

**GOVERNMENT OF INDIA
HOME AFFAIRS
LOK SABHA**

UNSTARRED QUESTION NO:6211
ANSWERED ON:05.05.2015
ILLEGAL IMMIGRANTS
Lokhande Shri Sadashiv Kisan

Will the Minister of HOME AFFAIRS be pleased to state:

- (a) whether the Government has taken up the cases of illegal immigrants with various foreign countries during the last three years; and
(b) if so, the details and the outcome thereof, country-wise?

Answer

MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI KIREN RIJU)

(a) & (b):- Illegal immigrants fall into two categories – (1) foreign nationals who have entered India on valid travel documents and found to be overstaying and (2) foreign nationals who have entered into the country without any valid travel documents. A number of foreign nationals who came to India on valid travel documents have been found to be overstaying after expiry of their visa. There are also reports of foreign nationals having entered the country without valid travel documents. Entry of such foreign nationals into India is clandestine and surreptitious. As and when a foreign national is detected to be overstaying in India violating the visa rules or found to be staying without any valid travel documents, necessary action is taken under the relevant provisions of the Foreigners Act, 1946 including deportation of such a foreign national. Central Government is vested with powers to deport a foreign national under Section 3(2)(c) of the Foreigners Act, 1946. The powers to identify and deport illegally staying foreign nationals have also been delegated to the State Government/ Union Territory Administrations. Detection and deportation of such illegal immigrants is a continuous process. If the foreign national has a valid travel document/passport, necessary action is taken to deport such a foreign national immediately. However, in case the foreigner does not have a valid travel document/passport, it is necessary to obtain the requisite travel document from the Embassy/High

Commission of the country concerned before he/she can be deported. In such cases, the matter is taken up with the Embassy/High Commission concerned. Wherever required, consular access is also provided to the Embassy/High Commission concerned with a view to facilitate verification of the nationality of the particular foreigner.

A revised procedure for detection and deportation of illegally staying Bangladeshi immigrants has also been set out and circulated to State Governments/Union Territory Administrations in November, 2009, which has been partially modified in February, 2011 and further modified in February, 2013. The procedure includes sending back then and there, the illegal immigrants who are intercepted at the border while entering India unauthorisedly. The issue of illegal migrants from Bangladesh is regularly taken up with the Government of Bangladesh at various fora and steps have been taken for coordinated patrolling, identification of vulnerable gaps, strengthening of riverine patrolling etc. Bangladesh side has also been urged to take effective steps to check the illegal movements of their nationals into India, especially through vulnerable and riverine areas. Bangladesh side had confirmed nationality of various Bangladeshi nationals who were in Indian jails/correctional homes and such persons have been repatriated to Bangladesh.