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## **ABOUT US**

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# **MIGRATION OUT OF INDIA NO LONGER**

## **A BANE BUT A BOON**

Authored by - Mahesh Munipalli

Advocate at High Court of Andhra Pradesh

### **Abstract:**

India makes a lot of effort to engage its diaspora. It no longer views the exodus of Indian professionals with advanced degrees to other countries as a "brain drain," but rather as a "brain circulation" that improves India's standing abroad and promotes "brain gain" in India through investment, innovation, and commercial growth. The professional diaspora of India is viewed as creative "opportunity entrepreneurs" who connect, fund, and mentor high-value technology ventures in their home countries and those of origin. A "diaspora forward" engagement strategy is now widely accepted in India as being essential to the country's growth story. Despite making up a very tiny fraction of the population, the Indian diaspora in the United States, the United Kingdom, and Canada has grown to be a significant economic force both on their own and in terms of their capacity to bolster links with India. Over the past 20 years, Indian immigrants have primarily travelled to Saudi Arabia, the United States of America, and the United Arab Emirates (UAE). By the end of 2020, 48.6% of all Indian migrants were living in the UAE, the USA, and Saudi Arabia. This paper will examine how the India diaspora has become a powerful community in the native English-speaking nations. The factors like Information Technology (IT), democratic values and rule of law which have contributed to the growth of India diaspora in countries like USA, UK and Canada. The important role played by the Indian diaspora in lobbying investments, science and technology into India. How remittances sent by Indian diaspora from abroad help government of India in maintaining its balance of payments and also spur consumer spending. The legislative framework put forward by the Indian government for protecting its diaspora.

### **Why do Indians emigrate?**

Overseas Citizen of India are people of Indian birth or ancestry who live outside and also are not the citizens of Republic of India. According to a Ministry of External Affairs report, there are 32 million NRIs and OCIs residing outside India and overseas Indians comprise the world's largest overseas diaspora. According to the Income Tax Act of 1961, any Indian citizen who relocates abroad for work and is not physically present in India for more than 240 days during a fiscal year is deemed to be a

Non-Resident Indian (NRI). Persons of Indian Origin (PIO) who immigrated from India and afterwards obtained citizenship of a foreign nation are granted Overseas Citizenship of India (OCI). This applies to everyone besides citizens of Bangladesh and Pakistan. India has the highest yearly migration rate in the world, at 2.5 million (25 lakh) people, every year. High calibre students and qualified professionals migrate to countries like USA (4,460,000), UK (1,764,000), Canada (1,689,055), Singapore (650,000), Australia (496,000), New Zealand (240,000). Whereas some medical professionals, civil engineers and blue-collar workers mostly migrate to UAE (3,425,144), Saudi Arabia (2,594,947), Malaysia (2,987,950), South Africa (1,560,000), Kuwait (1,029,861), Oman (781,141), Qatar (746,550).<sup>1</sup>

Various factors play a role in why Indians relocate abroad, but the main driver is a lack of opportunities in their home country. The reason why many foreign nations are opening their doors for Indians is because they are aware of the inherent skills possessed by Indian engineers, physicians, and other vital service providers with English as their primary language of communication.

There are several factors influencing Indians to move abroad, some of them are:

#### Push factors

- Lack of higher education opportunities.
- Lack of financial research support.
- Lower-income.
- Non-recognition of talents.

#### Pull factors

- Better standard of living.
- Improved quality of life.
- Easy migration policies.
- Better remuneration.
- Flexible working hours
- Better work-life balance

According to the Expat Insider 2021 survey by InterNations, 59% of Indians working abroad relocated for their career — a much higher share than the global average, which is 47%. Close to one-quarter (23%) found a job on their own, 19% were recruited internationally, and 14% were sent by their employer. Just 3% moved abroad to start their own business, which is still a slightly higher share than the global average of 2%. Above all, Indian IT professionals are heavily in demand in the US.<sup>2</sup>

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<sup>1</sup> Ministry of External Affairs, Government of India, available at [https://mea.gov.in/images/attach/NRIs-and-PIOs\\_1.pdf](https://mea.gov.in/images/attach/NRIs-and-PIOs_1.pdf)

<sup>2</sup> Expat Insider 2021, available at <https://www.internations.org/indian-expats>

## Why do English speaking countries prefer Indian immigrants?

Indian expertise, linguistic mastery, and a higher level of education are a few of the draws for nations that have loosened visa regulations to attract talent. Foreign nations are more aware of the multi-talented Indian engineers, doctors, and scientists with strong English language skills as chances become more limited here.

India has been colonised by the British for 200 years, during this time the British introduced parliamentary system of government and bureaucratic structure of governance to rule the Indian subcontinent. Indians find it very easy to assimilate themselves into native English-speaking countries because of similar democratic values and rule-based order. On February 2, 1835, the Lord Macaulay, a British politician, offered persuasive justifications for the East India Company and the British government's decision to invest in English language instruction and the promotion of European learning, notably in the sciences, in India. This has acted as blessing in disguise and today India has more English-speaking population compared to the native English-speaking countries.

Is there a connection between language and migratory trends? Does language have any bearing on the immigration process or the creation of immigration laws that specifically target citizens of certain nations. For instance, Indians received the most number of H1-B visas in fiscal 2021, or more than 74% of the allotments.<sup>3</sup>

Is it beneficial for an immigrant to speak the native tongue? It is established as an obligatory requirement to speak the language of the host nation. Points (International English Language Testing System – IELTS) are assigned for a person's linguistic proficiency in systems that use points to choose prospective immigrants. The rationale behind using a point-based system is that there are too many candidates for immigration, placing the host country in the advantageous position of being able to make a choice.<sup>4</sup>

## Indian diaspora in United Kingdom

On October 25, 2022, King Charles III named Rishi Sunak Prime Minister of the United Kingdom, making him the first Hindu and British Prime Minister of Indian ancestry to assume the position. The House of Commons now has 15 members of Indian descent, illustrating the impact of the Indian diaspora. Approximately 1.5 million people—or 2.5%—of the UK's overall population—are British Indian.

According to a UK economic survey, the 654 Indian diaspora-owned enterprises make capital

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<sup>3</sup> Indian Immigrants in the United States, by Mary Hanna and Jeanne Batalova, available at <https://www.migrationpolicy.org/article/indian-immigrants-united-states-2019>

<sup>4</sup> Language and Immigration: An Analysis of the Development of Linguistic Requirements in Immigration Policy, available at <https://www.realinstitutoelcano.org/en/work-document/language-and-immigration-an-analysis-of-the-development-of-linguistic-requirements-in-immigration-policy-wp/>

investments of about £2 billion in the UK economy. All of the recognised businesses generate a combined £37 billion in revenue. The biggest employers are Boparan Holdco Ltd. (26k jobs), Vedanta Resources (25k jobs), and B&M Retail (22k jobs). Indians are the second-best paid group in the UK, with median hourly wages of £13.47, according to research on median gross hourly earnings between 2012 and 2018. Only the Chinese receive a higher (median) hourly pay than this, at £15.75. Around 15% of medical professionals in UK are reportedly from the Indian diaspora. There are about 25 renowned British Indian scholars, including six knights and one Noble Prize laureate.<sup>5</sup>

The Indian population in the UK today holds a special place, enhancing British politics, society, and culture while also helping to create a truly multicultural society in the country. In stark contrast to the Pakistani community, Indians are seen as a disciplined and model community with the lowest crime rates. The (Persons of Indian Origin) PIOs' success in the political and economic spheres in the UK, their high and praiseworthy levels of educational attainment, and their distinctive profile in comparison to other less successful and less entrepreneurial ethnic communities have all ensured that outdated prejudices about India have faded to be replaced by a new picture of India as a dynamic nation. This is in addition to raising awareness of the success of the Indian Diaspora in other areas of the world. The PIOs have close ties to India, and local authorities have shown a keen interest in fostering business partnerships, encouraging foreign investment, and aiding charitable endeavours there. They have made a considerable contribution to initiatives to establish pro-India lobby organisations within the three main political parties. The Labour Party and the Liberal Democrat Party, two of the three major political parties in Britain, have now established parliamentary Friends of India groupings. In order to maintain the Indian community's active engagement with the country of its origin, India would need to develop new possibilities, structures, and pathways.

## **Indian diaspora in United States of America**

The fact that Kamala Harris, a woman who is half Indian on her mother's side, has been elected as the vice president of the United States, highlights the relevance of Indians in American politics. More than 130 Indian-Americans have been appointed by U.S. President Joe Biden to important posts in his administration thus far, providing the community, which comprises around 1% of the country's population, with the best representation. Over 80 Indian-Americans were appointed by his predecessor Donald Trump, while during Barack Obama's eight years as president, more than 60 Indian-Americans were given important jobs.<sup>6</sup>

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<sup>5</sup> India in the UK: the diaspora effect 2.0, a collaborative research done by Grant Thornton's South Asia Business Group, Federation of Indian Chambers of Commerce & Industry (FICCI) and the High Commission of India

<sup>6</sup> Record 130-plus Indian-Americans at key positions in Biden administration, available at <https://www.thehindu.com/news/international/record-130-plus-indian-americans-at-key-positions-in-biden-administration/article65804233.ece>

A third of Silicon Valley start-ups are owned by Indian Americans, who make just 1% of the US population. Indian Americans founded 8% of all high-technology companies in the US. The Indian diaspora founded one-third of all immigrant-formed businesses, as well as one-quarter of immigrant-founded international engineering and scientific firms, most notably in Silicon Valley. Over twenty Indian-American executives are in charge of U.S. firms, including Sunder Pichai of Google and Satya Nadella of Microsoft. Among others are Raj Subramaniam of FedEx, Punit Renjen of Deloitte, Vivek Lall of General Atomics, and Shantanu Narayen of Adobe.

Asian Indians make up 4.4 million of America's 308,745,538 total population, with a growth rate of 69.37%, according to the US Census of 2010. According to this estimate, Asian Indians are the third largest immigrant group in the United States, behind Mexicans and Chinese, making them fastest growing ethnic groups in North America. Indian immigrants have primarily entered the United States through programmes for student admission, H-1B visa recipients, family-based preferences, and temporary labour visas. At the moment, a sizable portion of immigrants from India are young, highly educated, and well-established in the fields of science, technology, engineering, and math (STEM). The second-largest international student population in American universities is made up of students from India. All 50 states in the United States have a sizable Indian population, with the most living in California (20%), New Jersey (11%), Texas (9%), New York (7%) and Illinois (7%).<sup>7</sup>

## **Indian diaspora in Canada**

Out of the 35 million people that live in Canada, 1.6 million are of Indian descent. The Canadian Parliament often has a proportionate number of Indo-Canadians, mostly from Vancouver, Toronto, Calgary, Manitoba, etc. There are 17 MPs of Indian descent in the House of Commons, which was most recently elected on September 20, 2021. Jagmeet Singh, a member of Parliament, is in fact the head of Canada's New Democratic Party. Anita Anand, an MP, along with three other Indo-Canadian MPs, rose to notoriety as a minister in the previous administration for her effective handling of pandemic-related concerns. In the present government, she is serving as Minister of National Defence. As the first Premier of British Columbia of Indian descent, Ujjal Dosanjh of the Liberal Party made history. This strengthens the Indian diaspora and puts it in a strong position to influence local politics and administration. Around 1,25,000 Indian students study in Canada currently, making up over 11% of all international students.<sup>8</sup>

## **Indian diaspora in Australia**

Indian-born population amounts to 455,389 or 1.9 per cent of the Australian population. With a

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<sup>7</sup> Indian Council of World Affairs (Factoring Indian Diaspora in the Indo – U.S. Relationship, by Madhulika Baniwal) available at [https://www.icwa.in/show\\_content.php?lang=1&level=3&ls\\_id=4891&lid=3480](https://www.icwa.in/show_content.php?lang=1&level=3&ls_id=4891&lid=3480)

<sup>8</sup> Indiaspora Lists: Showcasing the Indian Diaspora as a Force for Good, available at <https://lists.indiaspora.org/>  
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population of close to 700,000, the Indian diaspora in Australia—which includes both Australians with Indian ancestry and Indian residents—contributes significantly to the country's culture and economy. After the British, they are the diaspora with the second-highest tax contributions. By 2031, Indian-born Australians are likely to surpass the Chinese-born Australians, reaching 1.4 million. The professional Indian diaspora in Australia has not yet attained the same level of influence in higher echelons of state and federal politics, academia, and business as the diasporas in the United States, United Kingdom, Canada, and Singapore.

## **Role of Indian Diaspora in the Economic Development of India**

### **(Investment, International Trade and Industrial Development)**

Increased trade and investment with India have been made possible by the Indian Diaspora's prominence in key industry sectors and the creation of vibrant professional and commercial organisations. They establish links with state governments and industry organisations and offer insights into India's corporate practises, cultural landscape, and linguistic variety. They advocate for more regular visits, delegations, and conferences between government and business, and they press their governments for stronger commercial and political ties with India. Additionally, the adoption of new procedures and technology is supported by their varied perspectives.

Silicon Valley and Bengaluru both grew at the same time. Since the beginning of Silicon Valley's explosive expansion, it has been a preferred location for Indian technology graduates. Many of these individuals have stayed in the country after receiving their degrees and have advanced to senior positions in the region's top technological companies. The Indian government launched the Computer Software Development and Training Policy in 1986, which encouraged international investment, facilitated access to venture financing, and liberalised access to technology and software tools. It asked prominent business figures from the Indian diaspora in the US to assist the Department of Electronics and make investments in the expansion of the Indian software sector. Professionals from the diaspora actively participated in policy reform in sectors including capital markets, science and technology policy, and Indian telecommunication regulation. Indian software solution providers like TCS, Infosys, and Wipro grew as a result.<sup>9</sup>

Professional organisations from the diaspora, such the Silicon Valley Indian Professional Association and The Indus Entrepreneurs, have played a big part in this and still do. They contributed to the development of a unified, pan-Indian identity in the US. They acted as role models for Indian engineers studying and working in the United States and were crucial in ensuring that global performance and quality standards were met. They also opened up new economic opportunities and markets in both nations. They worked along with organisations from the Indian business community,

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<sup>9</sup> An Indian Economic Strategy to 2035, Chapter 18: The Role of the Diaspora, available at <https://www.dfat.gov.au/publications/trade-and-investment/india-economic-strategy/ies/chapter-18.html>

including CII, NASSCOM, and the IIT Alumni Associations, to recognise technology entrepreneurship in both India and the United States. They served as angel investors for start-ups and social entrepreneurs and were instrumental in mobilising their networks to raise venture funding. Additionally, the American Indian diaspora's efforts in starting engineering and technology firms attracted many Indian investors to American business.

The presence of the Indian Diaspora in their host nations has increased demand for Indian products and services, including anything from food to clothing to the Indian entertainment sector. Employees of the top consultancies and multinational companies who are from India can help with access to the top management, promote our trade and FDI initiatives, and increase our portion of the products that big international organisations outsource. Professionals, dealers, and businesspeople from India can offer helpful ideas for market penetration methods and utilise their networks to bring in new goods and services.

## **Role of Indian diaspora in improving India's Science and Technology**

Science diplomacy offers nations like India the chance to assume the initiative on important issues and thereby win the respect and admiration of other nations, particularly at a time when the superpowers have been reluctant to play comparable roles. Due to its shared awareness of perspectives from the Global South with its neighbours, it may offer a more compassionate leadership at the regional level. In order to promote solar energy globally, India has already founded the International Solar Alliance. It has also contributed to making COVID-19 vaccinations available to the rest of the globe. Indian-origin scientists can make significant contributions to these projects through their experience and networks. So, the Government of India has initiated some schemes to take help from its diaspora living abroad to improve India's scientific capabilities.<sup>10</sup>

### **Ramanujan Fellowship**

This Fellowship offers high-calibre Indian researchers living abroad appealing pathways and possibilities to work in Indian institutes and universities in various fields of science, engineering, and medicine. It is intended for scientists and engineers under 40 who desire to return to India after working abroad.

### **Ramalingaswami Re-entry Fellowship**

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<sup>10</sup> Emerging Technologies, STI Diaspora and Science Diplomacy in India: Towards a New Approach, by Nimita Pandey, Krishna Ravi Srinivas and T.R Deepthi

The program's goal is to motivate scientists (Indian nationals) who are employed abroad but would like to return home to work on projects relating to biotechnology, modern biology, and other life sciences.

#### Biomedical Research Career program (BRCP)

This programme offers junior, middle-level, and senior researchers the chance to launch their academic and research careers in India's basic biomedical or clinical and public health fields. All qualified researchers who intend to migrate to India or continue their studies there are eligible to apply for these fellowships.

#### Scientists/Technologists of Indian Origin (STIO) in Indian Research Laboratory

This programme aims to establish a Research and Development (R&D) in the area of expertise of Scientists/Technologists of Indian Origin (STIO) on a contractual basis at Council for Scientific and Industrial Research (CSIR) laboratories.

#### Senior Research Associateship (SRA) (Scientist's Pool Scheme)

This program's main goal is to temporarily position highly skilled Indian scientists, engineers, technologists, and medical professionals who have just returned from overseas and are unemployed in their own country. The Senior Research Associateship is a temporary opportunity that allows the Associate to conduct research or teach in India while looking for a permanent position. It is not a regular appointment.

## **Role of Indian diaspora in developing Indian Academic Institutions**

It is crucial that academic learning and scientific research facilities encourage brain circulation and make use of the skills of Indian scientists and researchers working abroad in order to enhance indigenous technological capacity. Some academic institutions have started programmes to engage the Science Technology Innovation (STI) Diaspora for capacity building, networking, and mentorship in order to achieve this goal. To get things going, the IIT Madras alumni association has planned a mentorship programme. To commemorate the institution's foundation day in 2021, over 5,000 graduates from 15 different nations attended brief talks on a variety of topics, including cutting-edge research and technology, quantum computing, and extra-terrestrial manufacturing, to mention a few

(The Hindu, 2021).<sup>11</sup>

Similar to this, the IIT Kharagpur Alumni Foundation in the United States has actively encouraged students from IIT Kharagpur to complete internships in foreign universities in order to advance their professional development and technological skills. Additionally, it has given Indian students access to several top-notch academic and scientific institutes where they can learn.

#### Visiting Advanced Joint Research (VAJRA) Faculty Scheme

The purpose of this programme is to recruit foreign academics and scientists, including NRIs and OCIs, to work at public institutions and universities in India for a set length of time. The programme offers adjunct/visiting professor positions to foreign scientists, including Indian specialists, who wish to do high-calibre collaborative research with one or more Indian partners in cutting-edge fields of science and technology.

#### Initiatives of Homi Bhabha National Institute (HBNI)

Under this plan, scientists from the Indian Science and Technology diaspora may be recruited to serve as visiting faculty members at some of the Constituent Institutes (Cis) of the Homi Bhabha National Institute. Any of the five institutes that make up Homi Bhabha National Institute, including the National Institute of Science Education and Research, will accept international students (NISER). Harish-Chandra Research Institute (HRI), Allahabad, Institute of Mathematical Science (IMSc), Chennai, Institute of Physics (IoP), Bhubaneswar, and Saha Institute of Nuclear Physics (SINP), Kolkata.

## **Positive impact of Remittances on Indian Economy**

In 2021, India received \$87 billion in remittances, far surpassing China and Mexico, who each received \$53 billion, the Philippines, which received \$36 billion, and Egypt, which received (\$33 billion). United States, United Arab Emirates, Saudi Arabia, and Switzerland were the top remittance source nations for India in 2020. Remittances boost or maintain consumer spending and lessen the impact of tough times, like the COVID-19 epidemic, on the economy.

Following foreign direct investment, remittances are the second most important external source of funding for low- and middle-income countries. It has a significant impact on household income and helps people acquire financial assets to improve their quality of life. Remittances have been found to be sturdy throughout the epidemic, defying unfavourable forecasts of an unprecedented worldwide

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<sup>11</sup> Ministry of External Affairs, Government of India (Executive Summary), available at <https://www.mea.gov.in/images/pdf/1-executive-summary.pdf>

recession brought on by COVID-19. Remittance flows to low- and middle-income countries decreased slightly to US\$540 billion in 2020, only 1.6% below the US\$548 billion in 2019. This is according to the World Bank Report on Migration and Remittances. India, the main recipient nation, was predicted to be among the most hit (projected loss of 23%) (World Bank, 2020) because its host country basket was susceptible to the dual effects of an economic downturn and a drop in oil prices. Contrary to early predictions, India continued to be the leading recipient nation, receiving 12% of all international remittances, despite a slight fall of 0.2% in 2020 and an increase of 8% in 2021.<sup>12</sup>

Remittances promote consumer spending, which in turn stimulates the demand and supply sides of the market for consumer goods. Additionally, to aid the family's financial struggles, they invest in a business, put money aside for emergencies, or pay into social security for the elderly and other family members. The local economy is boosted. A Reserve Bank of India survey found that 59.2% of remittances received in India were utilised for family maintenance, bank deposits made up around 20%, while stock shares, real estate, and other investments made up 8%.

Indian forex reserves have been under a lot of strain over the past nine months due to FPI (Foreign Portfolio Investment) outflows from Indian equities. Remittances, in addition to exports, were crucial in this situation for keeping Indian foreign exchange reserves stable. Since September 2021, foreign portfolio investors have been pulling money out of the Indian equity market, putting pressure on the economy and particularly the central bank as the country's foreign exchange reserves have begun to decline. Remittances were crucial in this situation since FPI was taking money out. For the seven months leading up to March 2022, Foreign Portfolio Investors (FPIs) continued to be net sellers, withdrawing a net worth of Rs. 1.65 lakh crore from stocks. Foreign investors pulled out Rs 17,144 crore and Rs 45,276 crore from the Indian stock market in April and May, respectively, continuing their selling spree for the seventh consecutive month. These were mostly brought on by the assumption that the US Federal Reserve will raise interest rates and the deteriorating geopolitical situation as a result of the Russia-Ukraine crisis.

## **Protection of Indians living Abroad**

The Emigration Act, 1983 and its implementing rules provide the structure through which Indian residents travelling for employment, particularly to the 18 countries where Emigration Check Required has been announced, are granted protection. The Protector General of Emigrants of the Ministry of External Affairs provides protection for Indian workers with ECR passports who emigrate after obtaining Emigration Clearances (EC) from any of the ten Protector of Emigrants (PoE) offices in the nation through the online emigration clearance system (e-migrate portal). These workers are able to work legally in the destination country and are covered by their labour laws.

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<sup>12</sup> Reserve Bank of India, Headwinds of COVID-19 and India's Inward Remittances, available at [https://m.rbi.org.in/Scripts/BS\\_ViewBulletin.aspx?Id=21141](https://m.rbi.org.in/Scripts/BS_ViewBulletin.aspx?Id=21141)

In order to guarantee that our employees in these nations are covered by labour laws, the government has signed agreements and memorandums of understandings (MOUs) with a number of these nations. The broad basis for cooperation on labour and manpower-related issues is provided by these Memoranda of Understanding/Agreements. These Memoranda of Understanding or Agreements have been struck with seven nations: Bahrain, Jordan, Kuwait, Oman, Qatar, Saudi Arabia, and the United Arab Emirates.

When Indian nationals or employees complain about the contract's terms being broken, Indian Missions there attempt to reach a mutually agreeable resolution by getting in touch with the business. Additionally, the Embassy facilitates the transfer of the aggrieved Indian workers' jobs to other businesses where employment is available whenever possible with the assistance of local authorities. Such complaints are routinely followed up on by the Embassy with the regional authorities. Additionally, these topics are frequently discussed at the Joint Working Group (JWG) on Labour & Manpower Development meetings as well as other pertinent bilateral fora. The following are the additional precautions implemented:<sup>13</sup>

- a) The online MADAD site allows emigrant workers and their family members to lodge their consular complaints online and follow the status of their resolution.
- b) Emigrants and their relatives may also access the Pravasi Bharatiya Sahayata Kendra (PBSK) on the e-Migrate site to submit grievances pertaining to Overseas Employment in countries with Emigration Check Required (ECR) notifications. According to established procedures, these complaints are resolved by the appropriate jurisdictional Protectors of Emigrants (PoEs).
- c) Additionally, Missions regularly host Open Houses where workers can voice their complaints.
- d) Pravasi Bharatiya Sahayata Kendra (PBSK) in New Delhi operates a multilingual, round-the-clock helpline that offers information, counselling, and grievance redress on all concerns and issues relevant to Indian nationals working abroad.
- e) Additionally, 24 hour helplines and toll-free helplines have been set up by Indian Missions abroad for the benefit of Indian workers who need assistance.
- f) Pravasi Bharatiya Sahayata Kendras (PBSKs) have been established in the following cities: Dubai (UAE), Sharjah (UAE), Riyadh, Jeddah (Kingdom of Saudi Arabia), and Kuala Lumpur (Malaysia). They offer guidance and counselling on all issues relating to abroad Indian immigrants.

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<sup>13</sup> Ministry of External Affairs, Question No:2418 Protection of Rights of Indian Citizens in Foreign Countries, available at <https://www.mea.gov.in/rajya-sabha.htm?dtl/30877/QUESTION+NO2418+PROTECTION+OF+RIGHTS+OF+INDIAN+CITIZENS+IN+FOREIGN+COUNTRIES>

- g) Additionally, Kshetriya Pravasi Sahayata Kendras (KPSK) have been established in Kochi, Hyderabad, Chennai, and Lucknow to help immigrants or their family resolve any issues they may have with finding work abroad.
- h) The Missions use the Indian Community Welfare Fund (ICWF) to help Indians living abroad when they are in need.
- i) In order to provide temporary housing for Indian people in distress, suitable facilities have been built up in Bahrain, the Kingdom of Saudi Arabia, Kuwait, Qatar, the United Arab Emirates, and Malaysia.
- j) Anytime an Indian national is reported missing abroad, the government makes an immediate effort to find the person using the information at its disposal through the Indian Missions. The relevant Indian Mission contacts the Local Government and follows up on a regular basis till the individual is found. On such occasions, additional methods are also used, such as contacting Indian organizations that might be useful.

Through the aforementioned initiatives, the Government has successfully evacuated 2,08,186 distressed Indian citizens between May 2014 and May 2018, including 16,281 who were rescued from unstable regions in the Ukraine, Iraq, Libya, Yemen, and South Sudan. India has finished the last stage of its Operation Ganga rescue effort for Indians trapped in the conflict-torn Ukraine in 2022. Out of an estimated 20,000 Indian citizens living in Ukraine, about 18,000 were evacuated and transported to India in just 13 days.

## **Emigration Bill 2021**

The current Emigration Act of 1983 is intended to be replaced by the Draft Emigration Bill, 2021. Numerous publications have emphasised the serious global exploitation of Indian workers. The Emigration Act of 1983 establishes government clearance of travel and employment-related paperwork while limiting the service price that may be charged. Migrants deal with issues at various stages, corruption, and middlemen's participation. Independent investigations have revealed numerous exploitation practises over a long period of time, including high recruitment fees, passport retention, non-payment or underpayment of wages, discrimination and other forms of ill treatment, health problems brought on by mental stress, and unfavourable working conditions.

The Bill establishes a framework for the protection and promotion of emigrants' welfare, provides for comprehensive emigration management, and establishes a regulatory structure overseeing Indian citizens' employment abroad. A three-tiered regulatory framework is suggested by the bill<sup>14</sup>

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<sup>14</sup> Critical analysis of the Emigration Bill 2021, available at <https://blog.ipleaders.in/critical-analysis-of-the-emigration-bill-2021/>

- I. It establishes a new division for emigration policy known as the Central Emigration Management Authority.
- II. It suggests a Bureau of Emigration policy and planning, with a Bureau of Emigration administration conducting day-to-day business and monitoring emigrant welfare.
- III. The welfare and security of the emigrants are proposed to be ensured by nodal organisations working under a Chief Emigration Officer.

The Emigration Bill, 2021, which is currently being proposed, is intended to provide the government more authority and resources to interact with emigrants and act as their watchdog, notably through the creation of a new bureaucratic organisation. However, the new initiative has drawn criticism for enabling penalties for migrant workers, failing to set a cap on worker fees for recruiting, and remaining mute on concerns like the physical and sexual abuse that female migrants experience. Instead, some supporters have campaigned for a thorough revision of the law that would more overtly reflect international goals like the Sustainable Development Goals.

## Conclusion

The fact that Indians are taking up prominent positions around the globe, from António Costa (Portugal) to Kamala Harris (USA), from Suella Braverman to the recently elected British Prime Minister Rishi Sunak, from Anita Anand (Canada) to Priyanka Radhakrishnan (New Zealand), is proof enough that the Indian diaspora is growing in influence. President Biden's appointment of 130 Americans of Indian descent into his administration demonstrates the US's desire to use the Indian diaspora to sway India into its sphere of influence. As a result, people of Indian descent are given greater political representation on a worldwide scale and have a stronger voice and presence at multilateral fora like the UN.

The Indian Diaspora plays a significant role in India's "soft diplomacy" or "diaspora diplomacy." For instance, Portuguese Prime Minister António Costa, who is of Indian descent, has signed numerous bilateral memorandums of cooperation in the areas of space, science, and technology as well as double taxation avoidance. Similarly, Congressman Ami Bera, an Indian-American, intervened in the discussion of the US defence budget, which resulted in an amendment that set a 180-day deadline for the US to develop its defence strategy with India. As a result, the two countries now both hold the title of "Major Defence Partners." The appointment of Satya Nadella as the CEO of Microsoft and Sundar Pichai as the CEO of Alphabet signifies the importance of Information Technology (IT) industry dependence on Indian diaspora.

Contributions from the Indian diaspora have significantly fueled economic growth at home. Based on a World Bank estimate, India is the country that receives the most remittances globally, with 3.4% of

India's GDP, or \$87 billion, in net factor income coming from overseas in 2021. For instance, the Indian Business School in Hyderabad was totally funded by contributions from the diaspora. To that degree, NRIs' financial contributions have supported infrastructure development and human development in Kerala for decades, as well as the green revolution in Punjabi villages. Most of them can also afford to spend lavishly during their trips home, which creates jobs and income for those in India in the tourism industry.

Since 2003, the Ministry of External Affairs has recognised January 9 as Pravasi Bhartiya Divas to recognise the numerous contributions made by the Indian population living abroad to India's development and growth.

In order to increase participation from the diaspora in India's growth, the government should introduce a number of win-win initiatives. India should formalise a programme that allows elite NRI scientists, engineers, doctors, managers, and professionals to temporarily lend their expertise to Indian public sector organisations. The term of Dr. Rajan at the RBI is proof that this type of lateral induction of top workers can benefit both the contributing and host workforce. India should actively pursue NRI investment, particularly for initiatives that prioritise rural development, by incentivizing them with competitive interest rates on deposits. By creating a dedicated Minister-of-State level department for NRI administration, India can demonstrate that it is committed to managing its relationship with NRIs. This division would represent NRIs in various Indian government organisations and encourage interaction with NRIs to advance India's greater purpose.



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