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CARIM-INDIA – DEVELOPING A KNOWLEDGE BASE FOR POLICYMAKING ON INDIA-EU MIGRATION

Co-financed by the European Union

*Irregular migration from India to the EU:
Punjab & Haryana Case Study*

K.C. Saha

CARIM-India Research Report 2012/28



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CARIM-India
Developing a knowledge base for policymaking on India-EU migration

**Research Report
Thematic Paper**

CARIM-India RR 2012/28

**Irregular migration from India to the EU:
Punjab & Haryana Case Study**

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CARIM-India – Developing a knowledge base for policymaking on India-EU migration

This project is co-financed by the European Union and carried out by the EUI in partnership with the Indian Council of Overseas Employment, (ICOE), the Indian Institute of Management Bangalore Association, (IIMB), and Maastricht University (Faculty of Law).

The proposed action is aimed at consolidating a constructive dialogue between the EU and India on migration covering all migration-related aspects. The objectives of the proposed action are aimed at:

- Assembling high-level Indian-EU expertise in major disciplines that deal with migration (demography, economics, law, sociology and politics) with a view to building up migration studies in India. This is an inherently international exercise in which experts will use standardised concepts and instruments that allow for aggregation and comparison. These experts will belong to all major disciplines that deal with migration, ranging from demography to law and from economics to sociology and political science.
- Providing the Government of India as well as the European Union, its Member States, the academia and civil society, with:
 1. Reliable, updated and comparative information on migration
 2. In-depth analyses on India-EU highly-skilled and circular migration, but also on low-skilled and irregular migration.
- Making research serve action by connecting experts with both policy-makers and the wider public through respectively policy-oriented research, training courses, and outreach programmes.

These three objectives will be pursued with a view to developing a knowledge base addressed to policy-makers and migration stakeholders in both the EU and India.

Results of the above activities are made available for public consultation through the website of the project: <http://www.india-eu-migration.eu/>

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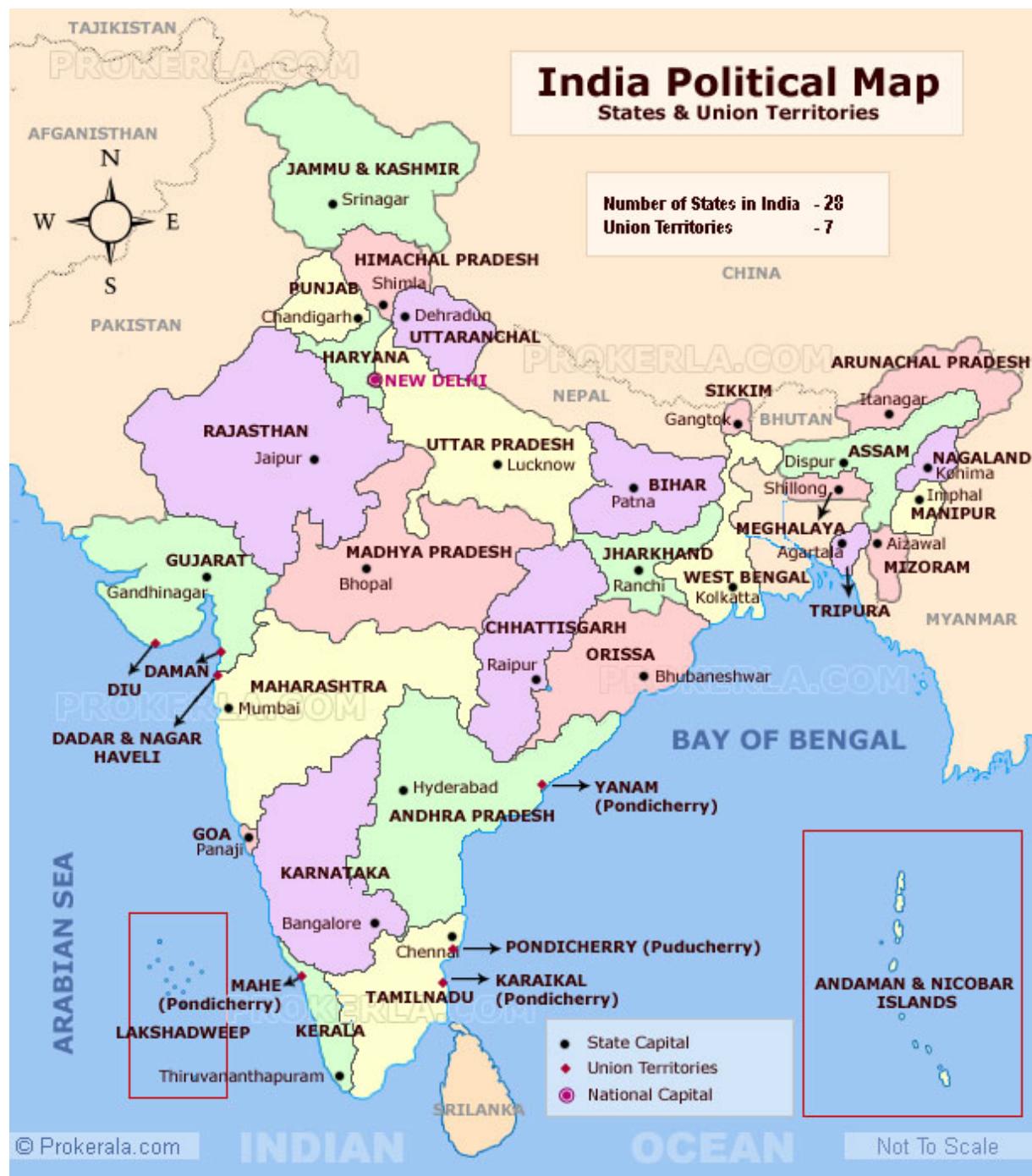
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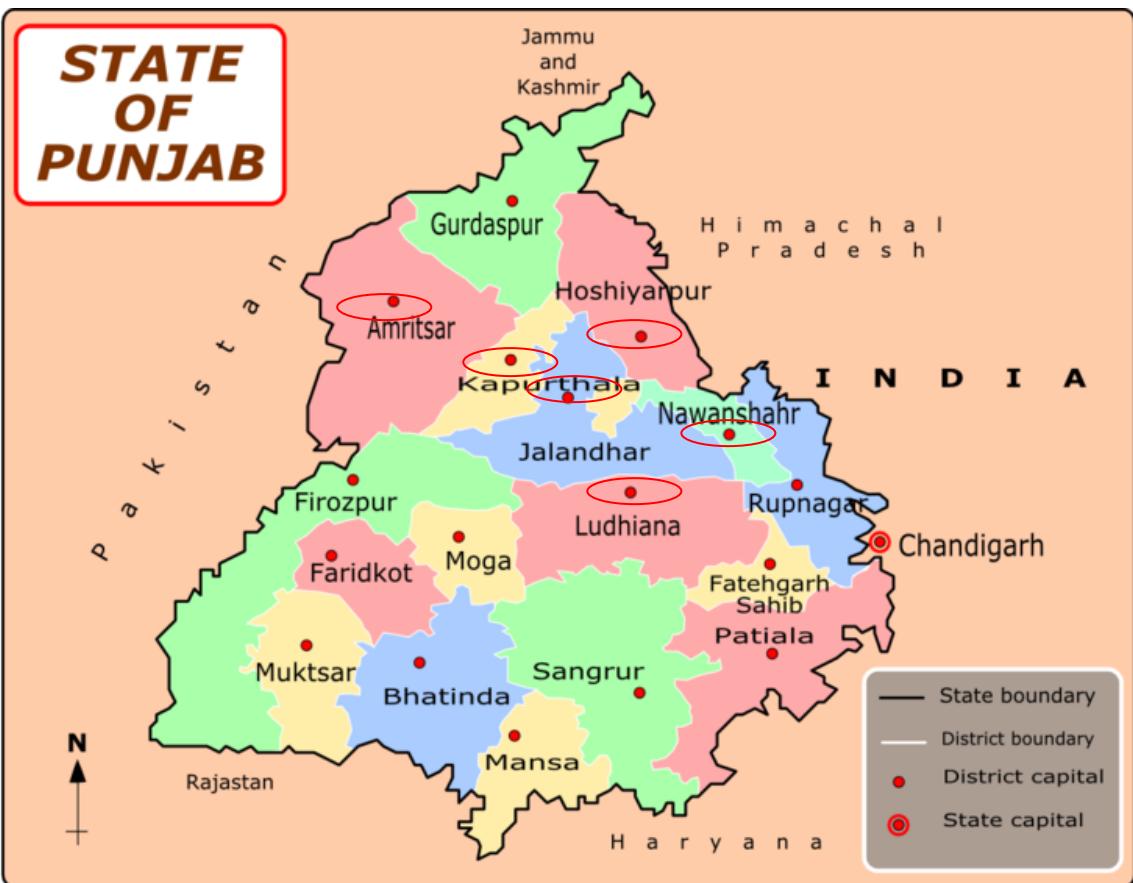
ABBREVIATIONS

BBC	British Broad Casting Corporation
CDC	Cadet Discharge Certificate
DC	Deputy Commissioner of a district
\$	US Dollar (1US\$=₹59)
DSP	Deputy Superintendant of Police
EC	Emergency Certificate
EMN	European Migration Network
EU	European Union
€	Euro (1€=₹69)
FIR	First Information Report
IELTS	International English Testing System
IG	Inspector General of Police
IOM	International Organization of Migration
LAKH	100,000
IPC	Indian Penal Code
MEA	Ministry of External Affairs
MHA	Ministry of Home Affairs
MOIA	Ministry of Overseas Indian Affairs
NRI	Non Resident Indian
PS	Police station
R/O	Resident of
₹	Indian rupees (Rs)
SP	Superintendent of Police
SSP	Senior Superintendent of Police
UNODC	United Nations Office on Drugs and Crime
UWT	Undocumented Worker Transitions

Definitions and Terminology

Agent	An agent in the context of the study is someone who facilitates irregular migration.
Arrival cases	Irregularities in travel detected by the authorities when irregular migrant arrived from other countries.
District	An administrative unit within a state. District in the study means the district to which the irregular migrant belongs.
Deportee	A deportee for the purpose of 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 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’.
Doaba	An area comprising of districts of Hoshiarpur, Jalandhar, Kapurthala and Nawanshahr.
Irregular migrant	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. Some try to enter on an individual basis; others make use of organized 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 authorities. Failed asylum seekers enter into an illegal status if they do not leave the country once all considerations of their asylum application have been exhausted. The other terms commonly used for an irregular migrant are undocumented, illegal, clandestine or unauthorized.
Malwa	An area comprising of districts of Barnala, Bhatinda, Firozpur, Ludhiana, Moga, Mohali, Patiala, Rajpura and Sangrur.
Majha	An area comprising of districts of Amritsar, Gurdaspur and Tarn Taran
Previous study	The author had studied irregular migration from Punjab & Haryana and published a report titled “Smuggling of Migrants from India to Europe and in particular to UK: A Study on Punjab & Haryana” on behalf of the United Nations Office on Drugs and Crime in 2009 based on the data of irregular migration in 2005, 2006 and 2007 recorded at Indira Gandhi International airport at Delhi. (available at http://www.unodc.org/documents/human-trafficking/Smuggling_of_Migrants_from_India_to_Europe_-_Punjab_Haryana.pdf).
State	The 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.
Sub-agent	A sub-agent for the purpose of the study is a person who operates for a principal agent in sending migrants irregularly to other countries.
Union territory	An administrative unit governed by the Central Government.





Map of Punjab

Districts highly prone to irregular migration

HARYANA



Map of Haryana

Districts highly prone to irregular migration

Abstract

This paper presents the current status of irregular migration from the State of Punjab and Haryana in India to the EU. The author had studied irregular migration from these two states and brought out a report titled “Smuggling of Migrants from India to Europe and in particular to UK: A Study on Punjab & Haryana” on behalf of the United Nations Office on Drugs and Crime in 2009 based on the data of irregular migration in 2005, 2006 and 2007 recorded at Indira Gandhi International airport at Delhi. The present study is based on examination of 1173 records of irregular migration recorded at Indira Gandhi International airport at Delhi. These records relate to 252 case records of 2008, 292 case records of 2009, 300 case records of 2010, 240 case records of 2011 and 89 case records of 2012 (up to August). It discusses changes if any in the trends and volume of irregular migration; demographic profile of irregular migrants; reasons for irregular migration; destination countries; the migration routes to Europe with points of transit; profile of agents and their modus operandi; the fees paid to agents and the measures taken to curb irregular migration.

Introduction

Punjab is a state in northwest India, bordered by Pakistan in the west, Jammu Kashmir in the north, Himachal Pradesh in the northeast, and Rajasthan in the southwest. Haryana 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 the national capital on three sides, forming the northern, western and southern border of Delhi. Consequently, a large part of Haryana is included in the National Capital Region. The Punjab has a long tradition of international migration, specially from the central Doaba region comprising of Hoshiarpur, Jalandhar, Kapurthala, and Nawanshahr(new name Sahid Bhagat Singh Nagar) districts. The author had studied irregular migration from Punjab & Haryana and published a report titled "Smuggling of Migrants from India to Europe and in particular to UK: A Study on Punjab & Haryana" on behalf of the United Nations Office on Drugs and Crime in 2009 based on the data of irregular migration in 2005, 2006 and 2007 recorded at Indira Gandhi International airport at Delhi. (available at http://www.unodc.org/documents/human-trafficking/Smuggling_of_Migrants_from_India_to_Europe_-_Punjab_Haryana.pdf). These records related to irregular migrants who attempted to depart from Delhi airport on the basis of irregular travel documents and were not allowed to depart; irregular migrants who were deported from transit countries as their travel documents were not found regular; irregular migrants who have been deported from destination countries either as they were refused entry or found illegally staying there. These records were limited to irregular migrants from Punjab and Haryana and also those pertaining to Punjabi migrants from other states.

The present study discusses changes if any since the previous study in the trends and volume of irregular migration; demographic profile of irregular migrants; reasons for irregular migration; destination countries; the migration routes to Europe with points of transit; profile of agents and their modus operandi; the fees paid to agents and the measures taken to curb irregular migration.

1.Methodology

The present study is based on examination of 1173 records of irregular migration recorded at Indira Gandhi International airport at Delhi. These records relate to 252 case records of 2008, 292 case records of 2009, 300 case records of 2010, 240 case records of 2011 and 89 case records of 2012 (up to August). Further, 250 records of irregular migration from 2008 to 2012 (up to September) of Guru Ram Dass Jee International airport at Amritsar in Punjab (formerly named as Raja Sansi International Airport) were also examined. These records had the following details about the irregular migrant: name, father's name, age, gender, caste, passport number, residential address, educational qualification, destination country and type of irregularity. The records also had details about the agents. It may be however mentioned that these information had been recorded on the basis of the statements made by the irregular migrant before the authorities based on which police cases were registered and all the case records did not have all the information. The circumstances under which these statements were made by irregular migrants give credence to its veracity. In addition 230 case records of complaints filed against agents for the districts of Hoshiarpur and Kapurthala for the period 2008 to 2012 (up to September) were examined during field visit to different districts in Punjab in September 2010. Further discussions were held with law enforcement authorities, other officials at the district and village level, public representatives and journalists.

2.Trends & Volume of irregular migration

Out of 1173 records of irregular migration recorded at Indira Gandhi International airport at Delhi, 847 related to irregular migrants from Punjab and 148 related to irregular migrants from

Haryana. Thus irregular migrants from Punjab and Haryana constituted 72% and 13 % of irregular migrants respectively.

In addition, there were few irregular Punjabi irregular migrants from other states and union territories as well namely Chandigarh, Delhi, Himachal Pradesh, Jammu & Kashmir, Rajasthan, Uttarakhand and Uttar Pradesh. Nationals of other countries such as Afghanistan, Angola, Bangladesh, Cameroon, China, Democratic Republic of Congo, Iran, Iraq, Somalia and Sri Lanka had also attempted irregular migration from the International airport at Delhi. A substantial number was from Afghanistan, Bangladesh and Sri Lanka. Sri Lankan irregular migrants were mostly from Jaffna peninsula, many of whom were staying in India as refugees.

In Punjab, some districts reported large number of cases of irregular migration namely Amritsar, Gurdaspur, Hoshiarpur, Jalandhar, Kapurthala, Ludhiana, Nawanshahr, and Patiala. In the previous study four districts of Hoshiarpur, Jalandhar, Kapurthala and Nawanshahr reported over 60% of irregular migration (Saha 2009:30). While irregular migration from these four districts continues to be high, constituting about 34%, there has been a substantial increase in irregular migration from other districts namely Amritsar, Gurdaspur, Ludhiana and Patiala. In addition there are many irregular migrants from the districts of Bhatinda, Fatehgarh Saheb, Faridkot, Firozpur, Moga, Muktsar, Ropar and Sangrur. Very few cases were noticed from these districts in the previous study. It can thus be concluded that irregular migration has spread to many districts in Punjab.

In Haryana some districts reported very large number of cases of irregular migration namely Ambala, Kaithal, Karnal and Kurukshetra. These districts adjoining Punjab were emerging as source districts for irregular migration as noticed in the previous study but now these districts have emerged as a major source of irregular migration. Like Punjab irregular migration has spread to many districts in Haryana namely Faridabad, Gurgaon, Hissar, Jhajjar, Jind, Panipat, Rohtak, Sonipat, Sirsa and Yamuna Nagar.

In Kapurthala district the police stations of Begowal, Bholath and Phagwara; in Ludhiana district the police stations of Jagraon and Samrala; in Jalandhar district the police stations of Adampur, Bhogpur, Bilga, Nakodar and Nur Mahal; in Hoshiarpur district the police stations of Dasuya, Garh Shankar, Mukerian and Tanda; and in Nawanshahr district the police stations of Balachor, Banga and Nawanshahr sadar reported large number of cases of irregular migration. Most of these police stations had been prone to irregular migration as noted in the previous study but new police stations such as Jagraon and Samrala in Ludhiana have emerged as the major source of irregular migration.

On an average about 84% of the irregular migrants are from rural areas and 16 % from urban areas. In the previous study also about 84% of the irregular migrants were from rural areas and 16 % from urban areas (Saha:35). It can be concluded that substantial irregular migration continues in urban areas. The majority of irregular migrants in rural areas were from agricultural families who could mobilize resources to meet the high cost of irregular migration.

A substantial number of irregular migrants had previous history of irregular migration. They tried other countries once refused entry to a country or deported from a country.

Irregular migration from Punjab and Haryana continues to be high as is evident from the examination of 1173 case records of irregular migration. Examination of 250 cases records of irregular migration from Guru Ram Dass Jee International Airport, Amritsar also reveal that large number of irregular migrants mostly from Punjab had attempted irregular migration to different countries in Europe. Further examination of 230 case records of cases filed against agents in Hoshiarpur and Kapurthala districts also point to large scale irregular migration from Punjab. The number of such cases against agents would be considerable if cases of all the districts in Punjab are taken into account. Further it must be remembered that the irregular migrants go to police as a last resort when they fail to get back their money from the agents.

High irregular migration from Punjab also gets corroborated by the estimates of irregular migrants from Punjab in different countries in Europe. In Italy, a total of 44,110 Indian nationals have regularized their status through one of the general amnesties that occurred in the years 1990, 1995, 1998, 2002 and 2009 (Lum 2012:2-3). Undocumented Indian migrants constitute roughly 30% of the estimated Indian population of 170,000 in Italy (Lum 2012: 3). At least 80% of Indians in Italy are Punjabi origin, the majority of whom profess the Sikh faith, although there is growing Punjabi Hindu minority; the proportion of Sikhs to Hindus among the Punjabi population is estimated to be 80% Sikh, 20% Hindu (Lum 2012:1).

The number of irregular migrants from India in Germany today amounts to several thousand people (Gottschlich 2012: 3).

Estimates of undocumented immigrants from India in the Netherlands range from 3000 to 4000 (Bal 2012:11).

Estimates put the number of Indians in France to be 100,000 which does not take into account illegal migration, an important phenomenon among Indians in France (Moliner 2012:2-3).

High irregular migration from India is further corroborated based on asylum data, refusal data, apprehension data and removal data of irregular migrants from India.

Many irregular migrants from India submitted asylum applications in different countries in Europe to avoid immediate deportation. Asylum applications submitted in the EU in 2007 by nationals from India were 3215 (EMN 2010, European Asylum and Migration Statistics 2007:13). The asylum applications by nationals of India in Slovak Republic in 2007 were 619(EMN 2010, European Asylum and Migration Statistics 2007: 25).

Many irregular migrants from India were refused entry in different countries in Europe. In Estonia, in 2005 and 2006, 1739 persons and 59 persons in the Slovak Republic in 2007 who were refused entry were from India respectively (EMN 2010, European Asylum and Migration Statistics 2007: 70, 74 respectively).

Refusals of nationals from India in Greece for different years were as follows :

Year	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010
Number	51	35	43	32	30	34	36	26	62	45

(EMN 2012, Visa Policy Greece: 174-175, 188, 203, 215, 227, 238, 247, 262, 281, 299-300 respectively).

Indian nationals refused entry in the UK in 2009 were 1165 out of which 1000 were refused entry at the air border, 140 at the sea border and 25 at the land border. (EMN 2012, Annual Report on Migration and International Protection Statistics for the United Kingdom 2009:45).

Many irregular migrants were apprehended in different countries in Europe. In Belgium, apprehensions of nationals from India were 1186 in 2007. (EMN 2010, European Asylum and Migration Statistics 2007: 75-76).

In Italy, the apprehensions in 2008, 2009 and 2010 were 68,175, 53440 and 46,955 respectively. Out of which apprehensions of nationals from India in 2008 and 2010 were 2,570 and 1,260 respectively (EMN 2012, Visa Policy Italy:75).

Indians arrested for illegal entry and residence in Greece in different years were as follows:

Year	2002	2003	2004	2005	2006	2007	2008	2009	2010
Number	728	287	416	135	777	532	531	348	672

(EMN 2012, Visa Policy Greece: 318, 323, 326, 329, 332, 337, 341, 348, 672 respectively).

Many irregular migrants were removed from different countries in Europe. Removals of nationals from India were as follows: 182 from Slovak Republic in 2007, 3965 from the United Kingdom in 2007. (EMN 2010, European Asylum and Migration Statistics 2007:83).

In 2008 out of 46,650 returned or departed voluntarily from UK the number and the percentage from India was 5300 or 11%. In 2009 out of 47,445 the number and the percentages from India was 4005 or 8% (EMN 2012, Annual Report on Migration and International Protection Statistics for the United Kingdom 2009:14).

A large number of Indians go to different countries every year on temporary visas and many amongst them overstay their visas and continue indefinitely. The number of visas issued to Indians in different years by some of the countries in Europe is as follows:

Visas issued from the Consular Mission of Italy at New Delhi in 2008, 2009 and 2010 were as follows:

Year	2008	2009	2010
Number	17,573	18,929	11,098
Purpose	1.2% Study, 62.1% employment, 35.7% Family	1.3% Study, 80.5% employment, 17.17% Family	2% Study, 83.61% employment, 34.3% Family

(EMN 2012, Visa Policy Italy:71).

Visas issued from the Consular Post of Greece at New Delhi from 2002 to 2010 were as follows:

Year	2002	2003	2004	2005	2006	2007	2008	2009	2010
Visas issued	2090	3493	4702	4879	6436	6436	5497	5709	3033

The average rate of rejection was over 20% (EMN 2012, Visa Policy Greece: 63, 68, 74, 79, 91, 109, 120, 129, 153 respectively).

Entry visas issued to the UK to the nationals of India were as follows: 399,255 in 2008 and 406,945 in 2009. The majority of visas issued in 2009 were for temporary admittance to the UK such as visitors (68%) or students (17%), (compared with 68% and 14% in 2008) (EMN 2012, Annual Report on Migration and International Protection Statistics for the United Kingdom 2009 :25).

There is thus possibility of increase in irregular migration due to overstay of temporary visas as large number of Indian nationals visit on temporary visas to different countries.

Statements made by the Government of India in the Parliament in 2010 regarding forgery of travel documents and also Indians in foreign jail also point to large irregular migration from India. The cases of forgery detected in passports and visas in respect of Indians at the airports under Bureau of Immigration are as under:-

	Year		
Airport	2008	2009	2010
Delhi	288	371	415
Mumbai	244	373	437
Kolkata	39	18	13
Chennai	234	138	132
Bangalore	-	-	22
Hyderabad	-	-	34
Amritsar	60	54	55
Total	865	954	1108

(Lok Sabha Question No. 3095, 2011).

Details of Indians in Foreign jails in Europe as on February 2010 on grounds of illegal migration, forgery of documents, illegal entry were as follows: 51 in Belgium (with Luxembourg), 4 in Bulgaria (with Macedonia), 3 in Finland (with Estonia), 19 in Poland (with Lithuania), 100 in Slovak Republic, 4 in Slovenia. The other countries in Europe which have not furnished information or not furnished reasons for detention due to Privacy Laws were as follows: France (with Principality of Monaco (Not furnished), 18 in Greece, 109 in Italy (with San Marino), 1 in Norway, 30 in Spain, 337 in UK (Lok Sabha Question No. 237, 2010).

Following seven media reports also point to large scale irregular migration from Punjab

- i. The BBC reported that “Belgian authorities have busted a human smuggling ring. According to the report, they found about 200 illegal Indian immigrants, who have forked out anywhere up to €20,000 to be brought to the UK. Almost all of them were Punjabis - mostly men between the age of 15 and 35. In July 2008, a BBC probe exposed another human trafficking ring - in this case, the perpetrators as well as the victims were Punjabis. In November 2007, 30 illegal Indian immigrants were caught in the French Alps - all of them were Punjabis”. (Special correspondent, Tryaksha Blogspot, 2008).
- ii. The police has nabbed a woman and her son, travel agents, for duping youths on the pretext of sending them abroad. Kulwant Kaur and Raj Kumar were on the run for the past six months after they were booked by the Jodhewal police for cheating Harjeet Singh of ` 2.80 lakh(€3000) on the pretext of sending him to Hong Kong. According to the police, Kulwant Kaur was running the alleged immigration racket for the past seven years at Jagraon. Her sons Rashem Singh and Kuldeep Singh, who were settled in Hong Kong, would help her in the business. Harjeet Singh complained that they took ` 2.8 lakh(€3000) from him, but neither sent him abroad nor returned the money. He then lodged a complaint with the police, who booked them for fraud (Special Correspondent, *The Tribune*, 3.12.2009).
- iii. Recently, the story of more than 12 persons of Phagwara has come into limelight who are forced to live like prisoners in Libya. It is really surprising that people do not think it necessary to know the whereabouts of fake travel agents who have persistently been accused of fraud and cheating of `20 billion in recent years. Near about 50,000 families have been duped by these unscrupulous agents. Despite scores of tragic stories of the sufferers, the number of illegal immigrants from Punjab continues to rise. The dodgy travel agents have displayed more than 20,000 hoardings all over the state to entice the Punjabi youth (Sharma 2010).
- iv. Tightening its noose around “immigration companies” cheating people on the pretext of sending them abroad, the local police on Sunday registered a case against Scotch Education & Immigration Service, based in the Sector 34, following a complaint lodged by a Kharar

resident claiming the firm duped him of `2.3 lakh (€300) (Special Correspondent, *The Tribune*, 15.8.2011).

- v. A day after a team of the UT Police raided the Sector 42-based office of Healthyway Immigration Consultancy and registered two separate cases of cheating against them, two more cases of cheating were registered against the company this evening. Sector 36 police station SHO Inspector Sukhbir Rana said two more clients of the company approached the police with their complaints of being duped by the company (Special Correspondent, *The Tribune*, 15.8.2011).
- vi. A local court granted bail to the director of Healthyway Immigration Consultants, Amit Kakkar, in three cases here today. Despite getting the bail in these cases, Kakkar will remain in the Burail Jail as seven more cases are pending against him. The Sector 42 firm is accused of duping scores of youths on the basis of false promises of an easy migration overseas (Special Correspondent, *The Tribune*, 2.11.2011).
- vii. The UT police has registered three separate cases under the Immigration Act today. In the first case, a Chandigarh Police constable was duped of `12 lakh(€17,000). Constable Dalbir Singh submitted `12 lakh(€17,000), in four instalments, to one Charanjit Singh who promised to send him abroad. Charanjit Singh, who is absconding, has been identified as a resident of sector 40. The complainant Dalbir is a resident of police society in sector 51. The case was registered at the police station in sector 34. In another case, manager of a telecommunication company Pardeep was promised migration abroad by two persons Van Good Man and Parkash Chauhan for arranging a job for him in a leading hotel in London. The two charged `18.75 lakh(€27,000) in four different installments from him. Police said victim Pardeep came in the contact of the accused through internet advertisements and deposited the cash in their accounts, without meeting them personally. Police said it is yet not sure if Van Good Man and Parkash are real names and say that the accused may already have fled abroad. In the third case, Balbir Singh of Raipur Khurd village was cheated of `5 lakh(€7200) by Harish Kumar of sector 15, Panchkula, who promised to send him abroad. Police said Singh had delivered the amount to accused Harish in cash (Special Correspondent, *The Tribune*, 11.2.2012).

Irregular migration from Punjab continue to be high as is evident from the examination of 1173 records of irregular migration recorded at Indira Gandhi International airport at Delhi; 250 records of irregular migration from Guru Ram Dass Jee International airport at Amritsar; 230 case records of complaints filed against agents; estimates of irregular migrants from India in different countries; asylum data, refusal data, apprehension data, removal data of irregular migrants from India; reports on irregular migration submitted in the Parliament and media reports. This is further corroborated during 10 field visits undertaken in September 2010 to different districts in Punjab and discussion with law enforcement authorities and public representatives. Though the number remains high it was noted that there has been a decline in the “high risk” cases which in the local parlance is called “donkey cases”(it is so called because the irregular migrant is completely under the control of the agent and follows him blindly even risking his life). Potential irregular migrants are now less inclined to take risky journeys which involve traversing unknown territories or crossing sea in unworthy boats. This has happened over the years because of better education amongst migrants and also better awareness about dangers of irregular migration. In this regard awareness campaigns launched from time to time in electronic and print media had played an important role. Taking into account all aspects it can be concluded that there has not been any decline in the number of irregular migration since the previous study. It was noted that every year over 20,000 youths from the state of Punjab alone attempt to migrate irregularly, 47% of whom are bound for Europe (Saha 2009:i).

3. Profile of irregular migrants

About 55 % of irregular migrants are in the age group of 21-30 and about 21 % in the age group of 31-40. In the previous study over 50% of the irregular migrants were in the age group of 21-30 and about 18% in the age group of 31-40 (Saha 2009:35). While it corroborates that the age group 21-30 is most prone to irregular migration but there has been a substantial increase in the number of irregular migrants in the age group of 31 to 40 which implies that many middle aged persons are also attempting irregular migration. About 4 % of irregular migrants were aged below 20. This is a matter of concern as direct involvement of family in sending such young migrants through the route of irregular migration is evident. About 7% irregular migrants were in the age group 45 to 50 and 4% in the age group 51 to 55. There are few irregular migrants in the age group 56 and above also. Some of these irregular migrants were Afghan Sikh refugees in India who wanted to migrate to other countries with their family and resorted to irregular migration. But there are other migrants in the higher age group of above 50 who may have resorted to irregular migration having been denied regular visa in the ordinary process.

92% and 8% of irregular migrants were male and female respectively. Thus it is apparent that a substantial number of female do attempt irregular migration. About 58 % of the female irregular migrants are in the age group of 21 to 30.

About 17 % of irregular migrants were almost illiterate as they had education below Matriculation level (Standard X, equivalent to ‘Secondary School Leaving Certificate’ aged about 15 to 16). About 20 % of irregular migrants had education up to Matriculation level and 34% had education up to Standard XII (‘Senior Secondary School Leaving Certificate’ aged about 17 to 18). It seems that the majority of the students in Punjab are not interested to pursue studies after Standard XII. It was noted during the field visit to different districts in Punjab that many youths who had completed Standard XII attempted to get admission in educational institutions in other countries. The education level of male and female irregular migrants was more or less same. Thus most of the irregular migrants are young and low-skilled. However, it has been noticed that some of the professionally qualified persons such as engineering and management graduates had also resorted to irregular migration.

About 33% of the irregular migrants were Jat Sikhs¹ and 13% Lubana Sikhs². 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. Most of the female irregular migrants were Jat Sikhs and a few Lubana Sikhs. Irregular migration has spread to many other castes as well such as Bania, Brahmin, Khamboj, Khatri, Rajput, Saini and other lower castes. In the records the lower castes included Scheduled Castes and also the OBCs (Other Backward classes). In some cases after recording lower caste specific mention of caste such as Ravidassia, Weaver, Kumhar, Dhobi, Lohar etc had been mentioned. It may also be mentioned that information on caste was missing in many records. About 6 % of irregular migrants were from the lower caste which implies that mobility is increasing amongst the irregular migrants belonging to lower castes and they are able to mobilize resources to meet the high cost of irregular migration.

Most of the irregular migrants in the age group 21-30 are unmarried. The irregular migrants who are married leave behind their family to the care of elderly persons in the family. Leaving behind wives and children often has serious social consequence which is highlighted by the following report:

Illegal immigration of a number of Kapurthala residents to different foreign countries is one of the main reasons for extramarital relations of their wives which in some cases later resulted in murders, said DSP Amrik Singh Pawar. He has solved most of the blind murders due to illicit relations during his

¹ The Jats are dominant caste group in the Punjab. Traditionally, the Jats are farmers/landowners and their economic power derives in large part from land ownership.

² Originally, the Lubanas were transporters and carriers. They harvested profits from the expansion of trade and their financial position gradually improved which paved the way for upward social mobility.

posting at Bholath and present posting at Kapurthala. Mr Pawar said that those who had gone to foreign countries legally, they either took their wives with them after some time or visited their houses at regular intervals. On the other side, illegal immigrants compensated their absence from home for several years with remittances. Free from husbands' watchful eyes these women developed extra-marital relations. He said that this trend was prevalent in Kapurthala and other districts of Doaba as the number of illegal immigrants was high in this region. Mr Pawar said that drug-addiction made the wife turn to another person for sexual favours (Joshi 2007). It is well known that the Punjab has a serious drug problem.

4. Reasons

Reasons for irregular migration are economic, social and cultural as would be evident from the following three reports:

- i. Punjabi fascination for alien shores translates into a fanatical mania bordering on suicidal desperation, tragic tales of illegal immigration, of unrequited ambition, of dreams turning sour, of precious lives lost, are written and re-written. Even today an average Punjabi youth would go to any lengths, bear any cost and adopt any means— legal or illegal – to cross the seven seas and start a new life in a new country. And the faster the law catches up, the more ingenuous he becomes. With each new dawn his mind devises newer means to immigrate. Immigration is a natural way of growth, both for individuals and nations. Thus, at the surface level, the over-eager Punjabi's bid to seek the NRI tag (which they wear with great pride) is understandable. However, Punjabis' search for greener pastures can't be mocked at or condemned. What is unfathomable is the preposterous extent to which they go to attain their goal. They are ready to brave anything hide as stowaways in tankers, trek for several days at a stretch, bear frostbites, lose limbs, starve, risk falling into the hands of the authorities, serve jail terms, be exiled in gurdwaras to enter foreign shores. Sanjiv Kalra, Inspector General, Jalandhar range opines, "Punjabi youth are a classic example of 'bitten again and again but never shy'. Frankly, they fall into the trap with their eyes wide open." And he is not of the mark. Take the case of Baljit Kaur. She recounts the harrowing experience of her 18 year-old son Harjot Singh, who was recently brought back from Malaysia on an emergency certificate. But, clearly no lessons have been learnt, as she is non-committal about her son not trying his luck again to go abroad. She says, "What option do we have?" Gurmukh Singh, whose son-in-law was caught in Turkey while trying to move from Lebanon to Greece, echoes similar thought. He understands that there is a real threat to life but his misguided stance is, "one has to go, for here we find it difficult even to make two ends meet." (Distant Dreams...Available at: <http://www.tumblr.com/tagged/distant-dreams>).
- ii. The root of this irresistible attraction lies in economic compulsions. Punjab may be hailed as a prosperous state but here very few jobs are available, especially for rural semi-educated youth (who form bulk of irregular migrants). Add to this, corruption and nepotism in the job market and the situation becomes grimmer. As Baljit Kaur shares, "With two sons, one just a matriculate and other a Class XII passout, how do we beat unemployment?" So the concerned parents would rather have their children gainfully employed in foreign lands than let them fall prey to depression due to unemployment (Distant Dreams...Available at: <http://www.tumblr.com/tagged/distant-dreams>).
- iii. Even though the trend of sham marriages among Punjabis has ruined lives of several hundred girls in the state, still the lust for going abroad in search of greener pastures among the Punjabis does not seem to be dying down. Jasvir Kaur (29), a graduate, who belongs to Khadoor village near Jodhan, has become the latest victim of the sham marriages. She not only suffered a huge economic loss, but is also living with a social stigma of being dumped by a honeymoon husband. According to Jasvir, her father had arranged `26 lakh(€37,700) by selling their agricultural land. Now, she and her family members were passing through a

tough phase. “Despite the fact that a large number of girls are being dumped by the NRI grooms every year, still a few families are searching for them,” said SSP Ludhiana (Rural) Gurpreet Singh Toor (Shetra 2012).

Desperation can be gauged from one particular instance where an irregular migrant even went to Pakistan and from there he successfully migrated to Italy; knowing fully well the risks involved in entering Pakistan illegally where he could have been charged for a spy.

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 (Saha 2009:36).

Youths in rural areas in Punjab are not interested in studies. Majority manage to complete education 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 (Saha 2009:115).

Income from agricultural land is 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 (Saha 2009:112).

Parents fear unemployed youth would take to drugs and alcohol. They therefore, do not mind family members attempting irregular migration (Saha 2009:111).

Caste, along with kinship, plays a key role in facilitating chain migration. Transnational caste networks are a major force driving migration to Europe, since Indians are far more likely to migrate when they know family members and /or caste members who are already settled in the country concerned and can help at all stages of the migration process, from pre-departure to initial settlement and eventual family reunification. Remittances from Europe are also important in driving migration: villagers who see other families benefit from money sent abroad are strongly encouraged to consider migration as a strategy for economic uplift in a context of high unemployment in India. In the Punjab, the initial example of the Jat caste and the remittances that they received from family members abroad led members of other castes, including traditionally poor castes, to also invest in migration (Lum 2012:14).

If a group of Jats first establishes itself in a particular occupational niche, it will be other Jats who will benefit future job opportunities in that sector, making it difficult for other caste groups to enter and gain a foothold (Lum 2012:10).

Apart from the push factors; the pull factors are as important in encouraging irregular migration.

Demand for labour exists in several sectors of economy in different countries in Europe. In general the following sectors are mentioned as significant for the undocumented employment of foreigners: construction and associated businesses; hotels and restaurants; cleaning of industrial facilities and buildings; agriculture and forestry; food, beverage and tobacco industry; transportation of persons and goods; metal processing industries; and business in the entertainment sector (bars, nightclubs,

amusement arcades). Also in private households and on private sites, it is considered particularly likely that illegally employed labour is hired (UWT 2007 Migration and Irregular Work in Europe Literature Review :13).

Illegal migrants upon their arrival in France, usually work for fellow migrants in the informal economy, dominated by the following three sectors: construction, restaurants and textile work. They typically work as dishwashers in the kitchen of Indian and Pakistani restaurants (the least paid job in the trade). They load and unload huge textile rolls for Chinese/Jewish/Pakistani warehouses and workshops. They renovate or do up private housing. Illegal work is usually easy to obtain, because it is much cheaper for the employer who will not pay taxes; it saves 60% of labour costs (Moliner 2012:7).

Large underground economy in Italy and the acute shortage of native Italians willing to carry out a number of jobs in the dairy/health/domestic sectors, the latest battery of measures to curb irregular migration will not dent irregular migration from India, which will continue as long as demand exists in the 'shadow economy' (Lum 2012:19-20).

Since the vast majority of Punjabi Indians in Italy are low skilled, they gravitate towards a sector that is in need of cheap labour. Where they can survive without extensive Italian language skills and where it is possible to work irregularly (Lum 2012:8).

Irregular migrants from India are able to find work. Further, 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 (Saha 2009:102).

That irregular migrants do have good income is further corroborated by the following report:

Surinder, 33, also from Southall, arrived in the UK more than 10 years ago. There was a time when he made £300 a week working six days as a heating engineer, but he is now living in the poverty he came here to escape (Rogers 2012).

If some members of a family had migrated irregularly, other left in the family also attempt irregular migration provided family circumstances permit (Saha 2009:102).

Thus, both push and pull factors are responsible for irregular migration from Punjab.

5. Destination countries

Irregular migrants have attempted to go to 70 different countries. Various destination countries in Europe include Austria, Belgium, Bulgaria, Cyprus, Czech Republic, Denmark, France, Germany, Greece, Hungary, Ireland, Italy, Lithuania, Malta, Netherlands, Norway, Poland, Portugal, Romania, Russia, Spain, Sweden, Switzerland, Turkey and UK. Amongst these destination countries, Bulgaria, Czech Republic, Greece, Hungary, Lithuania, Poland, Romania and Turkey are likely to be the transit countries for onward travel to prosperous countries in Western Europe. Apart from these transit countries the other transit countries/places are Bahrain, Qatar(Doha), UAE(Dubai), Guatemala, Kuwait, Malaysia and Thailand. If the irregular migrants had not been deported from these transit countries they would have reached the destination countries such as Canada, France, Germany, Greece, Italy, Philippines, Spain, UK and USA. Thus, for irregular migration to Europe the transit countries need not necessarily be in close proximity to Europe. The reasons for deportation from these transit countries include forged visas, forged passports, forged residence permits, forged work visas and forged CDCs. These transit countries are preferred as it is easier for agents to organize visas for these countries. Some countries in Europe had been the destination for a large number of irregular migrants, namely UK (11%), Italy (9%), France (5%), Germany (5%) and Greece (3%). UK followed by Italy appears to be the preferred destination for irregular migrants in Europe because of the existing Indian community and the belief that they will be able to find work.

The number of cases where the Jat Sikhs had chosen a particular country as a destination country is follows: 55 for USA, 54 for UK, 50 for Italy, 41 for Canada, 20 for Germany and 11 for France. Apart from these preferred countries the Jat Sikhs have attempted to go irregularly to many other countries. The number of cases where the Lubana Sikhs had chosen a particular country as a destination country is follows: 28 for USA, 22 for Canada, 19 for Italy, 13 for UK, 9 for Germany and 5 for France. Apart from these preferred countries the Lubana Sikhs have also attempted to go irregularly to many other countries but the number of such destination countries is limited when compared with destination countries chosen by the Jat Sikhs. While the majority of the irregular migrants of lower caste had chosen destination countries in the Middle East or South East Asia but quite a few of them had chosen their destination countries such as Australia, Canada, Cyprus, Greece, Italy, Jordan, Morocco, New Zealand, Philippines, Romania, Russia, Spain, Sweden and UK. This only shows that aspiration amongst the lower castes to migrate to prosperous countries is increasing.

Russia continues to be an important transit country for irregular migration to Western Europe. Some of the irregular migrants travelled on their own passport to transit countries and attempted irregular migration from the transit countries.

Apart from destination countries in Europe, the other destination countries (excluding countries in the Middle East and South East Asia) were Australia, Brazil, Canada, China, Guatemala, Japan, Mexico, New Zealand, Peru, Philippines, South Africa and USA. Irregular migration to USA and Canada were on an average 11% and 8% respectively. Guatemala, Mexico and Peru are likely to be the transit countries for irregular migration to USA.

Australia, China, Japan, New Zealand, Philippines, South Korea are emerging as alternative destinations. It can be seen that destination countries have become more varied. Many irregular migrants are opting prosperous countries in the East than countries in Europe thus a shift in the choice of destination countries is noticeable. This may be due to less cost for migration, possibility of finding jobs and having earning commensurate with Europe. 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 irregular migration.

A substantial number of irregular migrants could stay on irregularly for more than 7 years in Germany, Italy and UK. Many could continue for 3 to 7 years in these countries. The number of instances where the irregular migrants could continue in some countries in Europe for more than 7 years are as follows: 35 in UK, 13 in Italy ,10 in Germany and for 3-7 years; 14 in UK, 13 in Italy, 5 in Germany. Some of the irregular migrants particularly to Canada, UK and USA have spent more than 20 years. In USA and Canada also a substantial number could stay on for more than 7 years and many for 3 to 7 years. The number of instances where the irregular migrants could continue for more than 7 years were as follows: 56 in USA, 21 in Canada and for 3 to 7 years; 7 in USA, 7 in Canada. It implies that while all efforts are made in destination countries to deport irregular migrants but many amongst them do manage to stay on. Many of these irregular migrants returned to the country on their own after long stay in other countries. Irregularities noted in these arrival cases include travel on someone else's passport; illegal entry; overstay of tourist visas; forged visas; forged residence permits; forged work visas. Some of the irregular migrants returned on their own within a year or two. These migrants may have found life difficult in other countries.

6. Route

The routes for irregular migration are varied. Routes to countries in the Western Europe via Russia and countries in the East Europe are the traditional routes. Many migrants could enter Germany and Austria via land route from Russia. Entry to Western Europe via Greece has been continuing for many years and it still continues to be the entry point for Europe.

One migration route sees Indians travel to Georgia, from whom it is easy to obtain a multiple-entry, yearlong visa, proceed to Turkey (there is visa free travel between Georgia and Turkey), and from there to Greece, due to porousness of the Turkish/Greek border and weak control on the Greek side of the border. Another common migration route is to travel by air to Russia (Moscow) usually with a legitimate visa, and then travel by land to Italy via the Ukraine and Hungary and Slovakia (Lum 2012:2).

Some irregular migrants have entered Greece via Lebanon, Syria and Turkey. Some irregular migrants have entered Spain via North Africa for example via Mali, Morocco. Following report on the question whether about 35 Punjabi youths have been kept in illegal custody in Mauritania, West African country; it was replied in the Parliament that “the Mauritanian Ministry of Foreign Affairs has conveyed to our Ambassador in Bamako, Mali, that it was unlikely that such a large group of foreigners would be in illegal custody in Mauritania. Our Embassy is, however, pursuing the matter further with the Mauritanian authorities” (Rajya Sabha unstarred question no. 366, 2012).

It was noted that irregular migrants from India are also being taken through countries in the Middle East, South East Asia and of late via China. Most of the cases of illegal entry into USA via land route had been via Mexico or Canada. It has also been noted that some of the irregular migrants went by sea and reached countries in Europe. Some migrants had gone on tourist visas to countries in Africa such as Ghana, Kenya and from there went irregularly to countries in Europe, Canada and USA.

7. Profile of agents

About 14 % 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. Sub-agents are the lowest in the hierarchy and work for primary agents, finding clients and facilitating links. About 7 % of agents were from 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. It has been noted that agents in Delhi operated from a few particular areas namely Uttam Nagar, Rohini, Pritam Pura, East of Kailash, Yumuna Vihar. All these are good middle class urban neighbourhoods. Agents are active in some of the districts in Punjab namely Amritsar, Hoshiarpur, Jalandhar, Kapurthala, Ludhiana and Nawanshahr. In the previous study it was noticed that Jalandhar was the hub of activities for agents but it seems many of these agents have shifted to other districts in Punjab where irregular migration is emerging and is likely to be high in future. Agents were also found operating in the districts of Fatehgarh Sahab, Firozpur, Gurdaspur, Moga, Patiala, Ropar and Sangrur where in the previous study very few agents were found active. There has been thus proliferation of agents in Punjab.

Agents are active in some of the districts in Haryana namely Faridabad, Kaithal, Karnal, Panipat and Sonepat.

Some agents from Punjab may have shifted to bigger cities like 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. Many instances were noticed where people of Indian origin were found operating as agents in Germany, Greece, Indonesia, Italy, Malaysia, Spain, UK and the countries in the Middle East. It is likely that some of them may be

citizens of other countries but there may be others who are staying temporarily and carrying on their activities as agents. It appears that the reason for which some of the agents operate from other countries is because 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 adopt this strategy. A significant number of migrants contacted agents in Bangkok, Djakarta and Kuala Lumpur. Earlier agents in other countries were catering to their own ethnic communities, but now agents offer their services to anyone who needs them. An instance was noticed where one brother based in Delhi sent migrants to Dubai and the other brother based at Dubai organized forged travel documents for travel to other countries.

It was noticed that an agent who arranged forged Canadian visas had earlier worked as visa officer in Canadian High Commission. Another instance was noticed where two French nationals who worked in the French Embassy in Moscow arranged forged Schengen visa for an irregular migrant who had gone on tourist visa to Moscow on payment of €3000.

Majority of the irregular migrants had specific addresses of the agents. In some cases the irregular migrants had only their mobile number. It is interesting to note that perhaps mobile number was considered sufficient to get in touch with the agents. In some cases the agents had given their passport details to instill confidence among irregular migrants. But in quite a few cases the irregular migrants had no specific address of the agents. In some cases the irregular migrants were not aware about the agents as the travel documents had been arranged by parents or other acquaintances. It must however be noted that the agents with whom the irregular migrants come in contact are the sub-agents of main agents. Regarding main agents irregular migrants may not have any idea as they operate from big cities.

Based on limited data on the age groups of agents it was noted that a substantial number of agents were in the age group of 21 to 30. These young agents are likely to be the new entrants in the business of irregular migration. They were likely to mobilise migrants for different principal agents as it was easier for them to convince potential irregular migrants who are 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 irregular migration for many years.

Most of the agents were male but a few female were also engaged in irregular migration. In some cases both husband and wife were operating as agents.

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 spent some years in other countries, where they developed contacts with other agents. It was noticed that an agent who had masters degree in engineering was arranging forged visas for Philippines.

Valuable information about profile of agents; how and why they became agents could be gathered from the details collected by the police officers from 32 agents who were arrested following cases of cheating registered against them under section 419/420/120B of the Indian Penal Code. Information collected from these agents is as follows:

- a) The different age groups of the agents were as follows: 2 in the age group less than 30, 4 in age group 30-35; 14 agents in the age group 36-40; 3 were in the age group 41 to 45; 3 in age group 46-50, and 6 in the age group more than 50. Thus majority of the agents are middle aged but there are few agents who are very young.
- b) Various professions in which the agents were engaged are as follows: 14 in private business; 8 working as agents for sending migrants abroad; 2 as property dealers and 8 as travel agents. Thus it can be seen that the agents are involved in diverse professions.

- c) The different places where the agents were based are as follows: 13 in Delhi; 12 in Punjab; 2 in Haryana; 2 in Chennai; 1 in Hyderabad; 1 in Mumbai and 1 in Canada. Thus it can be seen that the agents are mostly based in cities.

Following true stories reveal how and why they became agents:

- a) An agent based in Canada has been providing forged Canadian passports.
- b) An agent based in Mumbai earlier worked in an automobile workshop. He has been working as agent for 5 to 6 years. He has been sending irregular migrants to USA via Guatemala. He has successfully sent 15 irregular migrants to USA. If on an average he charged `15 lakh from each irregular migrant, one can imagine the money he has made in few years. There are several cases lodged against him but he could be arrested after many years.
- c) An agent based in Delhi was running a restaurant and arranging forged travel documents.
- d) An agent based in Haryana was living with his uncle who retired from Haryana police. He was running a Computer Training Institute and also arranging visas. He came in contact with a Pakistan national based in Malaysia. Someone approached him for arranging travel of four boys from Punjab to New Zealand. He went to Malaysia to arrange visa through his Pakistani contact in Malaysia. All the four boys were caught as their visas were forged.
- e) An agent based in Delhi had arranged tickets on fake Italian passports. He claimed that he had arranged only the ticket whereas the forged passports had been arranged by someone else.
- f) A student from Punjab had gone to Australia but his visa was not extended as he could not clear IELTS examination. He came to India and approached an agent based in Delhi who arranged a fake IELTS certificate and charged `2 lakhs (€2900).
- g) An agent based in Delhi after completing his education searched for jobs. Having failed to get one he started arranging forged documents to send people to other countries. He got good money by arranging forged documents. He also worked as property dealer for name sake so that the police do not suspect him.
- h) An agent from Punjab who had a Travel Agency in Chandigarh moved to Delhi and started sending people abroad on forged documents.
- i) An agent based in Punjab was a Kabbadi³ and Handball player who represented his club. He started his ticketing business. Gradually potential migrants started approaching him to be sent abroad. He developed contacts with other agents and arranged forged travel documents.
- j) An agent based in Punjab after completing his studies searched for government job but he could not find one. He came in contact with an agent who was engaged in arranging fake documents. Then he searched for clients. When he found a client from the neighbouring village he finalized the deal for `7.5 lakh(€0,800) . He gave `6 lakh(€8700) to the agent who used to regularly send irregular migrants and made `1.5 lakh(€200) from the deal.
- k) An agent based in Punjab started a provision store as a result he came in contact with many people. He saw that there was a huge money in the profession of agent. Then he came in contact with one Dubai based agent who used to charge `80,000(€100) for arranging travel documents for Dubai. He contacted persons who were interested to go abroad and started charging `120,000(€1700) to `130,000(€1900) and used the services of the Dubai based agent and paid him `80,000(€100) and the rest of money was his profit. In a sort span of time he made substantial amount of money.

³ A sport of Indian origin in which players attempt to touch or capture opponents. The players must repeat the word 'Kabaddi' to show that they are holding their breath.

From the above mentioned case studies it is evident that the possibility of earning substantial amount of money in a short span of time is the main motivating factor to operate as agents.

In a few cases, carrier-agents accompanied irregular migrants to their destination countries. Some of the carrier-agents had long-term business visas for many countries which facilitated their travel. Thus it appears that the system of professional carrier-agent is common to irregular migration. In a few cases the agents/carrier-agents presented female irregular migrants as their wives. 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. 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. Money paid to a carrier-agent varied from `2 lakh(€2900) to `6 lakh(€8700). The other expenses of travel, lodging and boarding of the carrier-agents were also met by the agents. Irregular migrants who were accompanied by carrier-agents had paid high fees to the agents.

8. Modus operandi

The modus operandi of agents include jacket substitution, photo substitution in Indian passports and foreign passports, use of forged Indian and foreign passports, re-stitching of passports, tampering with passports; use of forged and stolen visas; use of forged residence permits; use of forged employment visas; use of forged cadet discharge certificate of ship(CDC); use of forged stamps; exchange of boarding cards in security areas at airports; facilitating illegal entry; tutoring to claim asylum and encouraging overstay of tourist visas.

About 22 % of irregular migrants had successfully travelled or intended to travel on somebody else's passport either by substituting photo or by jacket substitution or re-stitching of passport. The number of cases where passport of someone else was used for some of the countries is as follows: 71 for USA, 43 for UK, 36 for Canada and 27 for Italy. Forged passports of Belgium, Canada, France, Germany, Greece, Italy, Portugal, Spain, UK and USA and countries of Middle East had been used. Forged Turkish passports had been used by irregular migrants from Afghanistan. Forged Malaysian passports were often used by Sri Lankan irregular migrants. Passports of even dead persons had been used. Passports of twin brothers as well as cousin had been used. Friends settled abroad have lent their passports for irregular migration. An instance was noticed where a Singapore passport was procured for €12,000. Passports of about 17% of irregular migrants were found to be tampered with; as a result they were not allowed to depart by the immigration authorities at Delhi or were deported from other countries. In arrival cases, tampering with passports was noticed upon arrival in Delhi. In some cases the passports had been tampered with by the agents without the knowledge of the irregular migrants. Common tampering noticed included removal of folio; pasting of folios; removal of visa stickers; chemical washing of visa stickers; tampering with entries and use of forged stamps.

Afghan Sikh refugees and Sri Lankan refugees staying in India could procure Indian passports. Indian passports issued abroad by the Indian embassies had often been misused for irregular migration. Irregular migrants who go on passports of someone else return on their own passports if passports are still valid. If the passport has been destroyed they try to get one re-issued in India or in the Indian Embassy. In many cases irregular migrants returned on Emergency Certificate issued from the Indian Embassies. Many irregular migrants return on passport of someone else. Agents also arrange forged documents for return and they charge considerable fees for preparing such documents. An irregular migrant in USA had paid \$4300 for a forged Indian passport to return to India.

Forged visas of as many as 31 countries had been used. Instances of forged visas are particularly noted for Austria, Bulgaria, Cyprus, Czech Republic, France, Germany, Greece, Hungary, Italy, Lithuania, Poland, Portugal, Romania, Spain, Sweden, Switzerland and UK. Uses of forged visas for East European countries indicate that these countries are being increasingly used as transit countries for

irregular migration to the countries in Western Europe. Forged visas of many other countries have also been used. These countries are as follows: Afghanistan, Brazil, Canada, China, Costa Rica, Japan, Jordan, Malaysia, Mexico, New Zealand, Philippines, South Africa, South Korea and USA. Stolen visas of Austria, Germany and UK had been used. In many cases forged visas of China, Laos, Cambodia and Malaysia had been affixed to conceal a rejection stamp or other objectionable entries in the passports. In some cases it had been deliberately done to give the impression of a frequent traveler and thus escape closer scrutiny. About 23 % of irregular migrants had successfully travelled or intended to travel on forged visas of different countries. The number of cases where forged visas had been used for some of the countries is follows: 37 for Canada, 29 for Malaysia, 25 for Philippines, 22 for Italy, 17 for Greece, 15 for UK, 14 for France and 9 for USA. Forged visas have been procured from China, Cyprus, Greece, Guatemala, Indonesia, Kuwait, Malaysia, Russia, Singapore, Thailand, UAE(Dubai) and UK. Many irregular migrants from India had gone to Bangkok, Djakarta and Kuala Lumpur for procuring forged visas. Kuala Lumpur has emerged as a major centre for forged visas. It is possible to procure visa for any country in Kuala Lumpur. Many of the agents in Kuala Lumpur are of Indian origin.

Forged residence permits of Belgium, Czech Republic, Canada, France, Germany, Greece, Italy, Philippines, Portugal, South Africa, UK and USA had been used. It was noticed that a forged Greece residence permit was procured for €3000 in Greece. It was also noticed that a forged UK residence permit was procured for £5000 from an agent of Indian origin in London.

Forged employment visas of Canada, Greece, Malaysia and South Africa were used. It has been noticed that past employers often helped in procuring forged employment visas. Many migrants in the counties of Middle East continue even after the expiry of employment visas. And in the process they are forced to avail services of agents to procure forged documents to continue and also to return to the country. Many instances were noticed where the employer retained the passports of migrants. The agents often promise jobs to irregular migrants. An agent promised job to an irregular migrant in New Zealand but ultimately abandoned him in Malaysia. One agent promised to send an irregular migrant on employment visa to Singapore but arranged only a tourist visa.

In a number of cases forged CDCs of Belize and Panama had been used to go to Italy, Ireland and Philippines. Forged CDCs had been mostly used by irregular migrants from Haryana.

Forged arrival and departure stamps had been put in order to show that they left on their own passports when actually they had left on someone else's passport.

Boarding cards were exchanged in the security area mostly by Sri Lankan irregular migrants. Most of the Sri Lankan irregular migrants intended to depart for France, Italy and UK.

About 5 % of irregular migrants had entered other countries illegally. Some of the countries where irregular migrants could enter illegally through land route include Austria, Belgium, Canada, France, Germany, Greece, Italy, Malaysia, UK and USA.

In a few cases asylum claims were made in Germany and Switzerland. The claims were made on the ground of persecution in Jammu & Kashmir which were rejected.

About 4 % of irregular migrants had overstayed their tourist visas. The countries where irregular migrants overstayed their tourist visas are Australia, Canada, France, Germany, Greece, Italy, Japan, Malaysia, Netherlands, South Korea, Spain, UK and the countries of Middle East.

Following report describes succinctly the modus operandi of agents:

When Brussels detectives raided the flats at Halvemaanstraat 22 they were shocked at what they discovered. The address looked ordinary enough for a backstreet in a poor district of Brussels. But upstairs, inside a single one-bedroom flat, 24 illegal immigrants were waiting in squalor for the moment they would be taken on the final stage of their long journey to England. The men, all from the Punjab region of India, were locked indoors and brought cheap supermarket food once a day. Some had been living there for months. The man who led the Brussels gang, Jagdish Kumar, 23,

masterminded the business for at least three years. He was jailed for 10 years, one of the longest sentences ever handed out for people smuggling by a Belgian court. Kumar admitted to being involved in smuggling 150 individuals, but detectives believe the true number was much higher. Kumar's business was so complicated that detectives took two years to disentangle all the financial relationships between the network of Punjabis, many of whom had themselves been illegal immigrants before becoming traffickers. The families of immigrants in India paid the gang thousands of euros for forged documents. (Meo 2010)".

Few Irregular migrants after staying in UK or Germany for some years attempted to go to USA on forged documents.

Involvement of foreign agents was noticed who helped in procuring forged documents and also in the travel of irregular migrants from one country to another. Large number of forged travel documents had been arranged by agents of Indian origin based in UK, USA, Spain and Canada.

In 26 cases the agents had accompanied the irregular migrant up to the destination country. Majority of irregular migrants who were accompanied by agents were females who do not feel confident to travel on forged documents. Agents also accompany those who are illiterate and aged. The agents in some cases took back the forged passports from the irregular migrant to reuse them. The agents had accompanied the irregular migrants for Canada, Italy, UK and USA. In some cases the relations of the irregular migrants accompanied them. In some cases the agents accompanied the irregular migrant up to the transit countries.

It was noticed that often irregular migrants from different places travelled in a group to a particular destination, it is likely that agents collaborate with each other while sending irregular migrants to a particular destination. They pool the migrants and one amongst them takes the responsibility of sending the irregular migrants. Such travelling in a group is also possible when different sub-agents approach a particular agent who ultimately organizes travel of irregular migrants.

Depending on the security at a particular airport the agents decide which airport is likely to be safe for irregular migration and accordingly arrange travel. Thus no conclusion can be drawn if the data of irregular migration drops at a particular airport in certain periods. There can be corresponding increase at other airports.

9. Fees charged

The fees for Canada and USA are more than `2000,000(€29,000). Ten years back the fee for these countries was about `500,000(€7200). Thus there has been almost fourfold increase in the fees in the course of 10 years. The fees for UK, Italy, France, Germany vary from `500,000(€7200) to `1200,000(€17400). Thus fees for Europe on an average can be taken as `900,000(€13,000) Instances of higher fees for Europe was also noticed. In one case an Afghan Sikh family of 4 persons intending to depart for UK had paid `1500,000(€1700) per person. Ten years back the fee for destination countries in Europe was about `300,000(€4300). Thus there has been threefold increase in the fees in the course of 10 years for destination countries in Europe. The fees for destination countries in the Middle East and South East Asia vary from `100,000(€1400) to `300,000(€4300). For the same destination in the same period of travel the agents have charged different fees from different irregular migrants. Thus it seems the agents try to extract the maximum from their clients. Higher fees had been charged by agents where agents or carrier agents had accompanied the irregular migrant. Higher fees would be charged by agents who have succeeded in sending irregular migrants to their destination countries in the past. Potential irregular migrants come to know about such successful agents and they approach such agents. In 21 cases the agents had accepted part payment which varied from 40% to 60% and the rest of the amount was to be paid on reaching destination. A few instances were noticed where the agents agreed to accept payment from relations of the irregular migrants upon their reaching

the destinations. The fees for Australia and New Zealand are less compared to Europe. The present fee for these countries is about `8 lakhs (€1,600).

Agents involved in irregular migration work in collaboration with other agents where every link in the chain from the country of origin, transit and destination country perform the specific assigned task and charge fees for the specific service provided by them. Thus the fees charged from an irregular migrant get shared at different levels.

10. Measures taken to curb irregular migration

a) Measures taken in India (the country of origin)

The Government of India in cooperation with the State Governments has initiated a number of measures to curb irregular migration. The policy of the Government of India is to promote legal, orderly and organized migration from India and to discourage illegal migration.

The Ministry of Overseas Indian Affairs had requested all the States to devise specific legal mechanism to curb the middle men/ sub agents/ travel agents involved in the exploitation of the potential Overseas Workers. Ministry of Overseas Indian Affairs has undertaken a nationwide Awareness-cum-Publicity Campaign for promotion of legal migration and for making the people aware of the procedure involved in the emigration process and risks of illegal migration. The State Governments have been requested to undertake similar Awareness Campaigns; especially in the vernacular languages to make their efforts more targeted (MOIA, 2008).

Following report had been submitted in the Parliament in 2010 regarding measures taken to check irregular migration:

Prompt action is taken as and when such cases of forgery/fake visas and passports are detected. Agents involved in preparing such forged/fake documents are apprehended by the local police authorities and appropriate action is taken against them as per law. Furthermore, a number of steps have also been taken by the Government to check travel by persons on forged/fake documents. These inter alia include:

- a) Use of magnifying glass and Ultra Violet lamps at all International Airports for scrutinizing the features of the travel documents;
- b) Issuance of machine-readable passports with improved security features;
- c) Installation of Passport Reading Machines (PRMs) for verifying the genuineness of the travel documents;
- d) Installation of Questionable Document Examiner (QDX) machines for detection of sophisticated forgeries in travel documents;
- e) Installation of Immigration Control System (ICS) software which verifies the passport details of passengers to prevent impersonation; besides
- f) Special training is also imparted to Immigration Officers at airports on a regular basis to detect forged/fake travel documents (Lok Sabha unstarred question no. 803, 2010).

The State Government of Punjab has taken a decision to enact “The Punjab Prevention of Human Smuggling Act, 2010” which is awaiting the President of India’s assent. It is an important piece of legislation as it seeks to regulate the profession of travel agents to check their illegal and fraudulent activities and malpractices of those involved in the organised human smuggling in Punjab (Malhotra 2010).

Following the directions of the Union Home Ministry, the Punjab government has created a special cell, headed by IG BK Bhawra, to crack down on illegal migration and tighten the noose around unscrupulous travel agents across the state. According to sources, the problem has aggravated in

Majha and Malwa regions in the last over 10 years after originating in the Doaba region almost two decades ago. The police department has appointed a nodal officer of the rank of SP or DSP at every district to enforce the law on illegal immigration. The department has also started preparing a database of the travel agents and immigration consultants, so that their 'dubious activities' could be monitored regularly. The travel agents have been asked to keep an additional photocopy (countersigned by the applicant) of each and every document (passport, VISA and air ticket) of the applicant to make the deal transparent. The agents must have the mandatory permit issued by the Protector of Immigrants for running such a business (Special Correspondent, *The Tribune*, 22.8.2010).

Guru Kashi University (Talwandi Sabo), with a vision to improve the lot of unemployed youths, who are many a time misguided by the unqualified immigration agents and are sent to foreign countries through illegal means, has established a memorandum of understanding with Singh & Associates, a Certified Canadian Immigration Firm. These youths will now be given technical and professional training in the trades such as welding, plumbing, pharmacy, nursing, sheet metal, aeronautical engineering, aircraft assembly and many more trades that are approved by the Canadian and Quebec government as trades in high demand (Special Correspondent, *The Tribune*, 6.1.2012). For the present the University is proposing to start the 1 year course on Masonry and 3 year diploma programme on Insurance and Financial Services from January 2013. Students have already taken admission in these courses. The other courses such as Welding, Sheet Metal and Plumbing, Lab Technology etc will be taken up later.

It was due to the efforts of the immigration authorities at Delhi airport many cases of irregular migration could be prevented. It needs to be appreciated that they were able to prevent irregular migration in 118 cases in 2008, 107 cases in 2009, 151 cases in 2010, 97 cases in 2011 and 46 cases 2012. Thus, the immigration authorities at Delhi prevented irregular migration in 514 cases i.e 45% of total cases of 1173 or almost one-half. The number of irregular migrants prevented by the immigration authorities at Delhi for some of the countries is as follows: 64 for Italy, 50 for UK, 44 for France, 44 for USA, 35 for Canada and 16 for Germany. They also prevented irregular migration to other destination countries such as Australia, Austria, Cyprus, Denmark, Georgia, Greece, Hungary, Indonesia, Jordan, Malaysia, Malta, Mexico, Morocco, Netherlands, New Zealand, Philippines, Poland, Portugal, Romania, Russia, South Africa, South Korea, Sweden, Switzerland and Turkey. The major irregularities detected by the immigration authorities at Delhi are as follows: 149 for tampering with passport, 118 for forged visas and 78 for travel on someone else's passport. The other reasons include forged CDC, forged passports, forged residence permits, forged stamps, forged work visas and stolen passports. Some of the irregular migrants had valid tourist visa for Italy and France but they were not allowed to depart by immigration authority at Delhi as their passports were tampered.

Many of the irregular migrants who were deported from other countries had deliberately destroyed their travel document on the advice of agents to escape detection. They could return to India on EC issued to them by the Indian Embassies after verification that they were Indian citizens. Many irregular migrants who arrived of their own also arrived on EC as they did not have valid travel document. In 20 cases the irregular migrants had furnished wrong identity details and got the ECs issued on the basis of wrong details. Irregular migrants deliberately furnish wrong details fearing legal action and also to keep open the possibility of irregular migration in future. In a few cases the irregular migrants served jail term of 6 months or more in destination countries before their deportation. In 233 cases the Courts in India convicted the irregular migrants. These cases mostly related to tampering of passports or use of forged passports. Fines ranging from `1000(€14) to `20,000(€289) have been imposed as punishment in most of the cases. It appears that a lenient view is taken by courts against irregular migrants on the consideration that they had been victims of agents.

b) Measures taken by destination countries

Several measures have been taken in the EU to curb irregular migration.

The aims of policy changes in EU, in the area of irregular migration overall were two-fold: they attempted to limit/prevent irregular immigration and stay and/or put increased focus on apprehending illegally staying third-country nationals, on the one hand, and on detecting and dismantling the structures or networks supporting and exploiting them, on the other (EMN, 2012 Annual Report on Migration and International Protection Statistics).

As a result of the growing awareness of irregular flows and settlements in the European Union, legal frameworks have been developed and various combat measures have been established in order to prevent undocumented immigration. State policy instruments addressing irregular migration can be classified into: pre-frontier measures (e.g. visa requirements, information campaigns, carrier sanctions, punitive measures against human smugglers etc.); measures relating to border management (strengthened physical borders, border controls and inspections, documentation with enhanced security features, biometric data, training border guards); and post entry measures (detention, workplace controls and inspections, internal ID inspections, employer sanctions, dispersal and restrictions on mobility, and restriction to work etc.) (UWT document, 2007).

In compliance with the Community Visa Code and the manual for processing visa applications, the standards set by the manual and its appendices are followed and sometimes adapted at local level together with other Schengen partners in the countries concerned. These standards make it possible to forecast migration risks presented by visa applicants with maximum amount of accuracy (EMN, 2012, Visa policy as migration channel in France).

The aim of using biometrics is to prevent “visa shopping” and combat identity fraud through accurately identifying people who have been issued visa, either during border controls, identity checks on national territory or even in the country of origin where the visa was issued with the requirement to attend a return interview at the consulate when the visa expires (EMN 2012, Visa policy as migration channel in France).

Further in the recent years, watch by Frontex on irregular migration by sea landings has been strengthened. A drastic reduction of the sea landings has been reported by the Italian Ministry of Interior. Frontex estimated that since the beginning of 2011 to the end of the year more than 56,000 immigrants have landed in Italy (EMN 2011, Annual Policy Report, Italy).

The measures taken in the destination countries in Europe in recent years have made irregular migration very difficult.

11. Conclusion

Irregular migration from Punjab to different countries in Europe is still substantial. As the reasons for irregular migration are economic, social and cultural, sustained measures need to be taken by all the stake holders. The Government of India and also the state governments have launched awareness campaigns to discourage irregular migration but these campaigns need to be carried out on regular basis. Such campaigns need to involve the elected representatives particularly at the village level. It is true that information on opportunities for legal migration can be accessed through the internet but direct contact programmes through workshops, seminars etc are desirable. There is a need to encourage initiatives like that of Guru Kashi University to impart technical and professional training to youths on trades which have demand in other countries.

It is true that the immigration authorities had been successful in detecting use of forged travel documents in substantial number of cases but there is always a scope to enhance their capabilities through use of latest technologies and training.

The decision of the State Government of Punjab to enact “The Punjab Prevention of Human Smuggling Act” will greatly help the law enforcement authorities to take action against the erring agents. As of now they have to proceed against such agents under the IPC. These agents are charged under the offence of ‘Cheating’ under IPC which is difficult to establish in the absence of adequate evidence resulting in acquittal of most of the agents. Thus there is a need for a specific law against irregular migration.

The initiative of the state government of Punjab to create a cell in every district to investigate the cases of irregular migration has made a positive impact as cases are investigated promptly and many agents could be arrested due to timely action by the investigating officers.

At present no systematic data on irregular migration is maintained either at the state or the national level. There is a need to maintain a data base on irregular migration. Further periodic studies need to be carried out to ascertain the trends of irregular migration.

There is an urgent need for a specialized unit at the national level as agents from several states collaborate in their operation. Further 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.

Further the destination countries need to work closely with the Indian law enforcement authorities to dismantle networks of agents. If a single nodal agency is designated in the EU for sharing of information and cooperation in the matter of investigation with the country of origin, it may facilitate in dismantling networks of agents.

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