

## **Standing Order No 29/2005**

### **Handling of Deportees**

#### **Purpose**

Presently no detailed SOP/Standing Order is available to deal with the deportee/inadmissible passengers and the Pakistanis arriving on Emergency Passports. In order to streamline the working of FIA Immigration Check-posts for smooth and transparent handling of such persons, following orders are issued for guidance and strict compliance by all concerned.

#### **Deportation/Inadmissibility of Passenger**

- a. Deportation means arrival of any passenger who has been refused entry or made to leave the country on account of violation of any law of the host country on fake /forged travel documents or suspecting the same to be fake/forged.
- b. "Inadmissibility" means declaration of host country of any person as invalid on account of violation of any law of the host country on fake /forged travel documents or suspecting the same to be fake/forged or without travel documents irrespective of fact whether deported back or otherwise.

#### **Reasons of Deportation**

A person may be deported on one of the following reasons:

- a. Valid documents: Deportation/inadmissibility of a passenger having valid documents but refused entry on account of overstay during last visit, black listed, holds no prior entry clearance or fails to satisfy the Immigration Officer, etc.

- b. Invalid documents: Deportation on account of invalid documents, which include expiry of passport/visa, violation of visa conditions, improper documents, etc
- c. Fake/forged documents: Deportation on account of fake/forged documents, which include fake/forged or suspected to be fake/forged foreign and Pakistani passport/visa stickers and other travel documents. Forgeries include Photo/biodata substitution, change in name and date through erasing etc or travel documents obtained through fraudulent means. The person deported on this account and a person deported for travelling on other person's passport without changing photograph shall be treated as "Deportee on forged documents (DFD)"

#### 4. Procedure on Arrival of Deportee

On arrival, the deportee (DFD) and his documents shall be thoroughly examined by the Shift In-charge/Arrival and his team along with the concerned Shift In-charge/Departure and his staff (in whose shift the deportee managed to depart). After that the Shift In charge/ Arrival shall prepare an enquiry report and put it up before the AD/Arrival along with the deportee for further scrutiny and approval. In turn the DD/Immigration shall be informed immediately and if available he should personally examine the enquiry report and the deportee.

#### 5. Action against Deportee

- a. The passenger who was refused entry holding valid or invalid documents with no violation of law shall be released from the airport with no further action after obtaining his address and contact number.
- b. The passenger deported on account of suspicious documents shall be sent to Passport Circle for regular enquiry and further legal action along with enquiry report containing recommendation of the AD/Arrival. If the passenger proved to be innocent victim, he may be released from the Airport with the approval of DD/Immigration. After obtaining necessary surety from him to appear before the I.O/Passport Circle when called for the enquiry/Investigation.
- c. The passenger deported on account of fake/forged documents shall be sent to Passport Circle for registration of case along with the "Complaint". If passenger is proved to be innocent victim he may be released by the order of DD/Passport Circle after his personal verification.
- d. If the deported passenger was convicted on account of some heinous crime such as terrorist activities, drug trafficking, human trafficking etc, he shall be sent to Passport Circle for joint interrogation as per policy of the FIA HQ.

#### 6. Action against A person 'Hit' Against 'Stop List'

At arrival if a passenger is 'Hit' against 'Stop List' following action shall be taken:

- a. **ECL**  
Despite knowing being on ECL, if the passenger went abroad legal action may be initiated against him. Otherwise Passport of the pax shall be taken into possession and he/she be advised to get his/her name removed from the ECL.
- b. **Lost Passport/black Listed**  
Passport of the passenger shall be taken into possession and sent to DD/Immigration Office, who should write to DG/Immigration and Passports for necessary action and disposal of the passport. The passenger will be sent to Passport Circle.
- c. **Stolen passport**

- The passenger shall be treated like holding fake/forged travel document.
- d. **Watch List**  
Concerned authorities shall be informed immediately and procedure/action be taken as per law.

**NB:** - If the person being on '**Stop List**' manages to depart, on arrival an enquiry shall be held to ascertain as to under what circumstances he managed to proceed abroad and to fix responsibility in this regard.

#### 7. **Record Keeping**

The record of deportee passenger shall be maintained as follows:-

- a. The counter operator shall enter reason of deportation in the PISCES Notepad of the passenger's profile.
- b. Entry in the Daily Dairy by the Shift In-charge.
- c. Entry in the Deportee Register by the Shift In-charge.
- d. In case of legal action, Original Report shall be referred to concerned Passport Circle (Police Station) while Duplicate be sent to DD's Office.
- e. At DD's Office an entry shall be recorded in the Deportee Register of all the cases referred to Passport Circle.
- f. Detail of all deportees shall be sent in the Morning report to Director Zone and ADG/I & AHS on prescribed Performa already circulated. In the column action taken, the enquiry/case FIR No shall also be indicated after ascertaining from the Passport Circle.
- g. A data base of all deportee passengers be maintained at the DD's Office.

#### 8. **Handling of Persons Returning on Emergency Passports (EP's)**

According to para-44 of Passport and visa Manual 1974, single sheet Emergency Passports, valid only for return to Pakistan, are issued by Pakistan Missions abroad to the following categories:

- (a) Undesirable Pakistani nationals residing abroad.
- (b) Persons who are rendered destitute abroad.
- (c) Persons to be deported by foreign Government.
- (d) Pakistani Citizens who lost their Passports abroad.

The Pakistan Missions abroad are required to make necessary verification from concerned Police Authorities in Pakistan before issuance of such Passports but generally this practice is not being followed Experience as also shown that some of foreigners like Afghans, Bangladeshis and Indians etc. have obtained Emergency Passports posing themselves as Pakistani Nationals. While issuing such Emergency Passports the Pakistani Missions abroad invariably direct the Immigration Authorities in Pakistan to verify the national status of these passengers and take further action in the light of their national status.

#### 9. **Guidelines for the Immigration Officers**

- a. The Shift In charge or an Upper subordinate shall interview the passenger and examine his ID, Documents that is NIC, Birth Certificate, Educational Certificates etc. or his/her verification through his/her blood relations or persons known to establish his/her Pakistani Citizenship.
- b. The Sub Inspector after completing the above formalities shall produce the deportee along with statement recorded by him, available documentary evidence and the"

- Performa" filled in and signed by him before In-charge for further decision.
- c. After satisfaction about the national status of the individual, he/she shall be released immediately. Copies of documents proving his/her national status shall be retained with the Emergency Passports.
  - d. The passenger shall be referred to Passport Circle only if his national status is prima-facie doubtful or has been involved in terrorism, trafficking or drug related cases abroad. In such cases the passenger shall be interrogated through a joint interrogation Team consisting of FIA and IB Officers and further action be taken as per law/rules and HQ's be informed accordingly.

#### **10. General Instructions**

- a. No lower rank staff (HC/Constable) shall deal with any deportee except to escort them to Passport Circle.
- b. All Emergency Passports shall be collected by the Immigration Authorities and further dispatched to the respective Directorate of Immigration and Passports.
- c. In case a person is referred to Passport Circle, a copy of the Emergency Passport shall be retained and original sent to the said Circle.
- d. As far as possible, the Immigration Authorities may assist the Airlines or other Government Agencies in the recovery of dues, if incurred on the deportation of the passenger. However, merely for recovery of deportation charges, no deportee will be referred to Passports Circle, if otherwise there is nothing incriminating against him. The Airlines Authorities may, however, be advised to approach the concerned District Revenue Authorities for recovery of such charges as arrears of land revenue as per provision of Section 21 of Emigration Ordinance, 1979.

#### **11. Action by FIA Passport Circle**

On receipt of a deportee in Passport Circle following procedure shall be adopted:

- a. The deportee shall be interrogated immediately and his documents thoroughly examined by the Deputy Director or in his absence by the Assistant Director, Passport Circle.
- b. If the facts and disclosures of the deportee prima-facie constitute commission of an offence, a case shall be registered immediately without loss of time.
- c. In case the matter requires further enquiry/verification, an enquiry shall be registered and finalized as early as possible. In such cases the deportee shall immediately be released after obtaining necessary surety.
- d. The Passport Circle shall submit weekly progress report of every deportee received in the Circle either on fake/forged or suspected to be fake/forged documents, indicating his complete particulars facts of the case, gist of the interrogation, complete details of the agents/traffickers involved and any arrest made thereof in this regard. The said report shall be sent to the Director Zone and ADG/I&AHS latest by 2nd of every month for perusal of the DG/FIA.
- e. The DD/Passport Circle shall also ensure submission of periodical reports etc, regularly to FIA Hq's.
- f. The Emergency Passports along with the deportees received at Passport Circle shall be sent to the respective Directorate of Immigration and Passports, when no longer required.