



(Reg. No. 0409/2011)

PRAVASI LEGAL CELL

Empowering People on Legal Front

Ref.No.PLC13/25.

Date: 27/02/2025

To,

Dr. S. Jaishankar
Hon'ble Minister of External Affairs
Government of India
South Block, Raisina Hill, New Delhi – 110011

Via email: eam@mea.gov.in;

Subject: Urgent Need for Legislative and Policy Reforms to Protect Indian Students Migrating Abroad for Education

Respected Minister Dr. S. Jaishankar Ji,

We write to you on behalf of **Pravasi Legal Cell**, a non-governmental organization committed to protecting the rights and welfare of Indian migrants across the world. We deeply appreciate your recent assurance in Rajya Sabha that the Government of India is closely monitoring the welfare of Indian students, particularly in regions affected by tensions or violence. Your statement that *"the welfare of students is very close to the government's heart"*, along with the proactive steps taken by embassies to safeguard students, reflects the government's strong commitment to their security. While this focus on safety in conflict zones is commendable, Indian students across the world continue to face other pressing issues, such as fraudulent admission practices, visa irregularities, financial exploitation, and lack of legal safeguards. In light of these concerns, we urgently request your intervention to introduce legal and policy measures to protect Indian students migrating abroad for education. Specifically, we urge your ministry to:

1. Expand the Emigration Act to Include Student Migration or introduce a New Student Migration Law to regulate education-related migration.
2. Mandate Licensing and Regulation of Educational Consultancies to prevent fraud and hold agencies accountable.
3. Create a Government Grievance Redressal & Support System under MEA to assist students in distress.
4. Frame Bilateral Agreements with Foreign Nations for Student Welfare in key student-destination countries (USA, Canada, UK, Australia) to ensure safety, fair treatment, and legal protection.
5. Introduce a Financial Safeguard Mechanism, such as government-monitored payment systems, to prevent monetary fraud.



As of January 2024, over 1.3 million Indian students are studying in foreign institutions. While this reflects India's global aspirations, the lack of legal safeguards has made students vulnerable to fraudulent agents, financial exploitation, visa scams, legal uncertainties, and safety concerns. Unlike migrant workers, who are protected under the Emigration Act, 1983, students currently have no structured legal framework or government safeguards to protect them when facing challenges abroad.

Why Immediate Action is Needed

The absence of proper regulations has led to numerous cases of fraud and exploitation, where students fall victim to fake admissions, falsified visa documentation, and financial fraud. Many have faced deportation due to forged admission letters, while others have been stranded in foreign countries with no legal recourse. Families invest their life savings into their children's education, only to be devastated by fraudulent practices.

Some recent cases of student deportation and fraud highlight these gaps:

- Over 700 Indian students were deported from Canada between 2018 and 2023 due to fake admission letters issued by unregulated agents¹
- In 2023, hundreds of students fell victim to a visa scam by a fraudulent agency promising admission in Australia²
- Indian students face scams, deceptive schemes while pursuing education in the UK³

In this regard, we filed a petition before the Hon'ble High Court of Delhi vide WP(C) 16886/2024. The Hon'ble High Court of Delhi while recognizing the issue and its seriousness and was pleased to dispose of the matter with the observation that, "*The petitioner states that he has already made a representation to the Secretary, Ministry of External Affairs in this regard. We are sure that this representation would be given the consideration it deserves*". The copy of the said dated 16.12.2024 is enclosed herein for your kind reference as **Annexure A**.

The Government of India is already reforming the Emigration Act, 1983, through the Overseas Mobility (Facilitation and Welfare) Bill, 2024, which aims to regulate overseas employment. While this is a welcome move, student migration must also be addressed to prevent fraud and ensure legal protections for thousands of Indian students abroad.

¹ [700 Indian students face deportation from Canada as admission offer letters found fake | Chandigarh News - The Indian Express](#)

² [Scams shattering Indian students' dreams of studying in Australia - ABC News](#)

³ [Indian students face scams, deceptive schemes while pursuing UK education](#)



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The Government of India has always been proactive in protecting its citizens abroad, and now, our students need similar protection. Just as immigration issues are being addressed, it is equally urgent to ensure that students traveling abroad for education are not exploited, abandoned, or left without recourse.

In light of the above, we reiterate our request for your urgent intervention to:

- **Expand the Emigration Act to include Student Migration or Introduce a New Student Migration Law**
- **Require Mandatory Licensing and Regulation of Educational Consultancies to prevent fraud and hold agencies accountable.**
- **Create a Government Grievance Redressal & Support System for Students under the Ministry of External Affairs to assist students in distress.**
- **Frame Bilateral Agreements with Foreign Nations for Student Welfare with prominent key student-destination countries (USA, Canada, UK, Australia) to ensure the safety, fair treatment, and legal protection of Indian students.**
- **Introduce a financial safeguard mechanism, such as government-monitored payment systems, to prevent fraud.**

We trust that your ministry will give this matter urgent attention and take necessary steps to safeguard the aspirations, safety, and future of millions of young Indians studying abroad.

We remain at your disposal to support and contribute towards meaningful policy changes in this regard. Should you require any clarification or information, we may be reached at +91 9891417346 or pravasilegalcell@gmail.com.

With deepest respect and regards,

Adv. Jose Abraham,

Pravasi Legal Cell,

Global President.





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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **W.P.(C) 16886/2024**

PRAVASI LEGAL CELL

.....Petitioner

Through: Mr. Jose Abraham and Mr. Basil
Jaison, Advocates.

versus

UNION OF INDIA

.....Respondent

Through: Mr. Shashank Dixit, CGSC with Mr.
Vedansh Anand, G.P. for UOI.

CORAM:

HON'BLE THE ACTING CHIEF JUSTICE

HON'BLE MR. JUSTICE TUSHAR RAO GEDELA

ORDER

% **06.12.2024**

1. The petitioner has filed the present petition, *inter-alia*, praying as under:

“i. Issue a writ of mandamus or any other writ or directions, directing the Respondent to take appropriate measures and frame guidelines/policies to safeguard the rights and interests of Indian students traveling abroad for education as the existing legal framework for emigration, i.e. the Emigration Act, 1983, excludes students from the definition of emigrants;

ii. Issue a writ of mandamus or any other writ directing the Respondent to consider Annexure P-6 and pass orders on the same, within a time frame that may be fixed by this Hon'ble Court.

2. Learned counsel for the petitioner essentially seeks that the statutory guidelines be framed for protection of the students who travel overseas for educational purposes. The petitioner seeks a direction that the protection extended to immigrants under the Emigration Act, 1983 be also extended to



cover such students.

3. Clearly, the relief sought by the petitioner falls under the realm of policy and legislation. Therefore, we do not consider it apposite to issue any direction in this regard.

4. The petitioner states that he has already made representation to the Secretary, Ministry of External Affairs in this regard. We are sure that this representation would be given the consideration it deserves.

5. The petition is disposed of.

ACTING CHIEF JUSTICE

TUSHAR RAO GEDELA, J

DECEMBER 06, 2024/ssc

Click here to check corrigendum, if any