

Human Trafficking in South Asia: A Case Study of Bathinda District, Punjab

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By

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Declaration

I declare that the dissertation entitled **Human Trafficking in South Asia: A case Study of Bathinda District, Punjab** has been prepared by me under the guidance of Dr. V. J. Varghese, Assistant Professor, Centre for South and Central Asian Studies, and under the administrative supervision of Prof. Paramjit Singh Ramana, Dean, School of Global Relations, Central University of Punjab. No part of this dissertation has formed the basis for the award of any degree or fellowship previously.

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Certificate

We certify that Kovid Kumar has prepared his dissertation entitled **Human Trafficking in South Asia: A case Study of Bathinda District, Punjab**, for the award of M.Phil. Degree under our supervision. He has carried out this work at the Centre for South and Central Asian Studies, School of Global Relations, Central University of Punjab.

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Abstract

Human Trafficking in South Asia: A Case Study of Bathinda District, Punjab

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The present study entitled 'Human Trafficking in South Asia: A Case Study of Bathinda District, Punjab' is an attempt to explore the issue of 'human trafficking' in relation to 'unauthorised' international migration as seen in Punjab. The study has been focused on Bathinda district by specifically looking at cases of 'human trafficking' with the help of both quantitative and qualitative methods. It is found that the line that separate human trafficking, human smuggling and illegal migration is very thin when it comes to an area like Punjab with an entrenched migration culture with significant informalities. The study calls for a critical approach to the statist anti-trafficking discourse, which would allow one to look beyond the duality of victim and trafficker and see a situation of mutuality wherein migrant, trafficker, state, market are partakers. The study point to the complex realities behind incidents of 'trafficking' and suggest that the contemporary statist measures to address the issue is missing the

real target, alongside calling for more research to captures the nuances of human trafficking.

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Abbreviations

ECNR	Emigration Check Not Required
ECR	Emigration Check Required
GCC	Gulf Cooperation Council
GDP	Gross Domestic Product
IELTS	International English Language Testing System
IGOs	International Governmental Organization
ILO	International Labour Organization
INR	Indian Rupees
IOM	International Organization for Migration
MOIA	Ministry of Overseas Indian Affairs
NGOs	Non Governmental Organizations
NRI	Non Resident Indian
PIO	Person of Indian Origin
POE	Protector of Emigrants
PR	Permanent Residency
RHLCID	Report of the High Level Committee on the Indian Diaspora
SC	Scheduled Cast
SMS	Short Message Service
UK	United Kingdom
UNDP	United Nation Development Programme
UNODC	United Nations Office on Drugs and Crime
USA	United State of America
USD	United State Dollar

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Chapter - 1

Introduction

Human trafficking is considered to be one of the gravest problems of the contemporary world. It is seen as an activity that undermines the state and violates established legal systems of migration. It involves organized criminal networks encompassing all continents and serious violation of human rights (Salt 2000, Jobe 2010). However, it is the human urge for mobility and the statist restrictions against movement across national borders that perpetuate the conditions for human trafficking. The uneven development across the world and inequality of entitlements often make people to search for greener pastures outside their country through informal channels. Emigration to high-earning countries with better standard of living is recognized as an important channel of socio-economic mobility. Even nation states today don't consider migration as drain of brain or depletion of hands to work. The new norm is to treat migration as a win-win-win experience for all the concerned (Vertovec 2007). The individual aspirations for making better lives and improving the economic entitlements, alongside scope for increased mobility and connectivity through the communication and transport revolution has also commoditized migration (Kyle and Liang 2001, Henriot 2012, Quayson and Arhin 2012, Varghese and Rajan 2010). Migration is a thriving business in many parts of the world today, creating circumstances for human trafficking.

The concept of human trafficking needs to be understood in its connection with ensemble of migration- wherein state regulation, individual urge for mobility, socio-economic disparity, push-pull dynamics and scope for pecuniary benefits intersect each other. The present study sees human trafficking in its intricate connection with migration. Such an orientation makes this study to consider the realities of human smuggling and unauthorized migrations in relation to trafficking. The issue of definitional ambiguities and the potential of slippage from one category to the other are taken for discussion in the next chapter. While both trafficking and smuggling falls under unauthorised/illegal migration, the line of separation between smuggling and trafficking appears to be thin. An exercise of distinguishing between these three with

reference to those areas endowed with long migration history and thereby a migration-centric mobility consciousness would be particularly difficult. This exploratory study takes such an area with a long history of migrations – the Indian Punjab.

South Asia is considered to be one of the areas in the world known for higher incidence of human trafficking as one of the fastest growing transnational organized crimes (UNODC 2011). It is estimated that around 150,000 persons are trafficked every year in the region.¹ Human trafficking has been viewed with increasing concern in South Asia as a region and by individual countries (UNODC 2011). However, the diversity and complexity of the region has resulted in the production of diverse systems of trafficking within the region – ranging from sexual trafficking and child trafficking to trafficking aimed at migration and employment (Huda 2006, UNODC 2009). The complexity is particularly higher in the case of India as it is simultaneously the place of origin, transit as well destination for human trafficking. As the systems of trafficking is complex and diverse across the region and even within India, any project of studying trafficking in South Asia has to confront with the impossibility of capturing its magnitude and complexity. The safer option, therefore, would be deal with a specific/smaller area and the selection of Punjab in that sense is not done with any claim of representation as Punjab itself carries its own specific diversities in this regard across its regions. The selection of Punjab, however, is influenced by a general and growing perception that this Indian state is well known for human trafficking/smuggling and ‘illegal’ migrations. Punjab has arguably attracted international attention in this regard as testified by a study commissioned by the United Nations Office on Drugs and Crimes (UNODC) in 2009. This study also found that the culture of unauthorised migration is spreading from Punjab to the nearby states like Haryana, Himachal Pradesh and Jammu & Kashmir (UNODC 2009). The political society of Punjab also seems recognized the magnitude of irregular migration from Punjab which is often seen as alarming in scale. The ‘Lok Bhalai’ Party lead by Balwant Singh Ramuwalia was taking the illegal migration from Punjab and had a

¹ <http://www.unodc.org/southasia/en/frontpage/2010/March/international-cooperation.html> (Accessed on 20 September 2012).

stated agenda of working against such human flows and agents who facilitate it.² The Punjab government, apparently realizing the seriousness of the matter has introduced the “Punjab Prevention of Human Smuggling Bill” in 2010, which is passed by the Vidhan Sabha and is pending assent of the President of India.³ The foreign embassies and missions seem to be very cautious on applications for visa coming from the state of Punjab due to its dubious reputation of duping the system through diverse means. At some point in 2010, for a considerable period of time, the U.K embassy in India refused to entertain any student visa applications from Punjab.⁴

Such an alarming context forms the background of this exploratory study. Obviously, in the incidents of so called trafficking/smuggling/unauthorized-migration two different conditions need to be considered. First, being people want to move illegally and second being people are forced to migrate illegally. There could be a third situation in which both the situations come together. In the first case, the charisma of developed countries and their better wage rates and living standards pull the people for migration at any cost, whereas in second case people are bluffed by agents/traffickers/smugglers with the objective of exploiting them as much as possible. However, it is important also to ask what are the conditions that perpetuate such flows, who are the players involved, are the migrants completely unaware of what they are up to and do the trafficking/smuggling discourse as propagated by the West and internalized by the rest involves a larger politics of restricting and criminalizing undesirable human flows across the national borders.

² The trend has costed Punjab dearly according to Ramuwalia, according to whom “[I]n each village, there are 15-20 men who have gone away. They sell their family property, jewellery, everything. And once abroad, they are treated like dogs. This fraudulent business has cost Punjab at least Rs.10,000 crores. Now, marriage bureaus are also looting girls. Men will come from foreign countries, marry a girl, stay with her for a few days, take dowry, and leave and never send for her. And nobody is doing anything to stop it.” Cited from (Zaidi 2007).

³ The Presidential assent is apparently delayed due to the inconsistency between the federal law and the state law. Available at <http://www.tribuneindia.com/2012/20120331/edit.htm#7>; <http://www.Indianexpress.com/news/state-yet-to-notify-human-trafficking-act/809485/> (Accessed on 12 April 2012).

⁴ The ban came into effect in February 2010 and lifted only in August. It is reported that in the year 2010 as many as 6388 forged student visa applications were received by the embassy. Available at, <http://punjabnewslines.com/~punjabne/content/uk-stops-accepting-student-visa-applications-punjab-chandigarh-and-delhi> and <http://post.jagran.com/uk-mission-in-delhi-receives-6388-forged-student-visa-forms-1332855967> (Accessed on 12 April 2012).

The Problem

The present study is restricted to the Bathinda district, which comes under the “Malawa” region of Punjab. “Malwa” belt, which has been known for its rich agricultural production, is apparently diversifying its options. Migration is becoming an important option.

Kabootarbaazi, a Punjabi idiom developed mainly in the Doaba region denoting illegal migration/trafficking/smuggling has become part of the Malwa social psyche too.⁵ The study explores this reality of human flows and seeks to know the circumstances that led to such situations, reach of the phenomenon, monetary transactions, extent of cheating and abuses and the level of consent involved. The study presumes that the increasing statist restrictions on human mobility result in the perpetuation of informal networks facilitating ‘illegal’ flows at significant economic and human costs. The study from this vantage point, also takes a considered position that the statist trafficking/smuggling discourses need to be approached critically.

Methodology

The present study is exploratory and empirical in nature. The data is collected through structured questionnaires from two categories of respondents- those who returned after emigrating through unauthorized/trafficking/smuggling channels and those who still live in abroad after emigrating through such channels. The sample is not representative and is identified through snowball method that is reaching out to the respondents by extending contacts and through previous acquaintances. The field work also involved ethnographic method as it attempted collecting a few life histories. The results of interviews with structured interviews are quantified and analyzed with simple computational techniques and the life histories, which are most self-revealing, are presented in the last chapter. The data and information for present study is also

⁵ If *Kabootarbaazi* signifies illegal migration, traffickers/smugglers/agents are *Kabootarbaaz* and victims as *Kabootars*.

collected from various official websites, and contemporary media, apart from the available secondary literature. The study, for reasons of time and resources, could not consult important stakeholders like agents/traffickers/smugglers and government and police officials, and this remains an important limitation in the study.⁶

The Chapters

The study is presented in three chapters apart from this short introduction and a concluding section. Chapter-2 attempts to lay down the theoretical framework of the studies by drawing from study at the global, national and regional level. It undertakes a discussion about the concept of human trafficking and smuggling and the definitional slippages they involve. It also details the context in which the trafficking/smuggling discourse/rhetoric has taken shape and its implication to contexts like Punjab which is having an enriched migration culture.

Chapter-3 presents the results of structured interviews and foregrounds the complex nature of the reality of 'human trafficking' in Punjab, which makes black and white conclusions untenable. The chapter also brings out sort of mutual reliance between the migrant and the informal networks that facilitate unauthorized flows, apart from a considerable level of social indecisiveness on the whole question of 'trafficking/smuggling'.

Chapter-4 is an attempt to analyse life histories from the field in an effort to complicate the statist understanding of human trafficking, but by foregrounding the human suffering involved. The concluding section will summarize the findings of the study. It also includes some possible suggestions for policy building to address human trafficking.

⁶ Though attempts were made to conduct a few interviews with the agents/traffickers/smugglers, it was not successful as it needs longer persuasion and confidence building.

Chapter - 2

Human Trafficking, Human Smuggling and Migration Culture

Movement of people across places is perhaps as old as human species itself and factors responsible for the same are varied. If such movements were primarily decisions of individuals earlier, the birth of nation states and bounded citizenship they represent denied individuals the freedom of mobility across national borders. Since the beginning of the nineteenth century, citizenship has been thus linked to territory, and nation states assumed the power to determine who should be allowed inside its territory and who should be allowed to cross its boundary (Torpey 2000: 20). In the context of mutually excluding national citizenship and competing nations, the new document of passport contributed significantly to the extension of state power by defining 'citizen' against 'foreigner' (Lloyd 2003, Torpey 2000).

The atmosphere of political tensions during and after the First World War unleashed statist interventions of rigidifying borders and the Second World War and the subsequent cold war years let loose an atmosphere of mutual distrust and animosity, resulting in further restrictions and control (Lloyd 2003). This is coincided by pressures from within, based on historical myths of homogenous and autonomous societies on the one hand and antipathy towards immigrant labour due to the pressure it create on the labour market and wage rates on the other (De Giorgi 2010, Money 1997). The ongoing globalization also apparently not helping much in this regard, as the global integration through trade and finance seems accompanied by stringent policing of immigration and criminalisation of unauthorised human flows (Sassen 1996, De Giorgi 2010). Under such conditions, emigrations in search of greener pastures take the underground route, allowing varied players like 'human traffickers', 'migration merchants' and 'human smugglers' to get into the business. Any attempt to understand human trafficking in isolation to the broader topic of migration and migration cultures would be futile, because trafficking exploits restrictive migratory policies and the desire of humans to travel to seek a better livelihood (Cameron and Newman 2008: 8).

Migrations form a lifeline to a significant number of people particularly from the poorer and under-developed regions of the world, contributing considerably to human development, consumption and rural development (UNDP 2009, Osella and Osella 1999 & 2000, Vargas-Lundiu, et al 2008). The potential of migration and remittances as a leveling resource that can save many regions from its un/under-development is also acknowledged, resulting in a growing attraction towards remittances in many parts of the poor world (Bhagwati 2004). For nations whose major contribution to the global economy continues to be their desperately flexible and mobile population, the many small transfers of money that trickle back from migrant workers abroad can become a substantial component of national income (Keeley 2009: 111-32). The IMF estimates that remittances constitute a flow of more than US\$70 billion in 1990 and has been doubling in each decade since, reaching US\$130 billion by 2000 and US\$325 billion by 2010 worldwide and that these remittance payments account for more than 10 per cent of the GDP of a number of nations (World Bank 2011).⁷ India benefits immensely from these personal transfers though the total stock of migrants represents, around 3 percent of its population. It is the highest recipient of remittance in the world today- 2.3 billion USD in 1981 has reached 55 billion USD in 2010 (Rajan, Varghese and Jayakumar 2011).

The government of India in an effort to attract maximum transnational resources is currently undertaking various measures to strengthen its ties with its migrants and transnational citizens (Rajan and Varghese 2010). The new discourse of migration, particularly the circular form of migration, see it as presenting as “win-win-win” situation to all the concerned- to the sending country, to the workers and to the receiving country (Vertovec 2007). Irrespective of such perceived advantages, even circular migration continues to be a highly regulated area, provoking possibilities of informalities.

⁷ This factbook provides a snapshot of migration and remittances for all countries, regions and income groups of the world, compiled from available data from various sources. Bilateral migration data used in Factbook 2011 is available at http://econ.worldbank.org/WBSITE/EXTERNAL/EXTDEC/EXTDEC_PROSPECTS/0,,contentMDK:21352016~pagePK:64165401~piPK:64165026~theSitePK:476883,00.html (Accessed on Oct. 26, 2011).

It is true that globalization, which represents interdependence of countries, free trade and free flow of capital, opened new spaces for authorized movement of people across national borders (Rijken 2003: 6). However, it is also pointed out that globalization has also increased the magnitude of human trafficking manifold. Trafficking of 'human flesh', children and vulnerable and unskilled segments of labour force to prohibitive heights, alongside 'illegal' migrations are seen as casting shadow on an otherwise upbeat globalization (Clark 2003, Dauvergne 2008). The escalation of trafficking and smuggling of workers is also a result of the new economy of labour as represented by neo-liberal regime wherein industries preferred cheap and flexible labour. The lower end jobs in such a condition have been mostly available to the most vulnerable immigrant labour force coming from the un/under-developed world (Papademetriou and Terrazas 2009). The receiving states, on the other hand, through stringent immigration rules and criminalization unauthorized flows made such workers more vulnerable, only to be subjected to trafficking/smuggling and re-trafficking/smuggling (De Giorgi 2010, Jobe 2010). The human urge for mobility in an unequal world remains unabated, and more and more regulations result in pushing human movement across borders into the hands of murky players causing loss of lives and enormous human suffering. The mismatch between immigration laws and global market demands thus causes 'illegal' flows of varied nature and promotes networks of human traffickers at the transnational and global levels. Human trafficking and human smuggling, though predominantly caused by discriminatory the statist regulations, in turn becomes a major challenge to all states.

Both human trafficking and human smuggling are now considered as global crime. It is also believed to be playing a significant role in feeding into other global crimes arms and drug trafficking.⁸ The accounts of trafficking of human beings being given by international agencies reiterates that it is a widespread practice in the modern world. It has been estimated that between 600,000 and 800,000 people, the majority of who are women and children, are trafficked worldwide each year.⁹ Almost

⁸ Available at http://www.unodc.org/documents/data-and-analysis/WDR2011/World_Drug_Report_2011_e_book.Pdf (Accessed on Oct. 26, 2011).

⁹ Available at <http://www.state.gov/j/tip/rls/tiprpt/2005/pdf> (Accessed on Nov.4, 2011).

all states are said to be affected by trafficking, traffickers and they are believed to be making approximately \$ 9.5 billion annually from trafficking business (Obokata 2006). The narratives from the developed world also confirms that the network is so intensive to the extent of family members, friends and prominent figures in local communities engage in luring potential victims into the process.¹⁰ The estimates of profit and cost involved in human trafficking are also souring. According to ILO annual profits generated globally by human trafficking is around US\$31.6 billion, out of which around half is made in industrialized countries (ILO 2005). The Asia and the Pacific region generates one third of the profit, i.e. around US\$ 9.7 billion, followed by transition countries (US\$ 3.4 billion), Middle East and North Africa which is garnering US\$ 1.5 billion (Ibid). In a recent report the ILO has estimated the total financial cost of coercion experienced by forced labor workers, including trafficked victims, is over US\$ 20 billion (ILO 2009).

The idea of human trafficking and smuggling and the wide currency they received during the last two decades in the administrative and academic practices has engendered conceptual and definition ambiguities in migration theory. Conventional migration theories explain human movement in terms of the push-pull paradigm and migration has been conceived as a relationship between, on the one hand, an individual or household moving for purposes of permanent settlement or work and, on the other, a government acting as gatekeeper for entry into country and acquisition of its citizenship (Salt 2000: 34-35). The discourse of trafficking and smuggling has introduced lot many other players into this relationship, apart from complicating the idea of voluntary and forced movements (Ibid). The inconsistencies in the legal regimes of migration across nation states also made the line between 'legal' and 'illegal' thin, subtle and complex (Rajan, Varghese and Jayakumar 2011). At another level, the new conceptualizations and categories and the criminalities attached with them have created problems of comprehension – how to locate and place an act of illegality as there are considerable overlaps across what has been referred to 'human trafficking', 'human smuggling' and 'illegal migration'.

¹⁰ Available at <http://www.unhcr.org/refworld/topic,4565c22511,4565c25f191,4680d7d4c,0,,,MEX.html> (Accessed on Nov. 26, 2011).

Definitional Slippages: Between Trafficking and Smuggling

The debate over the precise definition of the concepts of 'trafficking' and 'smuggling' has to come to a head only in the 1990s when the two concepts began to gain currency in the administrative and academic circles. (IOM 2003, Salt 2000).

Human trafficking got an internationally recognized definition when the United Nations adopted the *Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children* (Trafficking Protocol, also known as Palermo Protocol), attached to the *United Nations Convention against Transnational Organized Crime* in December 2000. The Palermo Protocol adopted a definition of trafficking for the first time under international law. The Article 3 puts it as follows:

- (a) "Trafficking in persons" shall mean the recruitment, transportation, transfer, harbouring or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation. Exploitation shall include, at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs;
- (b) The consent of a victim of trafficking in persons to the intended exploitation set forth in subparagraph (a) of this article shall be irrelevant where any of the means set forth in subparagraph (a) have been used;
- (c) The recruitment, transportation, transfer, harbouring or receipt of a child for the purpose of exploitation shall be considered "trafficking in persons" even if this does not involve any of the means set forth in subparagraph (a) of this article;
- (d) "Child" shall mean any person less than eighteen years of age.

The Protocol makes it clear that the consent of the trafficked persons becomes irrelevant where any of the means (i.e. force or coercion, stated in 3(a) are used in the incident of trafficking, whereas the consent is irrelevant regardless of the means used in the case children).

The Protocol has become an important tool to facilitate international cooperation in the efforts aimed at preventing trafficking as governments that sign and ratify this protocol make a commitment to criminalize trafficking and to protect the victims. The protocol came into force in 2003 and since then 117 countries have signed and 132 countries have ratified the Protocol as of September 10, 2009.¹¹ The adoption of this definition is a significant development because it provides a general guidance not only to governments but also to different other actors, such as scholars non-governmental organizations (NGOs), and IGOs to examine and respond to trafficking (Obokata 2006: 3).

Trafficking in persons is a multidimensional form of exploitation. Trafficking involves many forms of exploitation, including violations of human rights and fundamental freedoms, forced labour, sexual exploitation, violence and discrimination against women and the sexual, labour and other exploitation of children (United Nation 2006). Human trafficking thus is more accurately characterized as “compelled service” where an individual’s will is overborne through force, fraud, or coercion.¹² Human trafficking networks can operate successfully only where there is some kind of coordination of effort among recruiters, transporters, and exploiters. The combination of politically motivated border control and continuing demand for migrant labour creates this entrepreneurial opportunity.¹³

In fact, traffickers/smugglers recruit the prospective migrants in several different ways such as through fake employment agencies, acquaintances, newspaper advertisements, front businesses, word of mouth or abduction. During the journey

¹¹ Available at <http://siteresources.worldbank.org/> Accessed on 23 March 2012 (Accessed on Dec. 26, 2011).

¹² Available at <http://www.state.gov/documents/organization/123357.pdf> (Accessed on Dec. 28, 2011).

¹³ Available at http://www.ichrp.org/files/reports/56/122_report_en.pdf (Accessed on Dec. 29, 2011).

from the country of origin to transit and destination country, they use both legal and illegal means of transport. Victims keep under lock and key or in isolation from the public and from their family members or support networks. Traffickers take away victim's passports or identification documents, use threat of violence against the trafficked person or their families, and threaten them with shame, fear of imprisonment or deportation. Human trafficking has grown in part as a result of the advances in internet and communication technology, which make information fast, anonymous, and easily accessible to predators and traffickers across the globe (Salett 2006).

Forms of Trafficking in Persons

Trafficking of women and children for prostitution is a punishable violation of human rights and the most discussed form of human trafficking.¹⁴ Sex trafficking victims found themselves in worst conditions and are easy targets of traffickers (Sykiotou 2007). Sexual trafficking may be defined as the recruitment, transportation (within national or across international borders), transfer, harboring, or receipt of persons for the purposes of commercial sexual exploitation. It is accomplished by means of fraud, deception, threat of or use of force, abuse of a position of vulnerability, and other forms of coercion.¹⁵ There is sufficient recorded evidence to indicate that method of recruitment and fraud used by traffickers are similar worldwide.¹⁶ Vulnerable women and girls are seen often responding to advertisements in news papers offering lucrative employment in foreign countries for low-skilled jobs such as waitresses, domestic workers and also attractive young women to work as dancer or hostesses in bars or clubs and duped into networks of trafficking. However, much of the recruitment is informal through networks of friends, relatives and acquaintances (Snow, Zurcher and Olson 1980).

¹⁴ Available at http://www.unodc.org/documents/Global_Report_on_TIP.pdf (Accessed on Nov. 15, 2011)

¹⁵ Ibid (Accessed on Nov. 15, 2011)

¹⁶ Available at http://siteresources.worldbank.org/EXTSOCIALDEVELOPMENT/Resources/244362-1239390842422/6012763-1239905793229/Human_Trafficking.pdf (Accessed on Dec. 10, 2011)

Transporting of person with an aim of forced labour, involuntary servitude and working in conditions similar to slavery is another form trafficking. The status or condition of dependency of a person who is unlawfully compelled or coerced by another to render any service to the same person or to others and who has no reasonable alternative but to perform the service.¹⁷ Servitude shall include domestic service and debt bondage. The International Labour Organization (ILO) estimates that there are at least 12.3 million people in forced labour in the world; 2.4 million of these are in forced labour as a result of trafficking (ILO 2008). When are people duped with false promises and transported with an aim of removing their organs to be sold in the transplant market, it is another form of trafficking. This is trafficking even when it is voluntary; if a poor person sells his/her kidney s/he is considered as a victim of organ trafficking.

Human trafficking is thus complicated; it requires consideration not only of the manner in which a migrant entered the country but also his/her working conditions and whether he/she consented to the irregular entry and or these working conditions (Salt 2000). Human smuggling, on the other hand, is the act of assisting or facilitating, the unauthorized entry of a foreign national into another country (Zhang 2007: 2). Although most human smugglers charge a fee for their services, the network is so pervasive that when relatives and friends are involved it is treated mostly as a favor and perhaps charging the actual costs. Human smuggling also needs to be understood in the context of restrictive immigration regimes; when legitimate channels are either blocked or inadequate, it creates a demand and an unauthorized market where transportation and other logistical services are sought and purchased (Gallagher 2001: 975-1004). Interestingly, like traffickers, the human smugglers are also 'snakeheads', who had the most updated information on law enforcement, political environment, and smuggling routes for people (Kyle and Liang 2001: 15).

¹⁷ Available at http://www.unodc.org/documents/Global_Report_on_TIP.pdf (Accessed on Nov. 20, 2011)

The main purpose of smuggling may be simply to facilitate the illegal crossing of border, but it involves human right violations and enormous amount of risk on the course of their hazardous journeys (Salt 2000: 34). If smuggling is a crime against a country's borders, human trafficking is considered a crime against a person. The United Nation's Protocol against the Smuggling of Migrants by Land, Sea, and Air defines the smuggling of migrants as "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." (Kyle and Koslousky 2011) In the areas with high incidents of emigration, most often individuals will contact smugglers themselves to realize their objective of crossing a border illegally in search of a better life and improved economic prospects.

Human smuggling suggests voluntary participation by those being smuggled, but often the distinction between smuggling and trafficking is not very significant-something which starts as smuggling can easily slip into the category of trafficking. Human smuggling becomes human trafficking when the victim is exploited contrary to the original agreement (Hughes 2004: 10, ILO 2003). There are ample evidences in this regard from various parts of the world including Bahamas, Barbados, Guyana, Jamaica, Netherlands, Antilles, St. Lucia, etc.; that women and girls were deceived, being offered work as waitresses, cashiers, bartenders, dancers, salesclerks, or masseuses, only to be told soon after arrival that they would have to engage in prostitution; that workers are forced into servitude, forced labour and slave like conditions as against what has been originally promised (IOM 2005). Therefore, the voluntary nature of smuggling, or the consent involved, would become insignificant when the smuggler diverts from the promises or use the means of fraud, threats, or force, making a case of smuggling into a case of human trafficking.

Table 2.1

Differences between Human Trafficking and Smuggling

Trafficking	Smuggling
Must Contain an Element of Force, Fraud, or Coercion (actual, perceived or implied), unless under 18 years of age involved in commercial sex acts.	The person being smuggled is generally cooperating.
Forced Labor and/or Exploitation.	There is no actual or implied coercion.
Persons trafficked are victims.	Persons smuggled are complicit in the smuggling crime; they are not necessarily victims of the crime of smuggling (though they may become victims depending on the circumstances in which they were smuggled)
Enslaved, subjected to limited movement or isolation, or had documents confiscated.	Persons are free to leave, change jobs, etc.
Need not involve the actual movement of the victim.	Facilitates the illegal entry of person(s) from one country into another.
No requirement to cross an international border.	Smuggling always crosses an international border.
Person must be involved in labor/services or commercial sex acts, i.e., must be "working".	Person must only be in country or attempting entry illegally.

Source: The Human Smuggling and Trafficking Center,

Available at <http://www.state.gov/documents/organization/90541.pdf> April 2006, (Accessed on Sept. 26, 2011).

Above table summarily differentiate the concept of human trafficking from human smuggling. In the case of human trafficking, victim is duped and subjected to fraud whereas in case of smuggling person knows that he/she adopt the illegal process for movement. In many cases initially either persons aware of the illegal nature of their movement, but are subjected multiple forms of exploitation after reaching the destination. In such a situation what is started as an episode of smuggling turns into an incident of trafficking, a point that the internationally recognized definitions often miss. Two such examples are given below for a further elucidation.

Case 1

Sonia got invitation from her US based family friend for housekeeping job in their house. They offered a remuneration of \$100 per week for work. She got her false documents prepared for the emigration. She knew its wrong process for movement despite that due to requirement of money she adopted illegal means of process. After reaching the US she was exploited. The process under which she started her journey it was case of human smuggling. But after reaching at US, when exploited by family friend then she became victim of trafficking.¹⁸

Case 2

Recruiting agency give an offer to welders in India to works in the US for \$ 10.00 per hour. They took \$2500.00 in the name of application fee and logistics and were nonrefundable. During the journey all workers were given two options, either they sign a contract in which they agree for working \$3.00 per hour or they are deported back. Unable to return, they unwillingly had to choose to sign an agreement with agency. After reaching the US, they had to undergo many restrictions and even their passports were taken away by the company authorities. They were transported

¹⁸ The Human Smuggling and Trafficking Center, FACT SHEET: Distinctions between Human Smuggling and Human Trafficking, APRIL 2006, Available at <http://www.state.gov/documents/organization/90541.pdf> April 2006, (Accessed on Sept. 5, 2011).

to the US by giving false promises, and promises began to be broken on the course of journey itself and consequently he was exploited severely. The case yet again shows the limitation of the well accepted definitions of trafficking and smuggling (Ibid 2006).

Here two different conditions come into the picture. One is, a person want to move illegally and second is people are forced to immigrate illegally and promises were broken before the immigrants touching the destination. Both are different conditions which have different consequences to the state and people. In first case charisma of developed countries attract the people for migration at any cost. In second case people bluffed by recruiting agent and objective is exploiting as much as possible. This is yet again a notion of about illegal migration given by the developed countries. But this perspective of illegally is not been subscribed either by the people who are prepared to illegally immigrate or the networks that facilitate illegal migrations. Since this process is not isolated and carried out by a single person and group, it cannot occur without the support of governing authorities. However, human beings are direct victims of this situation of illegitimacy caused by compelling conditions and multiple players.

Human trafficking and smuggling have been receiving worldwide attention as ever-growing crimes having extensive reach and magnitude (Aronowitz 2001). Despite the governmental efforts to curtail the same and a larger NGO efforts investigating and sensitizing on the issues, apparently human trade and smuggling has not been severely challenged; it is not significantly reduced in terms of size and in concerned territories. Globalization is sometimes used as the appropriate description for the trafficking and smuggling businesses- globalization of trafficking and smuggling. The world wide campaign against human trafficking and human smuggling is at its peak. Obviously, these 'illegal' forms of migration cause enormous human sufferings and violation of human rights in many instances, however, this campaign also needs to be understood in its context. Our understanding about trafficking also needs to address the conditions that perpetuate unauthorized flows in the form of

trafficking and smuggling. It is also necessary also to ask whether the persons being trafficked or smuggled are not having an agency of their own- can they be easily duped by criminal networks? Is there a connection between the high voltage campaign against these 'crimes' with the statist measures (and its failure) to regulate and criminalize unauthorized migrations? The notion of human trafficking/smuggling needs to be problematised with such pertinent questions.

Human Trafficking: A Statist Discourse?

The discourse around trafficking is not something pre-given, but a construction during the last couple of decades. The Foucauldian paradigm shift has brought the question of the manner in which knowledge/reality is constructed into the forefront of research rather than knowledge *per se* (Foucault 1980).¹⁹ It has become almost commonsensical today that what we say and hear about any given subject is always constructed, and hence are only partial truths (Agustin 2007). The concept of 'human trafficking' has come to the centre stage in the present form of acrimony, with its own villains and victims, in the late 1980s and early 1990s and it led to new areas of research and activism, such as investigating and combating 'modern-day slavery' (Rothschild 2008). The issue of human trafficking is apparently recognized by the Interpol as the third largest crime after drugs and arms trafficking (Rothschild 2008). The emergence of trafficking as a discourse and 'seeing trafficking everywhere' goes in tandem with the criminalization and incarceration of 'illegal' migration. The introduction of anti-trafficking into the Western consciousness is related to growing number of asylum seekers in the Western countries following tightening their borders against immigrants which included suspending the guest work programmes by the early 1980s (Wong 2006). Since the eleventh IOM Seminar at Geneva the anti-trafficking discourse began to perpetuate as a social commonsense across the West. Through elaborate discourses encompassing states, international organizations, NGOs and academic the self assumed battle against prostitution,

¹⁹ For Foucault, knowledge/reality is product of discourses wherein states power other forms of power play defining roles. For him truth, morality, and meaning are created through discourse and hence are discursive formulations (McGinn 1999).

illegal immigration, asylum seeking and organized crime came together, morally and legally criminalizing cross-border irregularities which were often fuelled by domestic compulsions (Wong 2006, Money 2006).

Such heightened campaign and measures to curtail the crime are carried out inconsistent when there are no credible estimations of trafficking and numbers being provided by various agencies and organizations are fluctuating. Part of the problem would be practical – the practical difficulty of quantifying ‘trafficking victims’ working in the shadow economy (Rothschild 2009). More importantly, it is product of field’s loose semantics established on flimsy material grounds (Wong 2006). It is pointed out that in many of the actual raids/inquiries carried out on concrete intelligence inputs, has failed to find concrete evidences of trafficking by force in countries like the United Kingdom (Rothschild 2008). Many have pointed out that the ongoing ‘trafficking scare’ is analogous to the short-lived ‘white slavery hysteria’ that fumed Britain and America in the late 19th and early 20th centuries.²⁰ However, the contemporary research has found little material foundation to support the theory of ‘white slavery’ as the historical evidence shows that the actual number of cases of white slavery is very few (Doezema 2000, Wong 2006). The crusade against a constructed sexual trafficking has more to do with the persisting anxieties about female sexuality and women's autonomy as much as illegal crossing of national borders (Weitzer 2007, Doezema 2000). The ongoing battle against human trafficking also builds an analogy between the system and the historic trans-Atlantic slavery trade, visibly an attempt to create visceral and deep-seated image in the public and policy making minds. This comparison also holds less credence than creating high sensationalism, though there are arguments that the contemporary human trafficking is much more monstrous than the trans-Atlantic slave trade (Bravo 2007). It is also pointed out that the dominant discourse on ‘trafficking as modern slavery’ in relation to the many legal and social

²⁰ Reaching its peak between 1910 and 1913 and vanishing by 1917, the ‘white slavery scare’ created fury over white slave trafficking for prostitution and manifested through media, literary and theatre representations. The campaign was extraordinarily successful creating legal mechanisms to prevent the ‘problem’ (Doezema 2000).

fetters, in effect, are imposed today upon individuals who are socially imagined as 'free' (Davidson 2010).²¹

This is not to overlook the social, economic and physical perils involved in human trafficking/smuggling. Of course, many migrant men, women and children are exploited and sometimes forced into prostitution and these needs to be combated with safe-guards and support mechanisms. However, the ongoing anti-trafficking hysteria feeding and reinforcing statist restrictions aimed at curbing international freedom of movement and criminalise migration (Rothschild 2008). This is directed particularly against the most vulnerable sections of the labour force- women and unskilled and semi-skilled workers. The 'trafficking discourse' on the other hand denies freedom of movement and equal opportunity and is ultimately risk-averse, implying that free movement itself is damaging and dangerous (Rothschild 2009). The figure of 'trafficking victim' has actually been worked to most effect in the service of not only extremely conservative moral agendas on prostitution, gender and sexuality but also it is in support of more restrictive immigration policies and tighter border controls (Davidson 2010, Agustin 2007, Doezema 2000). It works in tandem with the statist policy of repatriating 'unwanted' immigrants and the 'anti-trafficking' campaign that see it as coterminous with slavery has become an ethical justification for 'rescue' which essentially means repatriation (Rothschild 2008, Davidson 2010). This creates a situation in which the concerned evade from showing solidarity with migrant workers, arguing for the right to earn decent wages and good working conditions, instead joining forces with the police to clamp down on migration, helping to criminalise migrant workers, to rob women of agency and portray those working in the sex industry as rape victims, who are to be 'rescued' and sent back to their home countries 'for their own good' (Rothschild 2008). As a result, the conditions that perpetuate trafficking never get addressed and undertaking it as an urgent political task is ever postponed by immediate measures of getting rid of the victims. The anti-

²¹ Interestingly, vociferous campaign is launched at the time of big global events. The recent example being the Soccer World Cup in South Africa which a created the perfect opportunity for those pursuing an anti-trafficking agenda, particularly to those who are proponents of the abolition of sex work to play up the notion of "woman as victim". The moral panic created by this campaign also basks on an ethical ground that see human trafficking as a violent crime (Gould 2012).

trafficking discourse that essentially send across a notion that poorer women and men are better off staying at home than leaving and possibly getting into trouble not only deny the 'victims' equal opportunity but also consider without an agency to think for themselves (Rothschild 2008, Kodoth and Varghese 2011). This hysteric self righteous war against trafficking arguably makes migrants more vulnerable to exploitation and forces them to un-ending re-trafficking in their attempt to evade the state. In places like Punjab which has got a long history of migrations across the world and a resultant migration social psyche, determination of the nature of illegal-migration/trafficking/smuggling, whether it is forced or consented, is even more difficult.

Entrenched Migration Culture of Punjab

Punjab is considered to be one of the most out-migratory states in the present day India, with a well established Punjabi Diaspora all across the world. Being located on the invasion route into India, the people of Punjab have often had to leave their homes and adapt to newer locations, which made them 'intrinsically' unsettled and mobile (Helweg 1986, Varghese and Rajan 2010). All the invaders came to India from the Northern border had all passed through Punjab. The people of Punjab were confronted with a large range of rulers like, Turks (from 11th to the 14th century), Afghans (15th to 16th century) and they were followed by the Mughals till the mid-18th century ruled over the Punjab (Singh 1989: 1-15). By early 17th century, Punjab had an active commercial life, involving a wide range of traders, peddlers, brokers- another channel through which Punjab got connected and remained open to the external world (Government of Punjab 2004).

British colonialism and economic dynamics it brought along as part of the first global integration opened up possibilities of migration to the Punjabis. The Punjabi migration trend under colonialism is often linked to the 'Punjabization' of Indian army which led to the migration of the Punjabi soldiers to North America, East Africa and the Far East (Talbot and Thandi 2004; Tatla 1995). It was during the post 1857 years

the Punjabis captured the attention of the British as a loyal martial race. By the First World War the number of Punjabis in the army has risen to 150,000, quarter of the strength of the Indian army, with chances of moving across the empire (Tatla 1995).

Colonial time also witnessed considerable scale migration of Punjabis into other British colonies in East Africa, the Caribbean's and parts of Southeast Asia as indentured labour, small scale merchants and peddlers and workers in the infrastructural development projects (Metcalf 2005). A good number of Punjabis reached Britain in the nineteenth and early twentieth century as personal servants of imperial adventurers and administrators; seamen who worked in menial capacities on British merchant ships; and a smaller number of students seeking professional qualifications apart from a few members of the erstwhile royal and aristocratic families (Visram 1986). The First World War brought more seamen and soldiers from the Punjab to Britain, who slipped quietly away to stay back by making use of the local conditions. By the time of independence Punjabis were a visible presence in Britain's larger ports and industrial cities, mostly as peddlers and small shopkeepers (Ballard 2003).

Similarly, Punjabis are considered to be the first South Asians to migrate to North America, though prior to the early 1900,s immigration or even visits by Indians in general to American soil were sporadic. It is estimated that between 1903 and 1908, about 6,000 Punjabis entered North America (Canada) and nearly 3,000 crossed into the United States (Philip 2007). The majority of them is illiterate and semiliterate laborers from agricultural and/or military backgrounds, and was supplemented by a very small group of educated elite of professionals and students.

By the time of Indian independence Punjabis became a significant presence in both the United Kingdom and North America. The economic boom in the post Second World War era in Europe and North America allowed more Punjabis to migrate to

these locations. The migrations to the U.K were so massive that Punjabis contributed significantly to a process of 'reverse colonization' (Ballard 2003). These migrations in the early 1950s consisted mainly of males and by 1960s with the impending closure of migrations, family members, relatives and friends were sponsored to England in large numbers by using the family unification clause of the Commonwealth immigration regime (Helweg 1986). The immigration regime in the North America too became more open to accommodate more Punjabis by 1965 (Khadria 2006).

Through the networks and social capital established in such locations more and more Punjabis migrated to such locations, alongside diversifying the destinations in the West. It is not surprising that since 1965, approximately two million South Asians have immigrated to the U.S. and Canada, among whom a significant proportion has been Punjabis (Ibid). The High Level Committee on the Indian Diaspora (RHLCID) set up by the government of India has estimated 1.2 million Indians living in the U.K. alone, which was 2.11 per cent of the total population (RHLCID 2001: 124). Punjabis currently constitute about 45 percent of the Indian community in the U.K. with a Sikh majority (Ibid: 122-24). The major chunk of Punjabi emigrants to the West are said to be from the Doaba region, with the rural Doaba being swept by a "migration fever" from early 1960s onwards (Ballard and Banks 1994). Through a process of re-migration, large number of Punjabis reached North America, U.K. and the continental Europe from the Caribbean and subsequently from African countries like Uganda, Kenya and Tanzania (Bhachu 1985).

Punjab migration has been mostly to the West and to parts of Southeast Asia and the migration to the Arab countries of the Middle East has been recent. Though 'Gulf migration' from India, mostly of unskilled and semi-skilled workers, started as soon the oil boom of the 1970s and the resultant drive of infrastructural development in the Gulf countries, Punjab seems to be inclined more towards the West, due to the economic advantage and social capital involved. According to the annual statistics provided by the Government of India on the number of workers who were granted emigration clearances, Punjab's share is not impressive even as last as 1995, the

year in which 11,852 people emigrated from the state through this channel when India as a whole sent 415,334 people (Rajan, Varghese and Jayakumar 2011). The number has gone up to 24,964 in 2003, to 39,311 in 2006 and further to 54,469 in 2008 (Rajan, Varghese and Jayakumar 2011: 8). Since the cost of emigrations to the Gulf is lesser compared to those to the western countries, apparently people from the lower classes and castes, driven by general migration culture of Punjab, are enabled to partake in the transnational flow from the state. Though the Doaba region is still considered as the migration belt of Punjab, the Malwa and Majja regions are fastly catching up (Nanda and Veron 2009). The contemporary situation is such that there is virtually no place in the world wherein Punjabis are absent, giving way to imagination of a global Punjabi community and a Punjabi nation beyond its geographical confines (Kahlon 2012, Varghese and Rajan 2010, Singh and Thandi 1999). Migrations perpetuate further migration, and spatial mobility has become so central to the Punjabi strategies of economic mobility.

A significant proportion of transnational migrations from Punjab are apparently through unauthorized channels, facilitated by a parallel economy of migration. UNODC estimates around 20,000 unauthorized emigrations to U.K. alone from Punjab annually (UNODC 2009). The geographic reach of such unauthorized flows is so extensive as much as to cover 57 different countries. The trend is said to spreading to the neighboring states of Haryana, Himachal Pradesh and Jammu and Kashmir, (Ibid 2009) According to the UNODC report entitled “Smuggling of Migrants from India to Europe and in particular to U.K. from Punjab and Haryana”, in the case of as many as 41 countries visas are being forged (Ibid 2009). Over one lakh Punjabi youths are reportedly behind bars in foreign countries and face deportation (Ibid 2009). As per the report, the reasons for illegal migration are varied: high unemployment rate, general attitude of youth that migration is the best alternative, potential illegal migrants consider other successful migrants their role models, and illegal migration not being a stigma amongst families (Ibid 2009).

A good number of Punjabis continue to immigrate into the West and elsewhere through unauthorized means, like entering the country on visit visas and overstaying or getting 'smuggled into' the country with the help of transnational network of agents/traffickers/smugglers (Kumar 2009). Such unauthorized flows are made possible not only by a receptive labour market but buttressed by the social capital of the emigrant in the destination. The flows though apparently defying the state make use of the loose spaces and players available within the state mechanism and laws. This involves negotiations through the cumbersome bureaucracy of the state that intentionally excuse the illegal and take full advantage of the labour market dynamics in the destination countries (Varghese and Rajan 2010, Varghese 2010). The institutional framework in India as represented by the ECR/ECNR regime allows a form of unfettered informality in the case of migration to ECNR countries, which include all Western countries and a form of controlled informality in the case of countries like those in the Middle East (Kodoth and Varghese 2010).

The unfettered informality allows all emigrations for work to ECNR countries free on the one hand and concede a space for all sorts of practices in the field of emigration on the other. Such unauthorized flows also enjoy tremendous social sanction in rural Punjab and the success rates of such flows are apparently quite significant (UNODC 2009, Varghese 2010, Varghese and Rajan 2010). Such practices, starting right from the colonial time, gets re-invented over time according to the needs and circumstances and continues even today (Josephides 1991, Varghese 2010).

In such a context of entrenched migration culture with significant amount of informalities, human trafficking and human smuggling needs to be understood in its mutuality wherein the traffickers/smugglers, migrants, market and to a certain extent state are partakers. This would allow us to have a nuanced understanding about trafficking/smuggling much beyond the usual narratives that fixed the partaking people as invariable victims and traffickers/smugglers are transnational criminals equal to drug mafia, illegal arms traders and cross-border terrorists. Such a take on

the issue would allow us to capture an active human agency at work even at the cost of tremendous risk and suffering and the conditions that perpetuate transnational human trafficking/smuggling. It would also allow us to look at the statist discourses critically, i.e. what is behind its apparent benign language, in an effort to address the conditions that allow trafficking/smuggling of humans. The following chapters explore some these questions with the help of information from the field.

Chapter - 3

Is 'Trafficking' a Misrepresentation? Migrant, Market and Desire for Mobility

The field work for this study is carried out in the district of Bathinda. Bathinda is part of the Malwa region in the state of Punjab and is considered to be one of the fastest developing areas in the region. Punjab state is divided into three main regions- Malwa, Majha and Doaba.²² The Doaba region is known for its development and also for large scale migration. It is understood as the migration belt of Punjab and hence most of academic studies on migrations from Punjab are done in the Doaba region (Talbot and Thandi 2004, Ballard and Banks 2007, Lal 2006, Nanda and Veron 2009, Tatla 1998). The region is known for both formal and informal migration through networks established over time and exploring and encompassing newer groups and destinations (Varghese 2010). The Malwa and Majha regions are considered to be catching up with the Doaba region with regard to out-migration, but remain largely unexplored/under-studied. The selection of Bathinda, in the Malwa region, is in that sense an attempt to make an exploration into an unexplored region with special reference to the issue of trafficking/smuggling/illegal-migrations. The region is developing as a profitable field for migration business as it remained as a frontier of migration circuits in Punjab for long (UNODC 2009). Migration is becoming an important option for the people of this relatively backward region in terms of development. It is because of the constraints of time and resources the study is made limited to a single district. According to the Surveyor General of India, Bathinda district covers an area of 336725 hectares and is sixth in terms of area in the state.²³ The total population of Bathinda district according to the 2011 Census of India is 1183295. The sex ratio is 870 female per thousand male. Bathinda district have 14th rank in the state in the field of literacy- 61.18 % population is literate whereas the rate for male and female literacy is 67.78 % and 53.70 % respectively.²⁴ The incidence of

²² Malwa, lying between the Sutlej and Yamuna rivers, is the biggest among the three regions and is constituted by 11 districts; Ludhiana, Bathinda, Mohali, Sangrur and Patiala being the major ones.

²³ http://bathinda.nic.in/html/district_at_a_glance.html#N10084 (Accessed on February 20, 2012)

²⁴ http://www.censusindia.gov.in/Dist_File/datasheet-0314.pdf (Accessed on 20 February 2012)

transnational migration from the region is not precisely known as there are no systematic studies which tried to estimate the quantum of out-migration from the state.

In a pilot level exploration itself it is found that a significant number of unauthorized migrations, which is referred to as 'illegal migration', 'human trafficking' and 'human smuggling' in the popular and administrative discourses, are taking place from the district of Bathinda. People encouraged by the promise of good jobs and economic opportunity, choose to emigrate with the assistance of traffickers/smugglers/agents. In fact, traffickers/smugglers allure and recruit the prospective migrants in several different ways such as through fake employment agencies, acquaintances, newspaper advertisements, front businesses, etc. The economic compulsions and desire for mobility encourage people, particularly in the unskilled and semi-skilled segments, to choose the unauthorized way, as legal channels are largely closed to them. For the purpose of the present study, 60 cases have been collected through a field survey in the Bathinda district. Most of the cases are taken from the rural areas of the district such as Mheta, Gehri Devi Nagar, Shergarh, Kotshmir, Jivan Singh Wala, Sainewala, Jodhpur Ramana, Jai Singh and Naruana, apart from the city of Bathinda. The field survey has been focused on two types of informants. The first category being what is referred to from here onwards as 'Returned Victims'. Returned Victims are those victim, who were recruited by traffickers/smugglers and were subjected to violation of promises, abuses and exploitation that would by definition come under human trafficking/smuggling. The second category of informants is 'Relatives and Friends of Victims', who are still in abroad. While the category of relatives covers parents, spouse, children and sibling, friends will include only those friends who are in some ways involved with the incident of the eventful migration. The data was collected by the researcher himself with the help of separate set of structured questionnaires for each category of informants. Apart from the structured interviews, the field survey also involved collection of ten interesting life histories, a few of which are analyzed in the subsequent chapter.

This randomly selected sample was chosen from all over the Bathinda district and from various religious and caste backgrounds as well. The interviews were conducted at the informant's homes, primarily in Hindi or Punjabi languages. Out of 60 structured interviews, 20 interviews have been with 'Returned Victims' and the remaining 40 interviews with 'Relatives and Friends of victims', who are still in abroad mostly as unauthorized immigrants or victims of trafficking/smuggling. All the interviews were conducted during the period from the 1st of January to the 30th of January, 2012.

Table – 3.1
Distribution of Sample by Category and Gender

Category	Count	Sex of victim	
		Male	Female
RV	20	20	0
VA	40	40	0
Total	60	60	0

*RV-Returned Victim, **VA-Victim still in Abroad

Table-3.1, gives an overview of the sample. The majority of the cases are falling under the category of 'Victim still in Abroad', whose details have been collected from their relatives/friends, and such cases are 40 out of the total 60. The returned victims, on the other hand are 20. As it came out during field survey, those victims still leaving in abroad, were 'illegally' migrated and they are living in secret in the respective countries where they are now and have very less opportunity to come back without penalization and jeopardizing their whatever little they earn currently. A few among them have made a prospective life in the destination and a few others are hopeful about better opportunity and prospects and hence do not want to come back.

All victims under the survey are male which shows that the circuits of unauthorized flows are focused on men rather than women. This goes in line with the general history of emigrations from Punjab, which has been male centric throughout. The emigration of women, though almost equal to men at the global level, in India are often referred to as associated migration – as wives, mothers and daughters of the

lead male emigrant.²⁵ This is not to suggest that trafficking/smuggling/illegal emigration of women is not happening at all from/in India. In fact, India is considered as a source, destination, and transit country of women trafficking apart from considerable share female unauthorized migrations (Sen and Nair 2004, Varghese and Rajan 2011). This may be considered as an indication that trafficking/smuggling of women and children which are considered to heinous in the global trafficking discourse is largely either absent or not hugely significant in the area under study.

Table – 3.2
Distribution of Victims by Religion

Category	Count	Religion					
		Hindu		Sikh		Islam	Christian
RV	20	3	15%	17	85%	0	0
VA	40	9	22.5%	31	77.5%	0	0
Total	60	12	20%	48	80%	0	0

As Table–3.2, shows majority of the victims belongs to the Sikh religion, followed by Hindu religion. The Sikh victims are 80 percent of the total victims studied and the reaming 20 percent Hindus. None from the Islam and Christian religions are in the present sample. This is apparently much higher in terms of the proportion of Sikhs in the total population of the state.²⁶ This is also apparently in line with the migration trend of Punjab- wherein Sikhs are found to be more out-migratory than other communities and among the Sikhs, the Jat Sikhs. The well established Sikh Diaspora inspires further migrations, an ongoing trend for decades in the state,

²⁵ An overall baseline statistics on emigrations from India is unavailable; so also the case of women emigration from the country. It is apparently lesser compared to male emigration. For instance, Kerala, a state that is known for sending women as independent emigrants, the proportion of women in the total emigrants has been just below 15 percent.

²⁶ As per the 2001 Census, the percentage of Sikhs in the total population of Punjab is just below 60 percent. The Census also showed a decreasing trend in terms of proportion to the Sikhs between 1991 and 2001 and the opposite for the Hindus. The phenomenon is sometimes explained in terms of massive out-migration of Sikhs for better prospects and significant Hindu in-migration to the state. (Available at: <http://www.topix.com/forum/religion/hindu/T61R93RGJBE9EJVGH>, Accessed on April 10, 2012)

particularly in the Doaba region (Talbot and Thandi 2004, Tatla 2004). However, the distribution of the victims by their social categories, presents a deviant trend over what is been assumed.

Table – 3.3
Distribution of the Victims by Their Social Category

Category	Count	Social Category						
		Gen		OBC		SC		ST
RV	20	3	15%	3	15%	14	70%	0
VA	40	9	22.5%	18	45%	13	32.5%	0
Total	60	12	20 %	21	35 %	27	45 %	0

Table – 3.3, shows the distribution of victims according to the social category they belongs. Out of the total victims, 45 percent victims belong to the Scheduled Caste (SC) category followed by Other Backward Classes (OBC) category, which is 35 percent. On the other hand, 20 percent of the victims belong to the general category. The Punjab migration is considered to be dominated by Jat Sikhs, who falls under the forward/general category (Talbot and Thandi 2004, Judge 2010). Though the present sample is not representative, it suggests that the people belonging to the lower categories, SC and OBC are using the unauthorized channels more than the general category and getting victimized. They are marginalized socially as well as in the migration circuits as they are not connected to transnational migration circuits due to inadequacy of social capital as in the case of Jat Sikhs. Finding themselves in the margins of the transnational migration networks, they are increasingly forced to choose unauthorized channels and running into the trafficking or smuggling and networks. Since, their social network is not seemingly strong enough to support them in case things go wrong in the destination countries, they ended up being victims and dispossessed unlike their Jat Sikh counterparts who has adequate social capital to fall back on. The OBC categories like Ramgarhias also have a long migration history and hence a well entrenched social capital. The number of people returned in each category is an indication towards this- whereas 14.3 percent of OBC victims had to

return, it is 25 percent in the case of the general category and as much as 52 percent in the case of SC.

Table – 3.4
Educational Status of the Victims Surveyed

Category	Count	Education Qualification								
		Primary education		Higher secondary		Degree holder		Technical education		Others
RV	20	5	25%	14	70%	1	5%	0	0	0
VA	40	17	42.5%	15	37.5%	2	5%	6	15%	0
Total	60	22	36.67%	29	48.33%	3	5%	6	10%	0

Table 3.4 gives a glimpse of the educational status of victims in the collected sample. The majority (70% returned victims) are having higher Secondary education, 25% having primary education, while only 5% among them have degree level qualification. In case of victims still in abroad, the majority (42.5%) has just primary education, 37.5% have higher secondary education, 5% have degree and 15% have technical education. This yet again confirms the fact that it is the less qualified workers- unskilled and semi-skilled as the migrations in such categories are happening against severe state restrictions- who choose the ‘illegal’ conduits and are increasingly vulnerable to either contacting or to be contacted by the traffickers/smugglers/agents. It is also found that it is mostly youngsters who choose to migrate through such channels- more than 90 percent of the victims were unmarried at the time of their migration.²⁷

²⁷ Migration is seen as a strategy that increases men’s value in the marriage market in many places apart from strengthening their masculine credentials (Donaldson, et.al 2009).

Table – 3.5
Reasons for Emigration

Category	Count	Reason Behind Emigration					
		Unemployment	To join relative	Inadequate Income at home	Under employment	Possibility of higher jobs	Marriage
RV	20	0	2	8	0	7	3
VK	40	13	2	17	3	2	3
Total	60	13	4	25	3	9	6

Table – 3.5 shows the different reasons given by the returned victims and the relatives/friends behind the respective emigrations. In the case of 42 percent of the cases insufficient income at their home has drove them to the decision to emigrate and foreseeing failure in the formal way they had chosen the unauthorized channel. In the case of 6.7 percent of the cases the emigration was to join their relative in abroad and possibly to find a job and thereby make a better living and social status. Unemployment is also cited as a major reason behind emigration – 26.7 percent emigrated due to either unemployment or under-employment. Fifteen percent of the victims decided to emigrate in search of higher job possibilities in abroad, though were having some jobs at home. Marriage is also a way to settle down in abroad and 10 percent of the victims used the marriage channel to go abroad. These marriages were arranged by traffickers/smugglers. Victims have to pay more money to traffickers/smugglers for these fictitious marriages.

Table – 3.6
Destination Countries of the Victims Surveyed

Category	Count	Destination Countries of Victims			
		GCC	North America	Europe	SEA
RV	20	8	2	3	7
VA	40	24	5	2	9
Total	60	32	7	5	16

Table-3.6 shows the destination countries of the victims under the study. Thirty two out of the total 60 migrated to the GCC (Gulf Cooperation Council) countries.²⁸ Two reasons come out from the field study for the selection of GCC countries as destination. One, the money involved for visa and all other process for migration is lesser. Second, there is easy availability of jobs even if you emigrate through unauthorized channels. In the case of South East Asia the expenses are lesser, 16 people from collected sample have migrated to countries over there. Gulf appears to be more lucrative than Southeast Asia and also enabled with better Punjabi networks. Though Punjab is famous for migrations to the US, Canada and European countries, people from Bathinda seems less oriented towards such destinations due to hyper-restrictions and the higher cost involved. Only 4 and 3 victims wanted to migrate to the US and Canada, though none of them reached over there cases Gulf apparently remains the favorite destination for such migrations.

²⁸ GCC countries are Bahrain, Kuwait, Oman, Qatar, Saudi Arabia, and UAE.

Table – 3.7
Type of Visa Used by the Victim to Go Abroad

Category	Count	Category of visa					
		Employment	Spouse	Tourist/visit	Education	Pilgrim	Other
RV	20	17	0	0	3	0	0
VA	40	29	2	6	3	0	0
Total	60	46	2	6	6	0	0

Table – 3.7, gives the details of the collected sample with regard to visa used by people for emigration. Out of 60 cases, 10 percent went abroad on tourist or visit visa which is easily available. 76.7 percent of the victims reportedly went on employment visas. It is not that difficult to get employment visa, either original or fabricated, in countries of the Middle East and all as migration business involves significant amount of informalities (Rajan, Varghese and Jayakumar 2011). Employers in countries that rely upon temporary immigrant workers prefer bringing workers on visit visa as the processing of visa is much easier; and in countries in the Middle East and many others in South East Asia, the worker can still work even if visa is for visit. At the expiry of the visa, it may be either renewed or converted into a work visa; or as it happen in most of such cases, the worker go underground and become part of a thriving grey labour market (Ibid). Under such circumstances, most often the ill-informed migrants may not be aware on which visa they are travelling, and the present survey result also may have such reporting error.

Table – 3.8
Type of Agent through Which Victim’s Emigrated

Category	Count	Agent dealing as	
		Single person	Firm
RV	20	20	0
VA	40	29	11
Total	60	49	11

Table – 3.8, gives an idea about whether agents who sent the victims in question abroad are individual agents or established emigration firms. Most of the agents under question are acted as single persons rather than as firms. In about 82 percent cases the agents concerned were individuals, whereas 18 percent were firms. Such individual agents are easily accessible and could disappear promptly in case of trouble without leaving any solid identity behind. Such peddling agents’ makes things complicated compared to established firms with their own offices. As per the present legal framework governing overseas emigration/recruitment in India, as established by the Emigration Act of 1983, overseas recruitment can be carried out only by registered recruiting agents with established offices of their own. The functioning of these recruiting agents is regulated by the government of India through its network of Protector of Emigrants (POE) offices (Rajan, Varghese and Jayakumar 2011). The individual agents easily slip out of the regulative mechanism as they focus mostly on rural areas.²⁹ They are also appears to be more accessible and friendly to people in pursuit of their business (UNODC 2009, Varghese 2010).

²⁹ The POE offices are located in the 9 metropolitan cities across India, Delhi, Mumbai, Kolkata, Chennai, Hyderabad, Chandigarh, Cochin and Thiruvananthapuram. Jaipur is the latest addition which was opened in early this year. See <http://moia.gov.in/services.aspx?ID1=117&id=m8&idp=114&mainid=73>, (Accessed on 28 March 2012)

Table – 3.9
Geographical Location of the Agent

Category	Count	Agent from village or adjoining village	
		Yes	No
RV	20	4	16
VA	40	13	27
Total	60	17	43

Table – 3.9, shows whether the eventful agent belong to the village of victim and it's vicinity or from somewhere else. Surprisingly, in our collected sample, in as much as 43 cases, agents were not belonging to the village. In the cases of seventeen (28 percent) out of 60, agents belonged to the same or adjoining village and the rest from outside. This is an indication towards the reach of agents to the rural Punjab as most of the villages have consultants/agents engaged in the migration business. In the case of agents coming from outside the village, the victims are found to be not having even the address of eventful agents, which perhaps is indicative of the desperation to migrate. Many of the victims come to the contact with the agents through mediators. It is interesting to note that an agent or a tout coming from the nearby areas or outside, through mediators could easily win the confidence of the people to jump into unauthorized migrations. Contra to the general trafficking/smuggling discourse, here either the agents have their own time-tested confidence building mechanisms or the people concerned are desperate to emigrate due to compelling circumstances. Unsure of the formal channel, they seem to choose the informal way.

Table – 3.10
Whether the Agent had an Office or Not

Category	Count	If the agent had a permanent office		
		Yes	No	Don't Know
RV	20	2	6	12
VA	40	8	17	15
Total	60	10	23	27

Table 3.10 brings in another important dimension. Out of the 60 cases, only in the case of 10 percent the eventful agent had an office. That even mostly as a travel agent or as English coaching centers, etc. In a few other cases, the victims were dealt in the branch offices in the nearby city and the head offices unknown to them.

Table – 3.11
Legal Status of the Agent

Category	Count	Whether the Agent is registered or not		
		Yes	No	Don't Know
RV	20	3	4	13
VK	40	13	10	17
Total	60	16	14	30

The Emigration Act of 1983 brought a licensed overseas recruitment system in India, according to which the agents who conduct recruitment for overseas jobs are required to register with the Ministry of Overseas Indian Affairs (MOIA). However, the present survey shows that only in 26.7 percent cases it was reportedly certain that the agent concerned was registered and thus has a legal standing. This information seems to be wrong because only 10 percent of the agents reportedly have their own offices- office infrastructure is necessary for a registered agent. Other words, the concerned agents were working as touts for a registered agent located somewhere else. While in the case of 23 percent it was certain that the agent concerned has no legal standing whatsoever, in the case of the majority legal status of the agent is unknown. It is important to note that irrespective of their legal status, they could send

their clients abroad. This also would point to the fact that either the people are desperate to emigrate which made them to fall on illegal agents or the agents were successful in winning the confidence of the people even when they were operating illegally.

Table – 3.12
Incidence of Fabricated Documents Used for Emigration

Category	Count	Agent arrange false document	
		Yes	No
RV	20	17	3
VK	40	40	0
Total	60	57	3

Table –3.12 shows the incidence in which the agents arranged false/fabricated documents in order to facilitate emigration. As most of the people were low in their education, they often invest the job of arranging the documents with the agents themselves, who in turn fabricate documents for their clients. Out of the 60 cases under the present study, as much as in 57 cases agents arranged false documents for their clients. In 95 percent of the cases, it was known that the documents were false and fabricated; still they decided to go, making the mutual dependence of the clients and agents apparent. These agents exploited the hopeful migrants and encourage them to take life threatening risk. This includes jacket substitution of Indian passports, photo substitution in Indian and foreign passports, use of forged foreign visas, use of re-stitched passports, use of forged Indian and foreign passports, use of forged discharge certificate of ship, use of forged residence permits, and exchange of boarding cards in security areas at airports and forging of POE (Protector of Emigrants) stamp.

Table – 3.13**Nature of Monetary Dealings between Agents and Victims (RV)**

S no.	Name (optional)	Money demanded by Agents	Total Money agreed upon after bargaining	Total money actually given to the Agents
1	RV-1	250000	175000	165000
2	RV-2	300000	200000	200000
3	RV-3	350000	250000	225000
4	RV-4	225000	150000	150000
5	RV-5	200000	150000	150000
6	RV-6	1000000	850000	800000
7	RV-7	850000	650000	650000
8	RV-8	250000	175000	170000
9	RV-9	200000	150000	150000
10	RV-10	350000	250000	250000
11	RV-11	250000	200000	200000
12	RV-12	700000	500000	500000
13	RV-13	250000	200000	200000
14	RV-14	200000	175000	150000
15	RV-15	800000	600000	600000
16	RV-16	325000	275000	250000
17	RV-17	850000	675000	650000
18	RV-18	300000	250000	250000
19	RV-19	225000	175000	160000
20	RV-20	250000	150000	150000

Table – 3.14**Nature of Monetary Dealings between Agents and Victims (VA)**

S no.	Name	Money demanded by agent	Total money after bargaining	Total money actually given to the agent
1	VA-1	250000	175000	150000
2	VA-2	225000	150000	150000
3	VA-3	200000	160000	160000
4	VA-4	200000	170000	170000
5	VA-5	235000	180000	170000
6	VA-6	250000	200000	200000
7	VA-7	200000	170000	160000
8	VA-8	200000	170000	160000
9	VA-9	225000	150000	150000
10	VA-10	200000	170000	170000
11	VA-11	950000	800000	800000
12	VA-12	200000	170000	170000
13	VA-13	225000	150000	150000
14	VA-14	250000	175000	175000
15	VA-15	200000	170000	170000
16	VA-16	235000	180000	160000
17	VA-17	225000	150000	150000
18	VA-18	200000	170000	170000
19	VA-19	200000	170000	170000
20	VA-20	200000	160000	150000
21	VA-21	900000	700000	700000
22	VA-22	250000	175000	170000
23	VA-23	225000	150000	150000
24	VA-24	950000	780000	750000
25	VA-25	1100000	900000	850000
26	VA-26	200000	160000	160000
27	VA-27	235000	180000	175000
28	VA-28	900000	800000	800000
29	VA-29	200000	170000	170000
30	VA-30	200000	160000	160000
31	VA-31	225000	150000	150000

32	VA-32	850000	750000	750000
33	VA-33	250000	175000	175000
34	VA-34	240000	200000	180000
35	VA-35	235000	180000	170000
36	VA-36	200000	170000	150000
37	VA-37	250000	175000	175000
38	VA-38	200000	160000	160000
39	VA-39	1000000	850000	800000
40	VA-40	200000	170000	170000

Table 3.13 and 3.14 shows the monetary dealing between the victim and the concerned agent/smuggler/trafficker. It shows that the amount varies across cases, mainly depending upon the chosen destination. The amount includes visa fees, plane ticket, placement fees at destination country, etc. If victim the destination is 'America' or 'European countries' the demand would be around Rs. 1000000 or 900000, though the agent may finally settle down with an amount ranging between Rs. 800000 and 650000. Twelve cases in our sample fall under the US and European bracket, 5 returned victims and 7 victims still abroad. If the destination is in anywhere in the Gulf or Southeast Asian region the demand would be somewhere between 250000 and 150000 INR. Most important factor as revealed by the table is the level of bargaining and flexibility available in such payments. As shown in the case of returned victims and victims still abroad, what is demanded by the agent initially is open for negotiation and in majority of cases the agreed upon amount is lesser than what has been demanded initially. Moreover, the amount actually paid by the victims in majority of the cases has been lesser than what has been agreed upon. Such levels of informality and flexibility, on the one hand makes the prospective emigrants vulnerable as amount demanded would be arbitrary, but on the other hand gives them space for exerting their agency. The market information would be crucial for the prospective emigrants under such conditions to negotiate things in their favor or for ensuring that they are giving in for exorbitant payment.

Table- 3.15
Sources of Finance for Emigration

Category	Count	Sources of Money for emigration							
		Own saving	Parent saving	Selling / mortgaging of landed property	Selling/mortgaging valuable assets like gold	Dowry	Bank loan	Loan from private moneylender	Other
RV	20	2	5	7	0	0	0	6	0
VK	40	3	14	11	0	3	0	9	0
Total	60	5	19	18	0	3	0	15	0

Table – 3.15 shows the diverse sources from which the victims mobilized money for their eventful emigration. Only 8 percent could raise money by themselves as they financed their emigration from their own savings. Whereas 55 percent had to either sell/mortgage their landed property or mobilize money from the private moneylenders in order to make their emigration possible - 18 Victims arranged money for emigration by selling/mortgaging their property with a hope of regaining it once they join an overseas job; 15 persons having less property, had to rely on private moneylenders. On the other hand 32 percent had used their parental savings for making their overseas dream a reality. This data once again reiterate the fact that the majority are not enabled with the capital for emigrating, but had to do it by selling/mortgaging their landed properties or by private borrowing on exorbitant interest.

The traffickers are known for changing the travel plans frequently if they sense any trouble on the way; or often hide the details of dangerous and risky itinerary the emigrant has to undergo during the course of their journey. The smugglers too, though they had the consent of the migrant, often change the route and travel plan, deviating from what has been originally transpired – by which smuggling would become trafficking in definition. Table 3.16 shows how this experience worked with the victims under the present study.

Table – 3.16

Consent of the Victims to The Changes in The Travel Plan

Category	Count	Whether Permission taken from victims about change in plan				
		Never	Some time	Always	Just informed	Victim kept in dark always
RV	20	15	1	0	4	0
VK	40	19	0	0	14	7
Total	60	34	1	0	18	7

The table show that the journey has undergone changes from what has been originally planned/proposed, but no one has been taken into confidence always before such changes. In the case of 56.7 percent such erratic changes in the travel were never with the consent of the victim; whereas in the case of 30 percent the victims were just informed about the change and in the case of about 12 percent the victims were always kept in the dark on the change of itinerary. The information underlines that what has been apparently started as smuggling has been transformed into trafficking in the course of journey itself.

Table -3.17

Promise of Job by the Agent to Victim in the destination

Category	Count	Agent promise to victim for job at destination		
		Yes	No	Don't Know
RV	20	20	0	0
VK	40	37	3	0
Total	60	57	3	0

Table – 3.17 makes it clear that apart from facilitating the emigration the agents have promised jobs also to the vast majority of the victims. Ninety five percent of the victims were promised with jobs on arrival whereas in the case of the rest of the victims a similar promise was not made. Table 3.18 shows the incidence of compliance in this regard from the side of the agents.

Table – 3.18

Whether Victims were Able to Get Jobs at Destination Country

Category	Count	Victim got Job at Destination		
		Yes	No	Don't Know
RV	20	13	7	0
VK	40	24	10	6
Total	60	37	17	6

About 65 percent (37 out of 57) got jobs at the destination whereas in the case of 30 percent the promise of job was not honored. This indicate that the compliance level in terms of job promises is higher, perhaps one reason why people have faith in such informal networks. However, the proportion of breach of promises is not negligible either. If we look further into those cases were the promise was met, significant amount of anomaly could be seen as shown by Table 3.19.

Table – 3.19

Type of Jobs the Victims Got at Destination Countries

Category	Count	Type of job victim got at destination				
		Same job	Similar job	Lower job	Never expected by victim	Don't know
RV	13	0	3	8	2	
VK	24	4	7	5	7	1
Total	37	4	10	13	9	1

It is clear that only in the case of about 11 percent the same job as promised has been given. In case of 27 percent the victims got a similar job and in the case of 35 percent a lower job was given. In the case of 24 percent victims got jobs which they never imagined.

Table – 3.20

Type of Jobs the Victims were Doing in the Destination

Category	Count	Victim force for particular job at destination				
		Unskilled labour	Sex work	Smuggling of drug	Smuggling of arm	Other
RV	20	8	0	2	0	10
VK	40	26	3	7	0	4
Total	60	34	3	9	0	14

Table – 3.20 shows that 12 people (20 percent) were involved in criminal activity such as smuggling of drugs and illegal distilling of liquor. As liquor and intoxicants are banned in most of the Middle Eastern countries, the victims are forced into this illegal business as lower end workers. More importantly, 3 people were forced into in the sex business; they continue to work there to make their living. They act as middlemen in the business, alluring the customers to buy sex. Such situation mostly arise in those cases in which the victims have no relatives or friends to fall back in the destination and nor enabled with good educational qualifications.

Table – 3.21

Incidence of Remittance by the Victim to his family

Category	Count	Victim used to send money at home/relative	
		Yes	No
RV	20	6	14
VK	40	34	6
Total	60	40	20

Table – 3.22
Frequency of Remittance to Family

Category	Count	Interval of time of sending money by victim		
		Regular	Never	Occasionally
RV	20	5	14	1
VK	40	11	6	23
Total	60	16	20	24

Table – 3.21 and 3.22 give an idea about the incidence of remittances by the victim to his family. About 67 percent of the victims use to send money back home; whereas the rest couldn't do it. But frequency of remittances was different with different people. Whereas 40 percent (16 out of 40) of the people who were sending money home were regular in doing so, the majority were unable to do it on a regular basis but were sending money occasionally. This is may be a testimony to the fact that such migrations were not really economically beneficial in majority of the cases. Otherwise, it may be indicative of the victim's inability to send money on a regular basis due to his illegal status. Though they were working as unauthorized workers being part of informal and grey labour market, majority among them are sending money through the formal channel (Table 3.23)

Table – 3.23
Channel of Remittances by the Victims

Category	Count	Channel of sending money				
		Formal channel	Through relative	Informal channel	Money laundering network	Other
RV	20	4	2	0	0	0
VK	40	19	7	5	3	0
Total	60	23	9	5	3	0

As much as 57.5 percent of such victims were sending money home through formal channels; whereas 22.5 percent rely on the social networks of friends and relatives for the purpose. Another 20 percent rely upon the informal channels and

money laundering networks for the purpose. This confirms that the formal channels are not fully closed in many destination countries even when you are working in the informal economies or there are enough parallel networks through which one can reach out to his family with money and support.

As pointed out already, Punjab has been known for informal migrations for long and has been successful significantly due to the social networks established through years of migrations that crisscross the world into a Punjabi territory. However, the chances of getting victimized or turning unsuccessful as a migrants is higher when the unauthorized migrant is not connected with the social network or the available networks are not strong enough to rescue. Table 3.24 and 3.25 gives a glimpse to this reality from our sample.

Table – 3.24
Migration History of Victim’s Household

Category	Count	Whether Already emigrants from victim’s household		
		Yes	No	Don't Know
RV	20	2	18	0
VK	40	15	11	14
Total	60	17	29	14

Table – 3.25
Location of Victim’s Migrant Relative

Category	Count	Place of victim’s relative			
		In the same country	In the same region	In the same continent	None of these
RV	20	2	0	0	0
VK	40	8	5	0	2
Total	60	10	5	0	2

As Table 3.24 shows only 28 percent of the victims have their relatives abroad, making the social capitals of the rest in this regard zero. Naturally, the majority had no social network for prior consultation or for relying upon when run into trouble. In case

of those victims who have relatives abroad, almost in 40 percent cases they were not in the same country and the rest perhaps not stronger enough to save them.

Table 3.26 gives the answers given by the respondents to a pointed question whether the victims were aware of the illegal nature of their emigration. Notwithstanding the chances of negative reporting on the face of failure of the attempt, 37 percent have admitted that the victims were fully aware of the illegal nature of the emigration, unsettling the rhetoric of trafficking discourse that innocent people are duped into illegality. Similarly, 28 percent, even at the time of their failure reported that the victims were partially aware of the illegal nature of their migration in defiance of the state and its laws.

Table – 3.26

Victim’s Awareness about the Illegal nature of Emigration

Category	Count	Victim aware of the fact s/he emigrate illegally		
		Fully aware	Partially aware	Not aware at all
RV	20	3	7	10
VK	40	19	10	11
Total	60	22	17	21

On the other hand, in 35 percent of cases it is reported that the victims were not aware of the illegality involved at all. This seems to be a clear case of over reporting, which is usual at the time of failure of migration. As Table 3.11 already shown, 95 percent of the cases involved fabrication of documents and apparently victims were aware of this. Fabrication of documents for migration is certainly illegal and hence the reporting here arguably is a case of excessive reporting. As the table shows such reporting is higher among the returned victims- 50 percent of them reportedly not aware of illegality of what they were doing. This is not to suggest that there are no cases in which the victims were not aware of the illegality of their migration at all. The argument is only that in the majority of cases, the people concerned were aware of the illegality they were into and were not innocent victims as trafficking/smuggling discourses would suggest. This yet again complicates the

statist trafficking rhetoric and pushes it to the domain of mutuality wherein the agency of the migrant in the whole enterprise cannot be overlooked.

This is further reiterated by the fact that 45 percent of the returned victims are reportedly would be happy to try to migrate again if chances come again. Out of such returned victims around 35 percent do not mind migrating through similar illegal networks, though the rest seek to migrate safely through legal networks. Interestingly, only 38 percent of them would categorically advise their children not to rely upon such agents and networks if they choose to migrate. The rest of them are either not sure of it or leave it to the children to decide the matter. It is also found that majority of the informants (around 60 percent) supported the idea of those victims currently living in abroad of migrating through 'illegal' channels. This is perhaps indicative of the general social consent to such enterprises of mobility. Almost all the respondents have enough stories of success to tell from their vicinity. Moreover, though all of them suffered breach of promises and other forms of abuses, the victims currently live in abroad earns handsomely. Prior to emigration average income is to be Rs. 6525, which has increased Rs. 56250 after migration, which is many times higher than what they were earning at home earlier to migration. This allows the prospective migrants to take calculated risks and the traffickers/smugglers to exploit such a congenial market. The victims appear to exercise their own freedom to choose the agents they want to depend upon even when there may enough allurements from the side of the agents. Our survey reveals that the confidence in a particular agent is developed through multiple means- reassurance from the social network, track record of the agent, the cost factor, etc.

This is not to overlook the breach of promises and abuses the victims had undergone in the course of their migration and expatriate life. All of them had suffered such experiences with varying magnitude and intensity. Even in the case of victims currently living in abroad 58 percent of them reportedly suffered both physical and mental torture from the agents/traffickers/smugglers/employers. In the case of 30 percent of the victims abroad the torture assumed extreme forms. Around 30 percent

of returned victims too suffered the same level of torture and abuses. The promises regarding the destination were not met in the cases of returned victims who wanted to emigrate to select western countries. There are four such cases among the returned victims – first one being promised entry into the United States, but ended up in Mexico after a lengthy transiting through Guatemala; the second promised with UK but ended up in Germany; the third one was promised with Canada but had to stop with Mexico and the fourth one was taken to Germany against the promise of the U.K. Moreover, they have taken longer time than what was promised even to reach these countries. All these have certainly resulted in tremendous agony and sufferings not only for the migrants concerned but also to their families back home. However, such migrations apparently continue and people are willing to rely on informal networks that facilitate such unauthorized movements.³⁰ The trafficking/smuggling rhetoric is not taking these divergent realities involved in such flows, making the statist trafficking discourse loom in misrepresentation as it often don't account for the individual urge for mobility against restrictive migration regimes.

³⁰ The majority of the returned victims who has reportedly undergone severe experiences did not bother to find out whether the agent who sent them abroad is still functioning or not. Seventy five percent of RVs doesn't know whether their respective agents are still active or not, leave alone a police complaint against them.

Chapter - 4

Poignant Realities: Complexities of Life Histories

Life histories are considered to be one of the most useful methods to understand complex issues of a research problem enabling closer examination. This allows for a 'licensed voyeurism' in the attempts to unravel the diverse processes involved in any given issue with its intricate details, apart from permitting to capture unquantifiable life experiences with its intensity and soreness (Bertaux and Kohli 1984). Life histories are defined as 'reconstructions of person's experiences, remembered and told at a particular point in their lives, to a particular researcher/audience and for a particular purpose: all of which will have a bearing on how the stories are told, which stories are told, and how they are presented or interpreted' (Etherington 2006). The method connects the researcher with the subject and storyteller emotionally which can potentially reduce power gap between the researcher and the research participant (Osella and Osella 2006, Kakuru and Paradza 2007). The narration of a life history is thus not something voluntary happening but is something that is carefully reconstructed through useful interviewing techniques (Leydesdorff 1999). The intervention of the researcher is very crucial in this process of reconstruction apart from the respondent's contemporary state of being (Hatch and Wisniewski 1995, Bertaux and Kohli 1984). The method takes research away from burdens quantification and its claims of objectivity by humanising the research subject apart from making in-depth exploration and capturing multiple voices (Etherington 2006).

The select life histories presented here are exploratory in nature but brings forth many a details of human trafficking/smuggling or unauthorised migrations from the field which is not captured through our structured questionnaire. It captures the social urge, particularly among the younger generation, in the rural Malwa for migration which is largely a result of influence by successful migrations and the extensive reach of agents. The life histories also relate the sustaining pursuance of the agents to win over their clients involving even those people who has successfully emigrated. They also bring out the various forms of abuse, cheating, tortures and the

human suffering involved in the whole process. They also offer glimpses of the manner in which the informal network of agents/traffickers/smugglers work across the transnational space making use of loose spaces in the respective countries. These life histories also tell us how the migrations for temporary work are increasingly getting translated into a new system of bonded labour. They also reveal the reluctance of the victims and their families to approach the state/regulative/police machineries for redressing their grievances, possibly because of lack of confidence in the state and its measures of addressing such issues. Instances in which unauthorized agent (traffickers, smugglers) networks are used to escape from the state and its penal mechanization

Economic Pressure, Alluring Agents and Gulf Dream:

It is the pitiable economic conditions and urge to achieve economic mobility in life many often drive youngsters to the informal players facilitating emigration. Once such people come in contact with them disclosing their problems and dreams, the agents have their own strategies to build confidence in their clients. People respond to advertisements by such agents sent via SMS to jump into risky propositions. The story of Lakhveer Singh is a typical example- lured by a SMS initially he walked into the trap in order to make his dream of Dubai possible.

Lakhveer Singh was a farmer.³¹ He left the school after 11th class. Though tried thrice he couldn't pass the 12th class. His family had a small piece of land of 2 *bigha* in extent, which, was cultivated by his whole family. The income from agriculture was meager, often driving Lakhveer to blame god for the state of affairs. He was into other petty works in parallel to, supplement the income from agriculture. One day he got a message on his mobile "if you want handsome money abroad come at Spell hotel, Bathinda." He discussed the matter with his family and all supported him,

³¹ This life history is reconstructed from Lakhveer Singh's own narration. All the names used in the life histories are pseudonyms.

dreaming a bright future. The organizers of the contact programme at the hotel were group of five people and they were recruiting people on the behalf of Dubai based recruiting agency.

In the hotel the agents took all details about Lakhveer and gave him lofty promises in order to convince him about the prospects. His lack of exposure and limited education alongside his urge to emigrate made it easier for the agents. One person in the group of agents who organized the contact programme got duty from the 'Chairman' to assist Lakhveer for the process of emigration. Then onwards he/agent was continuously contacting Lakhveer for the same. The agent came to his home many times regarding the 'paper work', sometimes with sweets and gifts like cloths from Dubai for him and for family from the 'Company'. In course of this engagement Lakhveer's little apprehensions were cleared. The final deal was for Rs. 1.5 lakh and the destination was Dubai. He was having near about Rs.50, 000 money saving. He took a loan of Rs. 3 lakh by pledging their land from a private moneylender. It was agreed upon that the making of passport will be Lakhveer's responsibility and all other paper work that of the agent. The agent promised him a job of a security guard at a hotel in Dubai. The promised salary was Rs. 40,000 per month with an 8 hour daily duty. There was an overtime work option for which Rs. 100 per every additional hour have been promised, together Lakhveer though he can make more than Rs. 50,000 per month. Initially Rs. 25,000 was paid with an agreement of paying the rest at the airport before departing Lakhveer got *Khadim* visa which he came to know only after reaching Dubai. He signed a job contract for two years. He was called at Ludhiana, from where he was joined by another 20 people to go to Dubai. Sometime in the early 2008 they all flew to Dubai from the Delhi airport.

On arrival at Dubai, they were received by a local person who dropped them in different places in a group of two or three. Lakhveer got a

person Jalandher in his company. After three days they were shifted to a hotel where they were assigned with the work of cleaning the utensils and their movements were strongly restricted. Their passports were also taken from them, making them unable to run away from the hotel. They worked for 14-18 hours a day and were getting a salary of just Rs. 8000 per month. They were also unable to contact their family as they were denied with communication facility. Once his friend tries to escape from hotel and was caught to be beaten up crudely. He got many injuries but nobody cared. They were told that they were sold by their *Khadim* and now they were the property of the hotel as they were bought by them. The hotel was owned by Arabs. For Lakhveer it was an unimaginable situation, he never expected in his life that he would become the property of someone and would be sold like a commodity. He once met with an Indian Punjabi who came on work visa to Dubai and narrated his story to him with a request to help him to return home.

After a while, luckily the government announced amnesty for illegal immigrants. Lakhveer wanted to use the opportunity, but was not in a position to slip away from the hotel.

His Punjabi friend hatched a plan and arranged a lady's dress for him and Lakhveer managed to come out of the hotel in that women's attire. Then he contacted with the Indian embassy and availed the amnesty. He came back to India after more than one and half years in 2010. Nowadays he is working on as a casual laborer and is still unable to get back his land from private moneylender.

It was economic pressures, like Lakhveer, has driven Gurmel to choose the path of informal migration. Lack of education and lack of exposure to the tricky realities of informal migration make things worse. The agents assume various forms and masquerade under different names. Gurmel in pursuance of mobility and a way

out of his economic problems has approached an International English Language Testing System (ILETS) coaching center, whose manager managed Gurmel's migration through agents either directly working under him or related to him. This allowed the IELTS centre to wash their hands when his migration went into trouble. The failure of migration brings shame to the migrants, forcing them not to disclose anything to their family back home. As it happened in the case of Gurmel, many often Punjabi networks in the destination, comes to their rescue from difficult conditions.

Gurmel Singh has been a resident of Bathinda.³² He studied till metric level. His family has been poor which made him start working in a readymade cloth shop. So after the completion of his metric he started helping his family. The cloth shop was near to an ILETS coaching center and students of the centre used to visit the shop often discussing about opportunities abroad. Gurmel, eager to know the process of emigration started discussing the matter with the students. One day he went up to the coaching center and asked the manager about the prospects of migration in order to earn handsome money to meet his economic needs. But the manager of the IELTS centre did not show much interest. However, after a week one travel agent approached him and told him that he would send him Singapore if he wants. This agent gave reference of coaching center and informed Gurmel that the manager of the coaching center told about him. He was visibly dealing on the behalf of that coaching center. In fact, the coaching center manager was sending people through different persons, so that if any problem comes no blame would be on his head. Gurmel wanted to discuss the matter with his family. They started contacting each other for the purpose from then onwards.

Being uneducated the family of Gurmel left the decision with him. Gurmel had his own concerns - he was the only son of his parents and has two little sisters; his father was working as a laborer; they had no

³²This life history is reconstructed from Gurmel Singhi's own narrations. All the names used in the life histories are pseudonyms.

agricultural land and his mother and elder sister were working as domestic workers in different houses to earn; and the younger sister was going to school. In between, he was continuously in touch with the agent. The agent was promising him for good job abroad. After six months discussion he has decided to move to Singapore. The agent demanded Rs. 2 lakh, after bargaining Gurmel struck the final the deal with agent for Rs. 1.7 lakh. He talked to his relatives for help and mobilized Rs. 1 lakh from them. He took Rs. 50000 from his father's savings. Unable to mobilize the remaining Rs. 20000, he had given another round of bargaining and brought it down to 1.5 lakh. All the necessary paper work has been by the agent complete in the next six months. The job promised was at in toy manufacturing factory in Singapore, where he would be getting Rs. 35000, 10 hours of job a day, with one time food and accommodation on sharing bases. It was also promised that he will be sent on work visa. The agent also told him that at Singapore airport a person known to him will receive him and arrange the rest of the things. Gurmel was very happy because he thought soon he will be settled in Singapore. He flew to Singapore in late November 2009.

Things took a scandalous turn on his arrival at Singapore as nobody came to receive him. He was not carrying enough money to go here and there in search of Indians. Finally he met with one Indian, who after checking all his papers informed him that he had only visit visa for six months and hence was not authorized to work over there. Gurmel had no option then, but to find a job and survive somehow. That Indian gave him the address of a Punjabi namely Harpreet Singh to whom Gurmel narrated his story. Harpreet first tried to contact the agent only to find that his phone is switched off. Harpreet offered to help for getting a job and his return. He arranged Gurmel a job in a factory where his friend was working as its manager. Gurmel told thanks to him and requested not to inform his family anything. Legally he was unauthorized to work in Singapore and hence he had to work on low wages in the factory as a sweeper. He was strictly

instructed by the manager not to get into conversation with other people and he was living in the factory basement. As any other illegal immigrant he was forced to do job which he never expected in his life. He continuously worked for next six months and eating food mostly once in day to save the money. Finally he managed to come back to India. His parents were happy because he is backing home, but Gurmel is upset as he came back with empty hands. At present he works in a factory on a paltry Rs. 2500 rupees per month.

Social Pressure, Desperation and Illegality:

The migration culture of the state also unleashes social pressure on youngsters to migrate to reinvent themselves big abroad. This is particularly true when it comes to under-achieved youngsters for whom migration becomes the only option for becoming successful. Many often this urge get translated into desperation, wherein even the concerned family is not taken into confidence. Dream of foreign land make people blind and given them confidence to bypass the legal way. There are cases in which people are driven to criminal networks and criminal activates; under such circumstances they find it difficult to get back not only because of the criminal activity they are engaged in but also because of the fact that their passports are confiscated right at the entry. The journey to reinvent themselves as successful subjects ends up in getting relegated into illegal subjectivities. Chadat Singh's story is revealing in this connection.

Chadat Singh belongs to an agricultural family and he was making his living by working with his father in their small 4 *bigha* agricultural land.³³He was doing his graduation through correspondence course as their economic conditions were not sound. They are six siblings in which two brothers and three sisters. Chadat Singh has a dream like most of the Punjabi youngsters and he wanted to leave India because

³³ This life history is reconstructed from narrations of victim's friend. All the names used in the life histories are pseudonyms.

most people in his village already have relative in abroad. But his family always stood against him on the issue. His father thought once he go abroad, and then he never come back and he was having very less savings to send his son abroad. London was Chadat's dreamland. One day he went to the city with his friends under the pretext of going for watching a cinema to consult an agent to make his dream a reality.

Chadat narrated his situation to the agent sought his help in this regard. The agent told him that without spending large amount of money movement to London is impossible. He suggested, instead, moving first to Thailand and earning money over there before eventually moving to his dreamland. Agent promised him a job in a wine-making factory as a team leader. His duty was to control the labour in the factory, for which he was promised a monthly salary of Rs. 45000. On accommodation issue, agent told him that there are many of his friends working and he can stay with any of them. The agent demanded Rs. 1.8 lakh and after bargaining the deal was struck for Rs. 1.5 lakh. He arranged money from his friends with a promise of returning the same after settling in Thailand.

Chadat remained in touch with the agent without the knowledge of his family and prepared all the required papers. After six months or so, he informed his family that he was proceeding to Bathinda to join a new job. His family was very happy, but was unaware of his actual plans. A week later Chadat called his family from the Delhi airport and revealed his plans. The family had no other option but to accept his decision and wish him good luck. He flew to Thailand in the year 2007.

On his arrival in Thailand he was received by a Punjabi person in the airport. He dropped Chadat in a hotel and left the place. After a day, another person came and told him the about the job he was supposed to do. Chadat was shocked when to listen the offered job, as it required him

to work as a drug supplier to people. Chadat understood that he is caught in a criminal group. He refused to do the job and wanted them to send him back to India. They crudely beaten him up and never gave food for one week. Finally he was ready to do the job. He tried contacting the agent but in vain. After three months he called his parents and told them that he got a job with fine salary. But nobody knew what he actually does. Nowadays he is calling his parents irregularly and also sending money through illegal channel. After leaning what actually happened, many times his parents asked him to return home, though he couldn't do it so far. They also did not know the about the agent so they have few options left. For more than four years he has been working in Thailand with the same network and has been unable to move anywhere as his passport has also been confiscated by them.

People having sound economic background also choose the unauthorised channels of migration. The social pressure for migration created through years of sustained migrations decides the village commonsense on mobility and status. The migration to the West is taking place against severe statist restrictions and the risk associated with the same is much higher. Such migrants often had to cross many countries and legal systems only to find him at the end of the day an illegal migrant living away from the public eye. Harpreet's case illustrates this, apart from the wide reach of agents who operate through the close friends and sometimes even relatives of victims.

Harpreet Singh was living happily with his parents in their big house.³⁴ They were four in the family: his father was working in agricultural land, mother a house wife and younger brother was studying in +2 Class. Harpreet has been helping his father in agricultural activities. He could not continue his studies after matriculation because of large amount of forefather's property and 22 *bigha* of agricultural land.

³⁴ This life history is reconstructed from narrations of victim's Parents and friend. All the names used in the life histories are pseudonyms.

Harpreet was very keen to migrate as many people from his village and nearby villages are living in Australia, Canada, UK etc. Whenever they come to village they spread stories about the class life in foreign countries. They bring gifts, clothes and some other things which impress all in the village apart from their lavish life styles. They give the village an impression that there are a lot of opportunities to earn money abroad, which make people to compare the life style in India and that in abroad, particularly that of European countries. The guys come from foreign countries become a means to create eager in them to migrate.

Harpreet and his close friend Sukvinder have been always discussing about life style in abroad and making plans to move abroad. The people moved to other countries via agents become the main helping hand for agents because villagers trust a guy from same or nearby village who has successfully made himself to a foreign country. One of Harpreet friends introduced him to Aman who was an agent and has been sending people abroad. Harpreet's friend told him that he knew many people who had successfully migrated through Aman. Actually this friend was the agent is friend too and was working on his behalf and Harpreet was unaware of this fact. Aman convinced Harpreet about a bright future in Europe. He promised to help him in reaching his destination, as he had already sent many people to different countries. Harpreet discussed the matter with his parents, who in turn decided to meet the agent. Aman easily convinced Harpreet's family and gave them 'guarantee' on safe emigration. Aman actually belonged to Jalandhar and was working for an emigration agency based on the same city.

As Harpreet was not having a definite choice of his own, Aman suggested him Germany as his destination, but convinced him that direct visa would not come on his way due to his less qualification. Actually the agent wanted to earn more money from Harpreet by selling the European dream.

Aman told Harpreet that he will arrange a visa for Russia and from where his friend would send him to Germany. He gave two contact numbers of his friend, who would arrange him a job and arrange for his accommodation in Germany. Harpreet being just educated till 10th class and unaware of the nitty-gritty's of the process of illegal migration came firmly under the influence of Aman. Aman demanded Rs. 900,000 for the purpose, but after bargaining it was reduced to Rs. 750,000. His family managed the money by selling the one *bigha* of their land. They paid Rs. 4, 50,000 to the agent initially and the remaining Rs. 300,000 at the airport. Aman did not disclose about the full travel plan to Harpreet. He just told to him on every moment his friend will be helping him for safe journey. Aman gave him a Russian tourist visa which Harpreet apparently came to know only after reaching Russia in the year 2004. The process of illegal immigration to Germany was through Russia, the Ukraine, Slovakia and Austria.

Harpreet's journey into Germany was troublesome, the details of which is not known to Sukhvinder. Initially he used to call home regularly, but after two months there were no calls for the next one year. One day, he called Sukhvinder and said he is unable to come back to India. Harpreet is now living in Germany in isolation to hide himself from police and public. He is working somewhere in Germany, but did not disclose anything about things happened to him over these years. His family is also unable to take any step for bringing him back. He is calling his parent irregularly and also sends money through informal channels, which does not really matter them.

Broken Promises and Living Underground:

As all the preceding cases reveal, the lofty promises given by the agents are broken at the destination. The agents are successful selling such dreams as there is a significant demand for migration in pursuance of making a better living or becoming rich. As happened in most cases described already, the victims on arrival at the

destination had to forego his identification and nationality documents like passport, which makes even a return difficult even if they want to. Such migrants sometimes find helping hands from their community or from the migrant community to make a living though continue to live underground under perpetual fear of being caught and repatriated. The story of Manpreet, who currently lives in Dubai as an illegal immigrant, is a case in point.

Manpreet Singh was living in a small village in the Bathinda district.³⁵ He was a mechanic in an automobile shop in Bathinda. One day a person came to his shop for repairing his four-wheeler. That person was a travel agent who was sending people from India to the gulf countries. He has always been in search of potential emigrants in pursuance of his business. Manpreet discussed his problems with the agent as he was the only breadwinner of his six member family which included him, his father, mother, wife and two children. He was also getting some money from their 2 *bighas* of land. The agent pursued Manpreet to migrate in order to solve his economic difficulties, to which latter did not respond positively in the beginning. The travel agent took his contact number and asked him to contact him if he changes his mind.

After three days the agent rang up to Manpreet. Initially nobody from his family agreed to the idea as he was the only member who was earning in the family. Agent pursued the matter and kept visiting Manpreet and came many times to his home with sweets. He tried convincing the whole family by saying that they will earn Rs. 1-2 lakhs per month and within one year they will be able to have a *Kothi* in the village, apart from increasing their landed property. He gave many examples of people who made themselves big after emigration from poor conditions. These people gone through different agents and these all agents were apparently close friend of the present agent. The agent belonged to Moga and his 'registered head

³⁵ This life history is reconstructed from narrations of victim's neighbors and friend. All the names used in the life histories are pseudonyms.

office' of emigration was based in Ludhiana. The agent was successful finally as all members of the family agreed sending Manpreet abroad.

The agent suggested Dubai for him as the ideal destination. He demanded Rs. 2 lakh as the total cost of migration. But as the family was unable to spend that much they bargained with the agent and got it reduced to 1.2 lakhs. Manpreet took money by pledging their from a private moneylender. He took Rs. 5 lakhs like this and gave 2 lakhs to his wife to meet the requirements of the family till he manage all things and settle down in his overseas job. He paid Rs. 50,000 to the travel agent as the first installment. The agent arranged all necessary documents such as passport and paper Visa.

It was in 2005 Manpreet flown from Delhi to Dubai. The agent gave required document at the Delhi airport and took the rest of the money and informed him that he will be received by his known at the destination airport. On arrival at Dubai airport he was received by a Punjabee man who dropped him in a house. The owner of the house came late in the house and had a talk with Manpreet about his life, profession and family back in India. Next morning the owner of the house took Manpreet's passport and asked him to start working in his household which mainly involved cleaning the house and its premises and keeping it neat and tidy, apart from cooking for his family. The salary was just Rs. 10000 per month and food for two times a day. It took time for Manpreet to realize what is really happening to him. He was made to live in horrible conditions, with no proper bed and clothing; he was sleeping on the floor with two blankets in the basement of the house. One day when his employer was not at home, Manpreet went out from house and luckily met with his neighbor servant who was also a Punjabi but from Pakistan. He told him his story and in turn was told by the neighboring counterpart about what is happening to hapless people like them in Dubai households. In fact, Manpreet reached Dubai on a *Khadim*

Visa sponsored by his employer. As his passport has been taken away, he was not in a position to even elope. Though he asked his passport back many times, it was continuously turned down.

One day Manpreet left his employer's house with his neighboring counterpart in the absence of their respective owners. He worked nearly two years at that house. Now they were living with other Punjabi immigrants, without any passport or identification documents or work permit. Due to lack of documents, they have been unable to find any new formal job. They are making a living nowadays by cooking food for Indian/Punjabi people living and working in Dubai. Manpreet thought it is shameful to go back to India and hence he never tried. He is now able to earn Rs. 20000 to 25000 per month by cooking food for immigrant workers. Whenever he has some amount of money, they send it through people belonging to same or neighboring village. Back home, his wife is working in different houses as a housemaid to feed her family. Manpreet's family has been able to get back one *bigha* of land from the moneylender and the rest still under mortgage.

Migration as an Escape Route:

There are also instances in which unauthorized migration is used as an escape route to leave the country to get impunity from crime related punishment. In such cases, the intention is not making a better living or achieving economic and social mobility, but escaping from the state and rule of law after indulging in crimes. Since the networks facilitating illegal migration are well established, on payment they may transport even a criminal out of the country and its punitive infrastructure. Jasvinder's story is revealing as migration was for saving himself from being caught by the police for a murder.

Jasvinder was a resident of rural Bathinda and he belonged to a rich family.³⁶ He was living with grandparents, mother, father, and three of his siblings. The family was having 40 *bighas* of land and hence was mainly engaged in cultivation. However, Jasvinder was not interested in joining his elder brothers for cultivating the land. He wants to get into higher studies and become a government employee. He is the first member in his family to take admission in graduation at a Bathinda College. One day he was taking alcohol with his three friends and the group picked up a fight on some issue. Jasvinder and his friends were heavily drunk and all of them were out of their control. On the course of altercation, Jasvinder got too angry at one of his friends and murdered him by stabbing him.

Jasvinder and other people run away from the place. He went to his uncle's house, which was just 10 kilometers away from Bathinda city, and disclosed what has happened to his uncle, who in turn conveyed the incident to his family through telephone. His father sent him first to Pathankot in the care of maternal grandparents. In next morning, the victim's parents filed a case against Jasvinder and in parallel his father was trying to influence the police to hush up the case on bribes. The Police apparently agreed to delay the case, leaving space for them to plan things as closing the case instantly would be difficult.

After two days, Jasvinder's uncle came in touch of an agent, who promised solution to save Jasvinder. His father wanted to save Jasvinder's life at any cost. The agent promised them to send Jasvinder abroad. His father was apprehensive as a case has already been filed against him and as a result it would be difficult to get passport and visa. The agent reassured them as he had links in the passport office, with which he successfully arranged the passport and then a visa for Germany. The agent demanded Rs. 12 lakhs, but was subsequently reduced to 10 lakhs.

³⁶ This life history is reconstructed from narrations of victim's Parents and relatives. All the names used in the life histories are pseudonyms.

The agent got his passport issued with the help of fabricated documents, for which he bribed the local administration and the police. On this passport the agent also got a German tourist visa for three month. Finally Jasvinder flew to Germany on this visa for 3 month in October 2000, to be received by his well established relatives over there.

Meanwhile, back in India, his father tried to compromise the case, but was not successful. The agent came to their help again and advised them to request their German relatives to sponser Jasvinder for a longer stay in Germany. Jasvinder's father did the same and their German relatives agreed to do so. Jasvinder was travelling to India after every six months and spend a week in the country in secret before availing the next sponsorship and going back to Germany. The further attempts of the family to strike a compromise with the victims family did not succeed.

As his German relatives were not in a mood to offer more sponsorship, Jasvinder took another tourist visa to for the UK for the next six months. In between he was also talking to his Canada based relatives for sponsoring him to over there. After spending six months in the UK, he moved to Canada. In Canada he married a Canadian girl and applied for PR (permanent residency) in January 2004. After one year he got permanent residency. Now he is living with his family and running a restaurant in Toronto. In India, police closed the file of Jasvinder as he was missing.

As revealed by Jasvinder's case, the unauthorised migrations are not happening not for the purpose of employment and economic mobility alone. Though may not be a general case, smuggling also sometime enable the criminals to escape trial and punishment and being connected richly in a transnational network they reinvent themselves successful subjects. However, in general the trafficking/

smuggling/illegal-migrations from Punjab are for livelihood and mobility oriented. There is an entrenched social desire for migration and particularly for those from the lower sections of the society and class; migration appears to be the best mobility option. The networks of agents/smugglers/traffickers are up there to use such a situation. As many of the life stories narrated above implicitly reveal the victims were not completely unaware of the illegality of their movement. This might be one reason why most of them were not keen to pursue the case with the concerned agent or file a police case against the agent. Lakhveer tried searching his agent on his return in vain. But he did not file any police case as he thought that would invite further problems for him and decided instead to leave the past behind. Gurmel too got in touch with ILETS coaching center which connected the agent with him, but the manager plainly denied any connection with the agent concerned. And without any proof Gurmel thought it would be futile to take the matter to the police. Harpreet's family too tried to find the agent, but did not approach the police as they had nothing to produce as evidence. Manpreet too tried contacting his agent in vain as he went in trouble in Dubai. No one in his home take the matter to the police, as they remain satisfied with the money coming from Dubai and regular communication with Manpreet. However, what is apparent is these stories not only reflect the human urge for mobility, but also the tremendous amount of suffering they had to undergo forced by their unauthorized migration. Irrespective of such sufferings, their continuance in the destination countries in the majority of cases perhaps is an indication towards even more harsher realities at home.

Chapter - 5

Conclusion

This study has been an attempt to understand the issue of 'human trafficking' in relation to (unauthorized) international migration as seen in Punjab. A general and growing perception that puts Punjab as a source location of human trafficking/smuggling formed the background of the study. At global level too, the menace of human trafficking is considered to be spreading rapidly affecting millions. The study argued that there is considerable degree of ambiguity between the internationally accepted definitions of human trafficking and human smuggling as the latter can slip into the former easily and subtly. This is particularly true in relation to those regions which are having high incidence of international migration, including unauthorized human flows, and a resultant migration culture and migration centric mobility consciousness. The issue of 'human trafficking' in such an area (Bathinda, Malwa, Punjab in the present study) needs to be understood in relation to the so called realities of human smuggling and unauthorized/illegal-migrations.

Our understanding about such forms of illegal/illicit flow of people is arguably conditioned by its attributed crime oriented nature and the hysteria created around the issue in recent decades. This calls for a critical appraisal of the whole discourse of human trafficking. The rhetoric of anti-trafficking in which states, international organizations, non-governmental organizations and academia come together, is closely related with the attempts at criminalizing 'illegal' immigration. The campaign that sees trafficking everywhere though is not supported by credible numbers. It reinforces the statist restrictions aimed at curbing freedom of mobility across national borders and incarceration of human flows that are labeled as illegal. It is particularly directed against the most vulnerable sections of the labour force by denying equal opportunity and deeming movement as scandalous. The campaign also buttresses the most conservative moral agendas on gender, sexuality and social mobility. It also creates a situation in which 'victims' are rescued and repatriated as a solution to the problem without really addressing the conditions that perpetuate trafficking/smuggling. The study also emphasizes that in areas like Punjab, which is

having an entrenched migration culture, the decision to be 'trafficked' or 'smuggled' needs a different treatment. Starting right from the colonial time informal migrations to foreign countries has always been part of the Punjabi migrant transnationalism. Migrations and overseas work, as a result, has become very central to Punjabi notions of mobility and individual progress. The village consciousness about it has been shaped by the histories of successful migrations. High unemployment rate, inadequate income and under-achievement in education often drive youngsters to seek informal channels of migration as formal channels are almost closed to them. There is also a social pressure for migrations due to the entrenched migration culture and 'illegal' migration largely carries no social stigma. Such a situation is partly a creation of the informal players available in the field facilitating unauthorized movement and partly such players make use of a market situation which is already available. The informal practices and strategies get re-invented time and again according to the changing circumstances and conditions with a mutuality of migrants, agents/traffickers/smuggler and states.

The field work done in connection with this study does not really support the duality, suggested by the anti-trafficking discourse, between a passive migrant victim and an invariably sinful agent/trafficker/smuggler. It is found that the economic compulsions often drive the potential migrants to the agents. They share their problems with the agent who in turn find a 'solution' by offering the potential migrant to help him in migration and overseas employment. Once come in touch, the agents have their own strategies to build up confidence, often with inflated promises, and to keep their respective clients under hook. It is also found that social categories that are at the margins of transnational migration circuits are more vulnerable to depending on such informal networks; unsupported by solid social capital their chances of becoming successful at the destination is also relatively dim. It is also clear that the reach of agents/traffickers/smugglers is quite deep and they are successful in clinging their clients irrespective of the existing regulative mechanism; something which wouldn't be possible without some sort of social approval and market. The potential migrants on their part, though often overpowered by the lure of the agents and their own

dreams of overseas life, have scope for negotiating with the agents for a better deal in terms payment and all. Most of the migrations under study were done with the consent of the migrant and most of the migrants wholly or partially were aware of the 'illegal' nature of their emigration. The compliance level on the part of agents in terms of job promise is significant, though often the promised job is not given apart from forcing the migrants to work under conditions which they did not want to work in many instances. Even after getting victimized, almost half of the return migrants are ready to migrate again and a significant proportion among them through similar channels- something that is indicative of the extreme conditions that force them to do it again. This is also informed by the significant difference of earning of the victims before and after migration, allowing them to take calculated risks and to be lured by agents/traffickers/smugglers.

Though this exploratory research reveals the mutual reliance of migrants and informal players, what stand out in the life histories are the enormous amount of human sufferings. If abuses in the work places, lesser pay and confiscation of passport which creates a virtual situation of bonded labour are common in the cases analyzed here, cases in which people are dragged into criminal networks is not completely unknown. If better living force the poorer people take the informal route, youngsters from economically well off families also resort to this channel for acquiring greater economic ascendancy and social status. Breach of promises and forcing unfavorable working and living conditions are part and parcel of the life stories that we came across. However, there are occasions in which people use the informal networks to get out of the country to escape from punishment for the crimes they have committed.

On the whole, the human trafficking as we see from our field research is intertwined with human smuggling and unauthorized migrations and presents a complex picture, as it do not really support the idea of passive victims as circulated by human trafficking discourse. This is an area in which migrants, agents, market and state intersect with each other. The excessive tightening of borders and curtailing

certain forms of migrations allows the migration to take an underground route, wherein the agents and migrants come together to overcome the restrictions. Even when the states resort to extreme regulation on unskilled immigration, the economy is heavily depended on immigrant labour for lower end jobs and there are adequate scope getting absorbed into a grey labour market in most of the destination countries. All the incidents of human trafficking/smuggling came under the study involves violation of fundamental human rights. However, governance based on more restrictions and hyper criminalization and rescue of victims would not resolve the problem of human trafficking/smuggling. Instead, conditions that perpetuate such unauthorized flows needs to be addressed and needs to be grounded for in the immediate political agendas. Policies aimed at getting rid of the victims also need to be reversed with more safeguards and protections. A refusal to 'seeing it like a state' would be central to this. This study, still remains to be exploratory, the extent of human trafficking and its breadth, players, their interconnections, etc. need to be studied further and the reliance exclusively on cases of victims alongside the inability to bring in inputs from agents/traffickers/smugglers forms the major limitation of the present exercise.

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Appendix A
Central University of Punjab
Bathinda
Centre for South and Central Asian Studies

'Human Trafficking' in South Asia: A Case Study of Bathinda District, Punjabs

It is declared that the information collected will be used only for research purpose.

The anonymity of the informants will be fully maintained.

Returned Victims of 'Human Trafficking'

1. Name (optional):
2. Age:
3. Sex: M F
4. Marital Status:
 - a. Unmarried b. Married c. Widowed d. Divorce
5. Educational Qualification:
 - a. Primary education b. Higher secondary c. Degree holder d. Technical education
 - e. Other (specify)
6. Religion:
 - a. Hindu b. Sikh c. Islam d. Christian e. others
7. Social Category:
 - a. Gen b. OBC c. SC d. ST
8. No. of attempts taken to get your passport:
 - a. 1 b. 2 c. 3 d. 4 e. More than four
9. Did you submit your application through an agent?
 - a. Yes b. No
10. On which type of visa you were trying to emigrate?

- a. Employment
- b. Spouse
- c. Tourist/Visit
- d. Education
- e. Pilgrim
- f. Others

11. On what pretext the agent arranged your emigration?

- a. Temporary work
- b. Visit
- c. Marriage
- d. Participate in cultural events
- e. Participate in sports event
- f. Others (specify).....

12. Reason behind your decision to emigrate?

- a. Unemployment
- b. To join relatives
- c. Inadequate income at home
- d. Under employment
- e. Possibility of higher level jobs
- f. Marriage
- g. Higher education
- h. Other (Specify).....

13. Is, there already emigrant / emigrants in your household?

- a. Yes
- b. No

14. If yes, where are they mostly?

- a. In the same country you tried to emigrate
- b. In the same region you tried to emigrate
- c. In the same continent you tried to emigrate
- d. None of these

15. What was the attitude of these relatives to your emigration?

- a. They advised me to emigrate
- b. They discouraged you to emigrate
- c. They were indifferent on the subject
- d. You are not even in touch with them
- e. Their social status inspired you to emigrate

16. Who advised you to emigrate through agents via unauthorized channel?

- a. Relatives back home
- b. Friends back home
- c. NRI relatives
- e. Spouse
- d. The agent convinced me
- f. My own decision

17. Are you aware of the fact that you were trying to emigrate 'illegally'?

- a. Fully aware
- b. Partially aware
- c. Not aware at all

18. If you were fully or partially aware, what was your source of information?

- a. Agent told me
- b. Relatives/friends told
- c. It is a social commonsense
- d. I myself was aware of it.

19. Did your spouse endorse/support your plan to emigrate through this channel?

- a. S/he opposed it b. S/he endorsed it c. S/he endorsed it with reluctance
 - d.S/he endorsed it as I won't listen e. Collective decision by me and him/her
20. Did your parents endorse/support your plan to emigrate through this channel?
- a. They opposed it b. They endorsed it c. They endorsed with reluctance
 - d. They left it with me e. Endorsed it as I won't listen f. Collective decision

21. Did your parents force for emigration, because
- a. Economic opportunity in abroad b. Afraid from drugs addiction

22. What was your monthly income at the time of emigration and now?

A	B	Rs.
---	---	-----

23. How did you get in touch with the eventful agent?
- a. You contacted the agent directly
 - b. Your relatives directed you to the agent
 - c. Your overseas relatives/friends directed you to the agent
 - d. Someone associated with the agent contacted you
 - e. The agent contacted you
 - f. f. Your friends directed you to the agent

24. How many agents contacted you in person?

- a. None b. 1 c. 2 d. 3 e. 4 f. More than 4

25. How many agents you attempted with before settling with the eventful one?

- a. None b. 1 c. 2 d. 3 e. 4
- f. 5 g. More.....

26. What was your destination country?

27. Year of emigration.....

28. In reality, how many countries were transited? And what are those countries?

29. Did you ultimately reached the destination or had to return midway?

- a. Yes b. Returned midway

30. Why did you choose this particular country?

- a. Agent convinced you b. Friends convinced you
- c. As per the advice of your overseas relatives d. There was no specific choice

- e. Better economic prospects
- f. Soft policy towards illegal immigrants
- g. Others.....

31. How much was total amount of money initially demanded by the agent for the purpose (A)? Was there a bargaining? If yes, how far it was reduced (B)?

A	B	Rs.
---	---	-----

32. How much money you actually paid? How much was the increase?

- A.....
- B.....

33. Was the inflated amount collected before leaving the country (A) or on the course of emigration(B)?.....

34. How did you mobilize the money required for emigration?

- a. Own savings
- b. Parents' savings
- c. Selling/mortgaging of landed property
- d. Selling/mortgaging of valuable assets like gold
- e. Dowry
- f. Bank loans
- g. Loans from private moneylenders
- h. Other

35. Did the agent promise you to take the destination directly or transiting through many other countries?

- a. Direct
- b. Transit

36. If the agreement was taking you to the destination through crossing many other countries, how many countries were supposed to be transited? And what are they?

.....

37. If you reached the destination, how long it took you to reach there (A)? And what was the time line in which you were promised to reach the destination (B)?

- A
- B.....

38. If you haven't reached to destination and returned midway, how long you persisted before giving up and decide to get back

- Years.....
- Months.....

39. What are major promises given by the agent?

- a. High profile job
- b. Marriage
- c. PR
- d. Just seeing my way to the destination
- e. Others.....

40. What were the breaches of promises by the agent according to your experience?
- 1.
 - 2.
 - 3.
 - 4.
 - 5.
41. Was your agent a registered recruiting agent?
- a. Yes
 - b. No
 - c. Don't know
42. Did your agent have a permanent office?
- a. Yes
 - b. No
 - c. Don't know
43. Was the agent hailing from your own village or adjoining village?
- a. Yes
 - b. No
44. Did you know the agent in person prior to your decision to emigrate?
- a. Yes
 - b. No
45. Was your agent with whom you were dealing throughout a single person or firm?
- a. Single
 - b. firm
46. Were they organizing your movement directly from India (i) or were having their representatives in different countries (ii)?
- a. First case
 - b. Second case
47. What was their composition and nature of operation?
1. They were a group of Punjabi agents operating in a network across different countries
 2. They were Indians, mainly Punjabis, operating in a network across different countries
 3. They were mostly Indians, but involves foreigners too, in a transnational network
 4. They were mostly foreigners beyond India.
48. What was the status of these agents who 'helped' you in different foreign countries?

- a. They were citizens of those countries
 - b. They were legal immigrants in those countries
 - c. They were illegal immigrants in those countries
 - d. They were relatives or close friends of your agent back home
 - e. They were professional associate of your agent back home
49. Did you subject to any mental/physical harassment at the hands of the agent/network?
- a. Subjected to only mental torture
 - b. Subjected to Physical and mental torture
 - c. Subjected to extreme mental torture
 - d. Subjected to extreme physical torture
 - e. Subjected to both physical and mental torture
50. Who had taken the decision on your emigration?
- a. Yourself
 - b. Parents
 - c. Spouse
 - d. You and Spouse
 - e. The entire family
51. How many people from your locality you know had already successfully migrated in the same manner you sought to emigrate?
- a. 1-5
 - b. 5-10
 - c. 10-15
 - d. More than 15
52. Did your agent help you in arranging your false documents?
- a. Yes
 - b. No
53. Is this agent still working in the field and continue with the same business?
- a. Yes
 - b. No
54. Did the actual travelling plan was followed?
- a. Yes
 - b. No
 - c. Don't know
55. If there were changes in the plan, did they agent/s sought your permission?
- a. Never
 - b. Sometimes
 - c. Always
 - d. Just informed
 - e. I was kept in dark always
56. Did the agent promised to get you a job in the destination?
- a. Yes
 - b. No
57. If yes, did they fulfill the promise?
- a. Yes
 - b. No
58. If it was fulfilled, did you get the same job as promised?
- a. Got the same job
 - b. Got a similar job
 - c. Got a lower job

d. Got a job which you never expected you will be doing in your life

59. Which type of job you were forced to do?

- e. Unskilled labour
- b. Sex work
- c. Smuggling of drug
- d. Smuggling of arms
- e. Others (specify).....

60. Did these jobs were arranged by your agent or his network, or you were forced to do so by the circumstances?

1..... 2.....

61. Did you use to send money home?

- a. Yes
- b. No

62. If yes, what was the channel of sending it

- a. Formal channels like banks, Western Union, etc
- b. Through relatives or friends or acquaintances
- c. Informal channels like the 'Tube'
- d. Money laundering networks
- e. Others (specify).....

63. Are you planning to emigrate again?

- a. Yes
- b. No.

64. If you get a chance, would you try to emigrate again?

- a. Yes,
- b. No

65. If yes, which of the following would be true in terms of your preferences?

- a. Would not mind trying your luck through a similar network/agent
- b. Would be migrating only legally and if everything is safe and secure
- c. Would migrate only to a country where your relatives are available
- d. Will have to migrate by whatever means

66. Would you say that the success of migration is a matter of luck too?

- a. Yes
- b. No

67. If yes, would you recommend migration for your children through a similar channel?

- a. Yes
- b. No.
- c. Don't know
- d. It is up to them.

Migration map (make a table)

Starting date: Take of airport..... First
destination/date..... Second
destination/date..... Third
destination/date..... 4th
destination/date..... 5th
destination/date.....
5DD.....
6DD.....
7DD.....
8DD.....
9DD..... 10
DD..... Final
Destination/date..... Date of
return.....

Village:..... **Tahsil:**.....

Date:..... **Phone (if willing):**.....

Appendix B
Central University of Punjab
Bathinda
Centre for South and Central Asian Studies

Human Trafficking in South Asia: A Case Study of Bathinda District, Punjab

It is declared that the information collected will be used only for research purpose.
The anonymity of the informants will be fully maintained.

Victims Still in Abroad
Familyⁱ/ Neighborsⁱⁱ/ Friendsⁱⁱⁱ

68. Name (optional):

69. Age:

70. Sex: M F

Address/village:

.....
.....
.....
.....

71. Profession:

72. Educational Status:

73. Relation with the victim

- a. Father c. Mother e. Sibling(s/b) g. Children (s/d)
b. Spouse d. Friends f. Neighbor

74. How long you know the victim?

- a. By birth b. 0-5 year c. 5-10 year d. Other (Specify).....

75. Religion of the victim:

- a. Hindu b. Sikh c. Islam d. Christian e. other

76. Social Category of the victim:
 a. Gen b. OBC c. SC d. ST
77. Age: present (A) and at the time of first emigration(B):
 A..... B.....
78. Marital Status of the victim Present (A) & at the time of emigration(B):
 a. Unmarried b. Married c. Widowed d. Divorce
 A..... B.....
79. No. of dependents of victims.
 a. 1 b. 2 c. 3 d. 4 e. More than 4 (Specify).....
80. Education qualification of Victim.
 a. Primary education b. Higher secondary c. Degree holder
 d. Technical education e. Other (specify)
81. Was the victim employed prior to his/her migration?
 a. Yes b. No
82. What is the source of income of victim?
 a. Continue to be an emigrant worker b. Govt. employee c. Farmer
 d. Businessmen e. Others (Specify)
83. What was the monthly income of the victim at the time of emigration and now?

A	B
---	---

 Rs.
84. Reason behind victim's decision to emigrate?
 a. Unemployment b. To join relatives c. Inadequate income at home
 d. Under employment e. Possibility of higher level jobs f. Marriage
 g. Higher education h. Other (Specify).....
85. Did the victim discuss with you his/her plan of emigration?
 a. Yes
 b. No
86. If yes, what was your advice?
 a. Supported the idea b. Discouraged c. Cautioned
 d. Left to his/her decision e. Others.....

87. Who had taken the decision of victim's emigration?
a. Himself b. Parents c. Spouse d. Victim and Spouse
e. The entire family
88. Is, there already emigrant/emigrants from the victim's household?
a. Yes b. No c. Don't know
89. If yes, where are they mostly?
a. In the same country where victim tried to emigrate
b. In the same region where victim tried to emigrate
c. In the same continent where victim tried to emigrate
d. None of these
90. On which type of visa victim was trying to emigrate?
a. Employment b. Spouse c. Tourist/Visit d. Education e. Pilgrim
f. Others
91. Was the victim aware of the fact that s/he has been trying to emigrate 'illegally'?
a. Fully aware b. Partially aware c. Not aware at all
92. If s/he was fully or partially aware, what was his/her source of information?
a. Agent told b. Relatives/friends told c. It is a social commonsense
d. He/she him/herself was aware of it e. I told him
93. Did victim's spouse endorse/support his plan to emigrate through this channel?
a. S/he opposed it b. S/he endorsed it c. S/he endorsed it with reluctance
d. S/he endorsed it as I won't listen e. Collective decision by victim and him/her
94. Did the victim's parents endorse/support his plan to emigrate through this channel?
a. They opposed it b. They endorsed it c. They endorsed with reluctance
95. Did you put the victim in touch with any agent?
a. Yes b. No
96. If yes, did the victim tried his/her luck through the same agent?
a. Yes b. No

97. Did agent help victim in arranging his false documents?
a. Yes b. No
98. Is this agent still working in the field and continue with the same business?
a. Yes b. No
99. Was the agent hailing from your own village or adjoining village?
a. Yes b. No
100. Was the agent with whom the victim dealing throughout a single person or firm?
a. Single b. firm
101. Were they organizing victim's movement directly from India (i) or were having their representatives in different countries (ii)?
a. First case b. Second case
102. What was their composition and nature of operation?
5. They were a group of Punjabi agents operating in a network across different countries
6. They were Indians, mainly Punjabis, operating in a network across different countries
7. They were mostly Indians, but involves foreigners too, in a transnational network
8. They were mostly foreigners beyond India.
103. What was the status of these agents who 'helped' victim in different foreign countries?
f. They were citizens of those countries
g. They were legal immigrants in those countries
h. They were illegal immigrants in those countries
i. They were relatives or close friends of your agent back home
j. They were professional associate of your agent back home
104. Did victim subject to any mental/physical harassment at the hands of the agent/network?
a. Subjected to only mental torture
b. Subjected to Physical and mental torture

- c. Subjected to extreme mental torture
 - d. Subjected to extreme physical torture
 - e. to both extreme physical and mental torture
105. Subjected What made you to suggest this particular agent to the victim?
- a. Agent is your friend
 - b. Agent is your relative
 - c. Agent is known for his credibility
 - d. This agent was less costly
 - e. Agent has a history of sending many people abroad
 - f. Others (specify).....
106. On what pretext the agent arranged victim's emigration?
- a. Temporary work
 - b. Visit
 - c. Marriage
 - d. Participate in cultural events
 - e. Participate in sports event
 - f. Others (specify).....
107. Did the agent have a permanent office?
- a. Yes
 - b. No
 - c. Don't know
108. Registered or not?
- a. Yes
 - b. No
 - c. Don't know
109. Did the victim approach any other agent?
- a. Yes
 - b. No
 - c. Don't know
110. How much did the victim paid to the agent?
- a. Less than Rs.1 Lakh
 - b. 5 Lakh
 - c. 5-10 Lakh
 - d. 10-15 Lakhs
 - e. 15-20 Lakhs
 - f. 20-25 Lakhs
 - g. More than 25 Lakhs
 - h. Don't Know
111. How the victim did mobilized the needed money?
- a. Own savings
 - b. Parents' savings
 - c. Selling/mortgaging of landed property
 - d. Selling/mortgaging of valuable assets like gold
 - e. Dowry
 - f. Bank loans
 - g. Loans from private moneylenders
 - h. Others.....
112. Did you give any financial help to victim towards the expense of emigration?
- a. Yes
 - b. No
113. If yes, how much
- Rs

114. Did the victim give back your money?
 a. Yes b. No c. partially
115. How long it took for him to repay the money?
 a. 1 year b. 2 years c. 3 years d. 4 years
 e. 5 years f. 5-10 years g. More than 10 years
116. The name of country to which victim visa got and where he/she eventually ended up?

117. Year of emigration?
118. What was the original destination of the victim?
119. Why did he/she choose this particular country?
 a. Agent convinced him b. Friends convinced hi c. As per the advice of
 victim's overseas relatives d. There was no specific choice
 e. Better economic prospects f. Soft policy towards illegal immigrants
 g. Others.....
120. Did the actual travelling plan was followed?
 a. Yes b. No c. Don't know
121. If there were changes in the plan, did they agent/s sought victim's permission?
 a. Never b. Sometimes c. Always d. Just informed
 e. Victim was kept in dark always
122. How many countries are transited?
 No. Names.....
123. Where is he/she now?
 a. Back home b. Others (specify the country).....
124. Did the agent promised to victim to get a job in the destination?
 a. Yes
 b. No
125. If yes, did they fulfill the promise?
 a. Yes

- b. No
126. If it was fulfilled, did victim get the same job as promised?
a. Got the same job b. Got a similar job
c. Got a lower job d. Got a job
which victim never expected you will be doing in your life
127. If no, which type of job victim was forced to do?
a. Unskilled labour b. Sex work c. Smuggling of drug d.
Smuggling of arms
f. Others (specify).....
128. Did these jobs were arranged by victim's agent or his network, or victim
were forced to do so by the circumstances?
1..... 2.....
129. Are you in touch with the victim after s/he reaching at destination place?
a. Regular b. never c. occasionally
130. Does the victim send you money?
a. Yes b. No
131. If yes, what was the channel of sending it
a. Formal channels like banks, Western Union, etc
b. Through relatives or friends or acquaintances
c. Informal channels like the 'Tube'
d. Money laundering networks
e. Others (specify).....
132. The frequency of remittance to his/her family
a. Monthly b. Quarterly c. Biannually d. Once in a year
e. Irregular g. Don't know
133. Did the victim invite you to the destination country?
a. Yes
b. No
134. Did the victim invited further any of your known to the destination
county?

- a. Yes
- b. No

135. What are the source of income of victim's family who are left in India ?

- a. Agriculture
- b. Govt. employee
- c. Private sector
- d. Business
- e. Specify other.....

136. How many people from your locality you know who had already successfully migrated in the same manner?

- a. 0-5
- b. 5-10
- c. 10-15
- d. More than 15

ⁱ Family : Father, Mother, spouse, Children, siblings

ⁱⁱ Neighbor: Physical sharing walls of their own house with victim house

ⁱⁱⁱ Friends : People who are regular in touch with victim during course of emigration and after; or part of the entire planning of emigration