

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

UNSTARRED QUESTION NO:1738
ANSWERED ON:03.12.2014
INDIANS ARRESTED ABROAD
Tripathi Shri Sharad

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

- (a) whether several Indian citizens going for work in foreign countries are being arrested due to lack of awareness of visa rules etc. by host countries and if so, the number of Indians so arrested during the last three years, country-wise;
- (b) the measures being taken/proposed to be taken by the Government for early release of these Indians;
- (c) the mechanism in place to ensure that the relatives of such persons get proper and timely information about them; and
- (d) the stringent action taken/being taken by the Government against agents/ recruitment agencies who are illegally sending Indians abroad?

Answer

MINISTER OF STATE OVERSEAS INDIAN AFFAIRS GENERAL (RETD.) SHRI V.K. SINGH

(a): Sometimes Indian workers going for work in foreign countries are arrested by the host country for violation of the visa, residency and employment related laws, rules and regulations prevailing in the host country and are generally asked to go back. Most of the Indian Missions reported that number of Indians so arrested by the local authorities are not available as they are not provided by the local government.

(b): Indian Missions have reported that most of the cases of visa violations generally relate to overstay after the expiry of visa and in such cases a person can come back to India after payment of overstay fine provided there is no other criminal or civil case pending against him. Whenever such information is brought to the notice of the Indian Mission concerned or the Ministry of Overseas Indian Affairs (MOIA), the Ambassador and other officials of the Indian Missions in the host country pay visit to the prisons in which such arrested emigrants are there to inquire their well-being and also take up with local Govt. for better facilities and quick relief, if required. The Ministry of Overseas Indian Affairs follows up such cases through Indian Missions in respective countries on a regular basis and extends all possible assistance like free legal aid from Indian Community Welfare Fund (ICWF) in deserving cases to expedite their deportation process. If such individual, who is to be deported by the local authorities to India, does not possess a valid Passport, he is issued with an Emergency Certificate after following the due procedure. In deserving cases, financial assistance to purchase air tickets is provided by the Embassy from ICWF. Besides, the Ministry pursues the matter through Indian Embassy officials to liaise with the local immigration authorities to complete the procedural formalities for repatriation of the Indian nationals to India.

(c): Detainees in the Deportation Centre have generally freedom to use mobile phones inside the Centre. The friends & relatives are also informed by the Missions as and when it receives any such information. This Ministry also co-ordinates and facilitates by passing on such information to the respective State Government to convey timely information to the relatives of such persons.

(d): If such complaints are received, action is initiated against the registered Recruiting Agents (RA) for suspension, cancellation and forfeiture of Bank Guarantee, by providing an opportunity of written submissions through SCN, under section 14 of the Emigration Act 1983. On receiving of Complaints against unregistered agents, the same is referred to the concerned State Governments for investigation and appropriate action under section 10 and 24 of the Emigration Act 1983 and other relevant laws of the land. The Police Authorities of the concerned State Government, after investigating the case, seek approval from Protector General of Emigrants, Ministry of Overseas Indian Affairs for prosecuting the accused in the appropriate court of law under section 27 of the Emigration Act, 1983.