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IDENTITY, SECURITY, AND INCLUSION: THE DILEMMA OF INDIAN IMMIGRATION

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ABSTRACT

Illegal Immigration has been a global threat severely paralysing the economic, social political systems of a country. India, being a nation of prosperity and exhibiting an exquisite cultural diversity has always been a preferred destination for its neighbours. After the introduction and implementation of the LPG policies, several developed countries experienced a surge in human immigration. This compelled the countries to enumerate a codified regime that defined the way in which the immigration procedure is governed and carried out. But despite several legislations enacted, there are certain migrants who enter India without adhering to proper procedures. While speaking of illegal immigrants the eastern and North-eastern parts of the country are more susceptible to such issues. This paper discusses the issue of immigration in detail thereby evaluating the negative as well as the positive side of the same. The paper also talks about the legal vacuum that exists as a result of an inconsistent enforcement which has made illegal immigration a persistent problem with severe ramifications to tampering the country's national security, social fabric and the economy as a whole if left unattended.

INTRODUCTION

Immigration in India is both, a historical constant and a contemporary controversy. There is hardly any other society in the world that is shaped by such constant arrival of outsiders as the Indian subcontinent. India owes its demographic, cultural, religious, linguistic and political diversity to its long history of immigration. India has been a destination for migrants from all over the world during multiple periods of history. From the migration of tribes from Africa as First Indians to the immigration to India for educational and employment opportunities, India has been both vulnerable to and enriched by immigration. From the Indus Valley Civilisation to providing refuge

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to persecuted sections of citizens, the history of migration has culminated into the current socio-political discourse on the issue of immigration.

India's geography explains a part of this centrality. From fertile plains and river valleys to extensive coastlines and large mountain passes have led to numerous invasions attempts starting with the Persians (Achaemenid Empire) followed by the Alexander the Great, the Indo-Greeks, the Shakas, the Kushanas, the Hunas, the Arabs, the Turks, the Mongols, the Timurids, the Afghans and eventually by the Europeans, all entered through different routes but left behind their own blend of cultural significance which continues to enrich the present day India. All this is visible in India's art, architecture, culture, diversity and its political and administrative policy.

With the advent of European Colonialism, India became both a source and recipient of migration. Internal as well as external migration of widely prevalent in British India. Indians going to work as indentured labourers in European colonies to escape poverty and famine to Indians being drafted into British-Indian army and being sent overseas. The was also influx of Europeans into the Indian subcontinent for reasons ranging from missionary activities to administrative convenience. The prevalence of Anglo-India population is evidence of assimilation of British into Indian culture.

The borders of India were porous allowing free movement from all its neighbours which were part of Indian subcontinent. After the demarcation and delineation of borders too, there was significant movement of people owing to various reasons such as displacement due to partition, influx of refugees due to persecution and political instability. Refugees from Tibet, Afghanistan, Pakistan, Bangladesh-erstwhile East Pakistan, Sri Lanka, Myanmar have been part of Indian population at multiple points in time.

Despite this long history, India's legal framework for immigration and refugee management remains fragmented and unstructured. From the colonial laws such as Foreigner's Act, 1864[2] to contemporary, Citizenship (Amendment) Act, 2019[3], there have been several legislative frameworks but the implementation and the ground level reality leaves much to be desired as they

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[2] The Foreigners Act, 1864, India Act III, 1864 (India).
[3] The Citizenship (Amendment) Act, 2019, No. 47, Acts of Parliament, 2019 (India).

have further polarized the public discourse raising questions about law, politics and national identity.

India's immigration policy differs significantly from countries like the United Kingdom, the United States of America and Australia which have long-established policies centred around encouraging immigration while India's approach historically emphasizes emigration for management of its large diaspora. India's immigration policies are further undergoing reform with acts such as the Immigration and Foreigners Act, 2025[4] which makes immigration laws stricter and restrictive.

India has been a crossroad for migration from different cultures at different points in history. India's plural identity, built through centuries of migration is a testament to benefits of openness and a remainder of challenges it brings. This article will explore immigration in India by tracing its historical evolution, examining the legal framework, evaluating its socio-economic impacts with regards to the contemporary issues and the challenges and opportunities it presents for the future.

HISTORY OF MIGRATION IN INDIA

India's long and complex history is deeply intertwined with migration. From pre-historic times to the contemporary era, India has been a crossroad for interaction of people, culture and ideas. The present demography of India is a culmination of these waves of migration.

The earliest evidence of migration can be traced back to the First Indians, a wave of migrants who came from Africa to Arabia and reached India around 65,000 years ago as discussed by Indian Journalist Tony Joseph in his book, Early Indians: The Story of Our Ancestors and Where We Came From[5]. Archaeological and genetic evidence indicates the population of Indus Valley Civilisation was a mixture of ancient Iranians and Southeast Asian hunters and gatherers. Around 2000 BCE, the Indo-Aryan migration is believed to have bought great linguistic and cultural diversity to the pre-existing population. Owing to its geographical location and maritime trade, Ancient India saw a lot of traders and seafarers from Mesopotamia, Egypt and Southeast Asia settling in the coastal areas. Ancient Indian Subcontinent also saw multiple Greek incursions

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[4] The Immigration and Foreigners Act, 2025, No. 13, Acts of Parliament, 2025 (India).
[5] TONY JOSEPH, EARLY INDIANS: THE STORY OF OUR ANCESTORS AND WHERE WE CAME FROM 10 (Juggernaut 2018).

around the end of 4th Century BCE under Alexander, which is reflected in the Hellenistic influence in Art and Architecture especially around the North-West frontier. Subsequently, the Kushanas, a powerful Central Asian tribe established their empire in the regions including present-day Afghanistan, Pakistan, and Northern India during the 1st Century CE. They also aided in the spread of Buddhism, especially along the Ancient Silk Route.

The advent of Islam in the Indian subcontinent began with the establishment of the Arab rule in Sind. As a consequence, Arab traders settled in the coastal areas of India and later, the subsequent conquests saw a new wave of migration into the Indian subcontinent. It wasn't until the 12th century CE that The Delhi Sultanate, the first of the Islamic empires was established in India. Between the 12th and 16th century, Afghan, Persian and Turkish rulers migrated to India, and established various small and large kingdoms. This migration was not just political as it had a cultural influence as witnessed in the art, architecture, cuisine and the administrative policies of the regions that were under the rule of Delhi Sultanate and later the Mughal Empire.

This period also witnessed multiple migration movements due to religious persecution including the Parsis who migrated to the Indian subcontinent during and after the Islamic conquest of Iran in 7th century CE. This migration from different parts of the Sassanian empire continued between the 8th and 10th century. The earliest of these migrants settled in present day Gujarat after they were granted refuge by Rajput King Jadhav Rana, the ruler of Sanjan.

Furthermore, 16th century onwards, the subcontinent witnessed the arrival of the European powers. This marked the beginning of a new phase in the history of migration in India and the period was marked by arrival of the Portuguese (1498), Dutch (1602), British (1608), Danes (1616), and French (1614) into the subcontinent. The European powers established ports, settlements and trading ports. The British, in particular saw large scale movement within and beyond India for reasons ranging from indentured labour where Indian labourers migrated to European colonies to work on plantations to escape widespread poverty and famine and movement of British officials for missionary activities, administrative convenience, trade and territorial expansion. The withdrawal of the British rule, followed by the bloodbath that was partition, triggered the largest

migration movement in Indian history where 12 to 20 million people[6] were displaced along religious lines, which triggered overwhelming refugee crises followed by mass migration and population transfers. The 1951 Census of India counted 7,295,870 displaced persons who moved to India from Pakistan immediately after partition.

The post partition movement of people also noted considerable number of migrations from and to India. The 1951 Census[7] recorded that 2.5 million refugees arrived from East Pakistan, of which 2.1 million migrated to West Bengal while the rest migrated to Assam, Tripura and other states.

Furthermore, in 1950, the People's Republic of China initiated the invasion of Tibet which led the occupation of the area by the Chinese People's Liberation Army. This persecution consequently led to the largest Tibetan uprising on the 10th of May, 1959 which is now known as Tibetan Uprising Day. The People's Liberation Army, tried to crush the uprising but it resulted in the tragic loss of lives of thousands of Tibetans. The 14th Dalai Lama, Tibet's political and religious leader, was forced to seek asylum in India and his departure triggered a massive migration movement of his followers who also sought asylum in India, resulting in the largest settlement of Tibetan refugees in India. In 1960, the Dalai Lama established a nation in exile with the seat of government at Dharamsala, Himachal Pradesh to preserve Tibetan culture, language, religion and maintaining an identity.

In the early 1960s, the Chakmas, a tribal community of predominantly Buddhist faith residing in the Chittagong hill tract of the erstwhile East Pakistan and modern-day Bangladesh were displaced due to religious persecution and the construction of the Kaptai hydroelectric dam on the Karnaphuli river. Due to the construction of the dam, the areas of residence of the Chakmas and the Hajongs were submerged and they were forced to seek refuge in India. Although they were initially settled in Lushai hills region of Assam, they were later resettled in various parts of the North East Frontier Agency by the Central Government. The status of their citizenship has been in constant dispute despite multiple rulings by the Supreme Court of India in 1993, 1996 and 2015.

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[6] LESZEK A. KOSINSKI and K. MAUDOOD ELAHI, POPULATION REDISTRIBUTION AND DEVELOPMENT IN SOUTH ASIA 6 (D. Reidel 1985).
[7] REGISTRAR GENERAL AND CENSUS COMMISSIONER OF INDIA, MINISTRY OF HOME AFFAIRS, CENSUS 1951

The history of migration in India is not a story of isolated incidents but a story of continuous events that led to the present-day diversity in India. India owes its cultural, artistic and linguistic diversity to its rich history.

CONTEMPORARY ISSUES IN IMMIGRATION

SRI LANKAN TAMILIANS

The SLT's particularly known as the Sri-Lankan Tamilians have been migrating to India since 1950's. It began in the 19th-20th centuries when the SLT's originally from Jafna settled in India. The state of Tamil Nadu separated by The Palk Strait from the island nation has been an important destination for the aggrieved refugees to seek shelter in order to escape the ethnic frictions between the government and the separatist militants of The Liberation of Tigers. The influx of the SLT's increased after Sri Lanka gained independence from the British owing to rampant and frequent frictions between the two clans. It was at this time when Sinhala was announced as the official language of Sri Lanka, which was opposed by the Tamilian minority residing there. The outbreak of the Civil war (1983-2009) which led to the development of Liberation Tigers of Tamil Eelam (LTTE) escalated these tensions leading to an increase in violence and continuous displacement. The Indian government on humanitarian grounds granted refuge to these displaced migrants but even after the conclusion of civil war in the year 2009 the SLT's continued to reside in the refugee camps in Tamil Nadu, the current figures being 90,000 as of mid-2024.[8] The primary issue significant now is that since India is not a signatory to The 1951 Refugee Convention[9] the legal status of the immigrants still remains precarious.

BANGLADESHI IMMIGRANTS

The Bangladeshi immigration in India is one of the persistent problems that has emerged as a major threat challenging the security issues and the demographics. Despite the menace caused by

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[8] TAMIL GUARDIAN, https://www.tamilguardian.com/content/more-90000-eelam-tamil-refugees-stateless-india (last visited Sept. 10, 2025).

[9] Convention and Protocol Relating to the Status of Refugees, 22 April 1954, [Universal Declaration of Human Rights 1948]

these illegal entries for decades the government has yet not been successful in taking effective steps to curb their movement.

The migration of Bangladeshi nationals into the Indian territory can be traced back to the times when the British divided India into 2 separate provinces- India and Pakistan. With East Pakistan, predominant with Bengali nationalists and self-determined people which resulted in independence of Bangladesh.

Thus, the issue of the immigration of Bangladeshi nationals into the Indian territory stemmed from the Bangladesh Liberation War in 1971. While New Delhi initially sympathised with the plight of the residents there, it was simultaneously wary of an increase in number of migrants in West Bengal and Assam. Some reports suggest that around 10 million Bangladeshi fled their homeland owing to the war out of which 1.5 million never returned back. In addition to this since the Bengal delta region is more susceptible to floods, a number of people were displaced and were forced to seek refuge in safer places. As per the Indian census in 2001, the data on migration in India shows that the total number of immigrants has been 314 million.[10] An independent study suggests that there are crores of illegal Bangladeshi migrants still residing in India.

Within India, Assam remains the most impacted by Bangladeshi migrants, observing a sharp increase in Muslim population along the districts of Assam. Some sources suggest that almost 18% of the Assam's population comprises of immigrants. Another state which has been susceptible to the Bangladeshi immigrants is West Bengal owing to its geographical location, linguistic and cultural semblance. Similar to the lines of Assam, West Bengal has reported a sharp increase in Muslim population along its borders. Apparently if this continues the local population will be no more than a marginal community.

The states bordering these sensitive areas are continuously facing the challenge due to an influx of a large no of illegal immigrants. Such an unwarranted inflow has altered the demographics of the states leading to simmering tensions between the two nations. Despite the requisite laws in place,

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[10] M Mayilvaganan, *Illegal Migration and Strategic Challenges: A Case Study of Undocumented Migration from Bangladesh from India,* 18 ARTHA-JOURNAL OF SOCIAL SCIENCES 25, 25 (2019).

yet the implementation of these laws still remains a burning question creating an additional burden on the govt of both the countries.

ROHINGYA CRISIS

The Rohingya crisis in Myanmar poses another challenge in dealing with the illegal immigrants issue. The Rohingyas (Muslim ethnic minority group) have lived for centuries in Buddhist Myanmar formerly known as Burma. Despite residing there for several years, there were debates surrounding the validity of their ethnicity. As a result of this unfair treatment they have faced years of violation, condemnation and wrath. A massive violence broke out in 2017 in Myanmar's Rakhine state compelling them to flee India, transitioning to Bangladesh. As of 2025, there are currently 40,000 Rohingyas in India.[11] The main factors which led to the inflow of Rohingyas is-security, community and economic opportunity. Reportedly, the condition in Bangladesh were devoid of the above which forced them to shift in India. Their dangerous movement involves moving westward from Bangladesh to the state of West Bengal and to the Indian states of Mizoram and Meghalaya. The movement of Rohingyas into sensitive areas like Jammu and Kashmir raises serious security concerns as a number of terror organisations like Islamic State of Iraq and Syria (ISIS) and Al-Qaeda have expressed interest in admitting them to their clan.

The Rohingyas over the years have alleged to be involved in aggravating the conflicts threatening both social and the national security of the destination countries. The countries fear that an illegal infiltration of such a kind can exacerbate the existing issue and hence several countries including India must adopt measure to keep a check on the same. In a country like India, regular threats and terrorism have continued to daunt, a further intrusion of this kind can aggravate terrorist elements when left unchecked.

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[11] Purkayasgha and Debasree, *What is the Citizenship (Amendment) Bill, 2016?*, THE HINDU, (2018)

CONTEMPORARY IMMIGRATION POLICIES IN INDIA

Contemporary immigration policies in India have seen its fair share of controversies. In fact, the laws we have in place haven been, by and large, shaped by the policies that have been tried and tested over the past two centuries.

The earliest roots of laws related to immigration can be traced to The Foreigners Act, 1864. It was an act implemented by the British in British India to control the movement of foreigners within their colony, and it gave them the right to apprehend, detain and expel any foreigner who did not consort to the laws; that is, not obtaining a licence to travel or reside in India. Gradually, amendments were brought in, consorting to the laws with the changing times and, and that led to the modified Foreigners Act, 1946[12], which was first implemented under the Interim Government of India, and put the burden of proof on the person to show that they are not foreigners.

This also gave a more structured definition to the word 'foreigner' and further gave the government powers related to deporting, detaining, etc., and later also brought in the Foreigners (Report to the Police) Order, 1971, which also put the onus on the citizens to report such a person to the authorities, should there be reason to believe that this person has entered the country without valid documents.

Apart from this, there was the Registration of Foreigners Act, 1939,[13] which dealt with the registration of foreign nationals in India, and various aspects of their stay in the country. Under this act, Foreign Regional Registration Offices (FRROs) and Foreign Registration Offices (FROs) were put in place, mandating a foreign national to have themselves registered at these offices.

The next important law relating to immigration policies was the Passport (Entry into India Act), 1920,[14] and this was the longest-standing act as far as immigration policies were concerned and the one of the acts that stayed in place post India's independence. This act pertained to visa policies of foreigners coming to live in India, whether on a temporary or a permanent basis, and also stipulates penalties for those not consorting to these rules. Added to this was the Passport Act

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[12] Foreigners Act, 1946, No. 31, Acts of British Imperial Legislative Assembly, 1946 (India)
[13] Registration of Foreigners Act, 1939, No. 16, Acts of Parliament, 1939 (India).
[14] The Passport (Entry into India) Act 1920, No. 34, Acts of Parliament, 1920 (India).

(1967), which detailed the types of passports, as well as reasons for impounding and restricting passports.

In addition to that too, was The Immigration (Carriers Liability Act) 2000,[15] which was mainly put in place to combat illegal immigrants, and puts the liability on the carriers (ships, airlines, etc) that carry such immigrants. The rules under this act were further structured in the Immigration (Carriers Liability) Rules 2007.

As one can see, there are numerous overlaps in all these acts and rules. Thus, most recently, a consolidated act in the form of the Immigration and Foreigners Act, 2025, which had been assented to on 4th of April 2025, was enacted from 1st September, 2025. This aimed to consolidate all the rules and regulations under The Passport (Entry into India Act), 1920, The Registration of Foreigners Act, 1939, The Foreigners Act (1946) and the Immigration (Carriers Liability) Act, 2000 and its rules (2007). These four acts were subsequently repealed. Under this act, penalties became stricter, and the Bureau of Immigration was also brought into the picture, as regards detaining and deporting illegal immigrants.

Now, while all these acts and regulations were brought about in a structured manner, the ones that really divided the country and led to mass protests were the controversial Citizenship Amendment Bill (CAB), introduced in the Lok Sabha on 19th July, 2016, and implemented as the Citizenship Amendment Act (CAA) on 20th December 2019.

On the face of it, the act was simple; it created a pathway to citizenship for people from religious minorities (Hindus, Sikhs, Parsis, Jains, Sikhs and Christians) from Pakistan, Bangladesh and Afghanistan, who escaped 'religious persecution' from these countries on or before 31st December, 2014. However, this meant that it explicitly excluded the Muslims, leading to the conclusion of many that the Act was unconstitutional, discriminatory and anti-secular, and this led to large-scale protests and even violence. Added to this was the fact that the rules for the same were notified in March 2024, on the eve of the Lok Sabha election.

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[15] The Immigration (Carriers Liability Act), 2000, No. 52, Acts of Parliament, 2000 (India).

It should be noted here, that prior to this act, citizenship for a foreign national was obtained through naturalisation, as stipulated in The Citizenship Act, 1955,[16] which was brought into place by the powers of the government vested in Article 11 of the Indian Constitution.[17] The CAA, which is now the amended version of this act, however, ensures that when it comes to the Muslim asylum seekers, they have to follow the naturalisation process of 11 years, provided they have valid documents backing them. The foreign naturals from other religions, however, can make do without any valid visas or paperwork.

Those against the act claim that this is the first time in India that citizenship is being handed out on the basis of religion, and that violates the very tenets of Article 14,[18] which states that, *"The State shall not deny to any person equality before the law or the equal protection of the laws within the territory of India."*

Another controversy that is bubbling is the law related to the National Register of Citizens (NRC),[19] which aims to determine and deport those immigrants who lack valid documents of citizenship. For the time being, however, this law pertains only to Assam, and it was brought in place to deal with large-scale immigration from Bangladesh during the 1971 war between Bangladesh and Pakistan.

If put in place nationwide, the NCR, read alongside the CAA, can lead to a large population being declared as illegal immigrants. Indeed, after the CAA was passed, the state of Assam itself saw 1.9 million 'stateless' people left off the NRC, and they were given 120 days to appeal their exclusion. However, after large-scale protests by citizens and human rights group alike, the Assam Government admitted to having made an 'anomaly' in the updating of the NRC.

Currently, the same arguments are used to implement the NRC along with the CAA; that large-scale illegal immigration from Bangladesh has left the country in a precarious state and that it is time to deport the illegal migrants. But this can be a very contentious issue, where the numbers of such migrants could be innumerable and deporting them could be a violation of human right laws.

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[16] The Citizenship Act, 1955, No. 57, Acts of Parliament, 1955 (India).
[17] India Const. art. 11.
[18] India Const. art. 14.
[19] National Register of Citizens, https://nrcassam.nic.in/ , (last visited: Sept. 10, 2025).

COMPARATIVE ANALYSIS OF IMMIGRATION LAWS

As we can see, immigration policies have developed over the years in India, and it has always varied from being inclusive to being exclusive, liberal to restrictive. Some communities are affected more than others, and there are different factors which led to the policies being what they are today. So how do we stand overall, compared to other countries, regarding our immigration policies. Broadly, we shed light on a comparison between countries on other continents.

INDIA AND THE UNITED KINGDOM (UK)

Indian and the UK share a common legal background; much of India's laws were shaped by the British and the earlies laws pertaining to immigration in India was also shaped and put into motion by them.

When it comes to visa policies, both grant visas on similar grounds, like educational, medical, family and job-related. The UK stresses on a variety of factors when it comes to granting visas; that of English-language skills, job offers, etc, and the Home Office is particularly strict when it comes to the granting of long-term and permanent visas, with strict checking of documents and backgrounds. The basis of giving a visa is also based on a point-based system, wherein the more skilled ones get preferences.

In India, the entry is now digitalised through the e-Visa platform, and those visiting for over 180 days have to register themselves with the FRRO.

When it comes to getting a citizenship, India has a lengthier process. As mentioned, the process of naturalisation in India takes eleven years. In the UK, immigrants may apply for an Indefinite Leave to Remain (ILR), which is usually granted for 5 years, following which one may become a naturalised citizen if they pass the required criteria involving language proficiency and Life in the UK Test.

Coming to laws regarding asylum seekers and refugees, India still lacks a uniform law, but acts such as CAA were put in place to deal with at least a part of the problem. India is not a signatory

to the Refugee Convention of 1951, yet has a history of hosting a large number of refugees and asylum-seekers including Tibetans, Bangladeshis, Sri Lankan Tamils and Pakistanis.

The UK, on the other hand, is a signatory to the Refugee Convention of 1951, and apart from hosting a large number of immigrants including Indians, Pakistanis and Bangladeshis, also offers them legal rights. However, much like the controversial CAA, recent policies like the Illegal Migration Act, 2023, has received widespread criticism. This act pertains to removing those migrants who enter the UK illegally via boats across the English Channel. They are either deported back to their own countries or sent to Rwanda, with whom the UK signed the Rwanda Treaty and allows for the same.

However, many human rights activists state that the law is inhumane and does not consort with International Laws, especially those surrounding Human Rights.

Finally, the deportation policies of both countries vary significantly. Whereas the UK provides a chance for a legal defence against one's deportation, in India, the decision is mainly up to the Executive.

INDIA AND THE UNITED STATES OF AMERICA (USA)

Up until recently, it was not too difficult to obtain permanent residency in the US (a green card), as they offered grounds like family sponsorships, employment visas, etc. However, the entire process was tedious as long queues for the same led to a lengthy waiting period.

India grants lifelong visas to Overseas Citizens of India (OCIs), however, as India does not have a dual citizenship policy, OCIs do not qualify as citizens. As for foreign nationals, they do not have an option for permanent residency and must wait for 11 years before getting naturalised.

The US, however, has a dual citizenship policy and prioritises those with immediate family in the US, for citizenship visas on the basis of more distant families have a numerical limit. The US has various categories of visas, including the H-1B, the L-1, etc, which also take annual numerical caps and involves a lengthy process to attain. The Customs Border Protection (CBP) and the Immigration and Customs enforcement (ICE) of the US is strict regarding deportation, while in

India, recent laws have given powers to the Bureau of Immigration to deal with illegal immigration. The CAA has also contributed to more strict laws related to refugees and illegal immigrants.

Of late however, the Trump administration has granted powers to the special agents under the United States Citizenship and Immigration Services (USICS) to weed out and prosecute apparent illegal immigrants. Added to this, the administration also announced the end of third-country visa processing, which has affected a large number of Indians.

India too has made its policies stringent with the Immigration and Foreigners Act, 2025, which is also affecting a large number of immigrants from its neighbouring countries.

INDIA AND AUSTRALIA

Possibly the most liberal policies pertaining to immigration and visas are implemented by Australia and New Zealand. Much like the UK, Australia has a point-based skill system, and for such immigrants, they have a Skilled Independent visa and the Skilled Nominated Visa, that offers a pathway to permanent residency, and in some cases, permanent residencies are also granted to international students. Australia also has friendly policies related to working post studies and that also offers an easy path towards permanent residencies and eventually becoming citizens. Indians are the second-largest migrant population because of such immigration-friendly policies.

IMPACTS OF IMMIGRATION

The buzz surrounding migration in the recent times has turned more pessimistic in the recent years. Immigration is not a new phenomena but has been carried out since time immemorial, but the recent issues surrounding migration has made it a burning issue.

It is noticed immigrants who migrate to a particular destination are relatively younger than the country's natives and thus they help in increasing the share of the working population. The immigrated population being a burden on the economy is an infamous myth as the immigrants significantly contribute to the growth of GDP. Immigration of both skilled and unskilled workers improve the productivity. The skilled workers possess the requisite expertise and skills that substantially boost the economy and help the countries to improve the country's position

internationally. A key example is the Parsi immigration to India. The Parsis came to India in order to escape the religious persecution of the Arabians. Even though they constitute almost 0.05% of India's total population the Parsis stand out as a minority group which has made remarkable contribution to the country's economy and left a profound imprint that has enhanced the country's social structure. Eminent families such as Mistry Poonawala, Godrej, Tata have made significant contributions in redefining India's foreign policy and economic distinction. Famously known as spearheads in India's key sector the Parsis established the country's first cotton mill, first vernacular newspaper and India's first owned bank. Moreover industrial pioneers such as the Tata Group have made magnificent contributions to India's steel industry thereby strengthening the industrial sector. Figures like Roninton Mistry, Nani Palkhiwala, Soli Sorabjee have made remarkable contributions to the nation's legal and literary heritage.

Not only the skilled class but also the non-skilled have made marginal contributions in boosting the country's economy. The non-skilled workers are more involved in performing manual tasks that are enduring. A lot of Bangladeshi women workers provide housekeeping services, taking care of children i.e nanny effect. Additionally a lot of immigrants also work are construction sites, security agencies, medical agencies that cater to the needs of bedridden patients.

One can infer that although immigration possesses the power to boost the economy, they benefits of the same are only realised if the rights of the immigrants are properly protected. Additionally, it possesses an impeccable capabilities of blending various cultures allowing people with different qualities to work together. But friction arises when negative myths of the locals cloud over their intellect. When an economic precondition exists, immigration is bound to happen and when people deliberately deny it everything just goes underground.

CONCLUSION

The trajectory of India's immigration highlights the profound manner in which the human mobility has impacted the socio-political fabric of the Indian society. Immigration in India had never been a peripheral phenomenon but rather a force that has continuously shaped the social, cultural and demographic diversity that persists across India. Migration into the continent has been a constant theme since time immemorial. Whether through early tribal movements, historic invasions, trade

networks, colonial labour flow and it has left an indelible mark on India's legislative framework and its administrative policy. The displacement due to partition is regarded as the largest refugee movement in history and it compelled the infant Indian state to grapple with competing rights of sovereignty, national security and humanitarian obligation.

Despite India's consistent engagement with Refugee population from Tibet, Pakistan, Afghanistan, Bangladesh, Sri Lanka and most recently Myanmar, it lacks a structured legislative framework in dealing with ever evolving immigration issues. India's immigration issues reflect a balancing act between state sovereignty and humanitarianism. Indian statutes such as Citizenship Amendment Act, 2016, Immigration and Foreigner's Act, 2025 provide a rigid foundational framework but there is a need for a structured and consolidated immigration policy that can address contemporary issues such as irregular cross-border movement, protection of refugees and a struggle for national identity. The immigration issue in India is also deeply intertwined with domestic politics which underscores the majoritarian concerns and constitutional guarantees.

A comparative analysis against immigration policies of other states highlights how India's immigration regime remains restrictive and reactive with heavy emphasis on control instead of integrative and proactive. When viewed against immigration policies of nations such as the USA, UK and Australia, which foster multiculturalism and integration with policies that aid in harnessing the economic and social benefits of immigration, India's legal framework appears restrictive and ad-hoc heavily relying on executive orders and outdated statutes. The haphazard framework restricts India from the reaping the fruits that immigration could generate and instead it exacerbates the socio-economic marginalization.

The socio-economic consequences of immigration in India are multifaceted. On one hand, it provides a ready labour force for sectors such as construction, hospitality, agriculture and domestic work thereby aiding urbanization and fostering the economy. On the other hand, the influx of immigrants puts a strain on already limited resources and creates fierce competition triggering social and political tensions.

India is at a critical juncture today where lessons from history, contemporary challenges and experiences of other nations force us to reevaluate our immigration framework. A framework that

will prioritize national security and sovereign rights but also fosters integration of immigrants into the society to harness their potential and turn them into contributors in India's growth story. Such an approach would not only uphold constitutional values and international commitments but it would also align with India's long-standing ethics of hospitality.

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