

**GOVERNMENT OF INDIA
OVERSEAS INDIAN AFFAIRS
LOK SABHA**

STARRED QUESTION NO:235

ANSWERED ON:17.08.2011

FRAUDULENT AGENTS

Harnsrajbhai Shri Radadiya Vitthalbhai ;Roy Shri Nripendra Nath

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

(a) whether cases of luring the unemployed persons by fraudulent agents by promising them good job and high salary in foreign countries and abandoning them after reaching the respective country have come to the notice of the Government: (h) if so. the total number of such cases alongwith. the nature of complaints received by the Government during each of the last three years and the current year. State-wise and country-wise;

(c) whether any effective mechanism has been put in place to check the activities of the unscrupulous agents;

(d) if so. the details thereof; and

(e) the steps taken/assistance rendered by the Government to protect the innocent unemployed youths of the country?

Answer

MINISTER OF OVERSEAS INDIAN AFFAIRS (SHRI VAYALAR RAVI)

(a) to (e): A statement is laid on the Table of the House.

STATEMENT REFERRED TO IN REPLY TO PART (A) TO (E) OF LOK SABHA STARRED QUESTION NO. 235 FOR ANSWER ON 17.08.2011 REGARDING 'FRAUDULENT AGENTS'

(a) & (b): Emigration of Indian workers seeking employment in 17 Emigration Check Required (ECR) notified countries is regulated under the Emigration Act, 1983. Despite the existing framework to facilitate legal migration and the efforts made by the Government to build awareness and discourage irregular migration, complaints regarding fraudulent offers of overseas employment and cheating of job seekers are received by the Ministry from time to time. Such complaints include fraudulent advertisements for jobs abroad, fake recruitments for non-existing employers or for foreign employers who never authorized the agents thus rendering the workers without jobs and offers of exaggerated benefits to lure job seekers. These complaints are received against registered Recruiting Agents, unauthorized intermediaries as well as some Foreign Employers. The details of the complaints received against unregistered agents during the last three years and the current year ending July, 2011 are given below:-

The details of complaints received state-wise and country-wise are not maintained.

Year	No. of complaints ssued	State Government / POE for action	Prosecution	Sanction	Cases referred to
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2008	93	56	37		
2009	136	14	136		
2010	166	10	166		
2011	133	06	98		

(31.07.2011)

(c) to (e): The Government has taken steps for discouraging illegal emigration. These, inter-alia, include the following: -

(i) A National Awareness-cum-Publicity campaign is undertaken from time to time to create wider awareness among the general public and particularly among the potential migrants on the risks of illegal migration and safeguards against illegal practices by unauthorized intermediaries and fraudulent recruiting agencies.

(ii) The Government has constituted a high level Core-Group to lead and monitor action for combating and preventing irregular migration. The Core-Group is headed by Secretary, MOIA and has representatives from relevant central Ministries and State Governments. The Core-Group has circulated a template amongst state governments to formulate action plans against irregular migration from their states.

(iii) An Overseas Workers Resource Centre (OWRC) has been established which runs a 24x7 helpline in 7 languages to provide

information and guidance to emigrants.

(iv) Migrant Resources Centres have been established in Cochin and Hyderabad and Panchkula, Haryana for information, dissemination and counseling of potential migrants.

(v) The Ministry has been holding annual consultation with the major states of origin to ensure better coordination and enforcement of various provisions of Rules and Regulations.

(vi) Attestation of work contracts by the Indian mission concerned has been made mandatory in all cases of women workers holding ECR passports, emigrating to ECR countries.

(vii) Whenever a complaint is received against Registered Recruiting Agent about cheating or exploitation of an emigrant, action is initiated for suspension or cancellation of the registration certificate or h recruiting agent. If the recruiting agent indulges in cheating or forgery of documents he is prosecuted through the state police. Ministry of Overseas Indian Affairs proactively pursue with State Government authorities and police for prosecution of unscrupulous agents. If there is a complaint against the employer about exploitation of the worker, proceedings for black listing of the employer are initiated.

(viii) The Ministry has amended the Rules vide Emigration (Amendment) Rules 2009 on 9th July, 2009 revising the eligibility criteria of Recruiting Agents (RAs) and enhancing the validity period of the Registration Certificate and increasing the security amount and service charges.

(ix) The Ministry has signed bilateral labour MoUs with all the GCC countries (except Saudi Arabia), Jordan and Malaysia to enhance bilateral cooperation in management of migration. Joint Working Groups have been constituted under these MoUs that meet regularly to resolve labour issues.

(x) Indian Community Welfare Fund (ICWF) has been established in all the Indian missions to extend on-site welfare services to overseas Indian in distress.

(xi) An Indian Workers Resource Centre (IWRC) has been established in UAE.