



CWP-PIL-90-2023 (O&M)
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IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

I. CWP-PIL-90-2023 (O&M)
Reserved on :28.04.2026
Pronounced on: 29.05.2026
Uploaded on : 29.05.2026

ARVIND KUMAR
... PETITIONER

Versus

STATE OF PUNJAB AND OTHERS
... RESPONDENT

II. CWP-PIL-91-2023 (O&M)

ARVIND KUMAR
... PETITIONER

Versus

STATE OF HARYANA AND OTHERS
... RESPONDENT

*Whether only operative part of the judgment is
pronounced or the full Judgment is pronounced:* **Full Judgment**

**CORAM:- HON'BLE MR. JUSTICE SHEEL NAGU, CHIEF JUSTICE
HON'BLE MR. JUSTICE SANJIV BERRY**

Argued by: Mr. H.C. Arora, Advocate for the petitioner(s).

Mr. Salil Sabhlok, Sr. Deputy Advocate General, Punjab.

Mr. Deepak Balyan, Additional A.G. Haryana.

Mr. Satya Pal Jain, Addl. Solicitor General of India with
Ms. Neha Sharma, Senior Panel Counsel for UOI.

SANJIV BERRY, J.

1. By way of this common order, the above captioned two writ
petitions shall be disposed of as the relief sought in both petitions is similar.

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2. The petitioner has preferred the instant petitions in the form of Public Interest Litigation, essentially seeking issuance of writ in the nature of Mandamus directing the States of Punjab and Haryana to make it mandatory to have a license/certification from the concerned foreign Government, in case the person wants to give visa counseling service in India and to publish a list of such authorized Visa consultants for such countries, in order to protect the innocent persons from frauds being committed by unauthorized Visa consultants.

3. We have heard learned counsel for the petitioner and also learned Additional Solicitor General representing the Union of India as well as learned counsel for the States of the Punjab and Haryana.

4. Upon notice of motion being issued, the State of Punjab has filed its reply, whereas the State of Haryana has placed on record the copy of the Haryana Registration and Regulation of Travel Agents Act, 2025.

5. The petitioner by way of instant petitions, filed as PILs, has sought check on the unauthorized travel agents and immigration consultants, who, through fraudulent practices and malpractices, cheat innocent persons and are also allegedly involved in illegal human smuggling.

6. In its reply, the State of Punjab has highlighted that in order to regulate the profession of travel agents, the State of Punjab has passed “The Punjab Prevention of Human Smuggling Act 2012”, copy of which has been annexed with the reply as Annexure R-1. It is stated that the purpose of this Act is to provide regulation of the profession of travel agents with a view to check and curb their illegal and fraudulent activities, and malpractices of the persons involved in organized human smuggling and for the matter connected

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therewith. It is also pointed out that in terms of this Act, the State of Punjab has also enacted “The Punjab Travel Professionals Regulation Rules, 2013” (Annexure R-2).

6.1. It has been submitted that in the State of Punjab, the licences to travel agents are issued as per the Act aforesaid by the District Magistrate and Additional District Magistrate of each District concerned as the competent authority, copy of the Notification dated 03.09.2013 is Annexure R-3.

6.2. It is also pointed out that in the subsequent Notification dated 23.05.2014 (Annexure R-4) the scope of word “travel agents” has been enlarged to include “travel agents, coaching institute of IELTS, ticketing agents and general sales agents of airlines” as well.

6.3. In separate affidavit filed on behalf of respondent No.3-Director General of Police, Punjab, it is pointed out that to curb the illegal activities of such persons, the State of Punjab has also formed “Anti Human Trafficking Unit” to curb such illegal activities of unauthorized travel agents.

7. Similarly, the State of Haryana has also come up with “The Haryana Registration and Regulation of Travel Agent Act, 2025”, on similar lines and the Preamble thereof reads thus:-

“to establish a framework to ensure the transparency, accountability, integrity of travel agents and to check and curb their illegal and fraudulent activities, safeguarding the interest of residents of the State of Haryana and for the matters connected therewith or incidental thereto.”

7.1. Thus, from the above, it transpires that the States of Punjab and Haryana have taken effective steps with the enactment of the Punjab Prevention of Human Smuggling Act 2012 and the Rules framed thereunder

