

**GOVERNMENT OF INDIA  
HOME AFFAIRS  
LOK SABHA**

STARRED QUESTION NO:256

ANSWERED ON:11.12.2012

ILLEGAL STAY OF FOREIGNERS

Khairi Shri Chandrakant Bhaurao;Laguri Shri Yashbant Narayan Singh

**Will the Minister of HOME AFFAIRS be pleased to state:**

- (a) the number of foreigners overstaying/ illegally staying in the country, nationality-wise;
- (b) whether these foreigners including Bangladeshis are posing a threat to the internal security of the country;
- (c) if so, the details thereof and the reaction of the Government thereto; and
- (d) the measures taken by the Government to identify and deport the foreigners illegally staying in the country?

**Answer**

MINISTER OF THE STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI MULLAPPALLY RAMACHANDRAN)

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

STATEMENT IN REPLY TO PARTS (a) TO (d) OF LOK SABHA STARRED QUESTION NO. 256 FOR 11th DECEMBER, 2012 REGARDING ILLEGAL STAY OF FOREIGNERS

(a): As per information available, 71,035 foreign nationals who had come to India on valid travel documents were found to be overstaying in the country as on 31st December, 2011. The number of such foreign nationals who were found to be overstaying, nationality-wise, is given in the Annexure. There are also reports of foreign nationals having entered the country without valid travel documents.

(b) & (c): Some instances of violation of the law and involvement in illegal activities by foreign nationals have been reported. Registration of cases and action thereon comes within the purview of police stations and State Governments/Union Territory Administrations concerned. Statistical data of this nature is not centrally maintained.

(d): The Central Government is vested with powers to deport a foreign national under section 3(2)(c) of the Foreigners Act, 1946. These powers to identify and deport illegally staying foreign nationals have also been delegated to the State Governments/UT Administrations. Detection and deportation of such illegal immigrants is a continuous process. A revised procedure for detection and deportation of illegal Bangladeshi immigrants was communicated to the State Governments/UT Administrations in November, 2009, which was partially modified in February, 2011. The procedure includes sending back then and there, the illegal immigrants who are intercepted at the border while entering India unauthorisedly. As regards Assam, the suspected foreigners are referred to Foreigners Tribunals for determination of nationality. After the Foreigners Tribunal determines the nationality, appropriate action is taken for the deportation of the foreigners who are illegally staying. 36 such Foreigners Tribunals are now functioning in Assam.

The Central Government is also implementing a Mission Mode Project on Immigration, Visa and Foreigners Registration & Tracking (IVFRT) which will also facilitate improved tracking of foreigners by integrating and sharing information captured during visa issuance at Missions, during immigration check at the Immigration Check Posts (ICPs) and during registration at the Foreigners Regional Registration Offices (FRROs)/ Foreigners Registration Offices (FROs).