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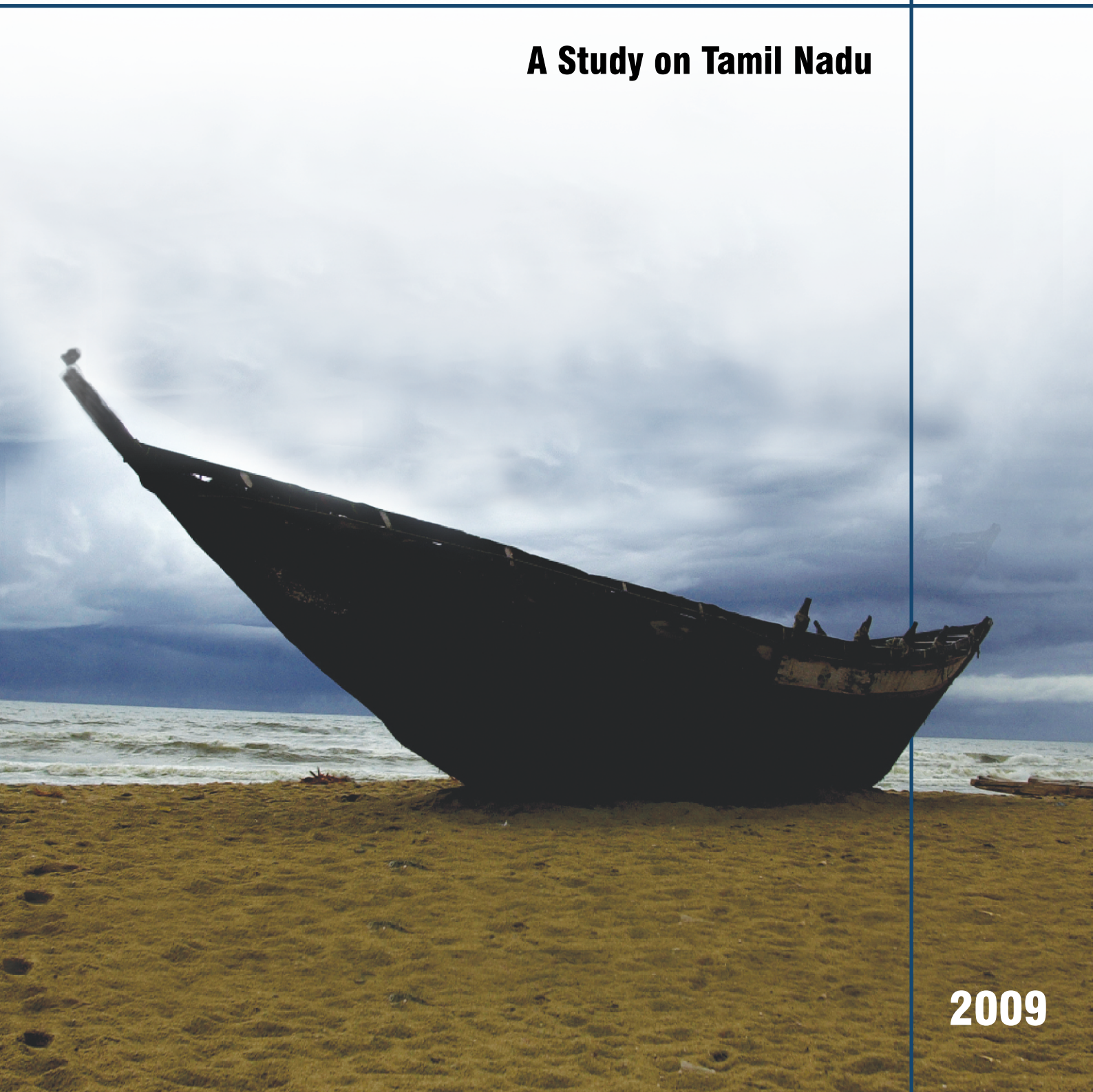


Institute of Social Sciences

SMUGGLING OF MIGRANTS

from India to Europe and in particular to UK:

A Study on Tamil Nadu



2009

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A STUDY ON TAMIL NADU

Smuggling of Migrants from India
To Europe and in particular to the UK

2009

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"AMONGST THE VICTIMS OF THE
MALTA BOAT TRAGEDY IN 1996
IN WHICH 272 YOUTHS LOST THEIR LIVES,
170 WERE FROM INDIA, 71 WERE FROM SRI LANKA
AND THE REST WERE FROM PAKISTAN."

THE INDIAN EXPRESS
NOVEMBER 22, 2000

FOREWORD

Desperate and vulnerable people, who take enormous risks to migrate to foreign lands in rickety boats or concealed in the containers of articulated lorries, are images of “irregular migrants”... Irregular migration is a complex phenomenon affecting the countries of origin, transit and destination. Many innocent migrants become victims of the dubious acts of their agents. If irregular migration is not controlled, it will adversely affect legal migration in any country. Therefore, it is necessary to discourage such irregular migration through close cooperation between the countries of origin, transit and destination.

Profits from smuggling of migrants and operational costs contribute to fuelling corruption among border guards and other concerned officials, thus further strengthening organised crime. In contrast, the risks for the criminals involved are low. The involvement of organised crime networks in facilitating irregular migration is just one part of the spectrum. The other face of the irregular movement is that the smuggled migrants are often exposed to various forms of exploitation and risks. Irregular migrants are therefore doubly victims. Leaving a difficult, sometimes impossible situation in their country of origin, they are often confronted with serious deficiencies in reception and migration policy management.

The United Nations Protocol against the Smuggling of Migrants by Land, Sea and Air, otherwise known as the Migrants Protocol, was adopted in order to prevent and combat the smuggling of migrants, promote cooperation among states and protect the rights of smuggled migrants. Pursuant to this objective, UNODC, commissioned a research study on smuggling of migrants from Tamil Nadu in India to Europe, particularly the UK, in collaboration with the Institute of Social Sciences (ISS), New Delhi, and the Arunodhaya Migrant Initiatives, Chennai.

This field-based research study is a preliminary assessment of the situation of irregular migration from Tamil Nadu. As part of the study, an examination of records of relevant government agencies in the public domain, secondary data, as well as focus group studies were undertaken. The study concludes by recommending a number of concrete actions which will help to protect the interests of lawful unskilled labour going overseas for employment and minimise opportunities for the exploitation of vulnerable smuggled migrants.

On behalf of UNODC, I would like to thank Mr. K.C. Saha, IAS, as the Principal Author of this study. I would also like to thank the Institute of Social Sciences, New Delhi for collating this report and Arunodhaya Migrant Initiatives, Chennai for providing assistance in the research. I also extend my gratitude to all the key stakeholders from the Government and civil society of Tamil Nadu for their unstinted support in facilitating information and data collection. I am confident that the findings of this study will strengthen the evidence base to build a policy environment in order to facilitate operational measures to countermand migrant smuggling, which is a matter of global concern.



Ashita Mittal

Deputy Representative

UNODC Regional Office for South Asia

PREFACE

Smuggling and irregular migration of individuals across international boundaries in violation of established laws is a grave problem in India. It is one of the most serious organised rackets (crime) from a human rights perspective and one which needs to be tackled on an urgent basis. During the last few decades, irregular migration to Europe from some parts of India has assumed an alarming scale although there are no precise figures of the migrants available. Both 'push' and 'pull' factors are at work in this process. Lack of employment opportunities at home, rising aspirations for a better life stimulated by the forces of globalisation and the attraction of real or imaginary opportunities for high earnings in European countries have fuelled this flow.

Unscrupulous intermediaries such as travel agents and brokers have exploited the aspirant migrants and encouraged them to take life-threatening risks on their journeys often using forged travel documents. Many of them have faced tragic consequences. Some of the migrants have also sold their lands and other properties to pay travel agents and brokers.

In order to understand the issues from a holistic perspective, it is essential that before embarking on problem-oriented policing and administration, proper research should be done. This systematic report "Smuggling of Migrants from India to Europe and in particular to the United Kingdom: A study on Tamil Nadu" was prepared by UNODC, with the objective to prevent and combat the smuggling of migrants. It was prepared in conjunction with the Institute of Social Sciences (ISS), New Delhi, with support of the Arunodaya Migrants Initiative, Chennai, and financial assistance from the British High Commission in New Delhi. An expert in the field Mr. KC Saha, IAS, who has done extraordinary work to prevent smuggling and irregular migration and is currently on secondment with UNODC, conducted this study.

This is an important study of transnational importance. The Institute of Social Sciences is proud to be associated with the project as it will show the way to tackle this menace. Our immediate task is to discourage irregular migration with the close cooperation of the countries of origin, transit and destination. Of course, the Government of India, in collaboration of State Governments, has been taking various measures to tighten immigration controls, raise awareness of the dangers to its own population and protect the interests of unskilled labour going

for overseas employment. It is hoped that this study will provide the background and recommendations on ways to strengthen actions in this direction.

I am sure that this project report will prove to be groundbreaking work for future research in this vital area of concern. I look forward to developing more effective information and intelligence sharing arrangements within the region to obtain a comprehensive picture of smuggling and trafficking activities, and other forms of illegal migration as well as improving the cooperation between law enforcement agencies to enhance deterrence. It is important to fight against illegal immigration networks by enhancing cooperation on border and visa systems, and increasing public awareness of smuggling and trafficking operations to discourage illegal movement. Those susceptible to smuggling and trafficking must be made aware of the dangers involved.



George Mathew

Director

Institute of Social Sciences, New Delhi

ABBREVIATIONS

CBI	Central Bureau of Investigation
CrPC	Criminal Procedure Code
Crore	10 million
DC	Deputy Commissioner of a district
EU	European Union
FIR	First Information Report
FRRO	Foreigner Regional Registration Office
IOM	International Organization of Migration
IPC	Indian Penal Code
Lakh	100,000
MEA	Ministry of External Affairs
MHA	Ministry of Home Affairs
MOIA	Ministry of Overseas Indian Affairs
NRI	Non Resident Indian
PIO	People of Indian Origin
POE	Protectorate of Emigrants
PS	Police station
R/o	Resident of
Rs	Indian rupees
SP	Superintendent of Police
SSP	Senior Superintendent of Police
UNODC ROSA	United Nations Office on Drugs and Crime, Regional Office South Asia
UNODC	United Nations Office on Drugs and Crime

EXECUTIVE SUMMARY

This report concludes a study into the scope and magnitude of irregular migration from the southern state of Tamil Nadu in India. The study was based on law enforcement authority records, discussions with officials and public representatives, extensive field visits in the districts of Tanjavur, Thiruvavur, Pudukkottai and Namakkal, and interviews with a large number of respondents, mostly co-villagers of irregular migrants, deportees and the family members of such deportees, and travel agents. These four districts were chosen because of the large number of cases of irregular migration reported from here.

Analysis of the data and the information available suggests that irregular migration from Tamil Nadu is substantial. Such irregular migration can be put under two broad categories, the first category relates to the irregular migration of unskilled migrants to countries in the Middle East and South East Asia. The second category comprises irregular migration to destination countries in Europe.

In an examination of 169 cases of irregular migration, based on the records of law enforcement authorities, it was seen that 25 per cent of the cases related to destination countries in Europe. In addition, during field visits, cases of irregular migration to the UK were noted from almost every village in Namakkal district and from certain pockets in Tanjavur district. It is reasonable to presume that there might also be such cases in the other districts of the state. Amongst all the destinations in Europe, the UK was the most preferred destination for the migrants. The other destination countries in Europe included Austria, Greece, Sweden, Italy, Spain, Germany, Ireland, Poland, France and the Netherlands.

It was noted that most cases of irregular migration to the UK were via France. It was also learnt that many migrants travelled to France on tourist visas and thereafter entered the UK illegally. In Tanjavur and Namakkal districts, many cases of visa overstay in the UK were noted. It was learnt that the agents were able to procure tourist visas for the UK for many migrants, who upon reaching there stayed back indefinitely. It has been accepted in many studies on irregular migration that the majority of the cases of irregular migration are by way of visa overstay. Considering this large volume, a separate study on irregular migration by visa overstay is recommended.

The report shows that Chennai, the capital of Tamil Nadu, is the hub of irregular migration. Apart from migrants from the state, migrants from Andhra Pradesh, Kerala, some north Indian states and even migrants from Sri Lanka use Chennai. It was noted that cases of irregular migration were particularly large in certain areas of Tamil Nadu and Andhra Pradesh. Specific areas, including villages, were identified in this regard and this could be useful for close monitoring of visa applications and for launching awareness campaigns in the future. In addition, it should be noted that the state of Andhra Pradesh is emerging as a major state of irregular migration and a separate detailed study is suggested for this state.

The use of Chennai airport by Sri Lankan nationals of Tamil origin for irregular migration is an emerging trend. It was noted that some of them were residents of LTTE-dominated areas of Sri Lanka. Under such circumstances, security issues acquire a different dimension for India as the transit country and the destination countries in Europe as well. Considering the close ethnic relationship between Sri Lankans of Tamil origin and the mainland Tamils, it would be appropriate to study irregular migration from Tamil Nadu alongside that from Sri Lanka.

An overall trend of rising irregular migration was noted during the field visits. The proliferation of a large number of sub-agents in rural areas was also noted. However, the main agents are mostly based in Chennai. The agents generally operate under the guise of travel or recruitment agencies. It is the sub-agents who bring potential migrants in contact with the representatives of the agents. It has been observed that the agents are able to carry on their business without any hindrance from the local law enforcement authorities and the civil society. It appears that their services are appreciated by a variety of clients, which include agricultural families in rural areas, family members of public representatives and government servants, and employees of private sectors and others as long as they succeed.

It was found that the agents adopt various methods to ensure irregular migration, which includes forgery of documents: use of forged Indian or foreign passports, photo and or jacket substitution in Indian and foreign passports, re-stitched passports, forged foreign visas, use of Malaysian passports, which require no visa to visit the UK, and the exchange of boarding cards in security areas. Some of the seized forged documents were examined with the cooperation of law enforcement authorities and it could definitely be said that these were of exceptionally high quality and that their detection would only be possible by specially trained professionals. They often related to many different countries and it could be difficult for law enforcement agencies to detect all the forged documents that were used by the agents.

It appears that fees charged by the agents have gone up considerably in recent years, not only because of stricter enforcement but also because of limited cases of irregular migration taken up by them at any one time, whereas the demand is far greater than they can cater to. During the field visits, it was observed that agents carried on their activity in such a way so as to generate the least suspicion amongst the law enforcement authorities. Most of the irregular migrants, who have gone to the UK irregularly, paid between Rs 500,000 and Rs 600,000 (US\$12,000 and US\$15,000). Achievement of a high success rate of almost 100 per cent by agents in Namakkal district was noted. Such a success rate can only be achieved if irregular migration is organised through highly efficient international networks, with links in the countries of origin, transit and the destination. Many cases of victimisation of poor migrants by agents in the Tanjavur, Pudukkottai and Thiruvarur districts were also noted. These poor migrants had paid sums varying from Rs 80,000 to Rs 120,000 rupees (US\$2,000 to US\$3,000) for jobs in the destination countries in the Middle East or South East Asia.

It was noted that if a migrant failed to reach his destination, either the money paid by him was returned by the agent after deducting the costs incurred or he was promised a second attempt to the same or alternative destination. It appears that an informal understanding has emerged between the migrants and the established agents whereby a migrant knows that he may get back his money if he does not reach his destination. The agent also knows that he may have to refund the money in a few cases, something he does not mind considering the huge profit he makes. The police also attempt to bring about compromise between the parties and more than 90 per cent of cases are settled this way. Complaints are filed with the police only as a last resort when such mutual compromise between the agents and the migrants breaks down. In such cases, the police register a case of cheating against the sub-agents and the agents. It may be mentioned that a case of cheating is very difficult to establish in the absence of any documentary proof of payment of money and, as a result, the sub-agents even if arrested are released by the courts within a short period. While the law enforcement authorities manage to take action against the sub-agents, most of the agents in Chennai and other places escape any action.

A number of recommendations are put forward in the report, suggesting a conceptual framework for future UNODC technical assistance initiatives pertaining to the overall fight against irregular migration from this region.

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CHAPTER - 1

INTRODUCTION

Tamil Nadu is a state at the southern tip of India. It is bordered by Pondicherry, Kerala, Karnataka and Andhra Pradesh. After the Independence of India, the state of Madras was created in 1956 based on linguistic boundaries. The name of the state was changed to Tamil Nadu in 1969.

Lying on the south eastern coast of the Indian peninsula, Tamil Nadu is bounded by the Eastern Ghats in the north and Nilgiri, the Annamalai Hills and Palakkad on the west. The state has large fertile areas along the Coromandel coast, the Palk Strait, and the Gulf of Mannar. The fertile plains of Tamil Nadu are fed by rivers such as the Kaveri, Palar and Vaigai, as well as the northeast monsoon.

The sixth most populous state in India, Tamil Nadu has a population of 62,405,679 according to the 2001 Census and covers an area of 130,058 sq. km. In recent times, population growth in the state has been amongst the lowest in the country.

Tamil Nadu has historically been an agricultural state, which is heavily dependent on river water and monsoon rains. At present, Tamil Nadu is India's second biggest producer of rice, next to Punjab. The state is also a leading producer of corn, rye, groundnut, oil seeds and sugarcane in India. Tamil Nadu is also the second most industrialised state next to Maharashtra. It ranks second in per capita income among the large states.

Tamil Nadu has performed well in human development. With an index of 0.531, it ranks third in India. The human development index is a composite which measures sex ratio, density of population, per capita income, number below poverty line, infant mortality rate, literacy rate and women's empowerment. Despite this, Tamil Nadu faces a number of challenges. Significantly, poverty is high in the rural areas, with the incidence of rural debt being as high as 74.5 per cent. There have been incidents of suicide by farmers due to failure of crops, huge debt burdens, growing costs of cultivation and shrinking yield.

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*"The Tamils were the forerunners of India's migrant labourers. The 1830s saw the advent of the 'coolie migration', when, large numbers of Indians, particularly Tamils, were forcibly taken from their homeland to work as indentured labourers in British plantations. These indentured migrants started off from the country in 1834 to Mauritius, Uganda and Nigeria. Later, the labourers emigrated to Guyana (1838), New Zealand (1840), Hong Kong (1841), Trinidad and Tobago (1845), Malay (1845), Martinique and Guadeloupe (1854). Grenada, Saint Lucia and Saint Vincent, (1856), Natal (1860), St. Kitts (1861), Japan and Surinam (1872), Jamaica (1873), Fiji (1879), Burma ((1885), Canada (1904) and Thailand (1910). Under the indenture system, some 1.5 million persons migrated. On their arrival in the colony, the immigrants were assigned to the plantations to which they were bound for five or more years where they lived an isolated and insulated life. When their indentures were completed, some immigrants stayed on in the plantations while others moved out into the rural communities. They combined subsistence farming with wage labour. What is important is that most of these migrants and their descendants did not return home though the indentured system of labour was discontinued in 1917. At the height of the British Government's policy of exporting labour to beef up manpower in its colonial plantations in Asia, about 400,000 Tamils were moved out and went to Sri Lanka. This practice prevailed from 1925 to 1945. As early as 1931, some 600,000 Tamils had been recorded to have arrived and worked as migrant plantation workers in Sri Lanka alone. During the same period, immigrants were domiciled in close to 160,000 movements per year."*¹

In the early 1960s, the Tamils started migrating to the United Kingdom for employment opportunities. The majority of the Tamil community in the UK and other western countries originated from Sri Lanka. This was mainly due to the political and ethnic conflict in that country.

The economic boom combined with acute labour shortages has also created a huge and continuing demand since the 1970s for short-term immigrant labour in the Gulf countries. This led to large-scale migration from the southern states of Kerala, Tamil Nadu and Andhra Pradesh. Currently, there are about 3.6 million Indians in the Gulf countries, the

¹ As quoted by Bernard D'Sami in "Clearing a Hurried Path: study on education programmes for migrant workers in six Asian countries". Arunodaya-Migrant Initiatives, Chennai.

majority of whom are from Kerala followed by Tamil Nadu. Migration to countries in South East Asia, such as Malaysia, Singapore and other countries, also continued during this period. Migration from Tamil Nadu continues to be high even in recent years.

1.1 Aims and Objectives

The main aim of this report is to attempt to assess the current extent and nature of irregular migration from Tamil Nadu, with the objective of improving evidence-based knowledge on the profile of the migrants, the modus operandi of the agents, the countries to which migration is destined, and the government response to curb irregular migration. It furthermore aims to make suitable recommendations to control this phenomenon. It aims to assist in filling gaps by raising awareness of the problems as well as strengthening the capacities of law enforcement authorities.

1.2 Legal Framework, Definitions and Terminology

The *United Nations Convention against Transnational Organized Crime* (UNTOC) and its supplementing Protocol, specifically addressing smuggling of migrants, provide the overall legal rationale and guidance for this study.

The *Protocol against smuggling of Migrants by Land, Sea and Air*, supplementing the UNTOC, aims to prevent and combat the smuggling of migrants, as well as to promote cooperation among State parties, while protecting the rights of the smuggled migrants. The Smuggling Protocol provides the following, internationally agreed, definition of smuggling of migrants (art. 3(a)):

“Smuggling of migrants’ shall mean the procurement, in order to obtain, directly or indirectly, a financial or other material benefit, of the illegal entry of a person into a State Party of which the person is not a national or a permanent resident.”

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Defining who is an irregular migrant is difficult. Some migrants enter another territory illegally by land, air or by sea. Some use false or forged documents while others travel without documents. Some try to enter on an individual basis; others make use of organised criminal networks. A

significant number 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 the authorities. Some, such as failed asylum seekers, enter into an illegal status if they do not leave the country once all considerations of their asylum applications have been exhausted. As will be apparent, irregular migration is a broad term and encompasses the cases of smuggling.

An *agent*, for the purpose of this study is one who facilitates irregular migration. It is used synonymously with *smuggler*.

A *deportee* for the purpose of this 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. Persons who have been refused admission and deported, and also persons who have not been allowed to depart by immigration authorities due to irregularities have also been included in this category.

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. *District* in the study means the district to which the deportee belongs. Identification of the state and the district of the deportees are important for checking whether the phenomenon of smuggling of migrants is concentrated in a particular region.

1.3 Methodology

The methodology used to conduct this study primarily includes collecting, collating and analysing existing relevant information on irregular migration. In order to have evidence-based data for the study, efforts were made to obtain as much information as possible from the law enforcement authorities. For the report, 169 cases of immigration-offence related records for the one-year period from July 2006 to June 2007 were examined with the cooperation of the law enforcement authorities. All these 169 cases were registered with the police station located at the international airport in Chennai. This airport handles the arrival and departure of about 2.8 million passengers in a year.

For the report, 169 cases of immigration-offence related records for the one-year period from July 2006 to June 2007 were examined with the cooperation of the law enforcement authorities.

The study was also based on discussions and interactions with the focus groups, which included law enforcement authorities, other officials at the district and village level, and public representatives. Further data was collected through extensive field visits in about 20 villages in the districts

of Tanjavur, Thiruvarur, Pudukkottai and Namakkal. These districts were chosen because of the large number of cases of irregular migration reported from there. Such data were collected through interviews with a large number of respondents, mostly co-villagers of irregular migrants, deportees and family members of the deportees. In addition, a large number of travel agents in Chennai were interviewed. Some of the case studies have been included in the report.

1.3.1 Methodological Shortcomings

The difficulties in making accurate assessments of the size and characteristics of irregular migration are well accepted. This problem is due to the clandestine nature of this phenomenon. It is, therefore, necessary to rely on the limited data available with the law enforcement authorities. Moreover, only a limited number of irregular migrants come to the attention of the authorities.

It is important to note that irregular migration is a very sensitive subject. During the field study in the districts, it was realised that the family members of irregular migrants were extremely suspicious of the purpose of the enquiry and it was very difficult to reassure them. As a result, reliance had to be placed more on information provided by co-villagers. Notwithstanding this, a lot of reliable information relating to many irregular migrants was collected during the field visits.

It was also difficult to contact most of the deportees as they were not available in the villages. A few of them, however, were contacted. It was learnt that most of them managed to reach an alternative destination with the help of the agents within a short period of time. It would have been possible to collect more accurate details by revisiting these villages but this was not possible due to time constraints.

CHAPTER - 2

FINDINGS ON IRREGULAR MIGRATION FROM TAMIL NADU

The findings relate to the following areas: trends and volume of irregular migration; profile of irregular migrants; reasons for irregular migration and destination countries; profile of agents, sub-agents and their modus operandi; and government responses.

2.1 Trends and Volume of Irregular Migration

It is important to note that no data is systematically maintained by any authority in India on irregular migration. Therefore, it is only possible to comment on the trends and volume of irregular migration through the observations of a field study, opinions of law enforcement authorities, media reports and interpretation of limited data on deportations.

2.1.1 Trends of Irregular Migration

During the field study in different villages of Tanjavur, Pudukkottai districts of Tamil Nadu, it was observed that areas with a long migration history to particular countries continue to send the majority of migrants to those same countries, though migration to other countries from such areas has also been noted. The social networks which the migrants have in other countries helps them to contact agents who manage to get them to their destinations. This phenomenon of **chain migration** is resulting in regular flow of a certain number of potential migrants from these villages every year.

The pattern of irregular migration has undergone a change over the years whereby it has spread to new areas, which had hitherto not sent migrants to other countries. It was noted that in Tanjavur district, from the records of one police station, some two- three people from every village had migrated irregularly for unskilled jobs to other countries in last two to three years. It also came to notice that more than 100 persons from the same area had gone to the UK on tourist visas in the last two to three years and stayed back illegally thereafter. In Namakkal district, specific details were collected of over 50 irregular migrants to the UK from visits to eight

It also came to notice that more than 100 persons from the same area had gone to the UK on tourist visas in the last two to three years and stayed back illegally thereafter. In Namakkal district, specific details were collected of over 50 irregular migrants to the UK from visits to eight villages.

villages. It was further learnt that two to three people from almost every village of the district had migrated irregularly to the UK in the last two to three years. Further, considering the fact that irregular migration has spread to many districts in Tamil Nadu, it can be said that irregular migration in the state is rising. The increasing trend in irregular migration is further corroborated by the proliferation of sub-agents in the rural areas of Tamil Nadu.

An emerging trend of irregular migration to Europe by Sri Lankan nationals of Tamil origin via Tamil Nadu was also noted.

2.1.2 Volume of Irregular Migration

Table 1: Indian deportees from other countries, January-May 2007

Name of the Country	January'07	February'07	March'07	April'07	May'07
Maldives	7		1	1	2
Sri Lanka	2	10	22	9	12
UAE Dubai	15	28	42	15	24
Sharjah	12	16	15	34	8
Abu Dhabi		3	1	1	
Qatar	2		1	4	2
Bahrain		1		4	
Kuwait	4	7	12	4	7
Oman		3	1	10	
Saudi Arabia			82	1	
China (Hong Kong)	1	1	3	2	5
South Korea	1				
Thailand	6		1	8	
Malaysia	24	23	25	12	10
Singapore	22	22	27	23	38
Indonesia			1		1
Japan					1
Turkey		2			
France	1		2		
UK	1	4	4	2	1
Netherlands			1		
USA		1		2	2
South Africa	1				
Total	99	121	241	132	113

(Source: Law enforcement authorities in Chennai)

Table 1 gives the deportation figures for the period January 2007 to May 2007 from Chennai airport. Though the data are for a limited period, they are significant as an indicator of the volume of irregular migration. It may be noted that about 140 people on average are being deported every month to Chennai from different countries or are being prevented from departing by immigration authorities in Chennai.

Table 2: Arrival/Departure from/to countries

Arrival/Departure	Frequency	Percentage
To Dubai	21	12.4
To Malaysia	21	12.4
To Austria	1	.6
Not available	17	10.1
From Dubai	3	1.8
From Muscat	2	1.2
From New York	1	.6
From Bangkok	1	.6
From Malaysia	5	3.0
To Singapore	3	1.8
To New Zealand	1	.6
To Paris	30	17.8
To Colombo	14	8.3
From Singapore	4	2.4
To London	6	3.6
To Greece	3	1.8
From Australia	1	.6
To Canada	6	3.6
To USA	2	1.2
From London	1	.6
To Kuwait	12	7.1
To Sharjah	4	2.4
To Muscat	4	2.4
To Saudi Arabia	1	.6
To Sweden	1	.6
To Brunei	1	.6
To Doha	3	1.8
Total	169	100.0

(Source: Law enforcement authorities in Chennai)

Table 2 gives the details of countries from which the deportees had been deported or were prevented from departing to by immigration authorities in Chennai. There were 169 cases of such immigration violations for the one year period from July 2006 to June 2007. Records relating to all these 169 cases were examined. Table 2 shows that about 25 per cent cases relate to destination countries in Europe. It may, therefore, be reasonable to conclude that about 25 per cent of cases of irregular migration relate to destination countries in Europe.

Table 3: Cases of illegal migration to the UK, October 2006 to June 2007

S. No.	Date of departure/ arrival date as deportee from UK	Reasons for not allowing departure or reasons for deportation	Whether the passenger succeeded to depart illegally	Agency which prevented departure/ entry	Remarks
1	5.10.06	Forged foreign passport	No	Immigration Chennai	Sri Lankan national
2	13.10.06	Forged Indian passport	Yes	Immigration London	
3	29.10.06	Jacket substituted passport	No	Immigration Chennai	
4	12.11.06	Inadmissible passenger	Yes	Immigration London	
5	1.1.07	Forged Indian passport	No	Immigration Chennai	
6	9.1.07	Forged Indian passport	No	Immigration Chennai	
7	21.1.07	Forged foreign passport	No	Immigration Chennai	Sri Lankan national
8	3.3.07	Forged Indian passport	No	Immigration Chennai	
9	13.3.07	Forged Indian passport	No	Immigration Chennai	
10	31.3.07	Forged Indian passport	No	Immigration Chennai	
11	16.4.07	Forged foreign passport	No	Immigration Chennai	
12	17.4.07	Jacket substituted passport	Yes	Immigration London	
13	24.4.07	Forged foreign visa	Yes	Immigration London	
14	8.5.07	Forged foreign visa	Yes	Immigration London	
15	12.5.07	Forged Indian passport	No	Immigration Chennai	Sri Lankan national
16	13.5.07	Overstay of visa	Yes	Immigration London	
17	28.5.07	Forged foreign passport	No	Immigration Chennai	
18	1.6.07	Fraudulently obtained Indian passport	No	Immigration Chennai	Sri Lankan national

(Source: Law enforcement authorities in Chennai)

Table 4: Cases of illegal migration to France, August 2006 to June 2007

S. No.	Date of departure/ arrival date as deportee from France	Reasons for not allowing departure or reasons for deportation	Whether the passenger succeeded to depart illegally	Agency which prevented departure/ entry	Remarks
1	16.8.06	Forged foreign visa	Yes	Immigration Paris	Sikh from Punjab
2	22.9.06	Forged foreign visa	No	Immigration Chennai	
3	30.9.06	Tampered foreign visa	No	Immigration Chennai	
4	3.10.06	Forged foreign passport	No	Immigration Chennai	Sri Lankan national
5	13.11.06	Tampering in Indian passport	No	Immigration Chennai	Attempted to depart as member of cinema crew
6	14.11.06	Forged Indian passport	No	Immigration Chennai	Sri Lankan national
7	18.2.07	Forged Indian passport	No	Immigration Chennai	Sri Lankan national
8	14.3.07	Forged Indian passport	No	Immigration Chennai	
9	19.5.07	Forged supporting document	No	Immigration	Attempted to depart as member of cinema crew
10	22.5.07	Forged foreign passport	No	Immigration Chennai	Sri Lankan national
11	24.5.07	Forged foreign resident permit	No	Immigration Chennai	
12	3.6.07	Forged foreign passport	No	Immigration Chennai	Sri Lankan national

(Source: Law enforcement authorities in Chennai)

Table 5: Cases of illegal migration to Italy, September 2006 to April 2007

S. No.	Date of departure/ arrival date as deportee from Italy	Reasons for not allowing departure or reasons for deportation	Whether the passenger succeeded to depart illegally	Agency which prevented departure/ entry	Remarks
1	24.9.06	Forged foreign passport	No	Immigration Chennai	Sri Lankan national
2	13.10.06	Forged foreign passport	No	Immigration Chennai	Sri Lankan national
3	22.2.07	Fraudulently obtained Indian passport	Yes	Immigration Rome	Sri Lankan national
4	22.2.07	Fraudulently obtained Indian passport	Yes	Immigration Rome	Sri Lankan national
5	10.4.07	Forged foreign visa	No	Immigration Chennai	Sri Lankan national

(Source: Law Enforcement authorities in Chennai)

Table 6: Cases of illegal migration to Spain, August 2006 to March 2007

S. No.	Date of departure/ arrival date as deportee from Spain	Reasons for not allowing departure or reasons for deportation	Whether the passenger succeeded to depart illegally	Agency which prevented departure/ entry	Remarks
1	13.8.06	Forged foreign visa	Yes	Immigration Spain	

(Source: Law enforcement authorities in Chennai)

Table 7: Cases of illegal migration to Germany, January 2007 to March 2007

S. No.	Date of departure/ arrival date as deportee from Spain	Reasons for not allowing departure or reasons for deportation	Whether the passenger succeeded to depart illegally	Agency which prevented departure/ entry	Remarks
1	31.1.07	Boarding card exchange in the security area	No	Immigration Chennai	

(Source: Law enforcement authorities in Chennai)

Table 8: Cases of illegal migration to Greece, October 2006 to March 2007

S. No.	Date of departure/ arrival date as deportee from Greece	Reasons for not allowing departure or reasons for deportation	Whether the passenger succeeded to depart illegally	Agency which prevented departure/ entry	Remarks
1	11.10.06	Forged foreign visa	No	Immigration Chennai	

(Source: Law enforcement authorities in Chennai)

Table 9: Cases of illegal migration to Ireland, September 2006 to March 2007

S. No.	Date of departure/ arrival date as deportee from Greece	Reasons for not allowing departure or reasons for deportation	Whether the passenger succeeded to depart illegally	Agency which prevented departure/ entry	Remarks
1	16.9.06	Forged supporting document for business purposes	No	Immigration Chennai	
2	16.12.06	Forged Indian passport	Yes	Immigration Ireland	

(Source: Law enforcement authorities in Chennai)

Table 10: Cases of illegal migration to Poland, September 2006 to March 2007

S. No.	Date of departure/ arrival date as deportee from Greece	Reasons for not allowing departure or reasons for deportation	Whether the passenger succeeded to depart illegally	Agency which prevented departure/ entry	Remarks
1	16.9.06	Forged supporting document for business purposes	No Chennai	Immigration	

(Source: Law enforcement authorities in Chennai)

Tables 3 to 10 give the details of specific cases of deportation from various destinations in Europe. The immigration authorities in Chennai have recently started to maintain destination country specific data. Although this may not include all the cases, it does show that the destination countries are varied. The cases of irregular migration detected by immigration authorities in Chennai and other countries are likely to constitute only a small proportion of the total cases of irregular migration. During the field study

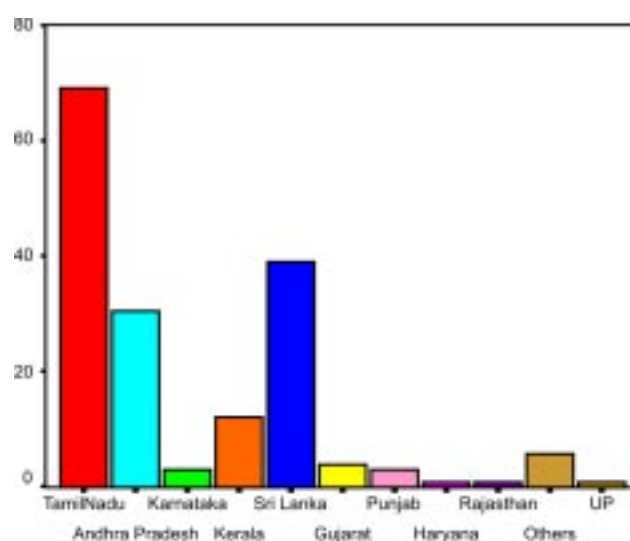
in eight villages of Namakkal district, it was observed that over 50 migrants had escaped all immigration checks and entered the UK irregularly in the last two to three years. Most of the irregular migrants were generally taken by agents legally to third countries or on tourist visas to the UK and had not therefore have come to the attention of the immigration authorities in Chennai. It may be mentioned that irregular migration from Tamil Nadu to Europe by way of abuse of tourist visas or transit through third countries has not been studied and needs to be studied separately. If all cases of irregular migration from Tamil Nadu to destination countries in Europe, including abuse of tourist visas, are put together, it would be substantial. It may also be mentioned that irregular migration through the sea route has also not been studied. The volume of irregular migration is likely to increase further, if these aspects are also taken into consideration.

2.2 Identification of Areas Prone to Irregular Migration

2.2.1 State of Origin of Irregular Migrants

Table 11: State of origin of deportees

States	Frequency	Percentage
Tamil Nadu	69	40.8
Andhra Pradesh	30	17.8
Karnataka	3	1.8
Kerala	12	7.1
Sri Lanka	39	23.1
Gujarat	4	2.4
Punjab	3	1.8
Haryana	1	.6
Rajasthan	1	.6
Others	6	3.6
UP	1	.6
Total	169	100.0



Graph 1 State of origin of deportees

Table 11 and Graph 1 show that of the 169 cases recorded at Chennai international airport, about 40 per cent cases of irregular migration were from Tamil Nadu and 18 per cent were from Andhra Pradesh.

It is to be particularly noted that about 23 per cent cases relate to irregular migration of Sri Lankan nationals. It is likely that due to strict emigration checks for Sri Lankans of Tamil origin in Sri Lanka, many of them prefer to come to Chennai and attempt to migrate illegally to destination countries in Europe. It has been noted that some Sri Lankan irregular migrants were already in India with refugee status or as temporary residents. There have been many reports in the media of such irregular migration of Sri Lankans via Chennai. It was reported that “two Sri Lankan youth were arrested in October 2006 while trying to depart to Greece on forged documents.”¹ Again, it was reported that “one Sri Lankan youth was arrested in February 2007 when he tried to depart to France on a tampered passport.”² It was also reported that “one Sri Lankan lady was arrested in February 2007 when she tried to depart to France on a fake passport and a fake visa.”³ Such irregularities were noted from time to time and it was reported that “four Sri Lankans were arrested in April 2007 when they tried to depart for London on forged documents”⁴ It was further reported that “five Sri Lankans were arrested in April 2007 when they tried to depart for Paris on fake visas.”⁵

It was reported that “two Sri Lankan youth were arrested in October 2006 while trying to depart to Greece on forged documents.”¹ Again, it was reported that “one Sri Lankan youth was arrested in February 2007 when he tried to depart to France on a tampered passport.”

It is interesting to note that many migrants from the states in northern India also chose to emigrate illegally through Chennai airport. It is likely that such decisions are influenced by the impression that such migrants have about a particular port of exit. Potential migrants themselves or through their agents get information about the level of immigration checks at different airports. It is also likely that having failed at one airport, they try other airports. It is also observed that some foreign nationals from Somalia, Iran, Iraq and Afghanistan also attempted to emigrate illegally to destination countries in Europe using the airport in Chennai. Invariably, such foreign nationals choose to arrive at one airport in India but use another airport to depart, thinking that they would not be questioned by the immigration authorities since they had genuine arrival documents.

¹ Tamil Newspaper, Dinathanthi, October 13, 2006.

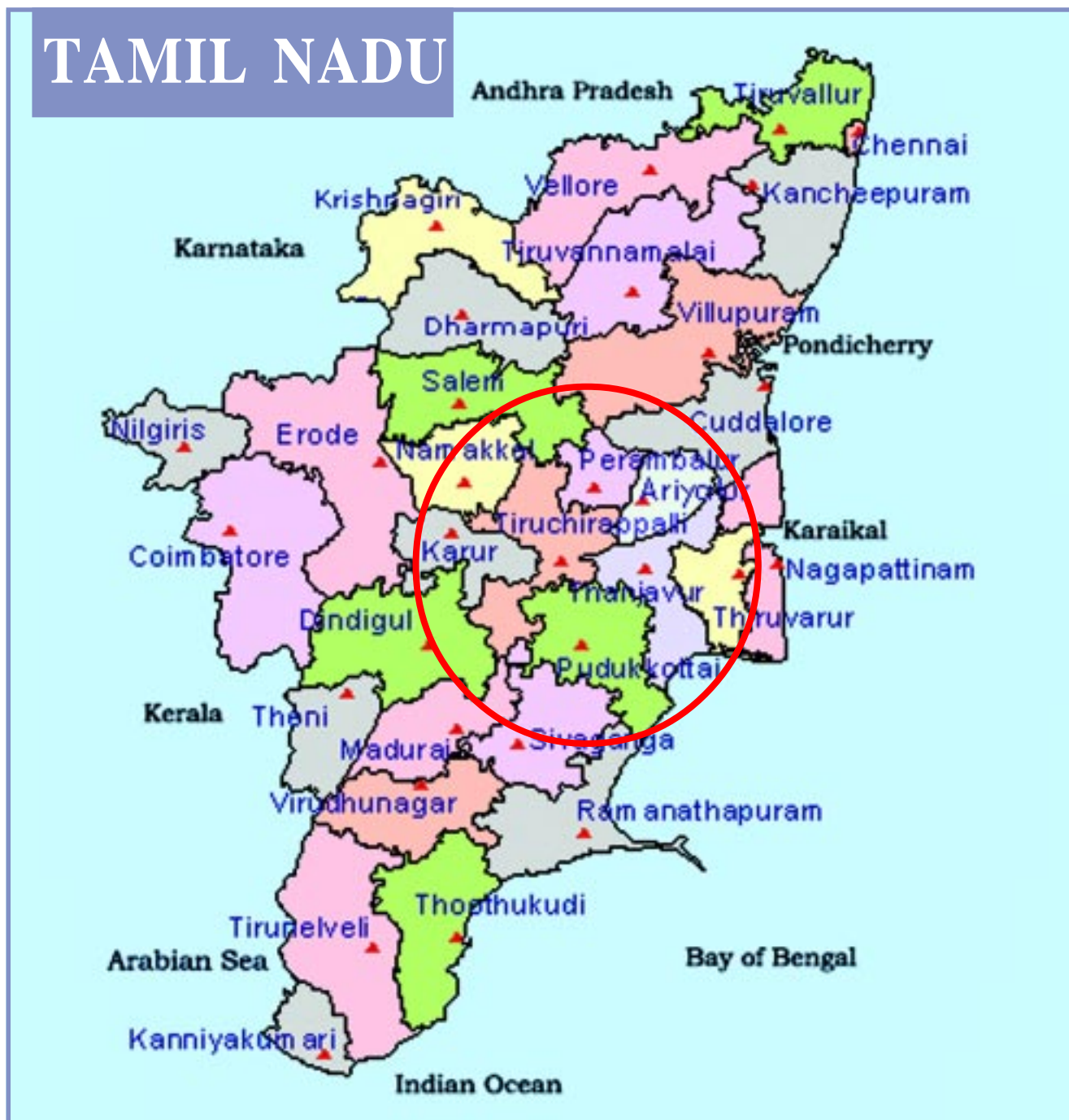
² Ibid, dated February 20, 2007.

³ Ibid, dated February 25, 2007.

⁴ Ibid, dated April 11, 2007.

⁵ Ibid, dated April 30, 2007.

2.2.2 Districts to which Deportees from Tamil Nadu belong



Map 1 Areas in the state of Tamil Nadu prone to irregular migration

Table 12: Districts to which deportees from Tamil Nadu belong

States	Frequency	Percentage
Thanjavur	22	31.9
Chennai	6	8.7
Pudukkottai	4	5.8
Cuddalore	5	7.2
Nagapattinam	3	4.3
Namakkal	2	2.9
Thoothukudi	2	2.9
Tiruchirappalli	2	2.9
Sivaganga	2	2.9
Theni	3	4.3
Villupuram	2	2.9
Thiruvallur	1	1.4
Virudnagar	2	2.9
Tiruvannamalai	1	1.4
Vellore	2	2.9
Ramanathapuram	2	2.9
Thiruvarur	7	10.1
Perambalur	1	1.4
Total	69	100.0

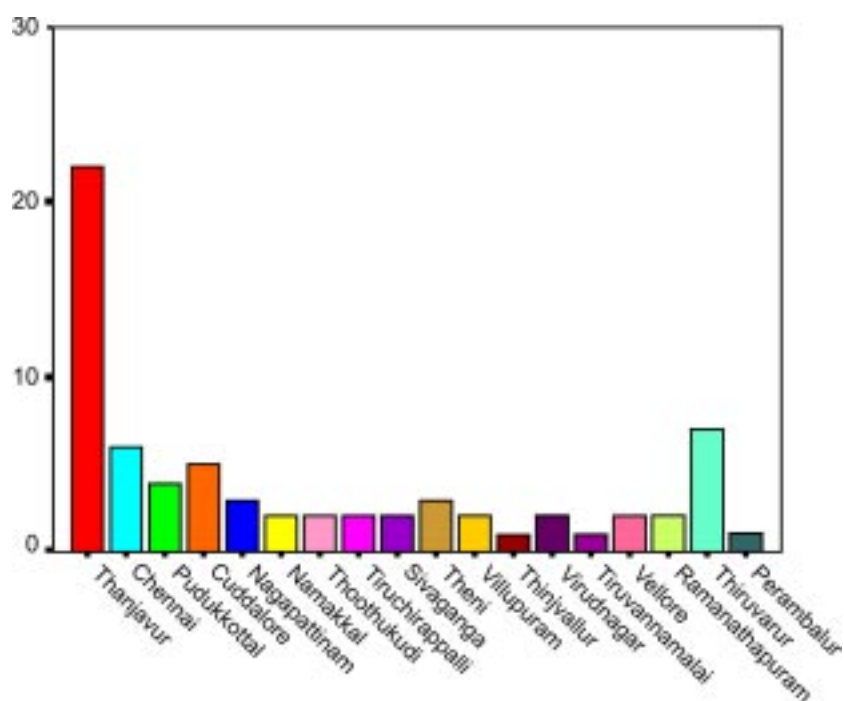
*Graph 2 Districts to which deportees belong*

Table 12 and Graph 2 show that in Tamil Nadu, the district of Thanjavur accounts for more than 30 per cent cases of irregular migration. If the adjoining districts of Thiruvarur and Pudukkottai are included, the percentage becomes as high as 45 per cent. In Map 1, the areas prone to irregular migration have been highlighted. But, there are other districts with cases of irregular migration as well.

Table 13: Areas within districts to which deportees belong

Name of district	Total Number of deportees	Areas within districts to which deportees belong	Number of deportees
Tanjavur	22	Pattukottai	11
		Varthanada	1
		Sattukottai	1
		Kambakonami	3
		Oranthanadu	1
		Papanassam	2
		Adirama Pattinam	1
		Tanjore	
		Parakalakottai	1
			1
Pudukkottai	4	Annavasal	1
		Thirumayam	2
		Alangudi	1
Cuddalore	7	Kattumannan Kopl	1
		Virudhuthalam	1
		Thittakudi	2
		Elleri	1
Nagapattinam	3	Myladruthurai	1
		Manangudi	1
		Nagapattinam	1
Namakkal	2	Namakkal town	2
Thoothukudi	2	Tuticorin	2
Tiruchirapalli	2	Trichy town	2
Sivaganga	2	Devakottai	1
		Ilayangudi	1
Theni	3	Kamatchipuram	1
		Verrapandi	1
		Jhaadi Charry	1
Villupuram	2	Sankarapuram	1
		Kattakurichi	1
Thiruvallur	1	Kadambathur	1
Virudnagar	2	Sri Villiputhur	1
		Siva Kasi	1
Tiruvannamalai	1	Tiruvanamala	1
Vellore	2	Thirupathur	1
		Vanyamvadi	1
Ramanathapuram	2	Parmalendis	1
		Muttupatta	1
Thiruvarur	7	Thiruthorat Posndi	2
		Manankudi	3
		Kudavaral	1
		Thiruvarur town	1
Perambalur	1	Aryaboor	1

Table 13 gives the specific areas in each district with large number of cases of irregular migration. Identification of districts with specific areas may be useful for monitoring of visa applications. Further awareness campaigns and other government interventions can be targeted in such identified areas.

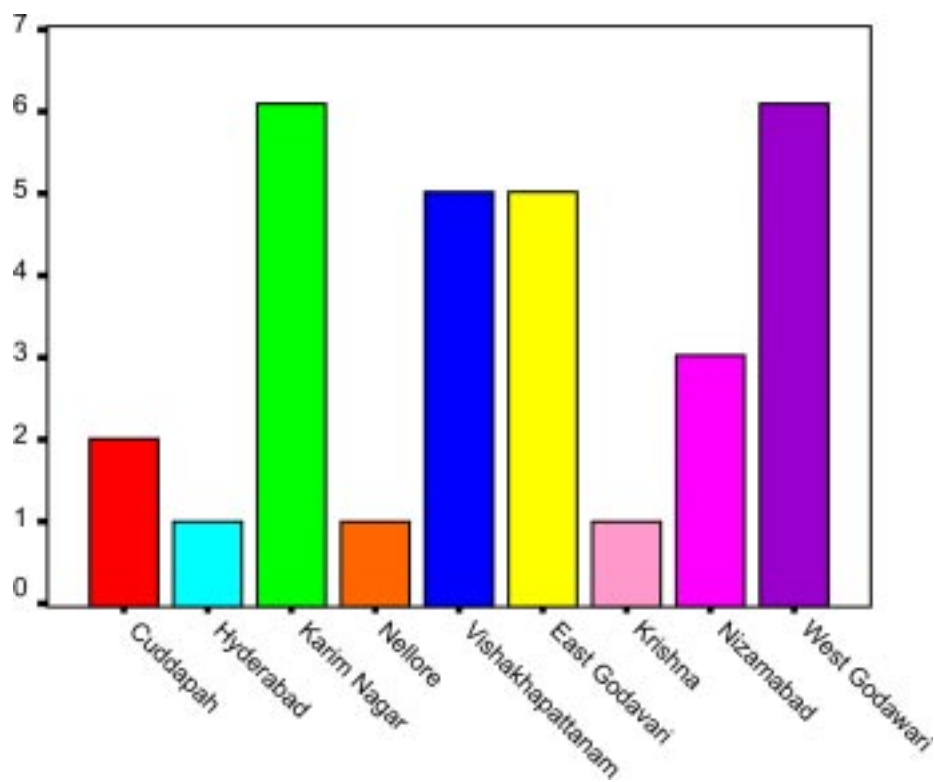
2.2.3 Districts to which Deportees from Andhra Pradesh belong



Map 2 The State of Andhra Pradesh

Table 14: Districts to which deportees from Andhra Pradesh belong

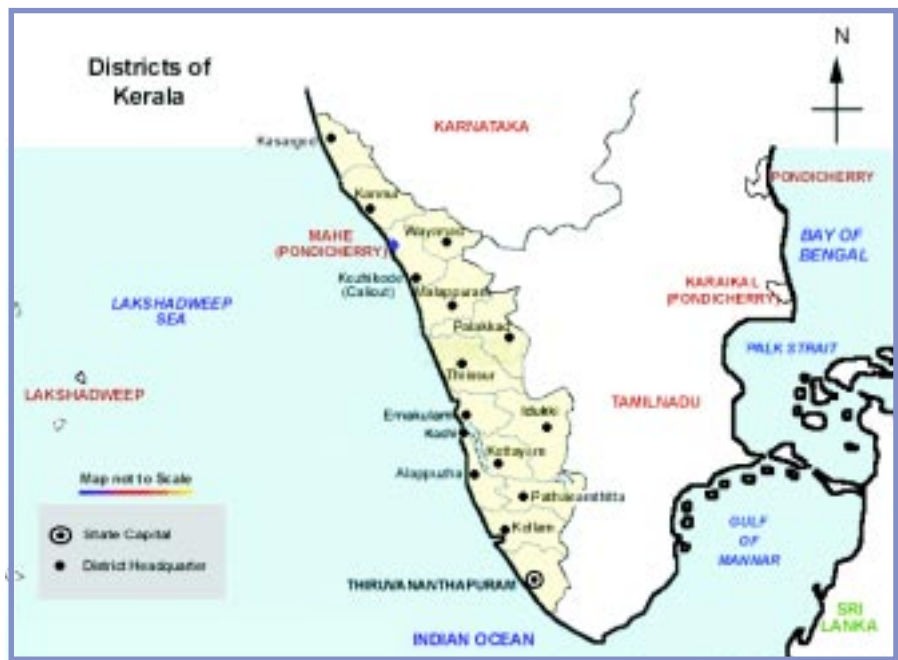
States	Frequency	Percentage
Cuddapah	2	6.7
Hyderabad	1	3.3
Karimnagar	6	20.0
Nellore	1	3.3
Vishakhapatnam	5	16.7
East Godavari	5	16.7
Krishna	1	3.3
Nizamabad	3	10.0
West Godavari	6	20.0
Total	30	100.0



Graph 3 Districts to which deportees from Andhra Pradesh belong

Table 14 and Graph 3 show the different districts of Andhra Pradesh with large number of cases of irregular migration. Map 2 shows that such cases of irregular migration are from the coastal districts of East Godavari, West Godavari and Vishakhapatnam, and the northern districts of Nizamabad and Karim Nagar.

2.2.4 Districts to which Deportees from Kerala belong



Map 3 The state of Kerala

Table 15: Districts to which deportees from Kerala belong

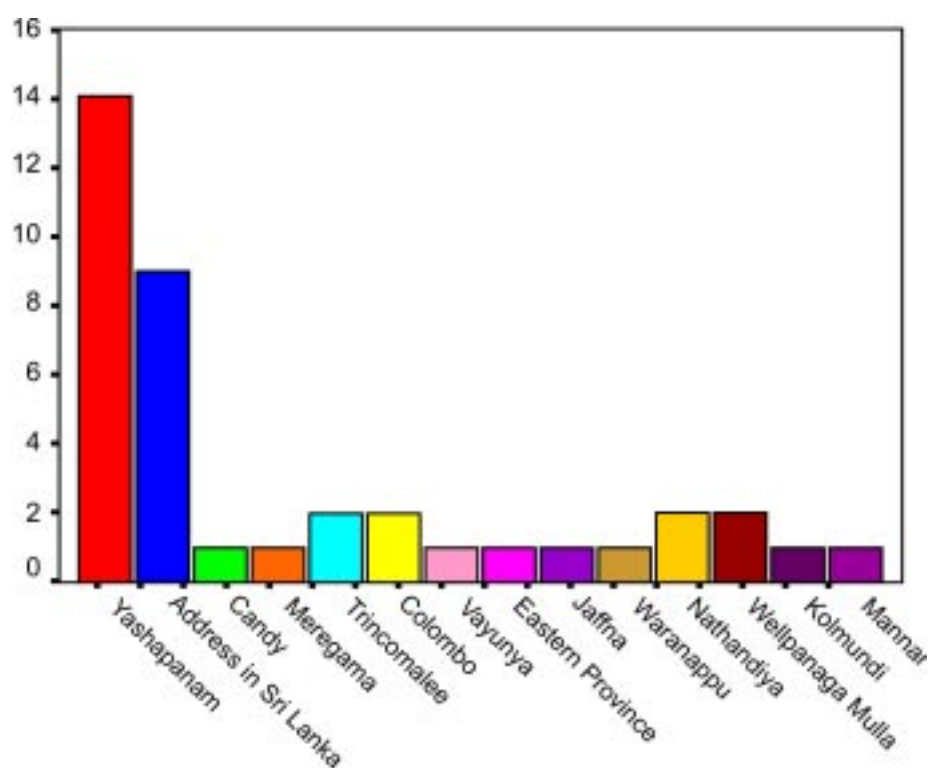
States	Frequency	Percentage
Kozhikode	2	16.7
Idukki	1	8.3
Kasaragod	1	8.3
Mallappuram	2	16.7
Kannur	2	16.7
Thiruvananthapuram	4	33.3
Total	12	100.0

Table 15 shows the number of cases of irregular migration from Kerala. As the number of these cases is limited, no particular pattern is noted. However, these districts can be seen in the Map 3. It may be mentioned that most of the migrants from Kerala use international airports within the state.

2.2.5 Areas in Sri Lanka to which Sri Lankan Deportees belong

Table 16: Areas in Sri Lanka to which Sri Lankan deportees belong

Areas	Frequency	Percentage
Yashapanam	14	35.9
Address in Sri Lanka not known	9	23.1
Kandy	1	2.6
Meregama	1	2.6
Trincomalee	2	5.1
Colombo	2	5.1
Vayunya	1	2.6
Eastern Province	1	2.6
Jaffna	1	2.6
Waranappu	1	2.6
Nathandiya	2	5.1
Wellipanaga mulla	2	5.1
Kolmundi	1	2.6
Mannar	1	2.6
Total	39	100.0

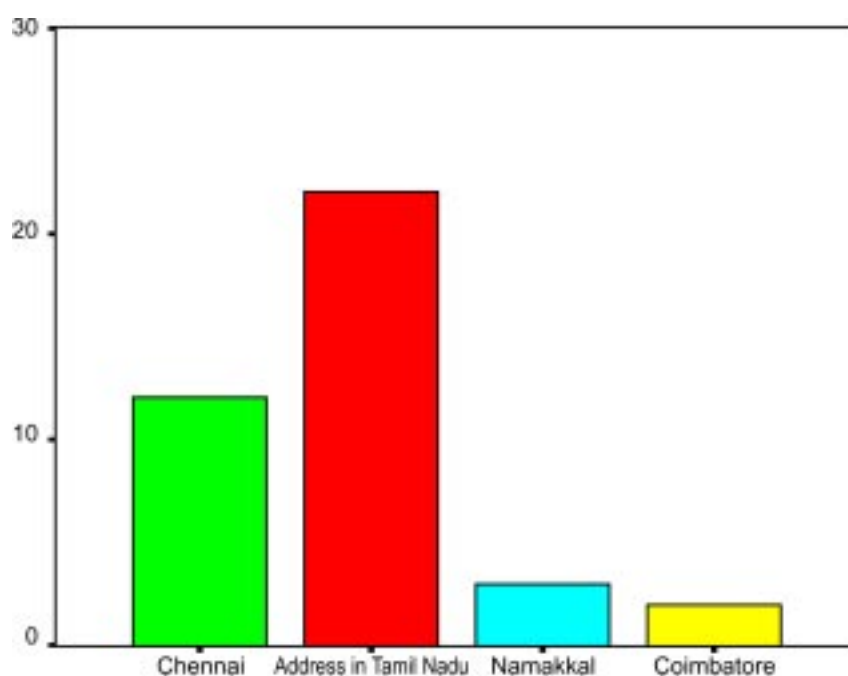


Graph 4: Areas to which Sri Lankan deportees belong

Table 16 and Graph 4 show the different areas of origin of Sri Lankan Tamil deportees. It may be noted that some of the deportees were from the LTTE-dominated areas of Jaffna, Vayunya, Trincomalee. In these circumstances, security issues acquire a different dimension for India as the transit country as also for the destination countries in Europe.

Table 17: Areas where Sri Lankan deportees lived in Tamil Nadu

States	Frequency	Percentage
Chennai	12	30.8
Address in Tamil Nadu not known	22	56.4
Namakkal	3	7.7
Coimbatore	2	5.1
Total	39	100.0



Graph 5: Areas where Sri Lankan deportees lived in Tamil Nadu

Table 18: Areas in Chennai where Sri Lankan deportees lived

Areas	Frequency	Percentage
Annanagar West	4	33.3
Madipakkam	2	16.7
Royapettah	1	8.3
Ukaduthangal	2	16.7
J.J.Nagar	1	8.3
Pallavaram	1	8.3
Kolathur	1	8.3
Total	12	100.0

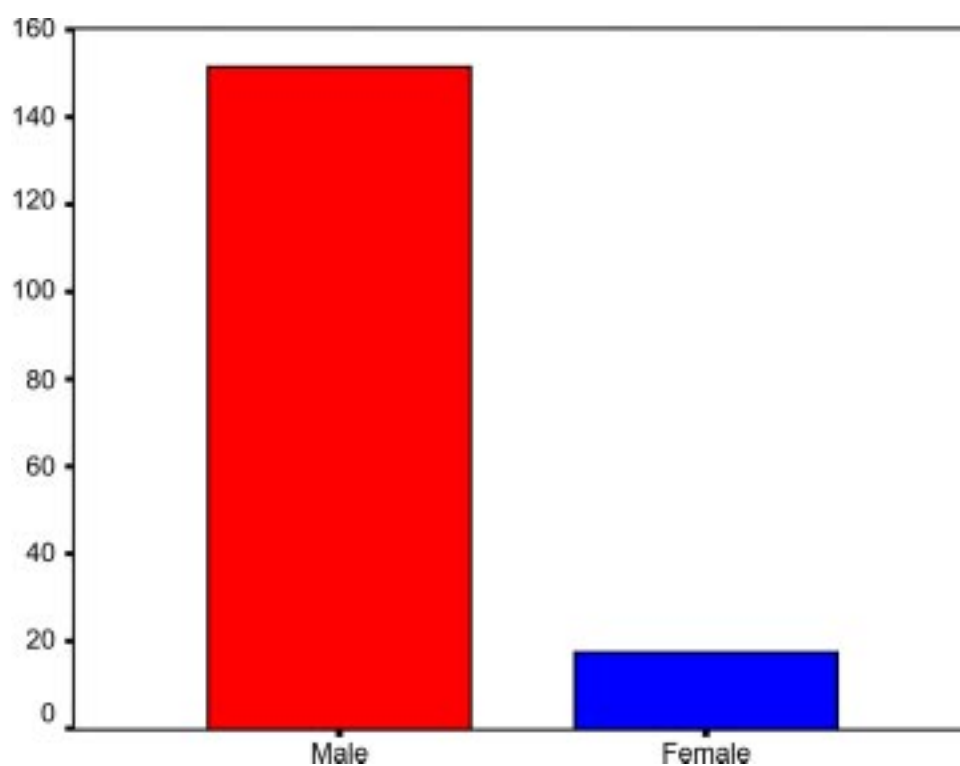
Table 18 shows even the areas in Chennai where some of the Sri Lankan deportees lived.

2.3 Profile of the Irregular Migrants, Reasons for Irregular Migration and Destination countries

2.3.1 Profile

Table 19: Gender of deportees

Gender	Frequency	Percentage
Male	151	89.3
Female	18	10.7
Total	169	100.0



Graph 6 Gender of deportees

Table 19 and Graph 6 show that 90 per cent of the irregular migrants were male. This is in accordance with the general trend noticed in most of the studies on irregular migration. It is the males who try to migrate irregularly, leaving the family behind and sending remittances home.

Table 20: State of origin of female deportees

State	Total
Tamil Nadu	5
Andhra Pradesh	4
Karnataka	2
Kerala	1
Sri Lanka	4
Gujarat	1
Others	1
Total	18

Table 20 gives the breakdown of irregular female deportees from Tamil Nadu, Andhra Pradesh and Sri Lanka. No specific inference can be drawn based on this limited data. But information gathered from different sources indicates that irregular migration of female migrants from Andhra Pradesh is rising. It is likely that the agents are particularly targeting such female migrants from the state.

Table 21: Age group of migrants

Age Group	Frequency	Percentage
15 to 20	3	1.8
21 to 25	33	19.5
26 to 30	40	23.7
31 to 35	20	11.8
36 to 40	24	14.2
41 to 45	19	11.2
46 to 50	4	2.4
51 to 55	6	3.6
56 to 60	3	1.8
Not available	17	10.1
Total	169	100.0

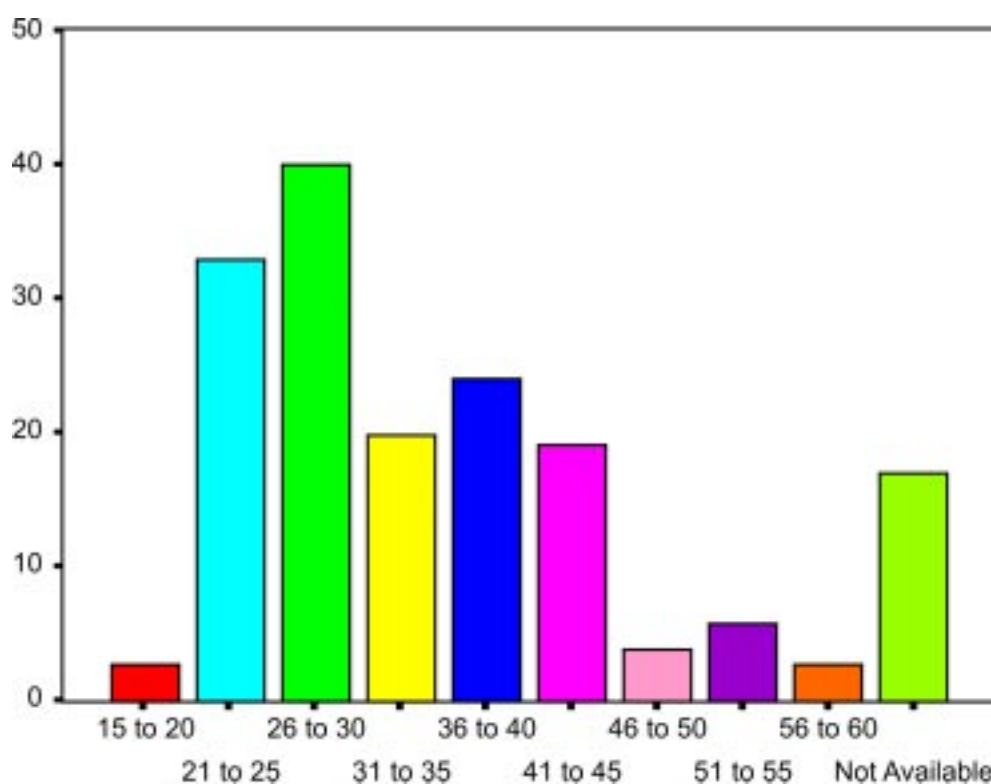
*Graph 7: Age group of migrants*

Table 21 and Graph 7 indicate that 43 per cent of the irregular migrants were in the age group of 21 and 30. Young people have an increased inclination to take risks, as there is reduced family liability and associated cost. Hence, they are likely to constitute a higher proportion of irregular migrants. It is to be particularly noted that about 25 per cent of the irregular migrants were also in the age group of 31 to 40 and about 15 per cent were in the age group of 41 to 50. Reasons for irregular migration in the higher age groups need to be studied further. It was noted that most irregular migrants in the higher age group were from Sri Lanka. It is likely that many of them may be attempting to reach destination countries in Europe to seek asylum due to the disturbed situation in Sri Lanka.

Table 22: Age group of deportees from Tamil Nadu

Age Group	Total
21 to 25	10
26 to 30	19
31 to 35	13
36 to 40	12
41 to 45	8
46 to 50	1
51 to 55	3
N/A	3
Total	69

Table 23: Age group of deportees from Andhra Pradesh

Age Group	Total
21 to 25	9
26 to 30	7
31 to 35	3
36 to 40	4
41 to 45	1
46 to 50	1
N/A	5
Total	30

Table 24: Age group of deportees from Sri Lanka

Age Group	Total
15 to 20	1
21 to 25	7
26 to 30	10
31 to 35	2
36 to 40	5
41 to 45	5
51 to 55	2
56 to 60	3
N/A	4
Total	39

Tables 22, 23 and 24 give the state-wise age group break-up of migrants. During the field studies in different villages in the districts of Tanjavur, Thiruvarur, Pudukkottai and Namakkal in Tamil Nadu, it was found that most of the irregular migrants were youths from a rural agricultural background, who did not pursue studies after completion of their schooling and were also not interested in pursuing farming. About 10 to 15 per cent of the migrants had completed their education up to the degree level.

2.3.2 Reasons for Irregular Migration

As the option of legal migration for most of the irregular migrants is ruled out because of limited opportunities for unskilled migrants, they resort to irregular migration. It is difficult to specify reasons why certain districts report a larger number of cases of irregular migration. This may be due to the past migration history, social network, high unemployment rate, failed agriculture, rural debt, proactive role of agents. Of all these reasons, those which are significantly important are the **high unemployment rate** and the **general attitude of youth** from the area that migration to the other countries is perhaps the best alternative. Potential irregular migrants will also take into account examples of successful migration from their neighbourhood and use such people as their role models. This fact was corroborated while talking to some of the respondents. A particular instance was highlighted in Namakkal district concerning two brothers with who had the same education level up to high school. One managed to migrate irregularly to the UK in the beginning of 2007 and was earning about Rs 40,000 (US\$1,000) a month whereas his brother was working in a Reliance Petrol Station in the district headquarters and getting only Rs 2,000 (US\$50) per month and even then such a job was difficult to find.

One managed to migrate irregularly to the UK in the beginning of 2007 and was earning about Rs 40,000 (US\$1,000) a month whereas his brother was working in a Reliance Petrol Station in the district headquarters and getting only Rs 2,000 (US\$50) per month and even then such a job was difficult to find.

During discussion with co-villagers in these areas, it was interesting to note that they had full knowledge about who had migrated from the village to which country and how they had improved their status. They were proud to show the big houses which the families of such migrants had built with the remittances sent back. Being from agricultural families, for whom land is the most prized possession, many had also purchased additional pieces of land in the neighbourhood and some had even purchased coconut groves, which are highly profitable.

This improvement in status in families of migrants had come about in the space of a few years. The amount of remittances being sent can be assessed from the money spent in constructing such houses, which was not less than Rs 10,00,000 to Rs 1,500,000 (US\$25,000 to US\$37,500). Most of the houses were constructed in phases depending on the flow of money coming in. In a year, the migrants on an average were able to remit about Rs 200,000 to Rs 300,000 (US\$5,000 to US\$7,500), a considerable sum for a family in rural India.

It is interesting to learn that migrants, who went as unskilled labour, could acquire skills in the destination countries as plumbers, carpenters or in other trades and even get certificates in these trades from recognised institutes in due course. Thus, the phenomenon of irregular migration was not considered to be a stigma amongst the families of the migrants,

provided it was successful. The social structure in the village, which had been traditionally based on caste, landholding, family background and educational achievements, has now changed into one which distinguishes between families having members in other countries and families which do not. The wedding cards issued during marriages in these areas, proudly announce the names and addresses of family members in other countries, for example in “camp London” or “camp Paris”. There is an indirect social pressure on families who do not have anybody from the family living in other countries. It was noted that in some villages, 80 per cent of the families have at least one member in another country.

Some of the respondents mentioned that, in families with migrants already in other countries, the other members manage to migrate in due course if the family situation permits. This is corroborated by the fact that in many families more than one member is already abroad. It is interesting to note how initial migration of one member of the family facilitates the migration of others. This phenomenon of **chain migration** from the area was particularly noted. It is likely that the irregular migrants organise legal documents, such as work permits, etc., for other family members through their contacts in the destination countries. Thus, what starts as irregular migration may become regular in the subsequent migration of other family members. Such irregular migrants may also try to facilitate illegal entry of someone through contacts developed with agents in destination countries. In such a situation, initial irregular migration further facilitates irregular migration.

2.3.3 Destination Countries

Among all the destinations in Europe, the UK is the most preferred destination for irregular migrants. Reasons for choosing the UK include the perception that once a migrant is there, life is comfortable, and one feels much at home with the large Indian community already there and there is no language problem. There is also the misconception that one can find work easily and earn a good wage. One respondent, who returned from one of the Gulf countries after 17 years, stated that in order to generate sufficient savings, one has to work in a Gulf country for at least 15 years whereas he thought that one can come home with sufficient savings if one works for about 5 years in the UK. This observation was corroborated by co-villagers of an irregular migrant in Namakkal district, who returned to the village in July 2007, after 6 years of irregular stay in the UK. They stated that the returnee planned to start a business soon. Most of the irregular migrants leave behind their family. It appears that for a majority

There is also the misconception that one can find work easily and earn a good wage.

of them, the primary aim is to earn sufficient money and then to return home to settle unless they are able to get themselves regularised in the destination countries.

It was learnt from some of the respondents, who had worked in the Gulf countries, that their life is very difficult for unskilled workers and the wages are falling as many Indians have now become owners of many enterprises and pay increasingly low wages. About 10 people are often accommodated in a small room with 3 tiered beds and a one-tonne air conditioner. They stated that more migrants would like to go to Europe, particularly to the UK, in the future. They also stated that at the moment it requires a lot of money to go to Europe.

Tables 1 to 10 indicate the various destination countries in Europe. These countries include Austria, Greece, Sweden, Italy, Spain, Germany, Ireland, Poland, France and Netherlands and the UK. Apart from destinations in Europe, the other destination countries, excluding the countries in the Middle East and South East Asia, were the USA, Canada, South Korea, Japan, South Africa, Australia and New Zealand. Thus, it can be seen that destination countries have become more varied. It seems that the agents target possibilities of irregular migration to different countries through international networks.

Apart from destinations in Europe, the other destination countries, excluding the countries in the Middle East and South East Asia, were the USA, Canada, South Korea, Japan, South Africa, Australia and New Zealand. Thus, it can be seen that destination countries have become more varied.

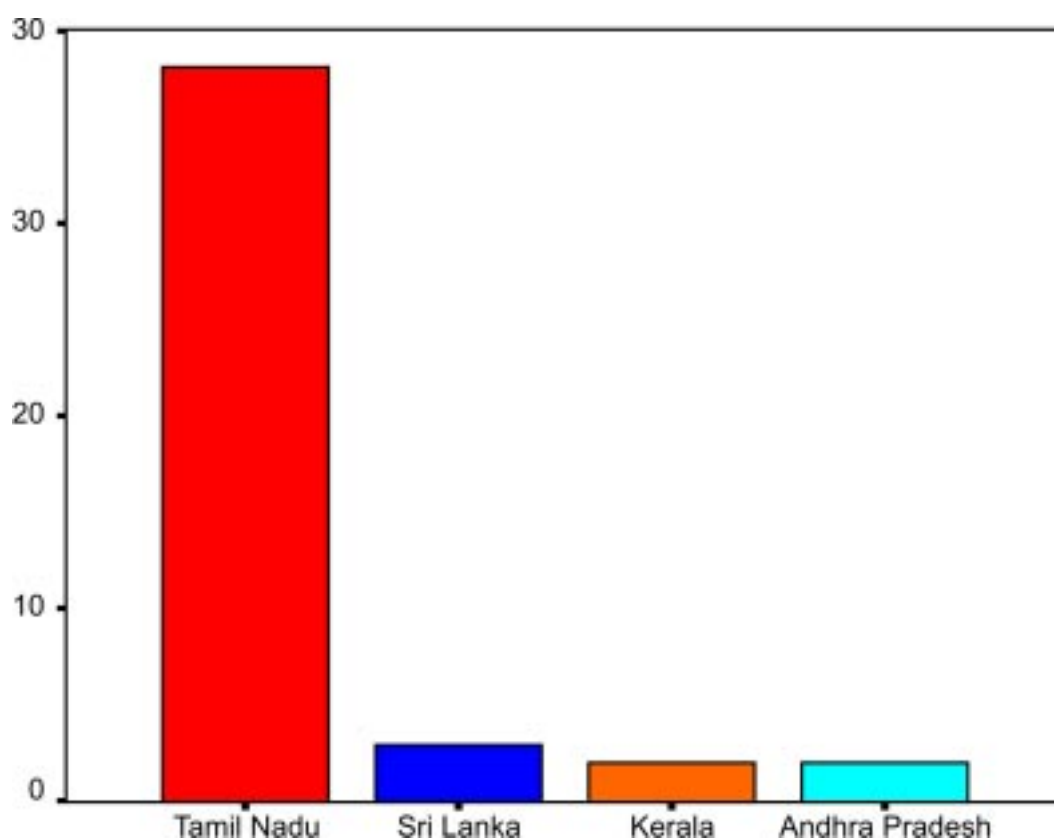
2.4 Profile of Agents, Sub-Agents and their Modus Operandi

2.4.1 Profile

The details of 45 agents connected to the 169 cases of immigration violations were collected. In addition, other details were collected during the field visits.

Table 25: State to which agents belong

States	Frequency	Percentage
Tamil Nadu	38	84.4
Sri Lanka	3	6.7
Kerala	2	4.4
Andhra Pradesh	2	4.4
Total	45	100.0



Graph 8 States to which agents belong

Table 25 and the Graph 8 show that 84 per cent of the agents were based in Tamil Nadu.

Table 26: Districts to which agents from Tamil Nadu belong

District	Frequency	Percentage
Chennai	27	71.1
Tanjavur	2	5.3
Thiruvavur	1	2.6
Not available	1	2.6
Madurai	2	5.3
Pudukkottai	1	2.6
Tiruchirapalli	1	2.6
Kanyakumari	2	5.3
Sivaganga	1	2.6
Total	38	100.0

Table 26 further indicates that 71 per cent of the agents based in Tamil Nadu operated from Chennai. It appears Chennai is the hub of activities of agents.

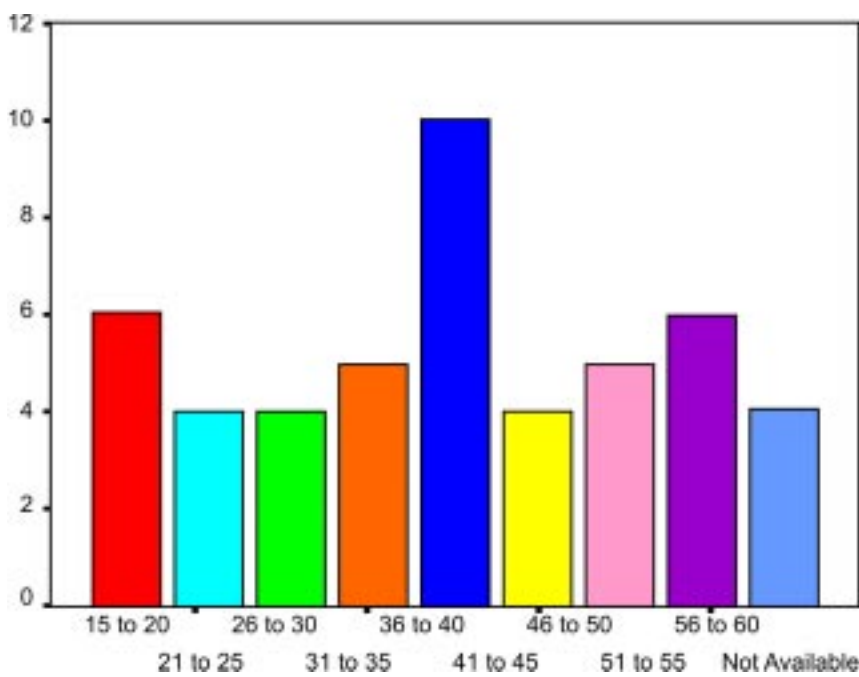
Table 27: Areas of residence of agents in Chennai

Areas	Frequency
Vadapalani	3
Amonjikarai	2
Choolaimedu	3
Guindy	1
Kothwekham	1
Avadi	1
Saligraman	1
Palabakham	1
Ayavaran	1
Mambalam	1
Saidapet	1
Egmore	1
Mannady	1
Triplicane	1
Arumbakkam	1
Pathavaram	1
Velachary	1
Chepauk	1
Sevenwells	1
Broadway	1
Tambaram	1
K.K.Nagar	1
Total	27

Table 27 gives the areas of residence of agents operating from Chennai. These addresses indicate that the agents are scattered throughout the city and are well settled in good residential areas.

Table 28: Age group of agents

Age Group	Frequency	Percentage
Not available	6	13.3
20 to 25	4	8.9
26 to 30	4	8.9
31 to 35	5	11.1
36 to 40	10	22.2
41 to 45	4	8.9
46 to 50	5	11.1
51 to 55	6	13.3
56 to 60	1	2.2
Total	45	100.0



Graph 9 Age group of agents

Table 28 and Graph 9 give the age group of the agents. It should be noted that about 50 per cent of agents are in the age group 31 to 50. It is likely that most of the agents have been in this business for many years. Most of the agents operated as travel or recruitment agents.

2.4.2 Proliferation of Sub-Agents

During the field visits, it was learnt that there has been a proliferation of self-appointed sub-agents in rural areas. These sub-agents get into the business of irregular migration by establishing contacts with some of the recruitment agents, who advertise job opportunities available in different countries in the local newspapers. They do rounds of the passport offices and soon acquire enough confidence to carry on the liaison work between the migrants and the agents. Usually, they have some business or other professional activity of their own and they work as sub-agents on the side. It has been learnt that some of them were overseas employees. The sub-agents operate mostly in their own neighbourhood. Thus, they are able to easily mobilise willing migrants. The responsibility of a sub-agent is limited to accompanying the migrants to Chennai or other cities and to establishing initial contacts with the agents. Often, he need not even accompany the migrants, as such contacts can be established on telephone. The sub-agent takes his share of commission from both the migrant and the agent. For mobilising one migrant, the sub-agent is often able to earn about Rs 10,000 to Rs 15,000 (US\$500 to US\$750). Depending on their capacity to mobilise migrants, the sub-agents are able to earn substantial amounts.

Usually, they have some business or other professional activity of their own and they work as sub-agents on the side. It has been learnt that some of them were overseas employees.

2.4.3 Compromise between Agents and Migrants in cases of Failures to Reach Destination Countries

It was learnt during the field study that if a migrant failed to make it to the destination country, he could again contact the sub-agent for a refund of the money paid by him. To this the sub-agent often responded that he no longer had the money paid by the migrant because he had to pay the agent. In some situations, the money is directly paid by the migrant to the agent. If repeated requests made by the migrant for the refund of money yield no result, then he may threaten to report the matter to the police. In this case, the sub-agent usually takes up the matter with the agent and in 90 per cent of such cases; the money is refunded, following a deduction of costs already incurred in the first failed attempt. In situations when all negotiations between the migrant and the sub-agent fail, a complaint is usually filed with the police.

A senior police officer in Thanjavur district confirmed that on an average, in a year, about 200 complaints against the agents are received in the district. He also confirmed that the number of such complaints in the adjoining district of Ramanathapuram, where he had served earlier, was in the region of 500 in a year. Except for 5 to 10 cases, all complaints end up in a compromise. He also cautioned that the number of complaints coming to the police may be only a small proportion of all such cases, as the majority of the cases were settled between the parties themselves.

In this scenario, the migrant knows that he is likely to get back the money and the agent knows that he may have to return the money in a few cases. Such cases of failures and the resultant complaints were high in Thanjavur district. But in the case of Namakkal district, such complaints were minimal despite there being reports of irregular migration from almost every village. In this district, there were only eight complaints against the agents in 2006 and only six in 2007 until August. Out of the eight complaints in 2006, six cases resulted in a compromise and in two, police reports were registered against the agents. The situation in 2007 is more or less similar.

This settlement between the parties is often a promise to send the migrant again to his destination or to an alternative destination. It appears that the agents enter into such compromise for three reasons. First, they do not want a bad publicity in the area, which may be harmful for their business. Second, they do not want to be on the wrong side of the law enforcement authorities. Third, the refunds are likely to be small in comparison to the huge profits they make in their business.

2.4.4 Professionalisation of Agents and High Success Rate

One interesting fact noted during the visits to villages in the Namakkal district was that none of the irregular migrants had been deported by the immigration authorities in Chennai or by the other countries. It was learnt that two to three persons had migrated irregularly to the UK in the last few years from almost all 368 villages in the district. One inference that can be drawn is that the sub-agents in Namakkal district are using services of agents who are highly professional and capable of ensuring a high success rates.

An experienced immigration officer at Chennai airport remarked that the agents have become more professional over the years. They operate through well-connected networks within the country and in other countries, and possess excellent capabilities to forge documents.

It has been observed that the agents are able to carry on their business without great difficulty from local law enforcement authorities and civil society. During the field visits, it was noted that the clients of the agents were varied and included agricultural families in rural areas, family members of public representative, government servants, and employees of private companies, amongst others.

2.4.5 Increase in Fees of Agents and the Causes

Fees have increased considerably over the years primarily for two reasons. First, due to the strict immigration checks and enforcement activities in the countries of origin, transit and destination. The second reason is more interesting and is explained by an interplay of demand and supply. It is generally believed that the agents can send any number of persons irregularly to destination countries every day. However, agents manage to send only a limited number of persons in certain favourable periods, taking into account the hindrances they have to overcome at different stages, beginning with procurement of documents, exit from the country, arrangements in transit countries and onward journeys to destination countries. At every stage, they have to take into consideration the fact that their actions should not cause any suspicion to the authorities. Thus, they are likely to be satisfied with handling a small number of cases at a time, so that they may continue to be in the business for many years.

Due to these limitations, it can be seen that the supply side has its own limitations but the demand side is growing every day, as more and more

people become interested in migrating irregularly, resulting in an increase in fees. During the field visits in Namakkal district, it was learnt that most of the irregular migrants to the UK had paid about Rs 500,000 to Rs 600,000 (US\$12,500 to US\$15,000). It has been noted that a few migrants had agreed to pay as much as Rs 1.5 to Rs 2 million (US\$25,000 to US\$37,500) for irregular migration to the USA. Many cases of victimisation of poor migrants by the agents in the Tanjavur, Pudukkottai and Thiruvavur districts were also noted. These poor migrants had paid sums varying from Rs 80,000 to Rs 120,000 (US\$2,000 to US\$3,000) for jobs in destination countries in the Middle East or South East Asia and had been cheated.

2.4.6 Modus Operandi of Agents

Table 29: Modus operandi of agents

Types of Incidents	Frequency	Percentage
Fake ECNR*	46	27.2
Taking somebody as wife and children	3	1.8
Forged Indian Passport	6	3.6
Impersonation	8	4.7
Photo substitution	25	14.8
Fake foreign visa	7	4.1
Jacket substitution	8	4.7
Forgery in travel document	3	1.8
Forged company letter	1	.6
Fake Schengen visa	1	.6
Fake Indian PP & fake departure seal	4	2.4
Re-stitched passport	18	10.7
Foreign national obtained Indian PP**	1	.6
Visa rejected earlier got visa on new PP	1	.6
Fake Foreign passport	8	4.7
Foreign PP & also SL PP with fake Indian visa	3	1.8
Greek visa tampered PP re-stitched	3	1.8
Arrival & departure seal of foreign country forged	1	.6
Indian PP obtained with false personal details	2	1.2
Held foreign PP dep. stamp of foreign country forged	1	.6
Foreigner, fake foreign PP and fake Indian visa	3	1.8
Fake departure stamp of Chennai Airport	1	.6
Fake foreign refugee travel document	3	1.8
SL*** national with fake residential permit of FRRO****	10	5.9
Boarding card exchanged in security area	2	1.2
Total	169	100.0

(Source: 169 immigration offence cases examined in cooperation with law enforcement authorities in Chennai)

- * Emigration clearance not required to be obtained from Protectorate of Emigrants for certain categories of migrants who are not matriculates.
- ** PP means passport.
- *** SL means Sri Lanka.
- **** FRRO means Foreign Regional Registration Office

Table 30: Month-wise reasons for deportation, January 2007 to May 2007

Reasons for deportation	Number of Cases				
	January	February	March	April	May
Passport not valid	1				
Validity of passport for less than 180 days				1	
Eye infection	1				
Mental sickness			1		
Inadmissible passenger	41	66	92	53	55
Entry banned				1	
Fake visa		1			
Fake passport			1	2	
Lack of show money	8	5	2	5	11
No return ticket					5
Failed eye scan			2		
Loss of passport		4			
No sponsorship	14	18	23	47	13
No valid visa	16	17	15	8	19
Validity of visa expired				1	
No transit visa	1				
Visa overstay	14	6	103	12	5
Reentry visa cancelled	1				
Suspected/forged document		1		1	
No work permit	1	1	1	1	1
Work permit expired			1		
Work permit cancelled					4
Work permit cancelled by UK Government	1				
Stolen Schengen visa		2			

Table 29 and 30 give the various methods of operation adopted by the agents in the 169 specific cases studied. These included use of forged Indian passports, photo substitution in Indian and foreign passports, jacket substitution of Indian and foreign passports, re-stitched passports, forged foreign passports, forged foreign visas, use of Malaysian passport which requires no visa to visit the UK, and exchange of boarding cards in security areas.

2.4.6.1 Forging of Stamps of the Office of the Protectorate of Emigrants

There were 27 per cent cases of faking the stamps of the office of the Protectorate of Emigrants. It may be mentioned that this clearance is needed for overseas employment in certain countries for unskilled migrants from India who do not have an education qualification to high school level. The need to forge such stamps should not normally arise if an agent has genuine job offers. But it seems that many new entrants to the business of irregular migration are exploiting innocent migrants by promising them jobs when no such job offers are available. They, in turn, provide forged documents which are detected and result in the migrants being deported from the destination countries. A large number of such cases were noted to be from Andhra Pradesh.

2.4.6.2 Taking Someone Else as One's Wife

Table 31: Details of cases of departure as someone else's wife and children

Case No.	Facts relating to the cases
1	A man aged 35, from Chennai, took someone as wife and son to the UK on his wife's and son's passports. He again obtained visas for Austria to take someone else as wife and son. They were not allowed to depart upon detection of the fraud by immigration authorities in Chennai. Criminal cases have been registered against them under the Indian Passport Act 1967 read with relevant provisions of the Indian Penal Code.
2	A man aged 43, from Pudukkottai district of Tamil Nadu, tried to take a lady aged 34 from Papanassam area of Tanjore to the UK as his wife on his wife's passport. The man admitted that he had given his wife's passport to an agent based at Trichy and who had a partner at Tanjore and he arranged the departure for the lady. A criminal case has been registered against them under the Indian Passport Act 1967 read with relevant provisions of the Indian Penal Code.

Table 31 gives the details of two cases when someone tried to take someone else as his own wife. Only two cases could be detected, but there could many more cases which went undetected. It is to be noted that this is one of the safest mode of irregular migration.

2.4.6.3 Forged Passports

Table 32: Details of cases of forged passports

Case No.	Facts relating to the cases
1	A Sri Lankan national, aged 58, native of Yashpanam (Yazhpanani), now resident of Chennai, forged an Indian passport. A criminal case has been registered against him under the Indian Passport Act 1967 read with relevant provisions of the Indian Penal Code.

2	A Sri Lankan national, aged 39, native address in Sri Lanka not known, now resident of Chennai, forged an Indian passport. A criminal case has been registered against him under the Indian Passport Act 1967 read with relevant provisions of the Indian Penal Code.
3	A Sri Lankan national, aged 38, native of Yashpanam (Yazhpanani), now resident of Chennai, forged an Indian passport. A criminal case has been registered against him under the Indian Passport Act 1967 read with relevant provisions of the Indian Penal Code.
4	A Sri Lankan national, aged 55, native of Kandy, now resident of Chennai, forged an Indian passport. A criminal case has been registered against him under the Indian Passport Act 1967 read with relevant provisions of the Indian Penal Code.
5	A Sri Lankan national, aged 44, native of Yashpanam (Yazhpanani), now resident of Chennai, forged an Indian passport. A criminal case has been registered against him under the Indian Passport Act 1967 read with relevant provisions of the Indian Penal Code.
6	A Sri Lankan national, aged 45, native of Yashpanam (Yazhpanani), now resident of Chennai forged an Indian passport. A criminal case has been registered against him under the Indian Passport Act 1967 read with relevant provisions of the Indian Penal Code.

Table 32 gives the details of cases of forged Indian passports. It was observed that the Sri Lankan nationals were able to procure forged Indian passports and tried to use them for irregular migration to destination countries in Europe.

2.4.6.4 Impersonation

Table 33: Details of cases of impersonation

Case No.	Facts relating to the cases
1	A man, aged 29, from Pudukkottai district of Tamil Nadu, impersonated another person for departure to Dubai. He was not allowed to depart upon detection of fraud by immigration authorities in Chennai. A criminal case has been registered against him under the Indian Passport Act 1967 read with relevant provisions of the Indian Penal Code.
2	A man, aged 26, from Chennai, impersonated another person. The fraud was detected by immigration authorities in Chennai upon arrival of the passenger from Singapore. A criminal case has been registered against him under the Indian Passport Act 1967 read with relevant provisions of the Indian Penal Code.

3	A man, aged 51, from Pattukkottai area of Tanjavur district of Tamil Nadu, arrived as a deportee from Sydney. He had travelled to Australia in the year 2000 impersonating his brother. A criminal case has been registered against him under the Indian Passport Act 1967 read with relevant provisions of the Indian Penal Code.
4	A man, aged 40, from the State of Gujarat (belonging to Patel community), impersonated another person for departure to the USA along with his wife, who had a jacket substituted passport. The fraud was detected by immigration authorities in Chennai and they were not allowed to depart. A criminal case has been registered against him under the Indian Passport Act 1967 read with relevant provisions of the Indian Penal Code.
5	A man, aged 23, from Villupuram district of Tamil Nadu, impersonated another person for departure to Dubai. He was not allowed to depart upon detection of fraud by immigration authorities in Chennai. A criminal case has been registered against him under the Indian Passport Act 1967 read with relevant provisions of the Indian Penal Code.
6	A man, aged 26, from Tiruchirappalli district of Tamil Nadu, fraudulently obtained a Malaysian passport of someone with an Indian visa and then impersonated a Malaysian person for departure to Malaysia. He was not allowed to depart upon detection of fraud by immigration authorities in Chennai. A criminal case has been registered against him under the Indian Passport Act 1967 read with relevant provisions of the Indian Penal Code.
7	An Iraqi lady, aged 38, impersonated someone else and sought departure for Stockholm via Frankfurt. Her passport also revealed a fake arrival seal of Mumbai airport. A criminal case has been registered against her under the Indian Passport Act 1967 read with relevant provisions of the Indian Penal Code.
8	A lady, aged 29, from West Godavari district of Andhra Pradesh, impersonated another person and sought departure for Doha via Colombo. The fraud was detected by immigration authorities in Chennai, who did not allow her to depart. A criminal case has been registered against her under the Indian Passport Act 1967 read with relevant provisions of the Indian Penal Code.

Table 33 gives the details of the cases of impersonation. Cases of impersonation related to both Indian and foreign passports. It is to be noted that cases of impersonation are often difficult to detect. These limited cases show that there had been attempts to go to destination countries in Europe, the USA and Australia using this mode of irregular migration.

2.4.6.5 Photo Substitution

Table 34: Details of cases of photo substitution

Cases of photo substitution	Frequency	Percentage
Photo substituted in Indian PP*, detected on arrival	12	48.0
Photo substituted in Indian PP, detected at departure	8	32.0
Sri Lankan national substituted photo in foreign PP, detected at departure	4	16.0
A lady with substituted photo in Indian PP, detected at departure	1	4.0
Total	25	100.0

* PP means passport

Table 34 gives the details of the cases of photo substitution. Most cases of photo substitution were in Indian passports but there were also cases of photo substitution in foreign passports. These foreign passports are likely to be missing passports, which may have been procured from foreign agents. In all these cases, Sri Lankan nationals of Tamil origin were involved. It appears that if Sri Lankan nationals of Tamil origin leave successfully in this way, their intention is to seek asylum in the destination countries.

2.4.6.6 Forged Foreign Visas

Table 35: Details of fake foreign visa

Case No.	Facts relating to the cases
1	A man, aged 24, from the State of Haryana, arrived from Bangkok with a fake Thai visa.
2	A man, aged 28, from Cuddalore district of Tamil Nadu, sought departure for Paris via Colombo. On examination, the UK visa was found to be forged. He also held another French passport issued in the name of someone else in which the arrival seal of the Chennai immigration was forged. A criminal case has been registered against him under the Indian Passport Act 1967 read with relevant provisions of the Indian Penal Code.
3	A man, aged 40, from Tiruchirapalli district of Tamil Nadu, sought departure for Dubai on a forged visa which was provided to him by an agent and his four associates based at Chennai on payment of Rs 1lakh. A criminal case has been registered against him and also the agent and his associates under the Indian Passport Act 1967 read with relevant provisions of the Indian Penal Code.
4	A man, aged 29, from Pattukottai area of Tanjavur district of Tamil Nadu, sought departure for Canada via Singapore on a fake Canadian visa. A criminal case has been registered against him under the Indian Passport Act 1967 read with relevant provisions of the Indian Penal Code.

5	A man, aged 27, from the State of Punjab, sought departure for Canada on a fake Canadian visa. A criminal case has been registered against him under the Indian Passport Act 1967 read with relevant provisions of the Indian Penal Code.
6	A man, aged 22, from Sri Lanka sought departure for Canada on a forged Canadian visa. A criminal case has been registered against him under the Indian Passport Act 1967 read with relevant provisions of the Indian Penal Code
7	A man, aged 26, from Pudukkottai district of Tamil Nadu, sought departure clearance for Malaysia. On examination of the passport, it was found that the Malaysian re-entry visa was fraudulently obtained. A criminal case has been registered against him under the Indian Passport Act 1967 read with relevant provisions of the Indian Penal Code.
8	A man, aged 24, from Namakkal district of Tamil Nadu, sought a visa for Germany. The visa section of German Embassy found that his passport was stamped with a forged French Schengen visa. The passport also showed embarkation at Athens airport with a fake stamp. Based on the complaint of the German Embassy, a criminal case has been registered against him under the Indian Passport Act 1967 read with relevant provisions of the Indian Penal Code.
9	A Sri Lankan national, aged 21, sought departure for Greece. On examination of passport, it was revealed that the Greek visa stamp was tampered with and the passport re-stitched. A criminal case has been registered against him under the Indian Passport Act 1967 read with relevant provisions of the Indian Penal Code and also under the Foreigner's Act.
10	A Sri Lankan national, aged 27, sought departure for Greece. On examination of the passport, it was revealed that the Greek visa stamp was tampered with and the passport re-stitched. A criminal case has been registered against him under the Indian Passport Act 1967 read with relevant provisions of the Indian Penal Code and also under the Foreigners Act 1946.
11	A Sri Lankan national, aged 27, sought departure for Greece. On examination of passport, it was revealed that the Greek visa stamp was tampered with and the passport re-stitched. A criminal case has been registered against him under the Indian Passport Act 1967 read with relevant provisions of the Indian Penal Code and also under the Foreigners Act 1946.

Table 35 gives the details of the cases of forged foreign visas. Instances of forged visas for different countries, such as the UK, Canada, France and Greece, had come to notice. The immigration authorities at Chennai airport prevented departures using forged visas in some cases but the task of keeping track of visas of all countries appears to be difficult for them. It seems that it is not difficult for Indian agents to procure forged visas from their foreign counterparts. It also seems that the clandestine markets for forged visas are operating in other countries.

2.4.6.7 Jacket Substitution

Table 36: Details of cases of jacket substitution

Case No.	Facts relating to the cases
1	A man, from the Mysore area of the State of Karnataka, sought departure for New Zealand. On examination of his passport by immigration authorities in Chennai, it was found that the jacket of the passport was substituted. A criminal case has been registered against him under the Indian Passport Act 1967 read with relevant provisions of the Indian Penal Code.
2	A lady, aged 36, from Villupuram district of Tamil Nadu, sought arrival clearance from Malaysia. On examination of her passport, it was found that the jacket of the passport was substituted. A criminal case has been registered against her under the Indian Passport Act 1967 read with relevant provisions of the Indian Penal Code.
3	A man (of Patel community), aged 44, from Ahmedabad, Gujarat, sought departure clearance for the USA. On examination of his passport by immigration authorities in Chennai, it was found that the jacket of the passport was substituted. A criminal case has been registered against him under the Indian Passport Act 1967 read with relevant provisions of the Indian Penal Code.
4	A man, aged 30, from Pudukkottai district of Tamil Nadu, sought arrival clearance on arrival from London. On examination of his passport by the immigration authorities in Chennai, it was found that the jacket of the passport was substituted. A criminal case has been registered against him under the Indian Passport Act 1967 read with relevant provisions of the Indian Penal Code.
5	A man, aged 27, from Tiruchirapalli district of Tamil Nadu, sought departure clearance for Sharjah. On examination of his passport by immigration authorities in Chennai, it was found that the jacket of the passport was substituted. A criminal case has been registered against him under the Indian Passport Act 1967 read with relevant provisions of the Indian Penal Code.
6	A man, aged 29, from Karimnagar district of Andhra Pradesh, sought departure clearance for Dubai. On examination of his passport by immigration authorities in Chennai, it was seen that the jacket of the passport was substituted. A criminal case has been registered against him under the Indian Passport Act 1967 read with relevant provisions of the Indian Penal Code.

7	A man, aged 33, from Papanasam area of Tanjavur district of Tamil Nadu, sought departure clearance for London holding a Malaysian passport. On examination of his passport by the immigration authorities in Chennai, it was found that the jacket of the passport was substituted. A criminal case has been registered against him under the Indian Passport Act 1967 read with relevant provisions of the Indian Penal Code.
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Table 36 gives the details of the cases of jacket substitution of passports. It seems jacket substitution of both Indian and foreign passports is a common practice for irregular migration. What is done in jacket substitution is explained below:

Assuming X has a passport with a visa for a destination country in Europe. Y wants to go to that country, what the agent does is to replace the bio-page of Y's passport containing all particulars about Y with X's bio-page.

2.4.6.8 Fake Arrival and Departure Stamps of Airports

Table 37: Details of cases of fake arrival and departure stamps of Chennai airport

Case No.	Facts relating to the cases
1	A man, aged 29 from Thiruvallur district of Tamil Nadu, sought departure for Malaysia. On examination of his passport, it was revealed that it had a forged departure stamp of Chennai airport. A criminal case has been registered against him under the Indian Passport Act 1967 read with relevant provisions of the Indian Penal Code.
2	A Sri Lankan national, aged 22, from Trincomalee area of Sri Lanka, sought departure clearance for Colombo on a forged Indian passport. The passport had a forged arrival and departure stamp of Chennai airport. He also held a fake Indian election identity card.
3	A Sri Lankan national, aged 60, sought departure clearance for Colombo. The passport had a fake arrival and departure stamp of Chennai airport. He also held a forged Indian election identity card.
4	A Swiss national, aged 46, sought departure clearance for Colombo. The passport had a forged arrival and departure stamp of Chennai airport.

Table 37 gives the details of cases of forging arrival and departure stamps of airports. How this helps irregular migration is explained below with an example:

Assuming a person from India goes on a six-month tourist visa to say Malaysia. He works clandestinely there for three years. When he wants to come back to India, he puts a forged departure stamp of the Malaysian airport and a forged arrival stamp of the airport of India. The agents then forges a work visa

for him to justify his extended period of stay and he returns to India as if he had gone on regular work permit. Even if the work permit is detected to be forged by the immigration authorities of the country of departure, his departure is not prevented as they would want him to leave their country as soon as possible.

2.4.6.9 Re-stitched Passports

Table 38: Details of cases of re-stitched passports

Case No.	Facts relating to the cases
1	A man, aged 33, from Thiruvarur district of Tamil Nadu, sought departure clearance for Singapore. On examination of his passport, it was revealed that the passport was re-stitched. A criminal case has been registered against him under the Indian Passport Act 1967 read with relevant provisions of the Indian Penal Code.
2	A man, aged 25, from Kasaragod district of Kerala, sought departure clearance for Dubai. On examination of the passport, it was revealed that the passport was re-stitched. A criminal case has been registered against him under the Indian Passport Act 1967 read with relevant provisions of the Indian Penal Code.
3	A man, aged 41, from Pattukottai area of Tanjavur district of Tamil Nadu, sought departure clearance for Dubai. On examination of the passport, it was revealed that the passport was re-stitched. A criminal case has been registered against him under the Indian Passport Act 1967 read with relevant provisions of the Indian Penal Code.
4	A man, aged 27, from Vellore district of Tamil Nadu, sought departure clearance for Dubai. On examination of the passport, it was revealed that the passport was re-stitched. A criminal case has been registered against him under the Indian Passport Act 1967 read with relevant provisions of the Indian Penal Code.
5	A man, from Adiram Pattinam area of Tanjavur district of Tamil Nadu, sought departure clearance for New York. On examination of the passport, it was revealed that the passport was re-stitched. A criminal case has been registered against him under the Indian Passport Act 1967 read with relevant provisions of the Indian Penal Code.
6	A lady, aged 23, from Tanjavur district of Tamil Nadu, sought departure clearance for Colombo. On examination of the passport, it was revealed that the passport was re-stitched. A criminal case has been registered against him under the Indian Passport Act 1967 read with relevant provisions of the Indian Penal Code.

7	A man, aged 40, from Pattukottai area of Tanjavur district of Tamil Nadu, sought departure clearance for Paris. On examination of his passport, it was revealed that the passport was re-stitched. A criminal case has been registered against him under the Indian Passport Act 1967 read with relevant provisions of the Indian Penal Code.
8	A man, aged 42, from Parakkala kottai area of Tanjore district of Tamil Nadu, sought departure clearance for Paris. On examination of his passport, it was revealed that the passport was re-stitched. A criminal case has been registered against him under the Indian Passport Act 1967 read with relevant provisions of the Indian Penal Code.
9	A man, aged 42, from Pattukottai area of Tanjavur district of Tamil Nadu, sought departure clearance for Paris. On examination, it was revealed that the passport was re-stitched. A criminal case has been registered against him under the Indian Passport Act 1967 read with relevant provisions of the Indian Penal Code.
10	A man, aged 42, from Theni district of Tamil Nadu, sought departure clearance for Paris. On examination of the passport, it was revealed that the passport was re-stitched. A criminal case has been registered against him under the Indian Passport Act 1967 read with relevant provisions of the Indian Penal Code.
11	A man, aged 31, from Ramanathapuram district of Tamil Nadu, sought departure clearance for Paris. On examination of the passport, it was revealed that the passport was re-stitched. A criminal case has been registered against him under the Indian Passport Act 1967 read with relevant provisions of the Indian Penal Code.
12	A man, aged 27, from Thiruvarur district of Tamil Nadu, sought departure clearance for Paris. On examination, it was revealed that the passport was re-stitched. A criminal case has been registered against him under the Indian Passport Act 1967 read with relevant provisions of the Indian Penal Code.
13	A man, aged 31, from Virudunagar district of Tamil Nadu, sought departure clearance for Paris. On examination, it was revealed that the passport was re-stitched. A criminal case has been registered against him under the Indian Passport Act 1967 read with relevant provisions of the Indian Penal Code.
14	A man, aged 52, from Namakkal district of Tamil Nadu sought departure clearance for Paris. On examination of the passport, it was revealed that the passport was re-stitched. A criminal case has been registered against him under the Indian Passport Act 1967 read with relevant provisions of the Indian Penal Code.

15	A man, aged 39, from Pattukottai area of Tanjavur district of Tamil Nadu sought departure clearance for Paris. On examination, it was seen that the passport was re-stitched. A criminal case has been registered against him under the Indian Passport Act 1967 read with relevant provisions of the Indian Penal Code.
16	A man, aged 40, from Theni district of Tamil Nadu, sought departure clearance for Paris. On examination of the passport, it was revealed that the passport was re-stitched. A criminal case has been registered against him under the Indian Passport Act 1967 read with relevant provisions of the Indian Penal Code.
17	A man, aged 44, from Pattukottai area of Tanjavur district of Tamil Nadu sought departure clearance for Paris. On examination of the passport, it was revealed that the passport was re-stitched. A criminal case has been registered against him under the Indian Passport Act 1967 read with relevant provisions of the Indian Penal Code.
18	A man, aged 28, from Pattukottai area of Tanjavur district of Tamil Nadu, sought departure clearance for Malaysia. On examination, it was revealed that the passport was re-stitched. A criminal case has been registered against him under the Indian Passport Act 1967 read with relevant provisions of the Indian Penal Code.

Table 38 gives the details of cases of re-stitched passports. Re-stitching in passports is resorted to, either to remove an objectionable folio like a page with a refusal stamp or to insert a folio with appropriate visa in the passport. Some of the re-stitched passports examined at the training centre at the Chennai airport were of high quality and could be detected only by specially trained professionals. It was noticed that in quite a few cases, the migrants attempted to depart for Paris from Chennai based on re-stitched passports.

2.4.6.10 Forged Foreign Passports

Table 39: Details of cases of forged foreign passport

Case No.	Facts relating to the cases
1	A Sri Lankan national, aged 34, sought departure clearance for Colombo holding a forged Sri Lankan passport. He also had his genuine Sri Lankan passport. A criminal case has been registered against him under the Indian Passport Act 1967 read with relevant provisions of the Indian Penal Code and also under the Foreigners Act 1946.
2	A man, from Somalia, aged 23, sought departure for London on a forged British passport. A criminal case has been registered against him under the Indian Passport Act 1967 read with relevant provisions of the Indian Penal Code and also under the Foreigners Act 1946.

3	A Sri Lankan national, aged 39, sought departure clearance for Paris holding a forged Italian passport. A criminal case has been registered against him under the Indian Passport Act 1967 read with relevant provisions of the Indian Penal Code and also under the Foreigners Act 1946.
4	A Sri Lankan national, aged 29, sought departure clearance for Paris holding a forged Italian passport. A criminal case has been registered against him under the Indian Passport Act 1967 read with relevant provisions of the Indian Penal Code and also under the Foreigners Act 1946.
5	A Sri Lankan national, aged 31, sought departure clearance for Paris holding a forged Italian passport. A criminal case has been registered against him under the Passport Act 1967 read with relevant provisions of the Indian Penal Code and also under the Indian Foreigners Act 1946.
6	A Sri Lankan national, aged 25, sought departure clearance for London holding a forged Sri Lankan passport. A criminal case has been registered against him under the Indian Passport Act 1967 read with relevant provisions of the Indian Penal Code and also under the Foreigners Act 1946.
7	A Sri Lankan national, aged 26, sought departure clearance for Paris holding a forged French passport. A criminal case has been registered against him under the Indian Passport Act 1967 read with relevant provisions of the Indian Penal Code and also under the Foreigners Act 1946.
8	A man, aged 30, Nagapattinam district of Tamil Nadu sought departure clearance for Paris holding a forged British passport. A criminal case has been registered against him under the Indian Passport Act 1967 read with relevant provisions of the Indian Penal Code.

Table 39 gives the details of the cases of forged foreign passports. Instances of forged British, French and Italian passports have come to notice. Forged foreign passports are also procured by Indian agents from their counterparts and they then try to use them for irregular migration. These limited cases point to the fact that agents in other countries do make available foreign passports and migrants do attempt to migrate irregularly based on such passports.

2.4.6.11 Departure based on Malaysian passports

One case of attempted departure to the UK based on a Malaysian passport was noted. The passport had the arrival stamp of Chennai airport. Departure on the basis of such passports becomes easy, as for Malaysian and Singaporean passport holders no visa for the UK is required. In another case, one person stayed in the UK for 10 years using a Malaysian passport. He was detained when he again tried to go to the UK using the same passport. These cases highlight the fact that the agents do make use of passports of nationals for whom no visas are required for some destination countries.

one person stayed in the UK for 10 years using a Malaysian passport.

2.4.6.12 Exchange of Boarding Cards in Security areas

Cases have come to the notice where boarding cards were exchanged in the security areas. This modus operandi is explained below:

A wants to migrate irregularly to a country say X. He contacts an agent B who manages a valid visa for himself for the country X. Both A and B travel together from Chennai on an international flight which transits through Mumbai. A's air ticket and boarding pass are for Mumbai whereas that of B are for country X. It may be mentioned that such journeys to domestic stations on international flights are possible in some airlines. In the security area, A and B exchange their boarding cards. B disembarks at Mumbai and A continues to country X.

2.4.6.13 Circulation of Indian passports

Often the representatives of Indian agents in the destination countries take away the passports of the irregular migrants after handing them over to the foreign agents and disappear. Passports thus procured are re-circulated. Anybody wanting to return to India has to again approach another agent in the destination country, who substitutes a photograph of the migrant in one of the many passports in his possession that was procured in such fashion and the migrant returns on such a photo substituted passport. Even if such irregularities are detected, immigration authorities take a lenient view and permit such migrants to enter the country, provided it is established that he/she is a citizen of India. Normally, such migrants inform their family members in advance to bring necessary identity documentation for them.

2.5 Government Responses

One primary concern for the Government of India and the State governments is to protect the interests of lawful unskilled labour going for overseas employment. The government feels that labour outflows from India for contractual/temporary employment overseas are still dominated by semi-skilled and unskilled categories of labour. Since the capabilities of such emigrants to negotiate acceptable terms of employment with foreign employers and recruitment agents are not high, it is incumbent upon the State to continue to intervene in the overseas employment market through institutional mechanisms, which offer support and protection to the vulnerable segments of the migrants.

The Government of India has expressed concern about the increase in the number of cases of irregular migration from India and the involvement of agents. The Government of India, in collaboration with the state governments, has therefore tightened immigration clearances at the airports.

The checks that are exercised at the immigration desks include:

- i) Whether the person is required by the police, the judicial authorities or Interpol?
- ii) Whether his/her name figures in the list of persons not wanted in India?
- iii) Close scrutiny of travel documents, the passport, visa, work permit, etc.

As will be apparent from the Tables 3 to Table 10, it is due to the efforts of the immigration authorities at Chennai airport that many cases of irregular migration have been prevented. In order to increase the efficiency of officials in detecting cases of irregular migration, an in-house training facility has been set up at the Chennai international airport. The training focuses on (i) how to identify forged documents and (ii) how to detect manipulation/tampering with travel documents. This effort of the immigration authorities at Chennai needs to be appreciated. The training programmes are being conducted in-house by experienced immigration officials, who work under many constraints. For instance, the facility does not even have a complete collection of samples of travel documents of different countries. Some countries have cooperated by providing specimens of their visas while others are reluctant to provide the same. There is a need to develop a full-fledged training facility.

For instance, the facility does not even have a complete collection of samples of travel documents of different countries. Some countries have cooperated by providing specimens of their visas while others are reluctant to provide the same.

In order to closely monitor and investigate all immigration-offence-related cases, the state government of Tamil Nadu decided in 2006 that all such

cases should be investigated by the Central Crime Branch of the Chennai Police. This decision has resulted in the completion of investigations into more than 100 cases and also the detention of some agents. Police cases are registered under the Indian Passport Act 1967 as well as the relevant provisions of the Indian Penal Code based on the facts and documents submitted by the concerned immigration officer, who detects such a case. If the migrant is a citizen of another country, cases are registered under the Foreigners Act 1946 and also the relevant provisions of the Indian Penal Code. Most of these cases relate to immigration offences at the time of departure. The reason for focusing on these cases, according to the immigration authorities, is because of the involvement of the local agents in such irregularities, against whom they are keen to take action. The irregularities in arrival cases are treated differently. If the incoming passenger is a foreigner and his documents are irregular, he is sent back to his last port of embarkation. For arriving irregular migrants, who are Indian citizens, a lenient view is taken by the immigration authorities, because it is presumed that they have been victims of the agents in other countries and moreover it is felt that no action can be taken against such agents in other countries.

Many police officers involved in the investigation of cases filed against agents said that investigation becomes more difficult with the non-cooperation of the deportees. They also mentioned that usually a case of cheating is registered against the agents. Such cases of cheating are very difficult to establish in the absence of any documentary proof of payment of money. As a result, the sub-agents/agents even if they are arrested, get released by courts within a short time span. Moreover, details about many agents are not known to the deportees. As a result, they escape all action.

When asked to comment on the efficiency of the destination countries in detecting cases of irregular migration, a number of experienced immigration officers at Chennai airport remarked that the immigration checks in transit and destination countries have become more efficient because of the use of computer data, global linkage on stolen passports and visas, use of sophisticated equipment to detect document fraud, added security features of passports and visas, training of personnel, additional manpower, monitoring by the airport liaison officers, sharing of information amongst various agencies and cooperation between the immigration authorities and the airlines.

If the migrant is a citizen of another country, cases are registered under the Foreigners Act 1946 and also the relevant provisions of the Indian Penal Code.

CHAPTER - 3

CONCLUDING REMARKS

Irregular migration is a complex phenomenon affecting the countries of origin, transit and the destination. Many innocent migrants become the victims of dubious acts of agents. If irregular migration is not controlled, it will adversely affect legal migration from India. It is necessary to discourage irregular migration through close cooperation between the countries of origin, transit and destination.

Many innocent migrants become the victims of dubious acts of agents. If irregular migration is not controlled, it will adversely affect legal migration from India.

CHAPTER - 4

CASE STUDIES

Case Study No.1

Rama, (*names of irregular migrants and the names of their villages changed in this report*) aged 25, is an unmarried youth from Rajpur in Namakkal district. He finished his graduation from a degree college in Namakkal, in 2004. He looked for a job everywhere but was not successful. His father is an employee of the State Electricity Board. They have about 4 acres of dry agricultural land, the income from which is meagre. Finding no employment, he decided to follow the example of other youths from the area that had irregularly migrated to the UK. The family mobilised about Rs 5 lakh (US\$12,500) by borrowing from other family members and also from other sources by mortgaging jewellery. They contacted an agent in Namakkal, who arranged to send him to the UK via France, in 2005. He has stayed in the UK for the last two years and is sending money home regularly.

Case Study No.2

Raju, aged 28, is an unmarried youth from Rajpur village in Namakkal district. He studied up to high school level. He helped his father in the cultivation of 5 acres of dry agricultural land of the family. Agriculture was the only source of income for the big family comprising of eight members. The income from agriculture was not enough. The family mobilised money to pay to an agent who promised to send him to the UK safely. It is now more than 6 years that Raju is in the UK and he is sending money home regularly through the *hawala* route, the informal channel. He has not been to India even once in these 6 years. The family has purchased a flat in a residential complex in Namakkal town out of the money sent home by Raju. The money borrowed by the family to send Raju to the UK has all been paid back.

The family mobilised money to pay to an agent who promised to send him to the UK safely.

Case Study No.3

Rajan, aged 32, is a married man from Rajpur village in Namakkal district. He studied up to high school level. The family has about 4 to 5 acres of dry agricultural land. Rajan did some odd jobs. In the beginning of 2007, with the help of an agent he could go to the UK. Rajan left his wife Malini behind. The agent arranged a tourist visa for him to Paris and from there he could go to the UK. He is earning about Rs 40,000 (US\$1,000) a month whereas his other brother who has the same level of education as Rajan is earning about Rs 2,000 (US\$50) working in a Reliance petrol station in Namakkal.

Case Study No.4

Raman, aged 30 is a married man from a Rampur village, in Namakkal district. He completed his graduation. Raman's father is a retired employee of a co-operative bank. The family has about 4 to 5 acres of dry agricultural land. Raman could go to the UK irregularly in 2005 with the help of an agent from Namakkal.

Case Study No.5

Rajesh, aged 32, is a married man, from Rampur village in Namakkal district. He completed his graduation. Rajesh's father is an employee of a sugar mill. The family has about 3 acres of dry agricultural land. Rajesh went to the UK irregularly in 2005 with the help of an agent from Namakkal.

Rajesh, aged 32, is a married man, from Rampur village in Namakkal district. He completed his graduation.

Case Study No.6

Ramesh, aged 33, is a married man from Ratanpur village in Namakkal district. He studied up to middle school level. Farming was the occupation of Ramesh before he migrated irregularly to the UK in 2002 with the help of an agent. Ramesh's wife was very suspicious of our visit to the village and repeatedly asked us as to why all these queries were being made and she was not convinced that it was only for a research study.

¹ "Boat tragedy probe team to visit Pakistan", *The Indian Express*, New Delhi, November 22, 2000.

Case Study No.7

Ratnesh, aged 24, is an unmarried youth again from Ratanpur village of Namakkal district. In fact, Ramesh (Case study no 6) is the brother-in-law of Ratnesh. He studied up to high school level. Following the example of his brother-in-law, he migrated irregularly to the UK with the help of an agent in 2006 and is employed in the UK.

Case Study No.8

Rupan, aged 36, is a married man from Radhikapur village in Namakkal district. The family has about 2 acres of dry land. Rupan was engaged in a small business but he incurred heavy loss in the business, and he was forced to close it. He migrated to the UK irregularly in 2003 with the help of an agent.

CHAPTER - 5

RECOMMENDATIONS FOR FUTURE ACTION IN THIS STUDY

i) An independent legislation to check smuggling of migrants

In the absence of specific legislation to check human smuggling, the police and the judicial authorities are constrained in dealing with the cases against agents under the existing legal provisions which have been noted to be inadequate to address this organized crime. Thus specific legislation declaring human smuggling a serious crime needs to be considered. Such legislation should consider delegating adequate powers to the state governments.

Such legislation should consider delegating adequate powers to the state governments.

ii) Close monitoring of applications of visas from identified areas

The identification of areas with a large number of cases of irregular migration may help in the close monitoring of visa applications from such areas. Further, it may also assist to monitor migrants from such areas at the time of departure. In addition, visa compliance exercises to verify who has returned to the countries of origin within the validity of the visa could usefully focus on these areas.

iii) Findings of the study good basis for collaboration and cooperation with the government

The findings of this study can establish a solid basis for collaboration and cooperation between the governments of destination countries and the Government of India. It must be appreciated that the involvement of government agencies at all levels is imperative in order to control irregular migration.

iv) Awareness campaign in identified areas

It is necessary to launch targeted awareness campaigns in the identified areas. Such campaigns have to be broad-based, involving the community leaders, administration at the village, district and state levels, educational institutions, NGOs and the media. Such campaigns have to be sustained over a long period of time. Further, such campaigns can be effective only in partnership with the Government of India and the state governments. The impact of such campaigns should be evaluated from time to time and necessary changes made on the basis of feedback of such evaluation studies. A part of such information campaigns should focus on the opportunities for legal migration. UNODC ROSA, while conducting this study, had interacted at different levels with the community leaders, migrants, administrative authorities and is mandated to provide technical expertise to member states in this area.

v) Training of law enforcement authorities

The small in-house training facility created at Chennai airport has demonstrated that it has enhanced the capabilities of immigration officials in detecting various types of immigration fraud. It has to be appreciated that such results were achieved with only limited equipment and the robust efforts of the in-house experts. There would be benefits in the creation of training institutes in all the cities with international airports. If required, foreign experts can also be associated in such training institutes. As part of a technical cooperation programme, immigration officers at all levels may also be appointed to internationally-reputed training institutes from time to time.

There would be benefits in the creation of training institutes in all the cities with international airports.

The training of police officials who are involved in the investigation of immigration-offence-related cases is necessary. It has to be appreciated that the investigation of such cases requires a special understanding of immigration rules and procedures. Considering the fact that the agents operate through international networks, it may involve coordination with authorities of other countries and the sharing of data. UNODC can effectively play such a coordinating role considering its presence in all the regions of the world.

vi) Periodic field studies, research and data banks

Trends, patterns and the modus operandi of irregular migration change rapidly. It is, therefore, necessary to conduct periodic field studies so that law enforcement authorities are able to work out their strategies based on the feedback of the latest studies

Fellowships may be provided to select research institutes.

Universities and other institutions may be encouraged to take up research in this important area. Fellowships may be provided to select research institutes.

The creation of a data bank on irregular migration is necessary. Such a data bank should maintain data on the profile of the migrants, details about the agents and their modus operandi. Accessibility to such a data bank should be broad-based.

vii) A separate study on irregular migration from Andhra Pradesh

Andhra Pradesh is emerging as a major state for irregular migration. There are a substantial number of cases from Andhra Pradesh. Moreover, it was noted that the agents are particularly active in the state. It is, therefore, strongly felt that a separate detailed study may be desirable. This view was also endorsed by the immigration authorities and the police officers involved in the investigation of immigration cases.

viii) A separate study on irregular migration of Sri Lankans of Tamil origin

The study has shown that large number of cases of irregular migration from Chennai involved Sri Lankan nationals of Tamil origin using mostly forged documents and destined for Europe. It has security implications for the country of origin and the destination countries. It would be desirable to study such irregular migration in greater detail.

ix) Additional studies required

Similarly, a study on the cases of irregular migration from this region by way of visa overstaying may be useful. It would also be useful to analyse the cases of visa rejection for Tamil Nadu and Andhra Pradesh based on the data of the visa services of different countries in Chennai. It is likely that such a study may further corroborate the findings of the study. Further, irregular migration using the sea routes also needs to be examined.

It is likely that such a study may further corroborate the findings of the study. Further, irregular migration using the sea routes also needs to be examined.

x) Regional focus on irregular migration from South Asia

In order to have an integrated view of irregular migration and also to work out prevention strategies, a regional perspective is considered to be relevant. It has been seen that the international networks always group together the migrants from the region. "Among the victims of the Malta boat tragedy of 1996 in which 272 youths lost their lives, 170 were from India, 71 from Sri Lanka and rest from Pakistan."

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