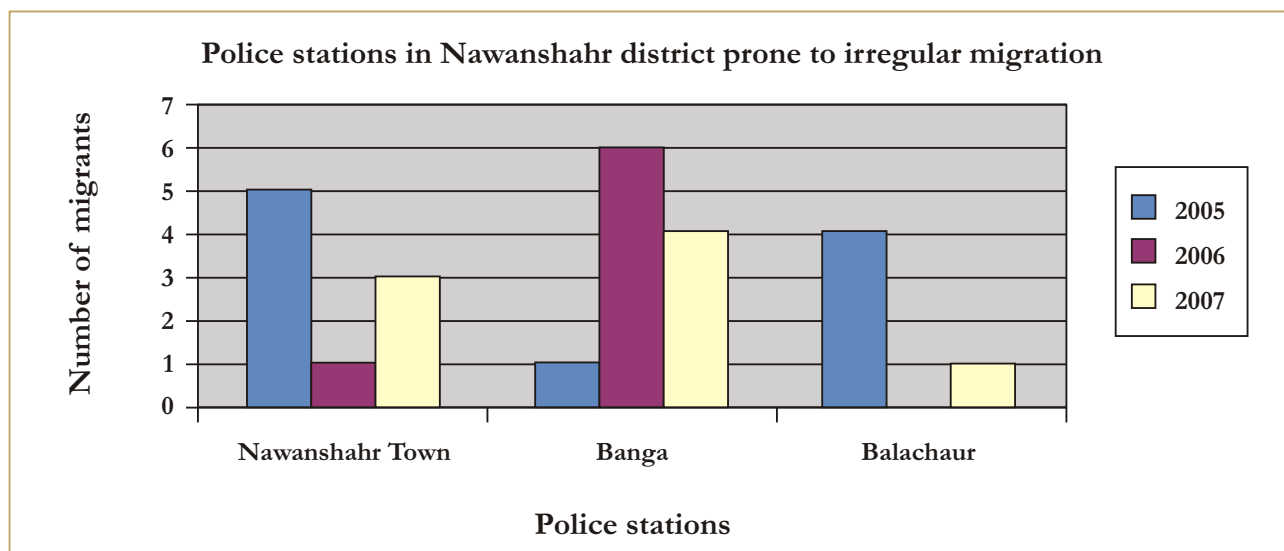
GRAPH 5

## Irregular migrants recorded at different police stations in Nawanshahr district

Police stations	Number of migrants		
	2005	2006	2007
Nawanshahr Town	5	1	3
Banga	1	6	4
Balachaur	4		1
Rahon		2	1
Behram		2	3
<b>Total</b>	<b>10</b>	<b>11</b>	<b>12</b>

TABLE 11

## Police stations in Nawanshahr district prone to irregular migration



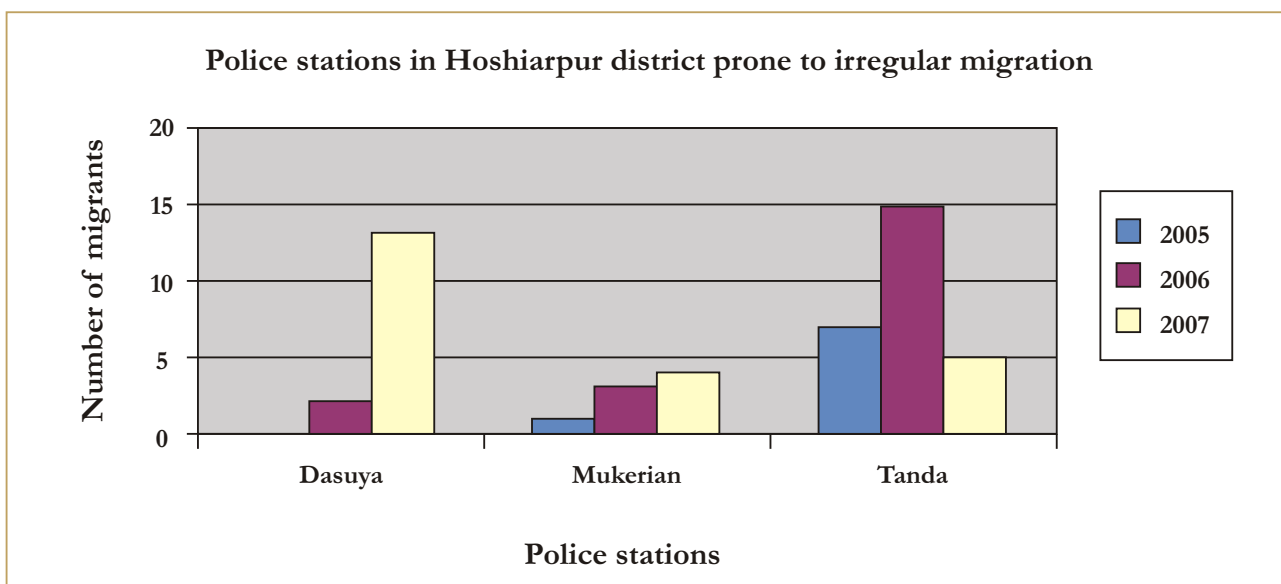
GRAPH 6

## Irregular migrants recorded at different police stations in Hoshiarpur district

Police stations	Number of migrants		
	2005	2006	2007
Hoshiarpur Town	2	1	3
Dasuya		2	13
Mukerian	1	3	4
Tanda	7	15	5
Balachour	1		
Garhshankar		5	1
Mahilpur		2	2
Hariana	1	1	1
<b>Total</b>	<b>12</b>	<b>29</b>	<b>29</b>

TABLE 12

## Police stations in Hoshiarpur district prone to irregular migration



GRAPH 7

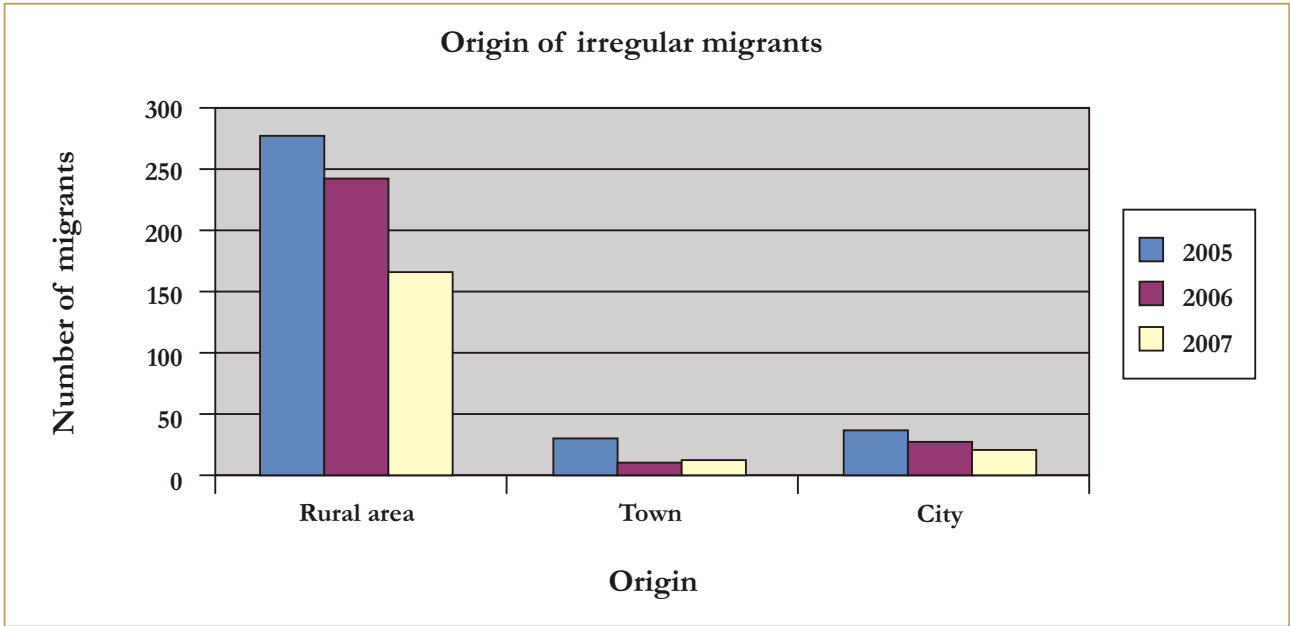
## Origin of irregular migrants

Origin	Number of migrants		
	2005	2006	2007
Rural area	273	239	164
Town	29	9	12
City	35	26	18
<b>Total</b>	<b>337</b>	<b>274</b>	<b>194</b>

TABLE 13



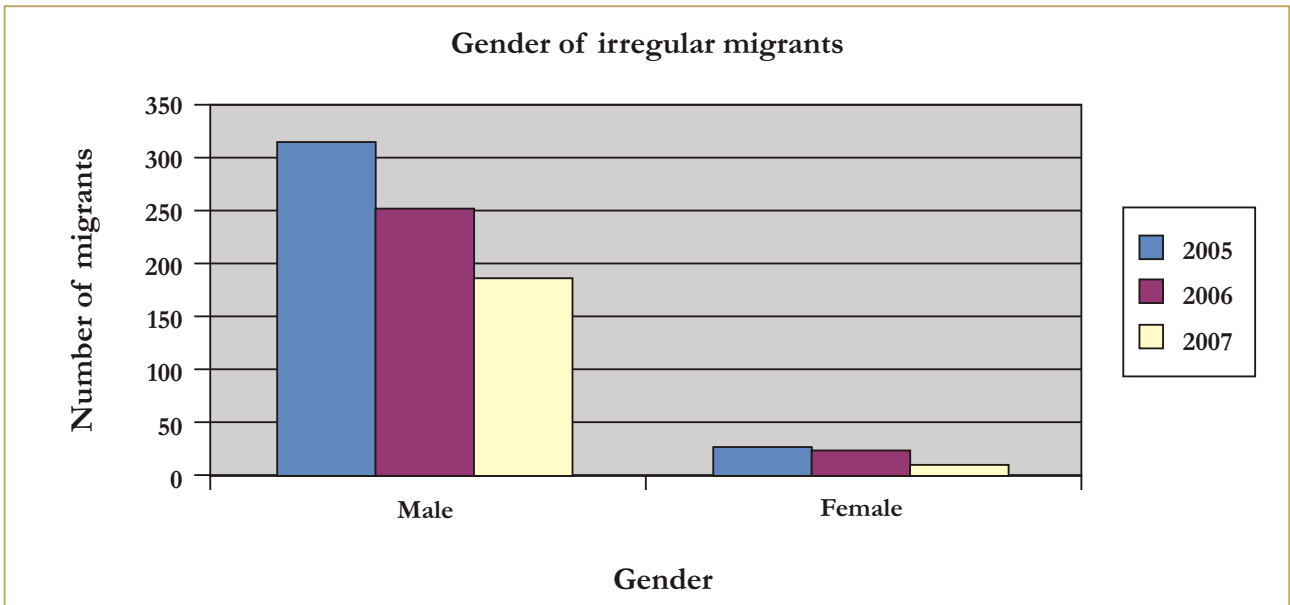
### Origin of irregular migrants



### Gender of irregular migrants

Gender	Number of migrants		
	2005	2006	2007
Male	314	252	186
Female	26	24	10
<b>Total</b>	<b>340</b>	<b>276</b>	<b>196</b>

### Gender of irregular migrants

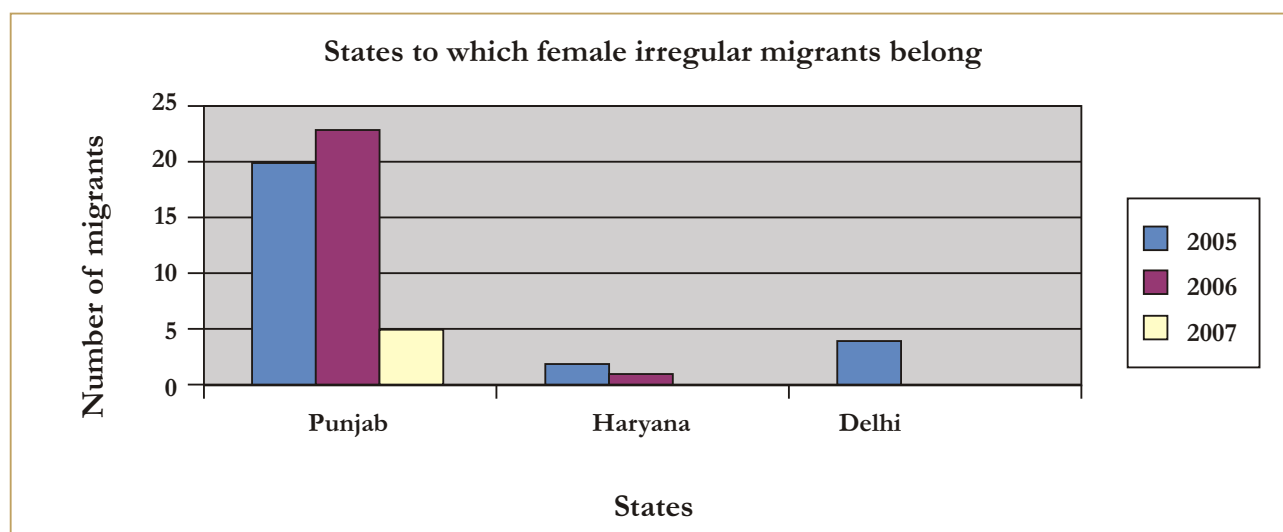


### States to which female irregular migrants belong

States	Number of migrants		
	2005	2006	2007
Punjab	20	23	5
Haryana	2	1	
Delhi	4		
<b>Total</b>	<b>26</b>	<b>24</b>	<b>5</b>

TABLE 15

### States to which female irregular migrants belong



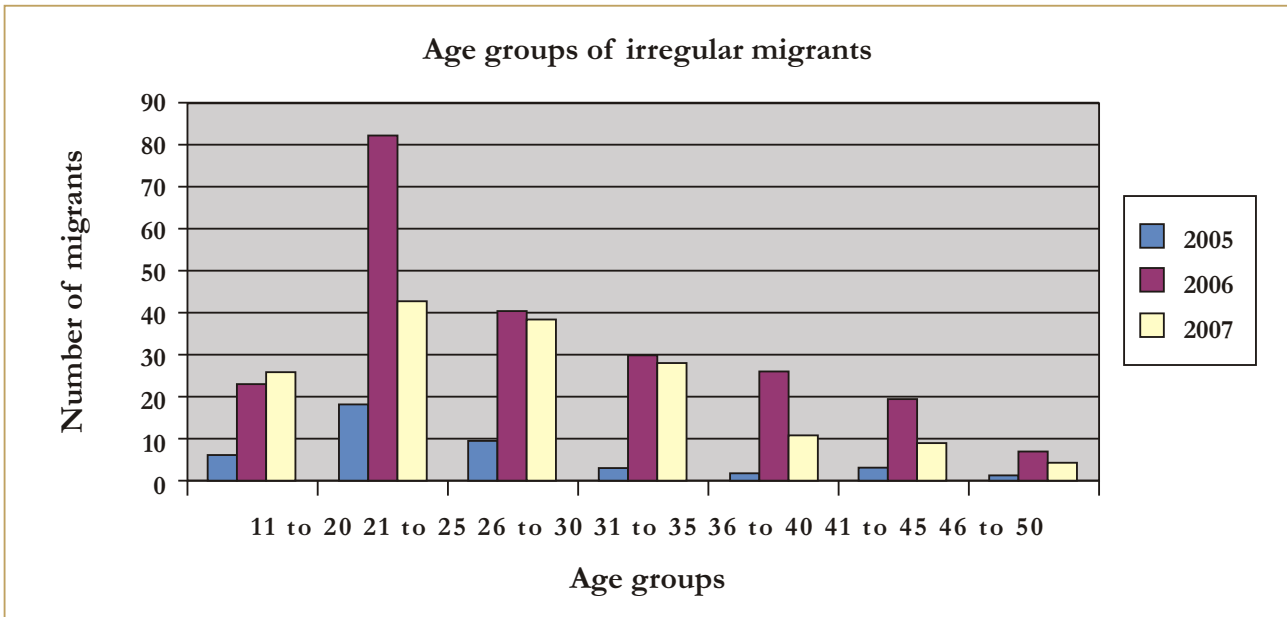
GRAPH 10

### Age groups of irregular migrants

Age group	Number of migrants		
	2005	2006	2007
Child below 10	1		
11 to 20	6	23	26
21 to 25	18	83	43
26 to 30	10	41	39
31 to 35	3	30	28
36 to 40	2	26	11
41 to 45	3	19	9
46 to 50	1	7	4
51 to 55		2	1
56 to 60	1	2	1
60 to 70		2	1
Above 70	1		
<b>Total</b>	<b>46</b>	<b>235</b>	<b>163</b>

TABLE 16

### Age groups of irregular migrants



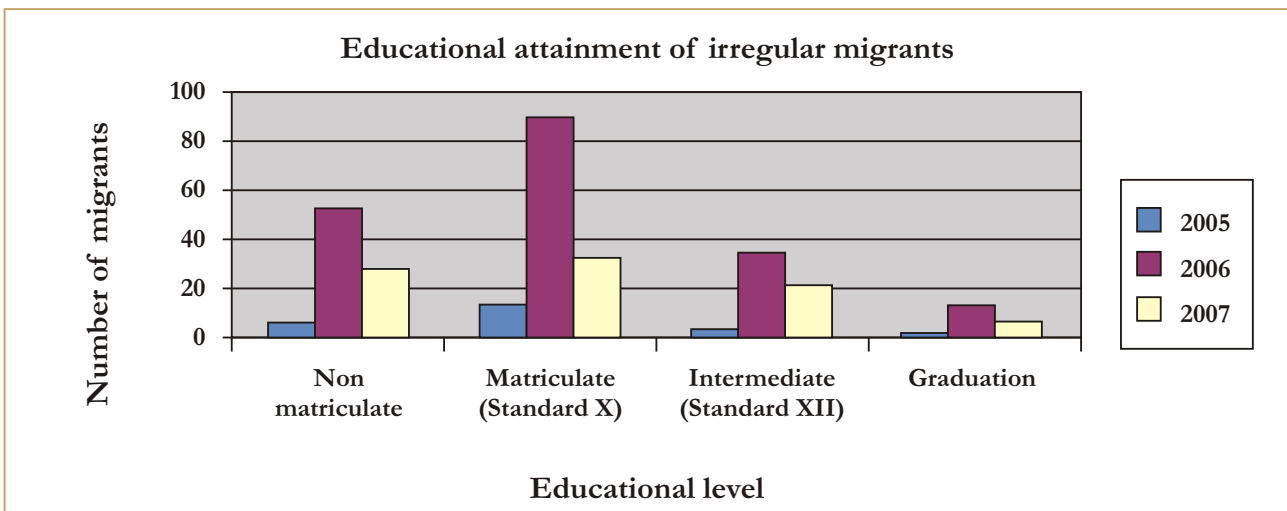
GRAPH 11

### Educational attainment of irregular migrants

Educational level	Number of migrants		
	2005	2006	2007
Non matriculate	6	53	28
Matriculate (Standard X)	14	90	33
Intermediate (Standard XII)	4	35	21
Graduation	2	14	7
Post graduation		2	
<b>Total</b>	<b>26</b>	<b>194</b>	<b>89</b>

TABLE 17

### Educational attainment of irregular migrants



GRAPH 12

### Caste of irregular migrants

Educational level	Number of migrants		
	2005	2006	2007
Sikh Saini	2	5	
Hindu Dalit	4	1	4
Sikh Jat	18	70	22
Sikh Lubana	2	27	17
Hindu	2	10	6
Sikh Dhinsa		1	
Sikh Dalit		13	3
Christian		3	
Sikh Kamboj		4	1
Sikh Dogra			1
<b>Total</b>	<b>28</b>	<b>134</b>	<b>54</b>

TABLE 18

### Destination countries/places of irregular migrants as per police cases registered against agents in the districts of Jalandhar, Kapurthala, Nawanshahr and Hoshiarpur in Punjab, 2007

Countries/places	Number of migrants in the districts of Jalandhar, Kapurthala, Nawanshahr and Hoshiarpur
UK	20
Any country in Europe	17
Canada	7
Italy	24
Spain	2
Germany	4
France	2
Belgium	1
Greece	4
Australia	3
New Zealand	4
Netherlands	1
Hong Kong	1
Cyprus	2
Lebanon	2
Israel	1
Kuwait	2
Dubai	2

TABLE 19

Muscat	1
Any country in Middle East	1
South Korea	2
<b>Total</b>	<b>103</b>

### Transit countries/places from where irregular migrants were deported

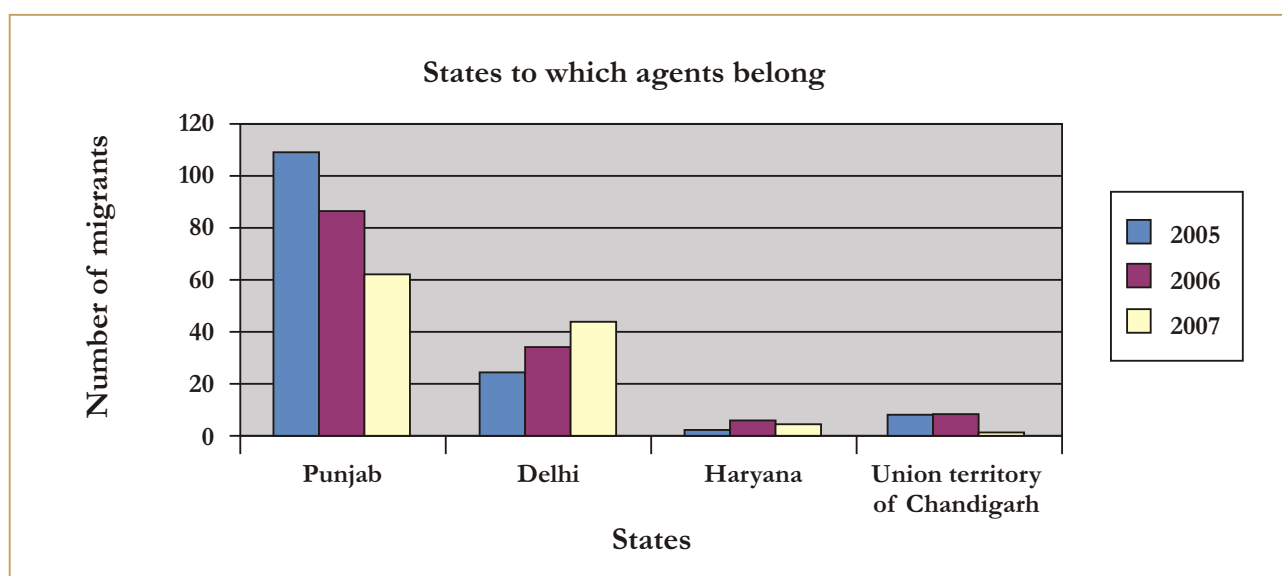
Countries/places	Number of migrants		
	2005	2006	2007
Dubai	1	3	1
Malaysia		2	3
Moscow	11	5	
Syria	1		
Hong Kong	6		
France	2	1	
Italy	1	1	1
Norway	2		
Uzbekistan	2	1	
Cyprus	4		
South Korea	1		
Bosnia	5		
Abu Dhabi	1		
Singapore		1	
Indonesia			1
Bangkok	1	1	4
Ghana	1		
Nigeria	1	3	
Morocco		2	
Doha		2	2
Togo		3	
Bahrain			2
Senegal			3
China			1
Turkey			2
Tanzania			1
Jordan			1
Albania			5
<b>Total</b>	<b>41</b>	<b>28</b>	<b>27</b>

### States to which agents belong

State	Number of agents		
	2005	2006	2007
Punjab	111	88	63
Delhi	25	35	45
Haryana	2	6	5
Union territory of Chandigarh	8	8	1
Jammu & Kashmir			2
<b>Total</b>	<b>146</b>	<b>137</b>	<b>116</b>

TABLE 21

### States to which agents belong



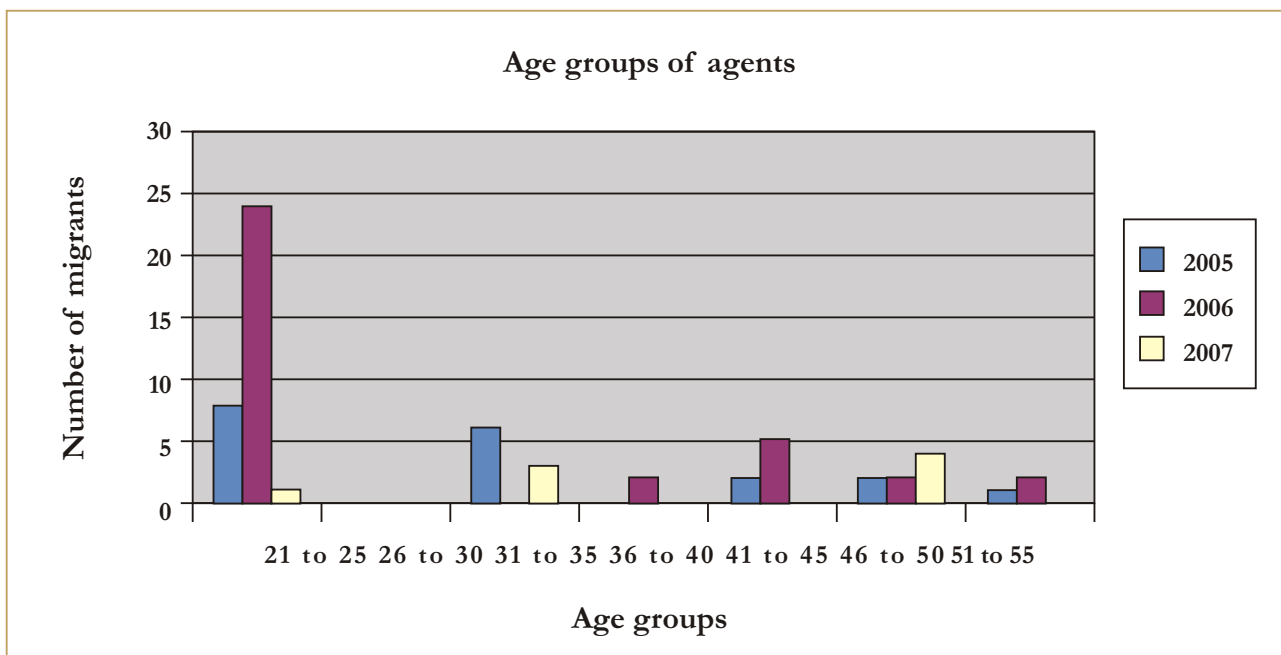
GRAPH 13

### Age groups of agents

Age groups	Number of agents		
	2005	2006	2007
21 to 25	8	24	1
26 to 30			
31 to 35	6		3
36 to 40		2	
41 to 45	2	5	
46 to 50	2	2	4
51 to 55	1	2	
56 to 60		1	
<b>Total</b>	<b>19</b>	<b>36</b>	<b>8</b>

TABLE 22

### Age groups of agents



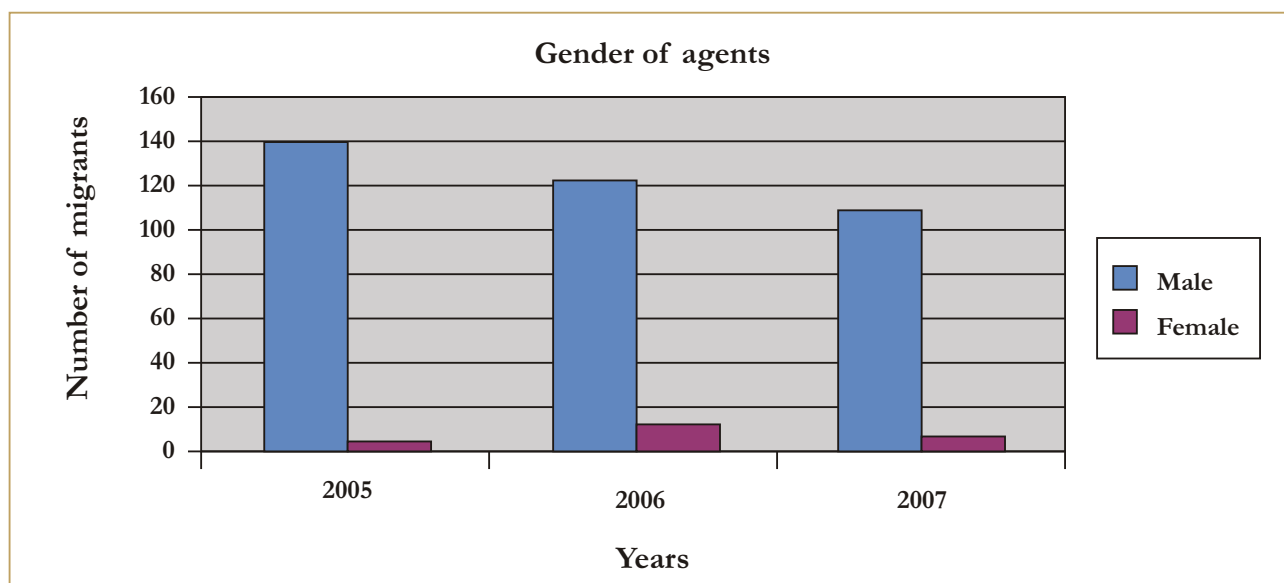
GRAPH 14

### Gender of agents

Gender	Number of agents		
	2005	2006	2007
Male	142	124	110
Female	4	13	6
<b>Total</b>	<b>146</b>	<b>137</b>	<b>116</b>

TABLE 23

### Gender of agents



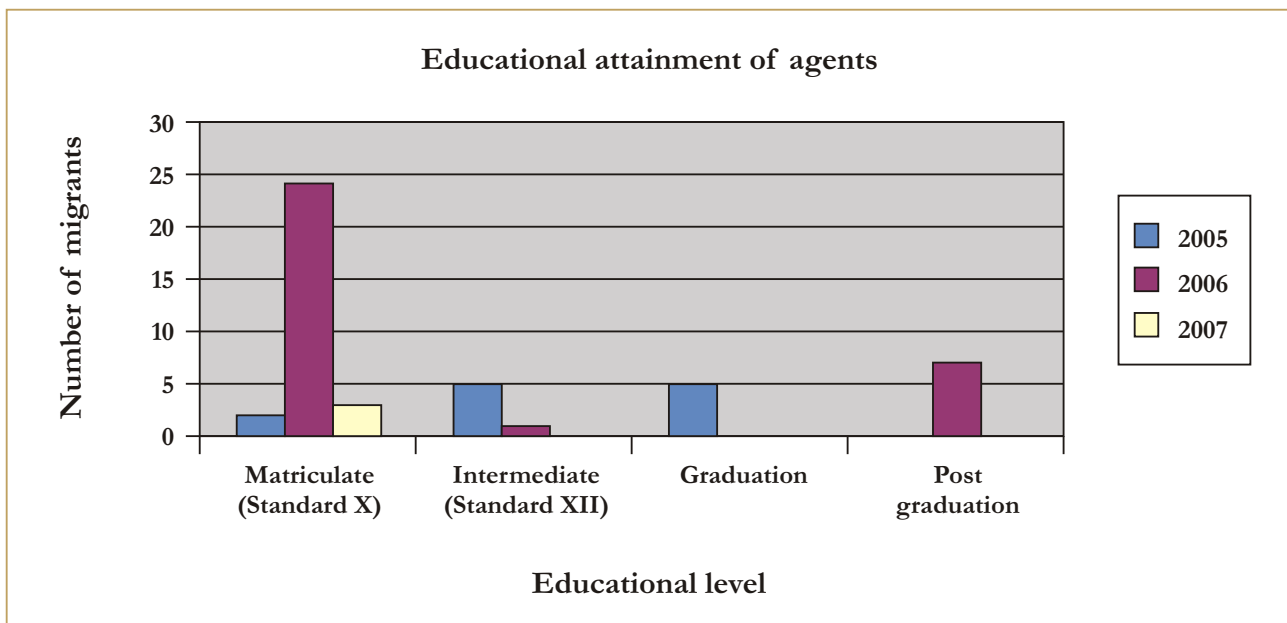
GRAPH 15

### Educational attainment of agents

Educational level	Number of agents		
	2005	2006	2007
Matriculate (Standard X)	2	24	3
Intermediate (Standard XII)	5	1	
Graduation	3		
Post graduation		7	
<b>Total</b>	<b>10</b>	<b>32</b>	<b>3</b>

TABLE 24

### Educational attainment of agents



GRAPH 16

### Districts in Punjab to which agents belong

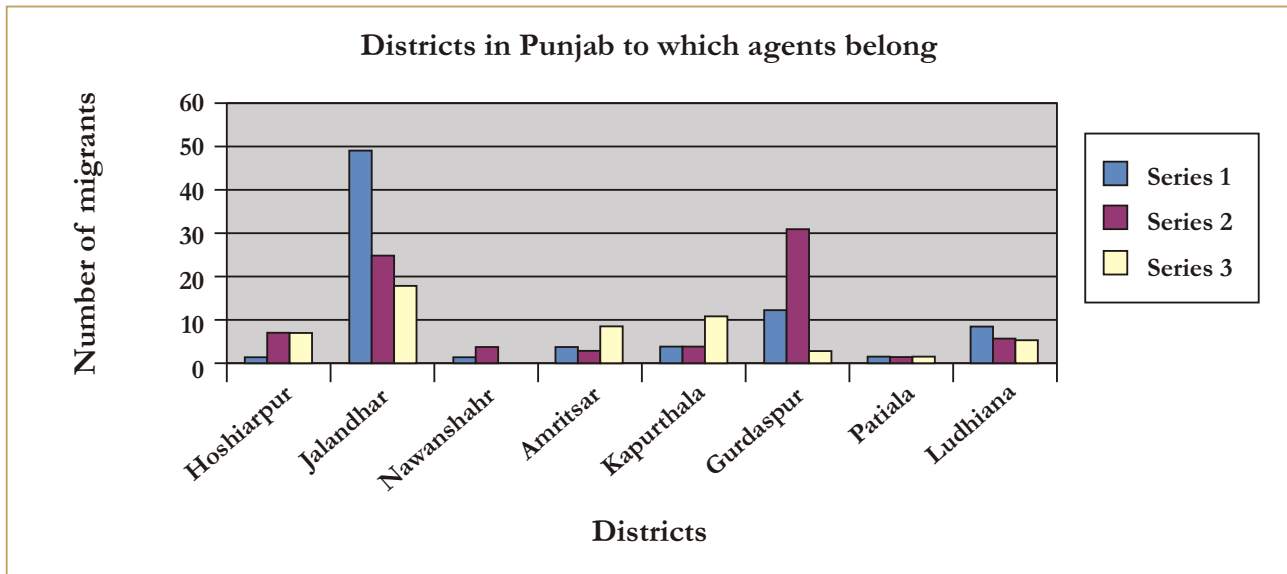
Districts	Number of agents		
	2005	2006	2007
Ropar	1		
Hoshiarpur	2	7	7
Jalandhar	49	25	18
Nawanshahr	2	4	
Amritsar	4	3	9
Kapurthala	4	4	11
Sangrur	2		
Fatehgarh Sahib	2	2	
Gurdaspur	12	31	3

TABLE 25



Patiala	2	2	2
Ludhiana	9	6	5
Moga	1	1	
Faridkot		3	
Firozpur			1
<b>Total</b>	<b>90</b>	<b>88</b>	<b>56</b>

**Districts in Punjab to which agents belong**



GRAPH 17

**Districts in Haryana to which agents belong**

Districts	Number of agents		
	2005	2006	2007
Ambala	1	1	1
Yamuna Nagar	1		
Nazafgarh		1	
Kaithal		2	
Kurukshetra		1	4
Sirsa			1
<b>Total</b>	<b>2</b>	<b>5</b>	<b>6</b>

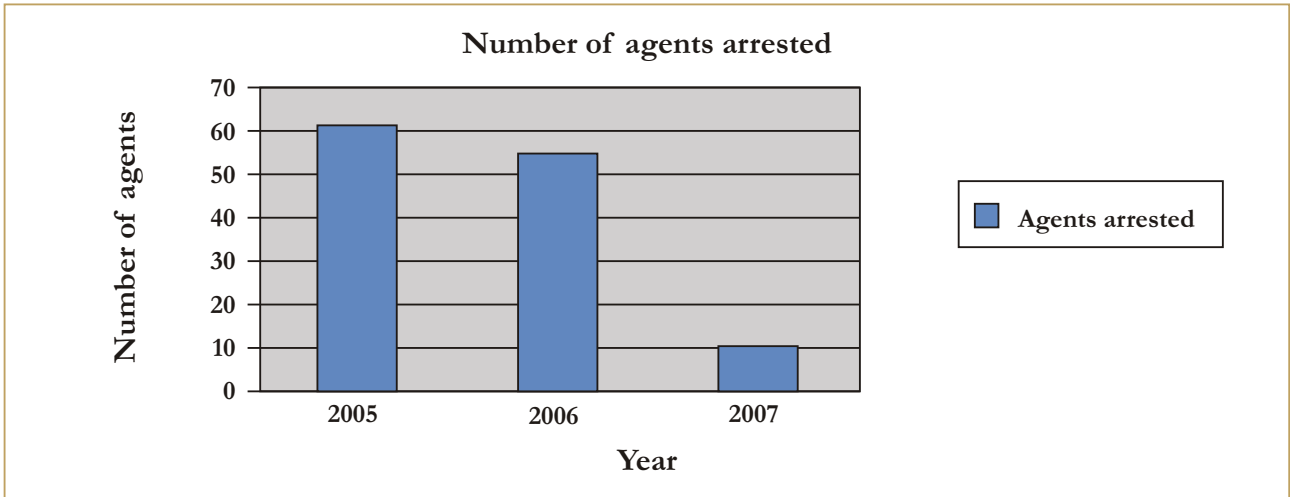
TABLE 26

### Number of agents arrested

Districts	Number of agents		
	2005	2006	2007
Arrested	61	55	10
<b>Total</b>	<b>61</b>	<b>55</b>	<b>10</b>

TABLE 27

### Number of agents arrested



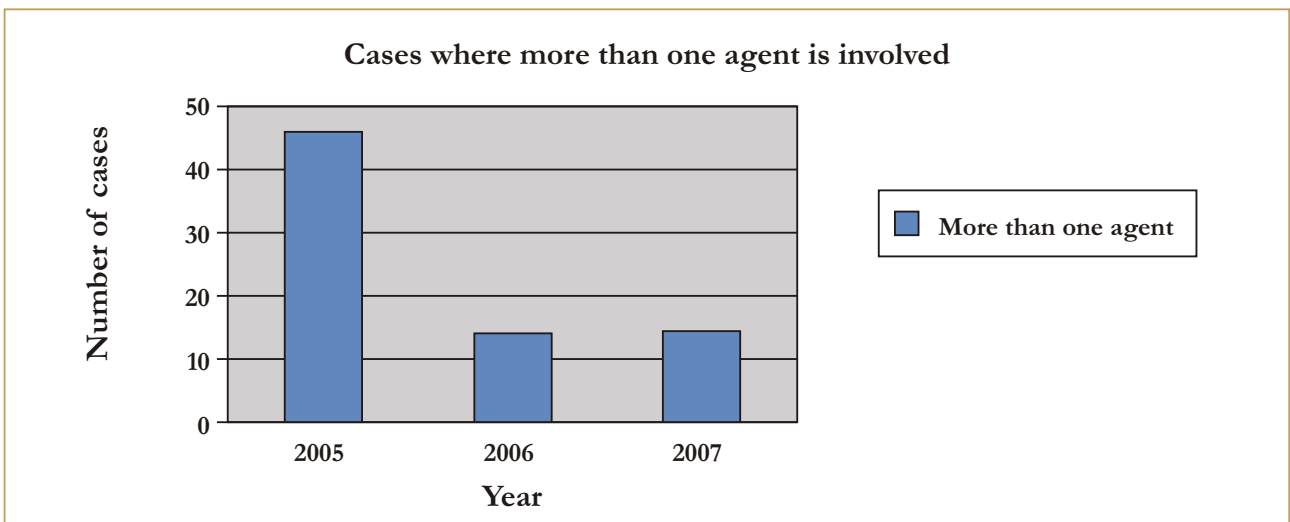
GRAPH 18

### Cases where more than one agent is involved

Districts	Number of agents		
	2005	2006	2007
More than one agent	46	14	14
<b>Total</b>	<b>46</b>	<b>14</b>	<b>14</b>

TABLE 28

### Cases where more than one agent is involved



GRAPH 19

### States to which the second agent belongs

States	Number of agents		
	2005	2006	2007
Punjab	27	6	6
Delhi	8	5	6
Haryana	3		1
<b>Total</b>	<b>38</b>	<b>11</b>	<b>13</b>

TABLE 29

### States to which the third agent belongs

Districts	Number of agents		
	2005	2006	2007
Delhi	21	4	1
<b>Total</b>	<b>21</b>	<b>4</b>	<b>1</b>

TABLE 30

### Cases where carrier-agents accompanied the irregular migrant

Districts	Number of agents		
	2005	2006	2007
Accompanied the migrant	7	16	18
<b>Total</b>	<b>7</b>	<b>16</b>	<b>18</b>

TABLE 31

### Other countries/ places outside India where migrants contacted agents

Countries / places	Number of cases		
	2005	2006	2007
Portugal	2		1
Malaysia	5	7	6
Bangkok	11	4	3
China	3		1
UK	12	6	3
Greece	2	2	1
Italy	1		
Canada	1		
Hong Kong	3		
Kenya	1		

TABLE 32

Sri Lanka	1		
Dubai	1	1	
Netherlands		1	
France		1	
Nigeria		1	
Moscow		2	1
Nepal	1		
Philippines	1		
Ethiopia			1
Spain			1
Cambodia			1
Iran			2
Tanzania			1
<b>Total</b>	<b>45</b>	<b>25</b>	<b>22</b>

### Nationalities of agents in other countries

Countries	Number of agents		
	2005	2006	2007
Pakistan	10	4	3
Malaysia	2	3	2
India	26	15	13
Thailand	1		1
UK	1	2	
Portugal	1		
Sri Lanka	1		
Nigeria		1	
Portugal			1
Iran			2
<b>Total</b>	<b>42</b>	<b>25</b>	<b>22</b>

## Types of irregularities

Irregularities	Number of cases		
	2005	2006	2007
Jacket substitution	59	26	9
Over stay of tourist visa	5	1	5
Photo substituted passport	21	12	12
Forged visa	114	63	64
Illegal stay	74	54	22
Not convinced about purpose of visit	1	1	1
Passport tampered/re-stitched	8	5	8
UK Home Office Stamp forged	14	10	1
Forged foreign passport	7	5	7
Stolen Schengen visa	3	7	2
Forged employment visa	2	4	11
Forged Indian passport	2	1	
Entered illegally	3	4	9
Forged discharge certificate of ship	1	7	
Forged residence permit	5	10	8
Forged Emergency certificate for return	1		
Forged arrival and departure stamp	2	5	2
Agent exchanged boarding pass in security area	1		2
Overstay of tourist visa & then forged residence permit	2		2
Destroyed passport & sought asylum as advised by agent	9		2
No arrival or departure stamp in passport	4	14	7
Illegally entered and sought asylum			1
POE* stamp forged		37	5
Sought departure in own passport to transit country, also had a forged foreign passport		2	
Impersonation		2	4
Used passport & residence card of a dead person		1	1
Emergency certificate in the name of a different person		1	
Indian citizen arrived in transit on a Nepali passport for departure		1	
Used foreign passport of a person of Indian origin		2	
Removed cancelled UK visa, had a valid French visa		1	
Indian citizen departing on Nepali passport			1
Arrival & departure stamp of Nepal forged			1
Overstay of tourist visa & managed forged work visa			1
Afghan national used Indian passport	1		1

Forged visa & work permit			4
Photo substitution in official passport of defense personnel			3
Illegally entered and sought asylum	1		
<b>Total</b>	<b>340</b>	<b>276</b>	<b>196</b>

\* POE stands for Protectorate of Emigrants

### Countries visa of which had been forged

Countries	Number of cases		
	2005	2006	2007
Italy	12	6	5
Canada	2	14	10
Malaysia	19	9	12
Czech Republic	8		
USA	5	3	1
Greece	14	10	3
France	10	3	11
Norway	3		
UK	5	6	5
Spain	8	2	3
Austria	4	4	
Cyprus	4		
Hungary	3	1	1
China	3		
Indonesia	1		
Bosnia	5		
Philippines	2	3	2
Egypt	1		
China (Hong Kong)	1		
Honduras	1		
South Korea	1	1	1
German	3	2	1
Uzbekistan	1		
Finland	1		
Russia	1		
Singapore		1	
Lithuania		1	1
Sweden		1	
Bahrain		1	

UAE		2	1
South Africa		1	1
Poland			7
Madagascar			1
Romania			2
Australia			1
Guyana			3
Syria			1
Panama			1
Turkey			2
Cambodia			1
Belgium			1
<b>Total</b>	<b>118</b>	<b>71</b>	<b>78</b>

### Countries passport of which had been forged

Countries	Number of cases		
	2005	2006	2007
Portugal	1		
UK	4	3	1
Australia	1		
Canada		1	
Belgium			2
Austrian			1
USA			1
<b>Total</b>	<b>6</b>	<b>4</b>	<b>5</b>

### Countries resident permit of which had been forged

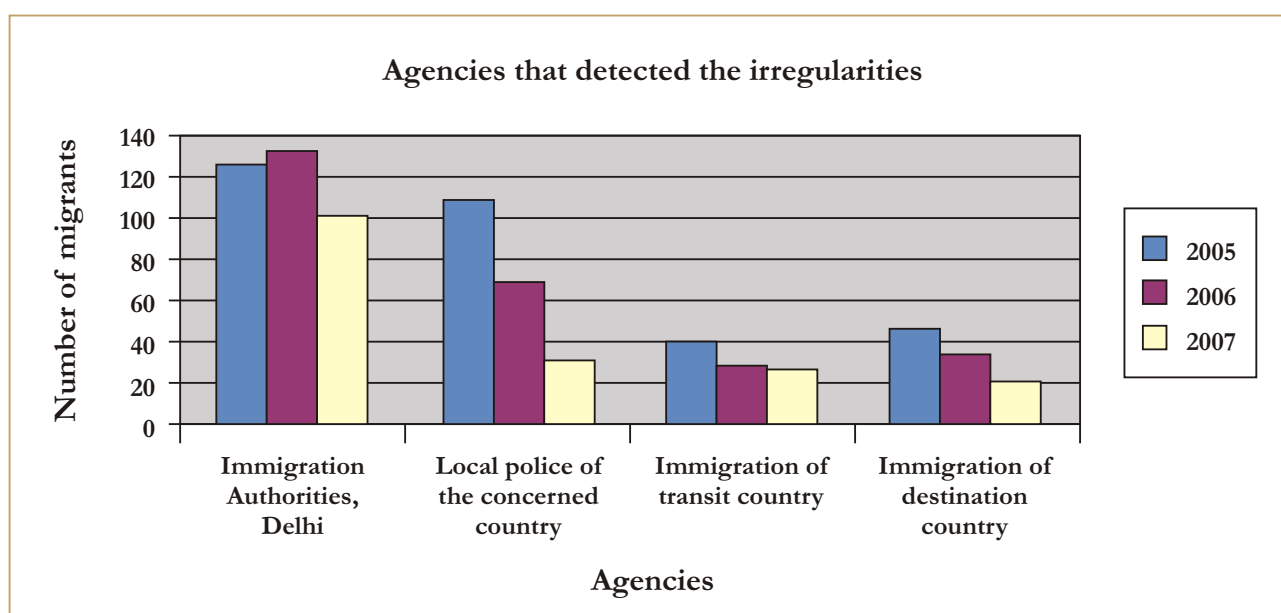
Countries	Number of cases		
	2005	2006	2007
Portugal	1	2	1
Spain	1	2	1
Italy	1	2	1
Germany	1		
Greece	1		
Philippines		1	1
Netherlands		2	1
South Africa			1
<b>Total</b>	<b>5</b>	<b>9</b>	<b>6</b>

### Agencies that detected the irregularities

Agencies	Number of cases		
	2005	2006	2007
Immigration Authorities, Delhi	125	132	102
Local police of transit/destination countries	108	69	32
Immigration of transit countries	41	28	27
Immigration of destination countries	47	34	22
Airlines staff/security			1
<b>Total</b>	<b>322</b>	<b>263</b>	<b>184</b>

TABLE 38

### Agencies that detected the irregularities



GRAPH 20

### Destination countries/places in cases detected by immigration authorities in Delhi

Countries	Number of migrants		
	2005	2006	2007
Canada	3	23	6
Moscow	3	2	1
Italy	13	5	8
France	6	1	4
USA	2	3	5
UK	21	6	6
Greece	9	1	3

TABLE 39



Germany		3	4
Spain	8		2
Austria	2	1	
Czech Republic	5		
Dubai	5	34	4
Hungary	3		
South Korea	1		1
Finland	1		
Hong Kong			3
Malaysia	1	3	3
Portugal		1	1
Thailand		2	1
Singapore		1	
Australia		1	
Kuwait		4	
Kazakhstan		2	
Syria	1		3
Cuba			1
Doha			1
Bahrain			1
Muscat			1
Poland			2
Netherlands			1
Libya			1
<b>Total</b>	<b>84</b>	<b>93</b>	<b>63</b>

### Irregularities noted in deportation cases from the UK

Irregularities	Number of migrants		
	2005	2006	2007
Jacket substituted passport	4	2	
Photo substituted passport	2	2	4
Forged visa	3	1	
Over stay of tourist visa	2		2
Illegal stay	23	11	4
Not convinced about the purpose of visit		1	
Home Office stamp forged	7	7	
Forged foreign passport		1	1
Afghan used Indian passport			1
Overstay of tourist visa & then forged residence permit	2		
<b>Total</b>	<b>43</b>	<b>25</b>	<b>12</b>

**Removals, voluntary departures, assisted returns of  
Indian asylum applicants from the UK**

Year	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006
Number of migrants	825	870			430	345	335	415	470	575

(Source: Home Office Statistical Bulletin, Asylum Statistics, UK 2006, 3 rd edition )

**Countries / places migrants arrived from, of their own but  
irregularities noted in their travel document**

Countries/places	Number of migrants		
	2005	2006	2007
Malaysia	12	5	14
Canada	3	2	
UK	4	3	4
New Zealand	1		
Thailand	4	3	2
Dubai	3	1	2
Spain	1	1	
Belgium	1		
USA	3	7	5
Moscow		1	
Philippines		1	1
Australia		1	
South Korea		1	
Germany		1	
Portugal		3	
Mauritius		1	
Bahrain			1
Netherlands			1
Colombo			4
Austria			1
South Africa			1
Italy			1
<b>Total</b>	<b>32</b>	<b>31</b>	<b>37</b>

TABLE 41

TABLE 42

### Periods of irregular stay in other countries

Number of years	Number of migrants		
	2005	2006	2007
1	4	2	2
2	7	7	3
3	19	11	1
4	20	8	10
5	22	16	3
6	15	13	3
7	6	3	5
8	2	10	2
9	3		3
10	5	3	2
11	2	1	1
12	2	7	1
14	1	1	
16		1	
19		1	
<b>Total</b>	<b>109</b>	<b>84</b>	<b>36</b>

TABLE 43

### Periods of irregular stay in the UK

Number of years	Number of migrants		
	2005	2006	2007
1	3		
2	1	2	
3	9	1	
4	2	5	2
5	12	5	1
6	4	6	1
7	2		
8	1		
10	2		
12	1	1	
<b>Total</b>	<b>37</b>	<b>20</b>	<b>4</b>

TABLE 44

## Routes for irregular migration

Routes	Number of migrants		
	2005	2006	2007
Via Bangkok to Europe	2		1
Via Hong Kong to Japan & then Canada	1		
Via Uzbekistan to Europe	2		
Via Greece to Italy	2		
Via Cyprus to Europe	4		
Via Ukraine to Europe	1	1	1
Via Czech Republic to Western Europe	3		
Via Hungary to Western Europe	4		
Via Bangkok to Canada	1	2	
Via Malaysia, Hong Kong to Canada	2	1	
Via Bosnia to Europe	5		
Via Egypt to Europe	1		
Via Colombo to Europe	2	1	1
Via Canada to USA	1		
Via UK to USA	1		1
Via Bangkok to Singapore & then to USA	1		
Via Moscow to USA	1		
Via Moscow to Europe	1	5	3
Via Jordon to UK			
Via Africa Senegal/ Morocco/Lagos//Tanzania to Europe	3	4	2
Via Malaysia to Europe		1	3
Via Dubai to Europe		3	
Via South Korea to Canada		1	
Via Bangkok to Hong Kong		1	
Via Moscow, Poland to Germany		2	1
Via Brazil to USA		1	
Via Malaysia to Europe		1	
Via Singapore to Greece		4	
Via a country in Africa to USA		2	
Via a country in Africa to Canada		3	
Via a country in Central Asia to Europe		2	
Via Nepal to USA		1	
By ship to Europe from a country in Africa			3
Via Bangkok to Africa to Western Europe			1
Via Romania to Western Europe			2

Via Malaysia, Indonesia to Australia			1
Via Italy to Cuba			1
Via Bangkok to Malaysia			1
Karachi to Delhi truck, Moscow, Gatwick UK			1
Via Switzerland to Germany			1
Via Iran, Turkey to Greece			2
Via Poland to Western Europe			2
Via Bangkok to South Korea			2
Via Albania to Budapest & Western Europe			5
Via Bangkok, Hong Kong to USA			1
<b>Total</b>	<b>40</b>	<b>36</b>	<b>36</b>

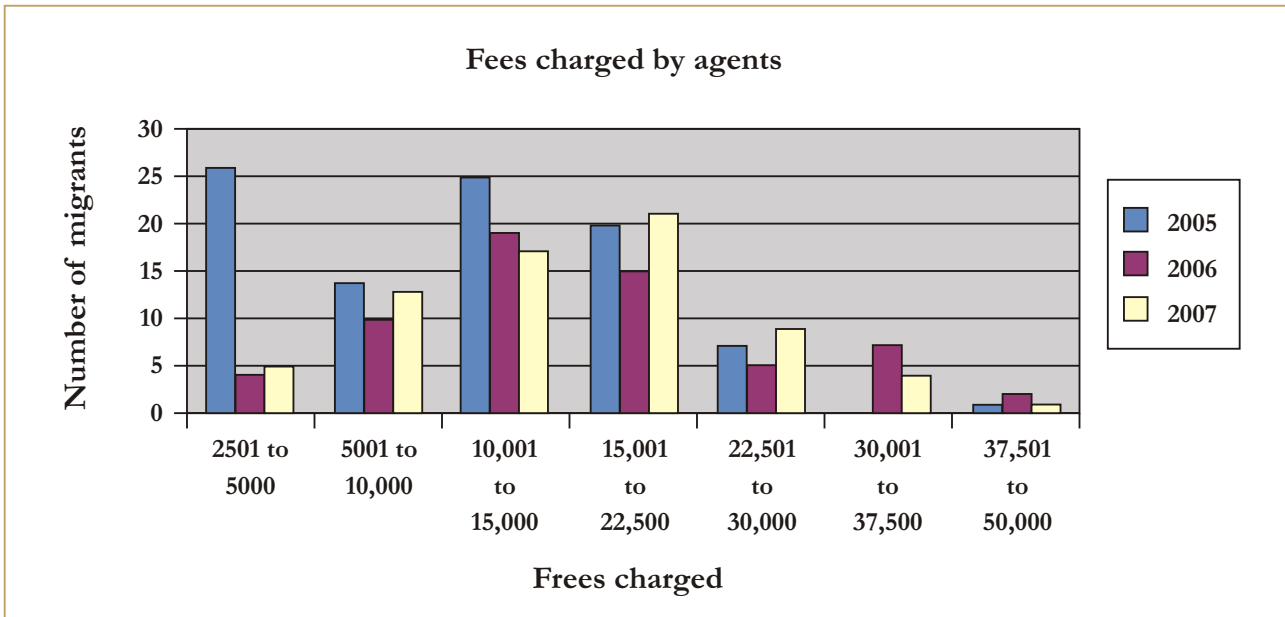
### How illegal entry was made into the UK

How illegal entry	Number of migrants		
	2005	2006	2007
Via France	2	2	2
From Sweden by ferry			1
Via Netherlands		1	
Via France hiding in a truck			2
Via France in a car			1
<b>Total</b>	<b>2</b>	<b>3</b>	<b>6</b>

### Fees charged by agents

Fees charged in US\$	Number of migrants		
	2005	2006	2007
< Rs 100,000 (US\$ 2500)	3	7	7
Rs 100,000 to Rs 200,000 (US\$ 2500 to US\$ 5000)	26	4	5
Rs 200,000 to Rs 400,000 (US\$ 5000 to US\$ 10,000)	14	10	13
Rs 400,000 to Rs 600,000 (US\$ 10,000 to US\$ 15,000)	25	19	17
Rs 600,000 to Rs 900,000 (US\$ 15,000 to US\$ 22,500)	20	15	21
Rs 900,000 to Rs 1200,000 (US\$ 22,500 to US\$ 30,000)	7	5	9
Rs 1200,000 to Rs 1500,000 (US\$ 30,000 to US\$ 37,500)		7	4
Rs 1500,000 to Rs 2000,000 (US\$ 37,500 to US\$ 50,000)	1	2	1
> Rs 2000,000 (US\$ 50,000)		1	4
<b>Total</b>	<b>96</b>	<b>70</b>	<b>81</b>

## Fees charged by agents



GRAPH 21

## Modes of payment

Mode of payment	Number of migrants		
	2005	2006	2007
Part payment before departure and rest at destination	3	4	10
80% paid before departure & rest 20% on reaching destination			1
Full payment on reaching destination		1	
<b>Total</b>	<b>3</b>	<b>5</b>	<b>11</b>

TABLE 48

## Interviews with irregular migrants/family members

S.No.	How interviews arranged	Brief facts	Findings
1	The district authorities of Nawanshahr in Punjab had informed the irregular migrants /families who had earlier lodged complaints with the police to come and assist in the research study. These interviews were recorded in December 2007.	X r/o Lodipur, Police station, Nawanshahr, District Nawanshahr. Aged 40. He gave Rs 1 lakh to an agent r/o Garhshankar for arranging his travel documents. He has a resident permit of Greece. He had gone in 1992 on tourist visa and continued. He worked in agriculture. Later, he could get a residence permit of Greece. He came back in 2004 and now wants to go back. His two sons were born in Greece.	Irregular migration has been continuing for many years and many migrants could get their status regularised in other countries which acts as incentive for others.

TABLE 49

2		<p>X r/o Kokar Mazara, Police station Garhshankar, District Hoshiarpur. Aged 25. Occupation agriculture. It was agreed to send X to Italy/Greece. The deal was for Rs 7.5 lakh of which Rs 3.3 lakh had been paid. He was taken to Delhi and there he was offered to be taken to Turkey. He declined as he wanted to go to Italy, France or UK directly so he came back. The agent r/o Lidar Kalan, P.S Behram, District Nawanshahr. The agent has refunded all the money except Rs 25,000 and the passport.</p>	<p>Normally, it is the agents who decide the route but in this particular case the migrant was clear about his destination.</p>
3		<p>X r/o Paily, Police station Pujewal, District Nawanshahr. Aged 40. Occupation chef. He had paid Rs 35,000 for going to Saudi Arabia as a chef in a restaurant. He was not taken.</p>	<p>Agents cheat migrants promising them suitable jobs.</p>
4		<p>X r/o Urapar, Police station Nawanshahr Sadar, District Nawanshahr. Agent r/o Baklaur, Police station Sadar Nawanshahr, District Nawanshahr. He was promised job of a mason in Bahrain. But he was put in unskilled labour job He came back.</p>	<p>Agents cheat migrants promising them suitable jobs.</p>
5		<p>X r/o Nawanshahr town, District Nawanshahr. Aged 24. Occupation-Agriculture. Agent r/o Kukran, P.S Garhshankar, District Hoshiarpur. He was taken first to Abidjan and then to Mali and then to Morocco. From Morocco, he entered the Spanish enclave of Melilla. He was pushed back. For survival, he lived in a desert area in Morocco and survived by begging. He contacted his home. His father contacted Mr Ramoowalia, President of Lok Bhalai party who through the Indian Embassy could ensure his return. There were 5 other boys all from Punjab who went with him from Delhi. In Mali the agent in Delhi had his representative. His journey took several months. The representative of the agent took charge for 2 months. The rest he had to manage with the money he was carrying. There were about 60 migrants in Morocco of different nationalities. Some were from Punjab. He had earlier attempted illegal migration to Australia. The route followed by the agent then was Delhi-Singapore-Turkey-Cyprus-Turkey-Australia. He was sent back to</p>	<ol style="list-style-type: none"> <li>1. Irregular migration from India to Europe is taking place via Northern Africa.</li> <li>2. Agents in India have representatives in transit countries to liaise with local agents.</li> <li>3. Migrants from different countries are grouped together in transit countries.</li> <li>4. An irregular migrant who has made an attempt of irregular migration is likely to try again till he</li> </ol>

	<p>Turkey from Australia and he was in jail in Turkey for 17 days. Two of his brothers had successfully migrated illegally with the help of agents; one has been in Portugal since 2001 and the other in Greece since 2003. They have since repaid all the loans they had taken from the bank.</p>	<p>is successful.</p> <p>5. If some members of a family had migrated irregularly, others left in the family also attempt provided family circumstances permit.</p> <p>6. Irregular migrants in other countries are able to earn many times more than they would earn in India. They are not only able to recover the high cost of irregular migration in about a year but also save money. It also shows irregular migrants are able to find work.</p>
6	<p>X r/o Hussain Rahon, Police station Nawanshahar Sadar, District Nawanshahar. Aged 32. Occupation- Homoeopathy doctor. He wanted to go to Greece illegally with the help of an agent. His uncle lives in Greece. He was asked to pay much more than the negotiated amount in Delhi. He had given an advance of Rs 50,000. So he came back. The agent gave him a cheque but it bounced.</p>	<p>Some highly qualified persons also attempt irregular migration, though this is not the usual profile of an irregular migrant from Punjab.</p>
7	<p>X r/o Cheta, P.S Behram, District Nawanshahr. Army personnel. He wanted to send his son to the USA. Negotiated amount was Rs 9 lakh. He paid advance of Rs 2 lakh. The agent did not send the boy. The agent r/o Sansarpur, Jalandhar.</p>	<p>1. Even well educated families do not hesitate to send member of their families irregularly through the agents.</p> <p>2. Agents can send only limited</p>



			numbers of migrants at a time to a destination country depending on how the system is working.
8	The father of an irregular migrant was met when he came to lodge a complaint against an agent with the Senior Superintendent of Police of Nawanshahr district. This interview was recorded in December 2007.	He paid Rs 3.78 lakh out of which the agent returned Rs 1.50 lakh. He wanted to send his son to Italy. He had himself gone to Germany in 1986. Stayed there for three years. He went on a tourist visa and continued. He was deported in 1989. When asked the reason for choosing Italy, he replied that lot of people from the area had reached safely to Italy recently.	News of safe arrival of migrants in destination countries, contributes to further irregular migration from the areas.
9	The irregular migrants was contacted on phone when information about him was given by a senior police officer of Banga Police station in Nawanshahr district. This interview was recorded in December 2007.	X r/o Kataro, District Nawanshahr. He along with 8 other boys was met in a hotel in Paharganj in Delhi. From Delhi they were taken to Algeria. They stayed in Algeria for about a month and half. There were about 60 migrants in all. Some of them were from Pakistan and Bangladesh. From Algeria they were asked to cross over to Morocco in the night. From Morocco they attempted to cross to Spain by boat but the boat ran into trouble. They came back to Morocco. In Morocco the agents used to beat them. They had to get money from home. They were given bread only once a day. He was put in the boot of a car and dropped into the Spanish enclave of Melilla. He fainted in the boot of the car. He was rescued and given first-aid by Spanish authorities. He was subsequently deported by the Spanish authorities.	<ol style="list-style-type: none"> <li>1. Irregular migration from India to Europe is taking place via Northern Africa.</li> <li>2. Agents try to get irregular migrants to Spain from Northern Africa by boat.</li> <li>3. Irregular migrants from Bangladesh, Pakistan and other countries in South Asia are pooled together.</li> </ol>
10	The irregular migrants were met at the Indira Gandhi International airport where they had arrived and were questioned by the Immigration Authorities and the police. These interviews were recorded on different	X r/o Maharashtra. He arrived from the USA. He had a work permit of USA. He was questioned as his passport did not have departure stamp of any airport in India. He disclosed that he had gone by a cargo ship from Mumbai. Aged 36. Educated up to matriculation level (Standard X). He disclosed that it is very difficult for irregular migrants, to find work now in the USA. Many irregular migrants would like to return to India. Many Mexicans are returning back to their country.	Irregular migration by cargo ships is also used.

	dates in October and November,2007.	He works in a gas station in the USA.	
11		X r/o Saharanpur, Uttar Pradesh. Aged 30 years. He came back from Malaysia. He was questioned as his passport had a forged work visa of Malaysia. He had gone to Malaysia on a tourist visa with his agent. His agent kept him in a room in Kuala Lumpur along with 4-5 other boys. One floor of a house owned by a Pakistani national was used for lodging illegal immigrants. He moved to Selangur. He worked in a factory. In between he changed jobs also. Illegal migrants were paid about 20 per cent less. Police would sometimes question them but they would let them of after payment of a bribe.	1. Irregular migrants are tolerated to some extent in other countries.  2. Irregular migrants are kept in safe houses by agents during transit.
12		X r/o Sirhind, District Fatehgarh Sahib. Aged 29 yrs. Educated up to Intermediate level (Standard XII).  Agent r/o Delhi, Had paid Rs 3 lakh in 1999. The agent arranged document and he could enter the USA successfully. He worked in a garment manufacturing unit. The employer got him the medical card. He was going to Canada to meet his sister. He was apprehended and deported. He has another brother who stays in the village and is engaged in transport business. They have about 13 acres of agricultural land.	Agents are able to arrange high quality forged documents.
13		X r/o Lohia Khas, District Jalandhar. Aged 29. The family has about 10 acres of agricultural land. He studied up to matriculation level (Standard X). His other two brothers are settled in Austria. The elder brother went abroad irregularly, through an agent 14 years back. He legalised his status by marriage in Austria. The second brother went on a tourist visa and continued thereafter. He has also regularised his status through a fake marriage in Austria. X went to the Netherlands in 1998. The visit was arranged by an agent r/o, Jalandhar town for Rs 2.5 lakh. He went on an Air France flight booked for Antigua via Paris. In Antigua, one can get visa on arrival. During transit in Paris, he was allowed to go out of the airport. From Paris, he went to the	1. Irregular migrants even if deported may make repeated attempts for irregular migration.  2. Forged travel documents including foreign passports are not difficult to obtain from the agents in different countries in Europe.

		<p>Netherlands and stayed there for 3 years. He speaks Dutch fluently. He worked in a restaurant owned by a Dutch national of Surinamese origin. There were two other irregular migrants from India. One was from Hoshiarpur in Punjab and other from Haryana. They all worked in the kitchen. During enforcement action he was caught and deported in 2001. In 2006, he again attempted irregular migration to the Netherlands on a forged resident card sent by a relative settled there. He was deported from Paris. Third time in October 2007, he yet again attempted irregular migration to Italy with a forged Belgian passport. X sent his photographs to a friend with whom he used to work in the restaurant. His friend, a Dutch citizen of Moroccan origin arranged his forged Belgian passport for which he paid 1500 Euros. The security features of the forged passport were of such quality that it was near impossible to detect that it was forged. He was prevented to depart by the immigration authority at the international airport in Delhi.</p>	
14		<p>X r/o Mahal Khurd, Police station Rahon, District Nawanshahr. Aged 29. She intended to go to Italy on a forged Residence Permit which was arranged by her cousin brother who is a resident of Italy. X was detained but her cousin brother who was accompanying her went ahead through the immigration check. That he was accompanying her was not disclosed to the immigration authorities. This was disclosed during police investigation only.</p>	<p>Relatives in other countries often accompany irregular migrants.</p>
15	<p>The irregular migrant was met at the Amritsar International airport where she had arrived and was questioned by the immigration authorities and the police. This interview was recorded in December 2007.</p>	<p>X r/o Jamsher, District Jalandhar. Aged 23. She arrived from Sweden. She was questioned as her passport did not have any departure stamp. She disclosed that she went with an agent from Sweden on the passport of some one else. Her mother and brother are already in Sweden and they now have residence permit. Her father lives in the village. She came to India to meet her father.</p>	<p>Irregular migration based on forged passports is frequently resorted to by agents.</p>
16	<p>20 Afghan irregular migrants were interviewed in Calais,</p>	<p>These Afghan migrants lived in Pakistan and could speak Urdu and English hence it was possible to record their interviews easily. They</p>	<p>1. Networks of agents successfully bring irregular</p>

	<p>Northern France. There were about 400 irregular migrants of which about 30 were females from Iraq, Eritrea and other countries. These interviews were recorded in January 2008 during a visit to France.</p>	<p>live in forest areas in make shift shelters. At time the police chased them early in the morning forcing them to move to interior areas. They were provided food at a camp in Calais. The food was arranged by an INGO “Secour Catholique”. Bathing facility was provided on alternate days, as the number of migrants was large and the facilities were limited. A primary health care centre provides emergency medicines. Police sometimes arrested them, but they were let off after their finger prints were taken. They were not interested in applying for asylum in France as the language is a big problem for them. And without knowing the language, it is difficult to survive. They wanted to go to the UK by all means. They had already made two to three attempts to enter UK hiding in trucks but they were caught by the British Immigration Authorities. They intend to keep attempting till they succeed. Sometimes agents come at night to their camps in the forest area to facilitate crossing to the UK. They came via Iran, Turkey and entered Italy via Greece. Nobody from India stay with them in the forest area.</p>	<p>migrants to Europe.</p> <ol style="list-style-type: none"> <li>2. The UK appears to be the favoured destination for many irregular migrants .</li> <li>3. Indian irregular migrants already in Europe are better organized. They stay in safe houses in Belgium and try to cross over to the UK with the help of professional agents.</li> </ol>
<p>17</p>	<p>During conversation with co-villagers in village Bharuwal of Jalandhar district, it was gathered that some one from the village had been deported recently from Spain . Information was sent to him. Initially, he was reluctant to come out and speak but on assurance that it was for the purpose of a research, he volunteered and shared his experience and trauma. This interview was recorded in September 2007.</p>	<p>X r/o of village Bharuwal, Jalandhar was deported from Mauritania in February 2007. The Mauritania incident involved deportation of about 300 irregular migrants from India, Pakistan, Bangladesh and Sri Lanka from Spain in February 2007. His brother, who is in Spain, had directed him to contact an agent in Paharganj area of Delhi. He went there. He did not pay any money. It was his brother who arranged payment. He was flown to Guinea. He was made to stay in a safe house in Guinea town. It was big house without electricity. When he along with four others from Punjab reached there, 38 others from Punjab were already there. Some of them had been there for more than a month. After every two to three days 2 to 3 migrants kept joining them. Ultimately the number reached 80. They stayed in this safe house for three months. They used to go out twice a week to buy vegetables etc. They prepared their own food. They slept on the floor with floor rugs only. The agent who was a local from Guinea used</p>	<ol style="list-style-type: none"> <li>1. Many irregular migrants from India are taken to Guinea.</li> <li>2. Irregular migrants are taken in small groups.</li> <li>3. When the group reaches an optimum number further journeys are undertaken.</li> <li>4. Irregular migrants are kept in safe houses under strict watch and they do not have freedom to go out as and when they wish.</li> </ol>

		<p>to give them money to buy provisions but it was not sufficient so they used to spend their money which they had taken in dollars. After almost three months they were taken to the port of Guinea, in the middle of the night. There, they found migrants from Pakistan, Bangladesh, Sri Lanka and other countries. At the port, the local police detected them but let them go after the owner of the ship bribed them. The ship left Guinea and was on sea for 36 days. The ship ran into trouble and a Spanish patrol party spotted them and shifted them out to another ship. About 20 migrants fell sick, mostly of allergy and malaria. The Spanish authorities and the Red Cross provided medical care, food and they were taken care of. Each of the deportees was given money by the Spanish authorities to meet contingency expenses before their deportation. If the ship had not developed trouble they would have landed safely in Spain. X would not try to go to Europe any more but he would definitely go to Dubai after some time. X works as casual labourer in the village, he also makes floor rugs.</p>	<p>5. Irregular migrants from different countries are kept in separate safe houses and are not mixed.</p> <p>6. Living conditions in the safe houses are very poor.</p> <p>7. Many migrants fall sick.</p> <p>8. The period of waiting in the safe houses can be several months.</p> <p>9. Enforcement officials in some countries can be easily bribed.</p> <p>10. The agents and their local counterparts are on good terms with the law enforcement agencies.</p> <p>11. Arrangement for safe houses for such a large number of migrants, hiring of ship, etc. are well coordinated. This implies that such operations have been going on for many years.</p> <p>12 Large numbers of irregular migrants imply big money and therefore</p>
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			involvement of international networks.
18	During conversation with co-villagers in village Bharuwal of Jalandhar district, the irregular migrant who was present in the group, himself started narrating his owes. This interview was recorded in September 2007.	X came back to India during the general amnesty granted by the UAE government till September 2007. He stayed in Dubai for six years. His status became irregular when the employer terminated his job. He however continued illegally and did odd jobs. He had to wait in the queue in the Indian Embassy in Dubai, for three days to process his papers. Initially, there was no food or water for the waiting people in the queue but later NGOs organised food and water. Life in Dubai was hard. Many had to share one room. In the summer water for bathing would be as hot as the tea one drinks in India.	Many legal migrants in the Middle East find themselves in irregular status due to changing jobs or termination of their employment contract.

### Interviews with agents and police officers who investigated cases against agents

S.No.	Name of the village and the district	Brief facts	Findings
1	X r/o Jaspalo, District Ludhiana The sub-agent was arrested by the police of Kartarpur police station, Jalandhar. This interview was recorded in September 2007.	X, aged 43 was arrested in connection with a complaint filed by two migrants in March 2007. These migrants were cheated of Rs 13 lakh each. X had worked in a sugar factory for 15 years in Sudan. He came back in 2000. With his savings he started a transport business. He gave it up as it was not profitable. Then he started a hotel business in partnership with a friend. He gave it up too due to dispute with his friend. During his visit to Jalla Singh village in Kartarpur police station, the village of his in-laws, one migrant M1 approached him to be sent to Europe. X agreed to introduce him to an agent r/o Moti Nagar, New Delhi. A deal was struck for Rs 13 lakh. In the mean time another migrant M2 from the same village approached him. 13 lakh rupees had been transferred to the agent in Delhi by each of the migrant. The sub-agent had about 10 per cent share. The agent in Delhi was a relation of X. M1 and M2 were taken to Singapore and deported from there. M1 and M2 have been pursuing with the agent for return of their	<p>1. Majority of sub-agents are linked to agents in Delhi.</p> <p>2. Sub-agent gets about 10 per cent of the negotiated amount. He makes a substantial amount if he succeeds in mobilizing a number of migrants.</p> <p>3. Agents do not succeed in sending all the migrants they commit to. Irregular migration is fraught with uncertainties.</p>

		<p>money for the last several months. The agent in Delhi gave a cheque of Rs 1 lakh which bounced. The complaints were filed with the police thereafter. The sub-agent could be arrested after a lot of effort.</p>	
2	<p>X r/o Kartarpur Police station, District Jalandhar. This interview was recorded in October 2007.</p>	<p>X is a senior level local public representative. He also works as an agent. He sends migrants to Gulf countries. In a year, he is able to send about 100 migrants from the area. Ten to 12 agents working in a syndicate send migrants under the license of one agent who takes all the responsibility. Every agent contributes 4 to 5 migrants depending on the offers available. Agents have representatives in the Middle East who give information about offers. "Migrants who go through us have no problems. Those who go through small agents often get into trouble and they are cheated. Irregular migration to Europe has come down due to publicity and special programmes telecast by some of the channels on dangers involved in irregular migration. Many migrants therefore try to get sponsorship from their relations in Europe and go on a tourist visa and do not return. Those who are working illegally in Italy get about Rs 20,000 and those who are regular get about Rs 40,000 per month. In Dubai one can earn about Rs 13,000 to Rs 14,000. It is because of this many migrants are going to the Middle East from the area. The migrants are not educated much. Most of them have studied up to standard VIII. Migrants are given training for about 15 days in any trade and that is good enough and they are accepted as skilled workers. Earlier two to three years experience was needed."</p>	<p>1. Agents often work in syndicates, pool the migrants and share the profits.</p> <p>2. Awareness programmes about dangers of irregular migration through electronic media can be an effective tool to dissuade many potential irregular migrants.</p>
3	<p>Police officers at the international airport in Delhi who investigated cases against agents were interviewed on different dates from August 2007 to November 2007</p>	<p>X r/o Gujarat was deported from Canada with remarks in deportation papers that he is an illegal human smuggler. He had taken a lady and girl in September 2005 to Canada on the passport of his wife and daughter. In 2007, he again took another lady and a girl to Canada. The Canadian immigration asked the lady and the girl whether they had been to Canada earlier. They denied whereas their passports showed that they had been to Canada earlier. This raised doubt. They detained the lady and the girl. In 2005, X had left for Canada from</p>	<p>1. Photo substitution in passports is frequently resorted to by agents.</p> <p>2. Professional carrier agents accompany irregular migrants.</p> <p>3. It is difficult to</p>

		Bangalore airport. This time he departed from Hyderabad airport. He was paid Rs 4 lakh by the agent in Mumbai. The main agent absconded. On examination of the passports, it was noted that photos in the passports were perfectly substituted and only experts could detect the fraud.	apprehend top level agents operating from big cities like Delhi and Mumbai.
4		X r/o Delhi was taking an Afghan family of husband and wife with two daughters to the UK on photo substituted Indian passports. X claimed that he had a trading business firm in Dubai. His passport had valid visas for two years for the UK, three years for Canada, 10 years for the USA, three years for Australia, three months Schengen visa and six month UAE visa. All the visas had multiple entry stamps.	Carrier-agents misuse business visas.
5		X r/o Patiala was taking two migrants to Greece in June 2007 on stolen visas. X is an owner of petrol station in Patiala district. He had earlier taken two boys to Moscow in March 2007. X disclosed that the main agent was Y who was from Chandigarh. Y runs an educational institution in Chandigarh. Y also had a business firm registered in Moscow and imported iron scrap from Ukraine. He used to get invitation letters from his own firm and send boys to Moscow for irregular migration. Y was arrested by the police. When news about Y's arrest was known to others, many migrants came to lodge complaints with the police that they had also been cheated by him. Four boys disclosed to the police that they were kept in a house in Moscow, given to eat only potatoes and bread. The house had a telephone so the boys could make phone call to their homes leading to a large bill. The owner of the safe-house demanded money. Y sent message to the families of the boys and demanded more money. Two boys were kept for 7 months and two other boys for 3 months in Moscow. Y had an account in a reputed bank in a fraudulent name. Money and cheques collected from the boys were deposited in this account.	<p>1. Well established people are also involved in the business of human smuggling.</p> <p>2. Russia continues to be an important transit country.</p>
6		X r/o of Delhi was taking two Afghan nationals to the UK on photo substituted passports Indian passports. He disclosed that	Women are also involved in the business of human



		the main agent Y was a lady r/o of Delhi. Y was earlier a bar dancer. Y could get anticipatory bail from the High Court.	smuggling.
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**Interviews with co-villagers and village level public representatives during visit to villages undertaken between August and December 2007**

S.No.	Name of the village and the district	Brief facts	Findings
1	Sansarpur, District Jalandhar	Sansarpur has been the cradle of Indian hockey. The hockey association was formed in 1926. Many players from the village participated in the Olympics. Around 80 per cent of the families have relatives in the UK, USA and Canada. About 100 families are in the UK, of which 15 families have fully migrated. Many boys from the village successfully migrated to Europe with the help of agents but no name was provided to avoid trouble. Some of the migrants were cheated by agents. Earlier boys joined the Army but it is no longer an attractive option for the youths and they all want to go abroad.	Strong social networks cause chain migration.
2	Dhina, District Jalandhar	Dhina is a big village with a population of more than 10,000. Many people from the village are in the UK, Canada, Singapore, Italy and Dubai. "No jobs are available for youths in the area. Migration is the only option. Migrants try to go on regular visa but many have gone irregularly with the help of agents. One boy from the village died when the boat capsized. Agents often deliberately kill migrants in sea routes."	Unemployment is the major cause for irregular migration.
3	Jamsher, District Jalandhar	Jamsher is a big village with a population of more than 5000. People from the village are mostly in the UK, Canada and Australia. "Work permits for Australia, the UK and Canada are available. Parents also want their sons to try to migrate to other countries. No jobs are available in the area and the parents fear that the unemployed youth may take to drugs and alcohol which is widely prevalent. So they don't mind spending few lakhs of rupees to send the boys to other countries." Attempt was made to contact a person from	Parents fear unemployed youths would take to drugs and alcohol. They therefore, do not mind family members attempting irregular migration.

TABLE 51

		the village who returned after 17 years of irregular stay in the US. Though he was available in the village, he refused to come out and speak.	
4	Khera, District Jalandhar	Khera is a village adjoining to Jamsher. People from the village are mostly in the UK, USA, Canada. "People have now become aware that the agents dupe. It is like gambling. Agents who were there earlier were more reliable but now the agents are cheats. They often deliberately sink the boat with migrants." A boy in Dadowal village in Nurmahal police station died recently. On the basis of information gathered in the village that a person has returned to the village after 17 years of irregular stay in the US, we visited his home. The migrant was not at home but his wife disclosed that her husband has two brothers one was engaged in cultivation of 4 acres of family land and the other is settled in Canada. The other brother in Canada got his daughter married to a NRI settled in Canada. She could then bring her parents to Canada. Her husband claimed asylum in the US but his status was not regularised. His son and daughter were just 3 and 4 year old when he left the village. He was not keeping well. So he decided to come back. He is now about 45. He has no education. He used to work in the family land before he migrated to the US but the income from the land was not sufficient for the big family. A sub-agent in the village helped him to bring in contact with an agent. He paid around Rs 2 lakh then. He used to work in a gas station in USA. He could construct a big house with the money he sent home. He has opened a shop for his son in the market area near the village.	Income from agricultural land not sufficient for big families. Often it is decided amongst brothers that while one would stay in the village to manage cultivation, the others would migrate to other countries to supplement family income.
5	Bambianbar, District Jalandhar	Bambianbar is a village with people mostly belonging to the backward community. About five boys had gone to work in the Middle East. "Persons would like to go to Europe but they can not afford the high cost of migration. No job available in the area."	Poor people who can not afford the high cost of migration to the West prefer to go to the Middle East.
6	Kukarpind, District Jalandhar	Kukarpind is a village with many families in other countries. "The boys are now going mostly to Italy. Once there one is never	1. Irregular migration to Italy is preferred as

		<p>deported. Moreover you get regularized in due course. Once regularised you can come home and marry and take your family. Similarly Spain and Portugal also do not deport. The boys get work easily in dairy and agriculture. If one brother is abroad he file an appeal and advocates fight those cases and one can get visa. Migrants on a six month tourist visa, come back on time, the first time. Having established his credibility with the Consulate authorities, it becomes easy for him to get visa again and next time he can continue indefinitely. Irregular migrants can easily earn about 70 British pounds a day. He is better off as he does not pay tax. Irregular migrants mostly work in the construction industry and other odd jobs.” During the conversation one person came who himself was an agent but by the time it was realized, he had vanished. In this village as most of the villagers are NRIs with aged parents staying in the village, they have made arrangements to preserve dead bodies for a few days so that relations can come from abroad for the cremation.</p>	<p>migrants feel that they will not get deported and they may get regularized within a few years.</p> <p>2. Similar perception is also maintained for Spain.</p> <p>3. Migrants are aware that even if tourist visas are rejected by consular services of a country they can get a visa by appealing the decision. Migrants who obtain visas more than once by establishing credibility may not return when they leave for the second or third time.</p>
7	Bidhipur, District Jalandhar	<p>Bidhipur village is about 20 km from Jalandhar. Between 20 and 25 families from the village are settled in Canada and the UK. Many have also migrated through marrying. “Now people are going to the countries in the Middle East through agents. People adopt any means to migrate irregularly. In one case one man arranged fake marriage of his wife to send her abroad. Fake marriages are quite common. Normally, a NRI boy and a NRI girl will come to the village. Fake marriages will be arranged within the family members, in the process, two additional persons would be able to migrate. There is no job in the area for the youths.”</p>	<p>Fake marriages are resorted to for irregular migration.</p>
8	Sarai Khas, District Jalandhar	<p>Sarai Khas is a big village with population of more than 6000. About 400 to 500 families are settled in the UK, Canada and the USA. “Youths from the village are now going to Italy. In many cases marriage within the family is organised so that persons can migrate. The</p>	<p>1. The villagers consider an agent genuine if he succeeds in sending someone abroad or returns the money</p>

		<p>village had an agent who sent many people abroad. He was a genuine person, as he returned the money in cases of the village.”</p>	<p>if he does not succeed. Such agents are in high demand and even responsible people utilise their services</p> <p>2. Agents shift to cities as they establish themselves in due course.</p>
9	Kalma, District Jalandhar	<p>Kalma is a village of 3000 population. One NRI has contributed about Rs 90 lakh for the development of the village. Village roads, parks, school building and social forestry schemes have been taken up with the money sent by him. The NRI's brother came to supervise the mansion which the NRI was getting constructed. It turned out that he had come back to the country recently due to personal problems after having stayed in the UK for 16 years. He had gone there on a tourist visa and continued thereafter. “Irregular migration has come down. People have become wiser by watching the television. Moreover, many Punjabi films depicted the hardship which irregular migrants have to face. Those who have seen such films are now least inclined for such ventures. Activities of agents have come down. There were two agents in the village, one was a local doctor (licensed practitioner) and the other was a driver. Now their houses are locked and no body knows where they have moved. They have shifted their families. Cases have been registered against them in Nurmahal thana (police station) and Nakodar thana by migrants in that area.”</p>	<p>1. Awareness programmes can impact irregular migration.</p> <p>2. Well educated persons are also working as agents. Police action can cause serious disruption to them.</p> <p>3. Agents in the villages need to be targeted by the authorities to control irregular migration.</p>
10	Ramsinghpur (Mariharnia), District Jalandhar.	<p>One of the victims of Malta boat tragedy of 1996 in which 272 youths lost there lives was from this village. The boy was only 19-year-old and only son. His sister was married to an NRI in 1995 so he thought that if he somehow reached the UK his sister would take care of him. “The agent was from the adjoining village of Bidhupur but no action was taken against him. He had sent many persons abroad. Local</p>	<p>Irregular migration has brought untold miseries into the lives of many families.</p>

		agents handover the migrants to other bigger agents and take commission. Even after 12 years of the incident the family has not been able to reconcile. The mother of the boy has completely withdrawn herself and spends her day in prayers and other rituals. She still believes that her son is alive. The central and the state governments had announced that a compensation of Rs 5 lakh would be paid to the families of the victims but so far nothing has been done.”	
11	Dhina, District Jalandhar	X a resident of Dhina, aged 20 wanted to go to Cyprus through an agent. He had just finished his schooling. He died in a boat tragedy in 2004. His father had a grocery shop in the village and he died within one year of this tragedy due to shock. The agent was from the village. The family had paid Rs 10 lakh to reach him to Spain. He left home in January 2004. The last time he spoke was from Morocco in June 2004. The agent was arrested by the police and is in jail for over a year. Many other police cases have also been registered against him on the basis of complaints lodged by others.	Tragedies do not deter others from attempting irregular migration.
12	Bilga, District Jalandhar	Bilga is one of the biggest villages of the District. It has a population of 17,000. At least one or two members from 2000 families are in other countries, mostly in the UK, Canada and the US. Many people from the village are now very well established in other countries having their own industries and businesses. “Punjabis are hard working. They all started small but due to their hard work they have achieved success in other countries. In other countries also now there is unemployment problem. Earlier employment was guaranteed but now it is not so. Most of the recent migration is by way of marriage or through irregular migration. Every year about 10 to 15 youths migrate illegally to the UK, Netherlands and other countries of Europe. The rate for European countries is now Rs 12 to Rs 15 lakh and for the USA it is much higher. They adopt various modus operandi like duplicate passports, get the passports of some body who has expired and substitute photos. Many sub-agents are active in the village. They have	Youths in rural areas of Punjab are not interested in studies. Majority manage to complete up to matriculation level. They are simply unemployable in India with this poor education. But they have other attributes such as good health, drive, initiative, courage, adaptability, capacity to work hard and dream to make it big in life. They consider migration as their best option.

		<p>established links with agents in cities. It is known to every body as to who are the sub-agents. Most of the migrants from the poor families try to go to the countries in the Middle East as the cost for them to go the European countries is prohibitive. Education in the village is finished. Youths are no more interested in studies, they all want to go abroad. There are only 150 graduates in the village till now. Drop out rate in schools is very high. 25 per cent and 50 per cent students drop out at the primary level (Standard V) and middle level (Standard VIII) respectively. Only 25 per cent students reach matriculation level (Standard X) out of which only 5 to 10 per cent students complete intermediate level (Standard XII). Irregular migrants in other countries have to work underground and are exploited by the employers who are often of Indian origin.”</p>	
13	Bharuwal, District Jalandhar	<p>Bharuwal is a small village of about 100 families. About 30 families have someone in the UK, USA and Canada. “Every year, about 4 to 5 boys migrate irregularly to Europe. 2 boys of the village are now in South Korea. They are waiting for their onward journeys to Europe. Sometimes the agents make them wait for a long period. International agents load ship with irregular migrants and go round and round till they find a favourable landing where they dump the migrants.”</p>	<ol style="list-style-type: none"> <li>1. Agents also take irregular migrants to Europe via South Korea.</li> <li>2. Large scale irregular migration to Europe is by sea routes.</li> </ol>
14	Kelran, District Nawanshahr	<p>Kelran has a population of about 5000. Many households have family members in Italy, the UK and Canada. Many have gone irregularly in the last one or two years. In this village people spoke more frankly about irregular migration of their own relations. A man came back to the village recently from the US, getting regularized after 18 years. He was 22 when he had left the village.</p> <p>Another man narrated that his son got regularized in the UK after 16 years.</p> <p>Another man mentioned that his son went irregularly to Spain. He was jailed for about 8 months. He had gone via Morocco to Spain with the help of an agent who was paid Rs 8 lakh. The agent returned the full amount. The second time, he went to Spain, through an</p>	<ol style="list-style-type: none"> <li>1. Substantial irregular migration to Europe from almost every village in Punjab.</li> <li>2. Irregular migration in Punjab is considered normal and is not a stigma at all in the society.</li> </ol>

		<p>agent settled in Norway, who was of Indian origin. He has been in Spain for a year now.</p> <p>Another man narrated that his son went to Greece illegally. He worked there for some years. He came back to get married. The second time, he went irregularly to Spain by ship. He was on board a ship for almost six months. “No employment in the area. It is the NRI money which keeps us going otherwise no future here.”</p>	
15	Majari, District Nawanshahr	<p>Majari has a population of about 4000. Many households have family members in the UK and Canada.</p> <p>One agent r/o Atta, police station Phillaur, District Jalandhar took Rs 12 lakh each from three migrants for sending them to the UK. He did not send them and is not returning the money. “He openly says that do whatever you can.”</p> <p>Two boys one from the village and another from an adjoining village went irregularly to Italy in 2005. They were working there but now there is no trace of them for the last two years.</p> <p>“Twelve other boys from the village who went to Greece and Italy irregularly in 2006 had reached safely and are in regular contact with their families.”</p>	<p>1. Many irregular migrants become traceless and parents do not get any help in finding them due to their irregular status. Tracing services of International Red Cross Society could help in trace missing irregular migrants .</p> <p>2. Some agents do have a criminal background and they threaten the migrants and their families when they ask them to return their money. People are afraid to lodge complaints with the police against such agents.</p>
16	Bahrowal, District Nawanshahr	<p>Bahrowal has a population of about 8000. Many households have family members in the UK, Canada, USA, Greece and Italy. Many people from the village have gone to the other countries through family settlement. “About 10 boys who have gone irregularly to Italy in 2007, they have all reached safely.”</p>	<p>Substantial irregular migration to Italy.</p>
17	Jasso Majra, District Nawanshahr	<p>Jasso Majra has a population of about 6,000. Many households have family members in the UK, Canada, Germany and the UAE. One man narrated that his one son went to Canada</p>	<p>Irregular migrants do manage to find work.</p>

		and the other to Australia with the help of agents. The one in Canada is working in a plywood factory and the other in Australia works in an orange orchard.	
18	Tahan, District Nawanshahr	<p>Tahan has a population of about 4000. Many households have family members in the UK, Canada and the USA. A man narrated that his brother was to be taken to USA. He was taken to Singapore, and Kenya before he was brought back. The entire Rs 8 lakh were wasted. He finally went to Canada through matrimonial alliance</p> <p>An agent promised to send a migrant from the village to Italy. The agent was paid Rs 2 lakh. He was taken to Thailand and brought back from there.</p> <p>A village level public representative himself wanted to go to Canada in 2000. The agent resident of Delhi, agreed to send him for Rs 7.5 lakh. The agent did not send him and returned only Rs 2.5 lakh.</p>	Agents do not succeed in sending every migrant they promise.

**Case studies on irregular migration collected by the investigators during visits to villages in Punjab in November and December 2007**

S.No.	Name of the village and the district	Brief facts	Findings
1	X r/o Garhi, Police station Balachour, District Hoshiarpur	X, was promised by an agent in Mumbai to be sent to Dubai. He paid Rs 2 lakh. He was called to Mumbai where he waited for a month. He was ultimately not sent and he came back.	Agents acting as recruitment agents cheat migrants.
2	X r/o Majdoli, Police station Garhshankar, District Hoshiarpur	X went to Bahrain on a work visa sent by his nephew whom he paid Rs 40,000 for this. He went there but could not cope with the difficult working and living conditions. Five persons were lodged to a room and he being the youngest had to do cooking and other odd jobs for everybody.	Dreams of many migrants get shattered when they face reality in other countries.
3	X r/o Nurpur Brahmna, Police station Garhshankar, District Hoshiarpur	X, was promised by an agent r/o Mahilpur, District Hoshiarpur to be sent to Bahrain. He paid Rs 80,000. He was called to Mumbai where he waited for a month. He was	Agents return fees when threatened with legal action.



		ultimately not sent and he came back. The agent returned the full amount on being told that a case would be filed against him with the police.	
4	X r/o Chaknaraila, Police station Mahilpur, District Hoshiarpur	X went to Lebanon to work as a truck driver. There he came in contact with a local agent who promised to send him to Greece. X was caught by the Turkish border guards while crossing border. He stayed in jail for a year and finally he was deported. He again managed to go to Spain irregularly with the help of his relative staying in Spain.	Even detentions do not deter migrants. They again attempt irregular migration.
5	X r/o Jhanjhowali, Police station Mahilpur, District Hoshiarpur	X was sent by an agent to Spain. He has been there now for three years and works in agriculture.	
6	X r/o Rampur, Police station Mahilpur, District Hoshiarpur	X went to Lebanon. There he came in contact with a local agent who promised to send him to Greece. X was caught by the Turkish border guards while crossing the border. He stayed in jail for a year and finally he was deported. He now works as a truck driver in Hoshiarpur.	Many migrants learn from their bad experience and return and remain in India.
7	X r/o Solta, District Hoshiarpur	X was taken to Moscow and then to Turkey. From Turkey, he along with many other migrants was taken to Greece. He now works in a factory in Greece.	Russia is an important transit country for irregular migration to Europe.
8	X r/o Hussainpur, District Jalandhar	X paid 5 lakh rupees to an agent in Jalandhar who successfully sent him to Greece. He is continuing there.	
9	X r/o Morawali, Police station Garhshankar, District Hoshiarpur	X was sent by an agent first to Iran. Finally he reached Greece along with 25 other migrants but they were apprehended. He spent 3 months in jail in Greece and was finally deported.	Some attempts are not successful.
10	X r/o Krishanpura, District Nawanshahr	X was promised by an agent to be sent to Spain for a fee of Rs 7 lakh. He paid Rs 4 lakh. He was taken to North Africa. From there in September 2007 along with 250 other irregular migrants, he left for Spain by a ship but the ship was detained by the Spanish authorities. X was deported.	Some attempts are not successful.
11	X r/o Mehiandpur,	X's father paid an agent from Hoshiarpur	There may be

	District Nawanshahr	district, Rs 6 lakh to send X to Spain in 2004. The agent sent him to a country in North Africa. It was learnt later that he died along with other migrants in a boat tragedy. A case was filed against the agent who was arrested by the police. He has now been released on bail by the court.	several deaths in the process of irregular migration but agents go unpunished.
12	X r/o Attal Majra, Police station Balachour, District Hoshiarpur	X had paid Rs 7 lakh to an agent who successfully sent him to Italy in 2005. He is in Italy since then.	
13	X r/o Dupalpur, District Nawanshahr	X was deported from the UK where he stayed illegally for 7 years. He had gone to the UK on forged documents. An agent from Nawanshahr organised his irregular migration for a fee of Rs 7 lakh. X is keen again to attempt irregular migration to the UK.	Some do not learn from being deported or losing substantial amounts of money.
14	X r/o Dupalpur, District Nawanshahr	X was deported from the US where he stayed illegally for 5 years. He had entered the US via Mexico. An agent from Nawanshahr organised his irregular migration.	Many irregular migrants are deported from destination countries.
15	X r/o Lame, District Kapurthala	X was promised in 2005 by an agent to be taken to Germany for a fee of Rs 7 lakh. X paid the full amount. He boarded the flight from Delhi thinking that he was going to Germany directly but the next day he found himself in Qatar. From Qatar he was taken by road and he did not know where he was being taken. He finally reached Senegal where he spent three months. He entered Morocco from Senegal and was put in a ship for Spain. He was arrested along with others by the Spanish coast guard. He was finally deported.	Many times the irregular migrants are not aware of their destinations and are at the mercy of agents.
16	X r/o Posi, Police station Garhshankar, District Hoshiarpur	X was promised in 2006 by an agent to be taken to Greece for a fee of Rs 7 lakh. He entered Greece in a boat. He was apprehended. He spent one year in jail and was deported in October 2007	Many irregular migrants are deported from destination countries.
17	X r/o Solta, District Hoshiarpur	X went to Germany on a tourist visa in 1999. He has remained in Germany since then. He is well settled in Germany and sends money home regularly.	Overstay of tourist visa is resorted to by many migrants.

18	X r/o Govindpur, District Ropar	X was promised to be taken to Italy by an agent r/o of Ropar for a fee of Rs 9 lakh. He paid Rs 4.5 lakh in advance. He was taken to Hungary where he stayed for 45 days. From Hungary he was taken to Italy. He is now well settled in Italy and works in a dairy farm.	Eastern Europe is a key transit route.
19	X r/o Nakodar, District Jalandhar	X paid 5 lakh rupees to an agent who managed a Schengen tourist visa for France for him. In France he had to pay 4,000 British pounds to another agent to go to the UK. In the UK he worked as welder for 4 years. He was ultimately deported from the UK in 2007.	Many irregular migrants are deported from destination countries.
20	X r/o Nakodar, District Jalandhar	X went to Germany on a tourist visa arranged by an agent. From Germany he went to Belgium in order to go to the UK. But he could find work in Belgium and stayed there for 10 years and finally he was deported from Belgium.	Many irregular migrants are deported from destination countries.
21	X r/o Gunachar	X was promised to be taken to Italy by an agent for a payment of a fee of Rs 4 lakh. He was first taken to Cyprus. From Cyprus along with 300 others he was being taken to Italy but the ship ran into trouble. The agents left the ship in small boats. The irregular migrants were rescued by the Italian coast guards. X managed to move out of port area. Later through his relatives in Italy he could find work in Italy and is living there.	Irregular migration is dangerous, and agents put migrants' lives at risk.
22	X r/o Malchobra, District Gurdaspur	X was promised by an agent to be taken to Spain for a fee of Rs 12 lakh. The agent sent him to Guinea where he continued for 1 year 4 months. He contacted a local agent who agreed to send him to Spain and demanded Rs 4 lakh. He could reach Spain with great difficulty. He has since been deported by the Spanish authorities.	Irregular migration to Europe via a country in Africa is increasing.
23	X r/o Theekriwal, District Amritsar	X was promised to be taken to Spain via Morocco. He was taken to Morocco on tourist visa and abandoned there. He continued for 3 months and finding no way to Spain came back.	Many migrants realise that life as an illegal migrant is very difficult, the agents do not deliver their promises and abandon them in transit countries

			from where they decide to return home.
24	X r/o Malakpur, District Gurdaspur	X was promised by an agent to be taken to the UK. He did manage to reach the UK after traversing many countries. In the UK, he could find work with great difficulty. He continued for 2 years and was ultimately deported from there.	Many irregular migrants find it difficult to get work.
25	X r/o Dyalgarh, District Gurdaspur	X was promised by an agent to be taken to Germany for a fee of Rs 9 lakh rupees. He was taken to Moscow where he stayed for 2 months. He was ultimately deported from there.	Many irregular migrants are deported from transit countries.
26	X r/o Dharmkot, District Amritsar	X was promised by an agent to be taken to Switzerland for a fee of Rs 5 lakh rupees. X reached Switzerland after crossing many countries. He could find work in Switzerland but he was caught during enforcement action and deported.	Many irregular migrants are deported from destination countries.

**Case studies on irregular migration collected by the investigators during visits to villages in Haryana in November and December 2007**

S.No.	Name of the village and the district	Brief facts	Findings
1	X r/o Barwala, District Panchkula.	X, was promised by an agent to be sent to Italy for a fee of Rs 9 lakh. He was taken to Moscow. From Moscow he was sent to Belgium crossing many countries. He stayed in Belgium for about a year. He was caught during enforcement action and deported.	Irregular immigration via Moscow has been continuing for many years
2	X r/o Barwala, District Panchkula	X, was promised by an agent to be sent to Italy. He was taken to Moscow. From Moscow he was successfully sent to Italy. He has been in Italy since 2003. He is sending money to his family regularly.	Families often rely on remittances sent by irregular migrants.
3	X r/o Maddipur, District Kurukshetra	X, was promised by an agent in Delhi to be sent to Germany. A tourist visa was managed for him. He has been in Germany since 2004.	Migrants often contact the agents in Delhi directly.
4	X r/o Maddipur,	X, was promised by an agent in Delhi to be	Eastern Europe is

	District Kurukshetra	sent to Germany. X was taken to Moscow. From Moscow via Czech Republic he entered Germany along with many other irregular migrants. He is in Germany since 2005.	a key transit route.
5	X r/o Halderi, District Kurukshetra	X was sent by an agent to Cyprus on tourist visa. He has stayed there since 2004.	Entry to the UK via France.
6	X r/o Saha, District Ambala	X, was promised by an agent in Jalandhar to be sent to the UK. X was taken to Moscow. From Moscow he reached France. From France he was taken to the UK along with others. He has stayed in the UK since 2005.	Agents in India work in close cooperation with agents from other countries.
7	X r/o Halderi, District Kurukshetra	X was promised by an agent to be sent to the USA for a fee of Rs 12 lakh rupees. He was taken to Bangkok where an American lady handed him over a forged US passport. He reached the USA but he was caught by the immigration authority and deported	Irregular migration via Moscow has been continuing for many years.
8	X r/o Kuttawadd, District Sirsa	X, was promised by an agent in Jalandhar to be sent to the UK. X was taken to Moscow. From Moscow he reached France. From France he was taken to the UK along with others. He has stayed in the UK since 2004.	Irregular migration via Moscow has been continuing for many years.
9	X r/o Santavali, District Sirsa	X was promised by an agent to be sent to Germany. He was taken to Moscow. From Moscow he was successfully taken to Germany. He has stayed in Germany since 2003 and is employed there.	Irregular migration via Moscow has been continuing for many years.

**Action taken by police in complaints lodged against agents in the district of Kapurthala in 2007**

S.No.	Month	Previous balance	New received	Total	Compro-mised	Filed*	Case registerd	Disposed	Balance cases	Amount returned in rupees
1	Janua	13	7	20	4	0	0	4	16	600,000
2	February	16	4	20	4	1	3	8	12	70,000
3	March	12	15	27	4	0	0	4	23	75,000
4	April	23	49	72	19	13	2	34	38	845,000
5	May	38	60	98	11	6	2	19	79	779,000
6	June	79	70	149	14	30	4	48	101	1,267,000
7	July	101	51	152	13	13	3	29	123	880,000
8	August	123	47	170	7	21	10	38	132	280,000
9	September	132	32	164	14	18	4	36	128	1,530,000
10	October	128	28	156	12	35	4	51	105	728,000
11	November	105	32	137	8	28	2	38	99	840,000
<b>Total</b>			395	Total cases From Jan to November 2007 including balance= 395+13 (balance) = 414	110	165	34			7,894,000 Approx 8 million rupees

\* Filed because the case is false, relates to other matter etc (Source Law enforcement authority in Kapurthala)

**Action taken by police in complaints lodged against agents in the district of Hoshiarpur in 2007**

S.No.	Month	Previous balance	New received	Total	Compro-mised	Filed*	Case registerd	Disposed	Balance cases	Amount returned in rupees
1	Janua	85	54	139	35	22	3	57	82	2,240,000
2	February	82	45	127	40	15	3	58	69	5,200,000
3	March	69	54	123	47	6	1	56	67	8,849,000
4	April	67	55	122	24	13	4	38	84	110500
5	May	84	79	163	61	13	7	78	85	4,453,700
6	June	85	73	158	43	24	17	74	78	3,976,000
7	July	78	105	183	36	8	4	61	122	2,667,000
8	August	122	69	191	69	15	23	88	103	2,215,000
9	September	103	96	199	44	9	6	76	123	2,055,000
10	October	123	61	184	30	2	4	38	146	90,000
11	November	146	57	203	48	2		54	149	2,153,500
<b>Total</b>			748	Total cases From Jan to November 2007 including balance= 748+85 (balance)= 833	477	129	72			34,009,700 Approx 34 million rupees

(Source Law enforcement authority in Hoshiarpur)



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