



GOVERNMENT OF INDIA
MINISTRY OF OVERSEAS INDIAN AFFAIRS

**PROCEEDINGS OF THE
CONSULTATION MEETING WITH STATE
GOVERNMENTS ON ISSUES RELATING TO
OVERSEAS INDIANS**

NEW DELHI
8th-9th July, 2008

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**PROCEEDINGS OF THE
CONSULTATION MEETING WITH STATE GOVERNMENTS ON ISSUES
RELATING TO OVERSEAS INDIANS
(8th-9th July, 2008)**

A two-day Consultation Meeting with the State Governments was organized by the Ministry of Overseas Indian Affairs at the India Habitat Center in New Delhi on 8th-9th July, 2008 to discuss various issues relating to overseas Indians and to forge a partnership between the Ministry and the State Governments to optimize outcomes of the Ministry's initiatives. The Meeting was attended by 14 States and the Ministries of External Affairs and Home Affairs. The list of Participants is at Appendix-I.

PROCEEDINGS OF DAY – 1

2. Shri Vayalar Ravi, Minister of Overseas Indian Affairs inaugurated the Consultation Meeting on 8th July 2008 at 09.30 am. In his inaugural speech, the Minister called upon the State Governments to take steps for rigorous enforcement of the emigration laws on ground and for attracting investment from overseas Indians for economic development. A copy of his inaugural speech is at Appendix-II. In his opening remarks at the inaugural session, Shri K. Mohandas, Secretary, Ministry of Overseas Indian Affairs underlined the need for the Centre and the States to work in tandem on matters relating to overseas Indians and emphasized the need for upgrading the skill level of Indian workers to bring it at par with the requirement of the international labour market. A copy of his opening remarks is in the Appendix-III.

3. The Programme, the Agenda Notes and copies of the Presentations made by Participants are placed in the Appendix- IV to VI.

Session –I : Emigration Related Issues

4. The Session -I of the Consultation Meeting was devoted to emigration related issues. Secretary, MOIA opened the discussions by explaining to the delegates that emigration was a major issue for the States and adequate attention needs to be paid to it by the State Governments. He observed that

there should be a dedicated Department/Cell in the States to address matters relating to Indian Diaspora. Another important aspect worthy of attention is the need for prompt action to implement provisions of the Emigration Act so that prosecution of unscrupulous recruiters can be ensured. The problems of the Indian Diaspora, particularly the ones relating to their property in India, need to be tackled by the State Governments, on priority.

5. This was followed by a comprehensive Presentation on Emigration Management by Dr. Ranbir Singh, Director (EP). Dr. Singh explained all aspects of Emigration Policy, Emigration Act and Rules, 1983 and the role of Protector General of Emigrants/POEs, the Central Government and other organizations. The highlight of the presentation was the activities the State Governments were expected to participate in, for strengthening the system of Emigration management.

6. Initiating the post presentation discussions, Shri. G Gurucharan, Joint Secretary (FS & EP) explained the need for greater involvement of State Governments in better implementation of emigration system. While on the one hand, they can take advantage of the system by promotion of overseas employment, on the other they can ensure proper enforcement of legal provisions of the Act and Rules to prosecute the unscrupulous or illegal RAs and ensure protection and welfare of the emigrant workers. In this context, he referred to the menace of human smuggling as distinct from human trafficking which can be tackled with the help of active cooperation of the State Governments.

7. The State delegates were then invited to offer their comments, make observations and seek clarifications. The representative of Goa wanted to know as to how to regulate the Travel Agents who are often responsible for illegal recruitment/migration. He also informed that females below the age of 30 were migrating by posing as artists. In response, JS(FS) informed that the Government was aware of such instances. He assured support of MOIA in regulating the activities of travel agents by the States. He also informed that MHA is expected to circulate a model law to regulate the travel agents. The Tamil Nadu representative sought delegated powers under the Emigration Act, 1983 to make rules by the State Governments. JS (FS) clarified that the State Governments can help in implementation of penal provisions of the Act and in preventing pushing of illegal migrants from exit points at the airports. The Kerala delegate explained the difficulty in preventing illegal emigration, as legal emigration was more difficult and expensive. Further, action against illegal migrants created human problems too as despite the difficulties and exploitation suffered by such illegal migrants, they prefer to continue as many of them faced worse situation at home. He was informed that with appropriate

knowledge, education and training, prospective emigrants will find legal routes to migration much safer and preferred option.

8. The delegates from Punjab explained the problems specific to that State where the youth find role models among returnees or vacationing NRIs particularly from North America/EU countries and harbor dreams of improving their life style by migrating to these countries legally or illegally. Besides, family and social reasons also contribute to their anxiety to get employed abroad. It is very difficult to change this mind set of young boys and girls which often is exploited by the unscrupulous travel agents. To counter this problem, it was suggested that passports be made easily available to youngsters of Punjab and employment opportunities abroad be gathered and conveyed to facilitate legal migration. JS (FS) appreciated the observations made by the Punjab delegates and assured all possible help to resolve these issues.

9. Responding to certain other queries and observations of the State representatives, JS (FS) stated that State Governments may set up institutional arrangements to guide and educate the prospective emigrants from districts or areas from where large number of persons are sourced for overseas employment, so that chances of their falling in the hands of unscrupulous RAs or illegal agents and getting exploited are minimized. For this purpose, he referred to the Skill Upgradation and Pre-departure Orientation Programmes funded by the MOIA which need to be implemented enthusiastically by the State Governments. Active involvement of the State Governments was sought in the following areas:

- (i). States to tackle unregistered agents by identifying them through investigation and through scrutiny of advertisements for overseas recruitment.
- (ii). To strictly enforce the laws relating to overseas employment particularly of women household service workers.
- (iii). Every State needs to set-up OWRC or MRC to facilitate the dissemination of information and knowledge of existing laws and provisions for the protection and welfare of the workers.
- (iv). Skill up-gradation and pre-departure orientation need to be provided by the State Governments by identifying suitable institutions for this purpose. He expressed disappointment at dismal performance by most of the State Governments in implementation of these schemes and sought their active involvement.

- (v). Workshops to be held at appropriate places in the States with participation of all stake holders.
- (vi). Awareness campaigns through local media need to be launched to educate the prospective emigrants particularly the illiterate workers. Special awareness campaigns are required in areas like Cudappah district in AP which is a large source of vulnerable category of workers.
- (vii). States need to identify their core competence which could be strengthened through skill up-gradation training. This will help in taking advantage of the opportunities available in European Union (EU) States. The areas of competence identified were manufacturing in Punjab, construction in TN and AP, hospitality and medical care in Karnataka, etc. The opportunities available in EU countries, as gathered by the MOIA will be passed on to the States for utilization.
- (viii). Appropriate institutions need to be identified or created for imparting training for skill up-gradation.
- (ix). Indian Missions abroad, particularly in Gulf and Malaysia, will explore possibilities of registering the overseas Indian workers and their particulars including employment details could be made available to the nodal cells in the States concerned so that in case of problems arising for them at any stage, necessary assistance could be rendered by the States.

10. Concluding the discussions, JS (FS) informed that Ministry of Overseas Indian Affairs is actively pursuing with the foreign Governments for taking protective and welfare measures for the Indian workers. While MOUs have already been signed with certain countries particularly the GCC countries, Social Security Agreements have been concluded with many Developed countries. More such protocols are in the pipeline. The response of these countries was encouraging. In this context, he specifically mentioned about a progressive measure taken by Bahrain by establishing Labour Market Regulatory Authority (LMRA) which will be the only authority to issue work visas and deal with Indian RAs. Other countries in the Gulf region are contemplating measures like dispensing with sponsored visas. Besides, direct employers - workers meets on the lines of buyer-seller meets are planned to eliminate the role of RAs. He further informed that legal migration of Indian workers will get a boost with India becoming a member of International Organization for Migration (IOM) who is also opening its office in New Delhi.

Other initiatives to strengthen legal migration include Colombo Process of IOM and Abu Dhabi Dialogue of the major labour importing countries.

11. Secretary (MOIA) expressed the hope that the Delegates will take note of all the Schemes, Programmes and initiatives taken by the Ministry for appropriate implementation in their States. He urged them to take up the Skill Up-gradation and Pre-departure Orientation Programmes in a serious manner and become an active Partner in the implementation of the provisions of the Emigration Act and Rules.

Session II: Diaspora Related Issues

12. Addressing the representatives of the State Governments, Shri D.N. Srivastava, Joint Secretary (Diaspora Services) informed about various Programmes and Schemes being run by the Ministry of Overseas Indian Affairs for the benefit of the Overseas Indians and urged all the States to participate in the forthcoming Pravasi Bhartiya Divas Convention scheduled to be held in Chennai on 8th–9th January, 2009.

13. Ministry of overseas Indian Affairs solicited the cooperation of State Governments in the following Schemes related to Overseas Indian community:

Overseas Citizenship of India (OCI) Scheme:

14. It was informed to the State Government representatives that OCI scheme gives multiple benefits to the registered overseas citizens of India. The OCI card holder have been given general parity with Non Resident Indian (NRI) in the economic, financial and educational fields, in matters of inter-country adoption, tariffs in airfare within India and for visits to National Park and wild life sanctuaries in India. The States were asked to consider the OCI cards as valid documents for issue of driving license, electricity connection, gas connection etc. without any further verification.

Education for NRI's

15. There are schemes approved by AICTE enabling supernumerary quota of fifteen percent in all the Institutions of higher education/Universities offering technical education for foreign nationals /Person of Indian Origin/ Children's of Indian worker in the gulf countries. Similarity UGC have issued orders regarding creation of fifteen percent supernumerary seats for foreign Institution out of which 5% shall be earmarked for the children of Indian workers in the Gulf.

16. MOI requested the State Governments to issues necessary direction to the state educational Institutions to implement these schemes for persons of Indian origin.

17. It was also brought to the notice of the States that the educational Institutions insist upon producing an NRI certificate for considering the applicant under these schemes. MOIA proposed that in case of Non Resident Indians, entries in the Passport could serve the purpose and in case of registered OCI's, their registration booklet should be accepted.

Problems Relating to Overseas Indian Marriages

18. The problems relating to Overseas Indian Marriages was discussed in detail. There was unanimity among the participants that the problem is serious and genuine. However, given the social complexity of the problem, the solution needs to be more welfare oriented. In this back ground, MOIA requested the representative of the State Governments to start an Awareness campaign in local languages to create awareness at all levels. The other solutions which were discussed are as follows:

- (i). Introduction of compulsory registration of Marriages
- (ii). Ministry of law shall be asked to give instructions to the State Governments for introduction of a uniform marriage registration certificate which shall provide details of the bride and bridegroom. It was also considered that the marriage registration certificate should be issued to both bride and bridegroom. The representative of Government of Punjab informed that the State Government has already passed a Compulsory Marriage Registration Act.
- (iii). It was also decided that in the States where there are more number of such cases, creation of special Fast Track Family Courts for addressing the disputes related to overseas marriages, may be considered.
- (iv). The States were also requested to established special NRI cells to give legal advice and counseling to the victims of overseas marriages.
- (v). States were also requested to keep track of marriage bureaus and regulate the marriage bureaus which are found involved in the fraudulent overseas marriages.
- (vi). It was also considered to prepare a short Documentary film on the issue of overseas marriages in Punjab. The representative of Punjab assured full support of the Government of Punjab in this regard.

Property related disputes of Overseas Indians

19. The issue was considered in the light of various complaints made by NRI's/OCI's residing in different parts of the World who have suffered both economically and mentally as their immovable property(ies) in India has

been grabbed by unscrupulous people. During the discussion, a need was felt that such cases require attention of the State Governments for early solutions.

20. States were requested to take measures to protect the legally tenable interest of NRI's. It was proposed that a nodal Cell in the State Police Headquarters may be established and necessary awareness may be generated about these facilities. States were also requested to replicate Punjab model of NRI Police stations wherever cases relating to property disputes/other NRI issues are in sizable numbers.

Cultural Exchange with Overseas Indian

21. The representatives of the States were informed about the 'Know India Programme that the Ministry conducts every year with the partnership of State Governments. The States were requested to participate as a Partner and accord importance in undertaking the programmes.

22. States were also requested to co-ordinate with the efforts of MOIA for greater cultural exchange with the Overseas Indians by way of organizing cultural programmes of overseas Indian groups in the States and giving support to the Ministry for organizing such programmes in the States.

Tracing the Roots

23. States were requested to develop programme for the Overseas Indians who are keen to trace their roots in India. The States of Uttar Pradesh, Bihar and Tamil Nadu were specifically requested to start a programme in co-operation with MOIA. The representatives of UP Government informed that they already have a Scheme for this

Session III: Setting up OWRC in States

24. A presentation was made by M/s Kankei Relationship Marketing Services Pvt. Ltd which is managing the Overseas Workers' Resource Centre (OWRC) set up by the Ministry of Overseas Indian Affairs at New Delhi since January 2008. This national level OWRC was inaugurated by the Prime Minister during PBD 2008 to provide need based information and assistance to emigrants and intending emigrants. The national OWRC is operating a Helpline with a Toll free Number 1800 11 3090. The Ministry would like the

State Governments to set up similar OWRCs at least in the major sending States. It has also been decided to establish an OWRC at Kochi initially by MOIA which could later be maintained by the State Government. The intention of the Ministry is to provide the initial setting up costs. The States can meet the recurring costs for maintaining the facility. The Representative of Punjab informed that they have also decided to implement this.

PROCEEDINGS OF DAY – 2

Session IV: Promotion of Investment by Overseas Indians

25. The proceedings on the second day of the Consultation Meeting consisted of Presentation by the Overseas Indian Facilitation Center (OIFC) and some participating State Governments. The proceedings commenced with opening remarks by Secretary (MOIA). He stated that attracting investment from Indian Diaspora is one of the primary objectives of the Ministry of Overseas Indian affairs and should be equally important to the State Governments. The Indian diaspora is interested in economic, social and infrastructural development of their country of origin. India is the recipient of highest amount of remittances from its diaspora but the same is not being invested into development projects. The States can play a leading role in channeling the remittances towards development. Therefore, an effective partnership among MOIA, State Governments and OIFC is necessary for diaspora investment promotion.

26. Following the opening remarks of Secretary, the CEO of OIFC made a Presentation on the origin, objectives and performance of the organization. He explained the primary objective of the organization, set up by the Ministry of Overseas Indian Affairs in partnership with the Confederation of Indian Industry (CII) and informed the State Governments the way they can cooperate to achieve these objectives which are beneficial not only for the development of the States and the country but also for the investors.

27. After the presentation, JS (FS) explained the concept and rationale of OIFC and made the following observations:-

- (i). Many States already have well tuned competitive institutional mechanism for investment promotion which needs to be made more effective by associating it with the OIFC.

- (ii). The States who do not have such a mechanism or a nodal Agency should create an appropriate Forum to tap potential investments for their development.
- (iii). While the big names among the Indian diaspora do not need any help from investment promotion bodies, the middle and small class of investors need the hand holding facilities offered by such institutions. It is where the efforts need to be concentrated.
- (iv). The diaspora is organized on the same pattern as States in India. As such, the States should get in touch with related diaspora associations /organizations.
- (v). The large number of Indian CEOs in different countries, particularly the USA, could be the source of business to business partnership in different sectors like wealth management, real estate, health care, hospitality etc.
- (vi). OIFC has already received thousands of queries from potential investors and already have a reliable and genuine data-base which can be taken advantage of by the States by becoming a member of the OIFC.
- (vii). States need to accelerate the process of clearing investment proposals as the normal grievance of the potential investors is very time consuming and hassle- some process of clearance.
- (viii). As the diaspora investors, particularly from Gulf region, do not prefer longer lock in period for their investment and desire quick returns, customized products based on risk – reward arrangement matching the requirements of such investors need to be worked out.
- (ix). There are three areas of partnership of OIFC with the States. First could be the Investment Promotion Meets organized in India and abroad to provide a platform for interaction to potential investors, local Chambers of Commerce and NRI/PIO Associations. Second could be the need of focused Road shows based on the strengths of the State. Third is participation in Market Place organized at PBDs regularly held in India and abroad.
- (x). To make the OIFC more useful, its website has been linked to the Indian Missions from whom the OIFC sources important data on regular basis. Similar linkage is proposed with NRI/PIO associations,

diaspora CEOs and individual potential investors registered at the PBDs. Investment promotion bulletins are also proposed for the members.

- (xi). States should consider signing MOUs with MOIA as has already been done by the Punjab Government. A model MOU has already been supplied to the States.

28. Reacting to the Presentation of OIFC and observations made by JS(FS), the States' representatives made some observations. Some representatives were of the opinion that the annual OIFC membership fee at Rs. 10 lakh appears to be on the high side and should not exceed Rs. 2 lakh. It was explained to them that the fee was not higher if the services rendered by OIFC are fully appreciated. Some representatives suggested that States should be given representation on the Governing Council of the OIFC. Another representative wanted 'I' in OIFC to be reworded as 'Investment'. Some representatives suggested that OIFC should be entrusted with other diaspora related activities like knowledge transfer, counselor related services, philanthropy related needs, cultural needs etc. The representative from Karnataka wanted due publicity of OIFC so that the States are aware of its services. He suggested linkage of OIFC website with the state Governments websites.

Session V : Presentations by States

29. Thereafter, the Representatives of Orissa, Andhra Pradesh, Punjab, Kerala, UP and Tamil Nadu made Presentations on investment opportunities available in their respective States, the related institutional arrangements, the future initiatives and their expectations from MOIA.

Concluding Session

30. During the Consultation Meeting, the Ministry of Overseas Indian Affairs and the representatives of the State Governments agreed on several issues. Dr. Ranbir Singh, Director (EP) summed up the deliberations of the Sessions of the two days meeting and recapitulated the outcomes of the Consultation Meeting as follows:

General issues

- (i). It was agreed that the Ministry and the State Governments would work in tandem in a spirit of partnership on all issues relating to overseas Indians and emigration.
- (ii). A nodal Department may be set up by the major labour sending States and a nodal Cell by the other States to bestow mainstream attention to issues relating to overseas Indians.
- (iii). The Ministry has signed an MOU with Punjab to formalize the partnership. Other State Governments may also consider signing of similar MOUs.
- (iv). The State Governments agreed to create a database on the overseas Indians hailing from their territory.

Emigration Issues

- (v). It was decided that the State Governments would take pro-active action to collect intelligence and exercise due surveillance on recruitment for overseas employment in their States and would take preventive and corrective action against illegal recruitment and illegal emigration from their territories.
- (vi). The State Governments would regularly monitor prosecutions of offenders under the Emigration Act and report progress to the Ministry.
- (vii). The States may establish Overseas Workers Resource Centre (OWRC) and undertake Awareness Campaigns to educate people about the pitfalls of illegal migration and the procedures and framework for legal migration.
- (viii). The States would vigorously implement the Skill Upgradation Programme for which the Ministry of Overseas Indian Affairs would provide 100% central funding.

Diaspora Issues

- (ix). The States were invited to participate in the Pravasi Bharatiya Divas to be held in Chennai in January, 2009.
- (x). The States will take steps to ensure that the Overseas Citizens of India (OCI Card holders) are not denied the entitlements under the OCI Scheme and due facilitation is provided to them in this regard by the state functionaries.
- (xi). The States may ensure creation of 15% supernumerary seats for foreign students in educational institutions, which will benefit the children of overseas Indians.
- (xii). The State Governments would participate in the Know India Programme of the Ministry which is aimed at exposing the overseas Indian youths to the country of their forefathers through a visit to different parts of India.
- (xiii). The States agreed to associate with the Ministry in augmenting cultural engagement with the Indian diaspora.

- (xiv). Many overseas Indians whose forefathers migrated several generations back are interested in tracing their roots in India. It was agreed during the consultation meeting that the State Governments and the Ministry would work together to develop an appropriate platform to facilitate the tracing of roots of such overseas Indians.
- (xv). The State Governments would explore the possibility of setting up of Fast Track Courts for speedy disposal of cases of overseas Indians particularly those relating to property and to fraudulent marriages of Indian girls with overseas grooms.
- (xvi). State Governments may undertake Awareness Campaigns to educate young girls and their parents about precautions to be exercised while considering marriage proposals from overseas Indians

Investment Issues

- (xvii). The States may work in partnership with OIFC by becoming its members.
- (xviii). The State Governments may associate with the Market Place to be organized by the Overseas Indian Facilitation Centre (OIFC) at the Mini-PBD in Singapore during 10-11 October 2008 and the Main PBD at Chennai in 2009. The OIFC will also associate itself with the State NRI meets and organize Market Place at these events. The objective of the Market Place is to assist overseas Indians in making investment decisions.
- (xix). The OIFC would be organizing Global Investors' Meets in different countries. The State Governments were invited to participate in these meetings.
- (xx). The State Governments may also organize road shows for attracting investment from overseas Indians and the OIFC would provide support to them.

31. In his concluding Remarks, Shri K. Mohandas, Secretary, MOIA thanked the Representatives for their active participation in the Consultation Meeting and their valuable contribution to the meaningful dialogue at the Meeting. The discussions have led to the development of a better understanding of the initiatives taken by MOIA and the potential available from the Indian diaspora which can be tapped for profitable investment in different sectors in India. He informed that these consultations will henceforth be an

Annual event although regular interaction between MOIA and the State Governments will continue in the intervening period. He assured the delegates of active co-operation and support of Ministry of Overseas Indian Affairs in pursuing the objectives set out at the Consultation Meeting.

LIST OF PARTICIPANTS

Ministry of Overseas Indian Affairs

Hon'ble Shri Vayalar Ravi, Minister of Overseas Indian Affairs
Shri K. Mohandas, Secretary, MOIA
Shri G. Gurucharan, Joint Secretary (FS & EP)
Shri D.N. Srivastava, Joint Secretary (DS)
Shri Jagadananda Panda, Protector General of Emigrants
Dr. Ranbir Singh, Director (EP)
Ms. Sandhya Shukla, Director (DS)
Shri Mithlesh Kumar, Dy. Secretary (FS & Admn.)
Shri K.B. Arora, Dy. Secretary (P&C)
Shri V.K. Bhatia, Dy. Secretary (ES)
Shri G.C. Rout, Under Secretary (FS),
Shri M.K. Pandey, Under Secretary (Admn.),
Ms. Vanaja K. Thekkat, Under Secretary (DS),
Shri Nitin Kumar, Under Secretary (EP-II),
Shri R.C. Meena, Under Secretary (ES)
Shri S.S. Rana, Under Secretary (P & C)
Shri Sunil Chauhan, Section Officer (EP)

Ministry of External Affairs

Shri Sanjay Singh, Additional Secretary (Gulf), Ministry of External Affairs.

Ministry of Home Affairs

Shri B.V. Gopinath, Director (Foreigners), Ministry of Home Affairs.

Representatives of State Governments

1. Andhra Pradesh

- (i) Shri Bhanwar Lal, Principal Secretary, Department of Labour, Employment, Training & Factories, Government of Andhra Pradesh.
- (ii) Dr. K.V. Swami, GM, Overseas Manpower Company Andhra Pradesh Limited.

2. Bihar

- (i) Shri Mahesh Prasad, Director (Technical), Department of Industries, Government of Bihar.

3. Goa

- (i) Shri Anand Prakash, Development Commissioner, Government of GOA
- (ii) VAdm John C D' Silva, Chairman, Overseas Employment Agency of Goa

4. Gujarat

- (i) Shri Sujit Gulati, Industries Commissioner, Government of Gujarat
- (ii) Shri T.S. Bisht, Secretary, Department of Home, Government of Gujarat
- (iii) Shri M.M. Pathan, Secretary Sports Authority of Gujarat.
- (iv) Shri Yogesh C. Potdar, Director, Gujrat Non-Resident Gujarats' Foundation.

5. Haryana

- (i) Shri Krishan Kumar, Director Employment –cum-Member Secretary (HOPAS), Government of Haryana.

6. Karnataka

- (i) Shri C.R.Chikkamath, Secretary (Labour), Government of Karnataka.
- (ii) Shri B.S. Raghupati, Joint Director, Department of Employment and Training, Government of Karnataka.

7. Kerala

- (i) Smt. Sheela Thomas, Secretary to Chief Minister, Government of Kerala,
- (ii) Shri P.H. Kurian, Secretary (Industries- Investment Promotion), Government of Kerala.
- (iii) Shri K.M. Ramanadan , CEO- NORKA ROOTS, Government of Kerala
- (ii) Shri P. Krishnachandran, Additional Secretary, NORKA, Government of Kerala
- (v) Shri L.U. Beher, Inspector General (HQ)

8. Maharashtra

- (i) Smt. Malini V. Shankar, Development Commissioner (Industries), Government of Maharashtra

9. Orissa

- (i) Dr. Ashish Kumar, Investment Promotion Officer, Government of Orissa

10. Punjab

- (i) Smt. Anjuly Chib Duggal, Principal Resident Commissioner, Government of Punjab.

- (ii) Shri B.C. Gupta, Principal Secretary (Home), Government of Punjab
- (iii) Shri A.S. Chhatwal, Commissioner, NRI Affairs, Government of Punjab
- (iv) Shri Raminder Singh, Labour Commissioner, Government of Punjab
- (v) Shri K.J.S. Pannu, DIG (NRI),
- (vi) Shri Aziz Quraishi, Head, NRIs Facilitation Bureau-cum-Ex Officio Secretary NRI Affairs, Government of Punjab
- (vii) Shri G. Ramesh Kumar, Director, Technical Education & Industrial Training, Government of Punjab
- (viii) Capt. Kanwal Jit Ghuman, Dy. Director, Foreign Employment & Training Bureau, Government of Punjab.
- (ix) Shri R.D. Sehgal, Industrial Advisor cum Additional Director, Department of Industries & Commerce, Government of Punjab.

11. Rajasthan

- (i) Shri Lalit Kumar Panwar, Principal Secretary, Department of Labour and Employment, Government of Rajasthan
- (ii) Ms. Nidhi Sen, DGM, BIP.
- (iii) Shri Umesh Kumar, Commissioner (Investment), Government of Rajasthan
- (iv) Shri Dhan Raj Sharma, Joint Labour Commissioner, Government of Rajasthan
- (v) Shri V.K. Sharma, Joint Labour Commissioner, Government of Rajasthan
- (vi) Shri J.K. Sharma, OSD, Home (Jails)

12. Tamil Nadu

- (i) Shri P.R. Bindhumadhavan, Chairman and Managing Director, Overseas Manpower Corporation Limited, Tamil Nadu.
- (ii) Shri M.F. Farooqui, Principal Secretary, Industries Department, Government of Tamil Nadu.
- (iii) Shri A. Khursheed, Joint Secretary, Department of Home, Government of Tamil Nadu
- (iv) Shri A.T. Durai Kumar, Superintendent of Police –II, Security Branch, CID, Chennai.

13. Uttar Pradesh

- (i) Shri Sushil Kumar, Principal Secretary, Tourism & Director General, Tourism, Government of U.P.
- (ii) Shri Mohinder Singh, CEO, NOIDA, Government of U.P.
- (iii) Shri Sudhir Kumar, Additional CEO, Greater Noida, Government of U.P.
- (iv) Shri Kumar Kamlesh, Secretary (Home), Government of U.P.
- (v) Shri Dharam Singh, Secretary (Labour), Government of U.P.
- (vi) Shri Vipin Kumar Sharma, Inspector General (Intelligence)

(vii) Shri D.P. Singh, Addl. Labour Commissioner, Government of U.P.

14. West Bengal

- (i) Shri S.N. Haque, Principal Secretary, Department of Labour, Government of West Bengal
- (ii) Shri Bhaskar Khulbe, Advisor (Industry), West Bengal Industrial Development Corporation Limited, West Bengal .
- (iii) Shri P.K. Sengupta, Joint Secretary, Government of West Bengal

Confederation of Indian Industry (CII)

- (i) Shri H.S. Sethi, CEO, OIFC
- (ii) Smt. Subha Rajan, CEO, OIFC

Kankei Relationship Marketing Services Private Limited.

- (i) Ms. Ashima Burman, GM-Operations (North & East India)
- (ii) Shri Himanshu Sharma, Manager-Operations

CONSULTATION MEETING WITH STATE GOVERNMENTS

MINUTE TO MINUTE PROGRAM

8th July 2008

Inaugural session (09.30 am -10.00 am)

[On Dias – Minister, Secretary, JS (FS), JS (DS), PGE]

- 09.30 am Welcome address by JS (FS)
09.35 am Opening Remarks by Secretary, MOIA
09.45 am Key note address by Minister
09.55 am Vote of thanks by JS (DS)

Session – I (10.30 am – 1.00 pm)

[On Dias – Secretary, JS (FS), PGE, Dir (EP)]

- 10.30 am Presentation by Dir (EP)
11.00 am Discussion of emigration related issues (I to VII)

Note:

Each issue – 12 minutes (2 minutes for introduction by JS (FS) and 10 minutes for discussion)

Session – II (02.00 pm – 3.30 pm)

[On Dias – Secretary, JS (DS), Dir (DS), DS(DS)]

- 02.00 pm Presentation by Diaspora Division
02.30 pm Discussion on Diaspora related issues (I to V)

Note:

Each issue – 12 minutes (2 minutes for introduction by JS(DS) and 10 minutes for discussion)

Session – III (04.00 pm – 5.30 pm)

[On Dias – Secretary, JS (FS), DS (FS)]

- 04.00 pm Presentation on OWRC by M/s Kankei
04.30 pm Discussion on establishing OWRC/MRC in the States

9th July 2008

Session – IV (09.30 am – 11.00 am)

[On Dias – Secretary, JS (FS), CEO (OIFC), DS (FS)]

- 09.30 am Presentation by CEO (OIFC)
10.15 am Discussion (Moderated by Secretary, MOIA)

Session – V (11.30 am – 1.00 pm)

[On Dias – Secretary, JS (FS), CEO (OIFC)]

- 11.30 am Presentations by States (5 States)
Note: Each presentation will be for 10 minutes only
12.30 pm Discussion (Moderated by Secretary, MOIA)

Session – VI (02.00 pm – 03.30 pm)

[On Dias – Secretary, JS(FS), JS(DS), PGE]

- 02.00 pm Presentations by States (5 States)
Note: Each presentation will be for 10 minutes only
03.00 pm Discussion (Moderated by Secretary, MOIA)

Conclusion/Feedback session (04.00 pm – 5.00 pm)

[On Dias – Secretary, Rep from Kerala and Punjab, JS (FS), JS (DS)]

- 04.00 pm Introductory remarks by JS (FS)
04.10 pm Report on the Consultation Meeting, by Dir (EP)
04.30 pm Observations by State Rep., Kerala
04.40 pm Observations by State Rep., Punjab
04.40 pm Concluding remarks by Secretary, MOIA
05.00 pm Vote of thanks by JS (DS)

Appendix- III

OPENING REMARKS BY SECRETARY, MOIA AT THE INAUGURAL SESSION OF THE CONSULTATION MEETING WITH STATE GOVERNMENTS ON 8TH JULY, 2008

Friends,

I thank all of you for accepting our invitation to participate in this Consultation Meeting. I thank the Minister of Overseas Indian Affairs for being personally present at the Inaugural Session despite his busy schedule.

This is the first Consultation Meeting that the Ministry of Overseas Indian Affairs has organized with the State Governments to discuss matters of mutual interest concerning overseas Indians. I am overwhelmed by the enthusiasm shown by all of you. We would like to hold the Consultation Meeting every year.

Friends, the Ministry of Overseas Indian Affairs is only four years old. It is a small Ministry. But it deals with a very important subject - the overseas Indians. There are more than 25 million overseas Indians in over 130 countries. Many of them have acquired foreign citizenship; we call them Persons of Indian Origin (PIO). Those overseas Indians who still hold the Indian passport are called Non-Resident Indians (NRI). This Ministry deals with both these segments of overseas Indians. Our objective is to strengthen the mutual bond between India and the overseas Indians. We try to address the concerns of the overseas Indian community and facilitate their engagement within India. This relationship is multidimensional. It involves emotional, educational, cultural, social and economic bonding.

The Ministry functions through building partnerships. One of the key partners for the Ministry is the State Governments. Therefore, we look forward to functioning more closely and in tandem with the State Governments. That is why we have organized this Consultation Meeting. I see it as the beginning of a new partnership.

Friends, there are several areas of mutual interest between the Ministry and the State Governments when it comes to dealing with the overseas Indians. One important area is the management of international labour migrant. India is one of the largest suppliers of manpower in the international labour market. Our workers

emigrate to most of the countries in the world for jobs ranging from highly skilled to the unskilled. In future more opportunities would emerge in the international labour markets due to demographic, economic and technological factors. We need to develop specific skills as per market demand to enable our citizens to benefit from these opportunities. There are concerns that need to be addressed particularly with regard to the protection of women emigrants and the low skill emigrants. The Emigration Act 1983 provides the legislative framework for this purpose. The enforcement of the Emigration Act is a joint responsibility between the State and the Centre. The prosecution of offenders falls under the jurisdiction of the States. There are many malpractices in recruitment and overseas deployment of workers. We need to work together to eliminate these malpractices so that the poor and gullible workers are not exploited by unscrupulous intermediaries. Exploitation of women workers is a major concern. Without the cooperation of State Governments we cannot achieve much success in our mission to convert emigration into a choice based safe economic opportunity for the Indian workers.

Another important area of mutual interest is investment by overseas Indians into India. These investments benefit the states in which they come. The Ministry has established an Overseas Indian Facilitation Centre (OIFC) as a platform where the state governments, the Indian businesses and the overseas Indians could come together and explore possibilities of profitable investment of the financial resources of overseas Indians. The OIFC provides information, assistance and handholding services to all stakeholders. Many overseas Indians today are enthusiastic about participating in the Indian growth story. The state governments need to seize this opportunity.

Some of the overseas Indians are interested in tracing their roots in India. They do not know their ancestral places because their forefathers left India many generations back. State Governments can play significant role facilitation tracing of their roots. The Ministry will be happy to provide all possible support.

We receive frequent representations from overseas Indians regarding the safety of their properties and the well being of their families back home. We pass on such representations to the state governments. A framework needs to be developed for attending to these matters so that the confidence of the overseas Indians in our ability to respond to their needs is strengthened.

State governments can play a vital role in the cultural and educational engagement with the Indian Diaspora as well. They can participate in the Know India Program and cultural exchange programs.

The Ministry is willing to provide financial support to the state governments for taking up specific schemes relating to overseas Indians. We are already implementing a skill upgradation program through State Governments.



The Ministry has signed an MOU with the Government of Punjab recently. Similar MOUs could be signed with other State Governments for formalizing the partnership.

I am sure, there are several ideas that you would like to share with us for strengthening the bond between India and the overseas Indians. This Consultation Meeting is an excellent platform for sharing these ideas. I look forward to concrete outcomes in specific areas during the deliberations over the next two days.



Appendix- IV

**INAUGURAL ADDRESS OF SHRI VAYALAR RAVI, MINISTER OF OVERSEAS
INDIAN AFFAIRS AT THE CONSULTATION MEETING WITH STATE
GOVERNMENTS ON 8TH JULY, 2008**

Secretary, Mr. Mohandas,
Representatives from State Governments,
Friends from the media,
Ladies and Gentlemen.

I am happy to be here this morning at the first Annual consultation meeting with the State Governments on important issues relating to the Overseas Indian Community. Let me at the outset welcome all of you.

Overseas Indians are estimated at over 25 million and are spread across 110 countries across the world. The size, spread and the growing influence of the overseas Indian community is truly impressive. It today constitutes a significant economic, social and cultural force and deserves mainstream attention of both the central and state governments.

Our objective therefore must be to address the needs, problems and concerns of the vast and diverse overseas Indian community through appropriate programmes at the central as well as the state levels supported by public-private partnerships.

The Ministry of Overseas Indian Affairs is a young ministry and it has been my endeavor to make this ministry a friend and guide of the overseas Indian community. In the last two years we have taken several initiatives to promote, nurture and sustain a mutually rewarding relationship between India and its Diaspora.

The policy focus of my Ministry therefore is to establish an institutional framework that can support sustainable engagement and can benefit from networks with and among overseas Indians.

The States are important players in this institutional arrangement. The key outcome from this meeting, therefore, should be the forging of a strong partnership between the Ministry and the states to effectively address the needs of the overseas Indian community.



Overseas Indians are potential investors in India. To facilitate greater investments by overseas Indians, my ministry has established the Overseas Indian Facilitation Centre as a not for profit trust in partnership with the Confederation of Indian Industry. The OIFC is a one stop shop for all investor needs of overseas Indians. I would like the states to partner with the OIFC to project potential opportunities for investment in your states.

Over the next year we have planned a series of investment conferences abroad to encourage overseas Indians to invest in and benefit from India's huge investment opportunities. We would like the states to partner the OIFC in this effort.

Let me now turn to an important subject of this meeting. Overseas Indian Workers in the Gulf, estimated at over 5 million, constitute an important constituency of the overseas Indian community. The Government and my Ministry attaches considerable importance to their protection and welfare for three important reasons.

First, the Overseas Indian workers are unique because they can never aspire to become citizens of the host countries and will have to return home eventually. This places great responsibility on all of us to address their concerns and needs.

Secondly, they are mostly unskilled or semiskilled, typically from poor rural backgrounds, are not well educated and therefore are vulnerable to exploitation.

Thirdly, they face difficult living and working conditions and are separated from their families for long periods of time.

The migration process extant tends to be exploitative for the overseas Indian workers and needs transformation into a more orderly economic process offering a win-win for all stakeholders. The regulatory framework needs to be modernized to bring about this transformation with emphasis on greater transparency, better regulation and deterrent punishment. The focus of the Ministry has therefore been on making the migration process humane and orderly.

Such a policy framework must include certain non-negotiable terms of the work contract, institutional measures for their protection and welfare, an effective outreach program for grievance redressal and a strong legislative framework to deal with intermediaries responsible for the exploitation of the workers.

To enlist the support of the governments of the countries of destination, I have been pursuing bilateral labour agreements with them. We have already concluded bilateral labour agreements with the UAE, Kuwait, Bahrain, Qatar, Oman and Malaysia. We hope to do so with Saudi Arabia in the near future.

We have taken several important steps over the last year in this direction. The amendments to the Emigration Act have been finalized and are expected to be in place shortly. An important change that is of immediate relevance is that the law will now provide for stringent action against those indulging in 'human smuggling'.

This provision is aimed at combating the menace of illegal migration and the exploitation of potential emigrants by unscrupulous middlemen.

The single most important dimension of emigration that must engage your attention is the poor enforcement of the Emigration Act in the states. There has been a mushrooming of recruiting agents all over the country with no accountability.

Many of these agents are fraudulent and unscrupulous middlemen who exploit and cheat gullible emigrants. Unfortunately, the law enforcement agencies at the state level responsible for investigation and prosecution action have not been effective in enforcement of the law.

I have personally written to the Chief Ministers in this regard. The response of the law enforcement agencies leaves much to be desired. Despite several complaints of illegal recruitment and exploitation of workers received by us and referred to the state police, there has not been a single conviction.

The states have powers under both the Emigration Act and the IPC and CrPC to take up prosecution of such violators of the law. It is in this arena that we need your cooperation and proactive support in making emigration humane and orderly.

I would like to see the law enforcement agencies in the states taking up a drive to rid the overseas employment market of unscrupulous intermediaries through proper intelligence work, investigation and speedy prosecution action.

We are working closely with the International Organization for Migration to establish an Overseas Workers Resource Centre in Kerala, to begin with. We must make efforts to establish similar centres in other major sourcing states which send a large

Indian workforce overseas. My ministry would be happy to support the states in this endeavour.

These centers will provide a wide range of services to potential emigrants including information dissemination, assistance in legal migration, counseling for overseas employment and grievance redressal. I am sure the modalities will be discussed in this Conference and finalized.

Women Emigrant workers particularly those in the household service sector should be at the centre of all our policy initiatives. They are the most vulnerable. They suffer gender bias, economic bias and do not have the protection of labour laws. Women emigrants are often subjected to harsh living and working conditions and in several cases to sexual abuse. We need to make special efforts to address their concerns and problems.

A serious concern for government is the fact that many women due to the connivance of the police and emigration officials in several airports, manage to exit the country on visit visas. Thereafter they are victims of exploitation of all hues.

Barring five international airports in the country which are managed by the Bureau of Immigration, the rest of the exit points are operated by the state governments. I urge the states to strengthen exit controls through appropriate measures including random profiling of emigrants so as to put an end to such corrupt practices.

Over the medium term, it is important that we help migrant workers to move up the value chain and benefit from the emerging employment opportunities in the health care, hospitality and other service sectors. It is also time that the India is perceived as a supplier of highly trained and skilled manpower.

Towards this end, we have launched a nation-wide initiative for skill-up gradation of potential emigrant workers in partnership with the State Governments and Apex Industry Associations. The implementation of this scheme by the state governments has been far from satisfactory.

We will need proactive support from all of you in identifying potential training platforms in your states for effective implementation of the programme. This will help match the skill sets of Indian workers with emerging job opportunities overseas.



Friends, at the heart of our strategy to ensure better living and working conditions for overseas Indian workers is the need to nurture and promote empathy and sensitivity amongst all officers who deal with the migration process.

Overseas Indians must be seen for what they are – a significant reservoir of knowledge, skills and resources. They also play a strategic role as opinion makers who can help reinforce India's interests.

We need to build a strong partnership between India and the overseas Indian community. In this effort all of you have an important role to play.

I am confident this meeting will deliberate on all these issues and target specific outcomes that will benefit overseas Indians and at the same time enlist their active participation in our development efforts.

I wish you all success.

Thank you.

AGENDA NOTES

I. Emigration Related Issues:

- i. Promoting of legal migration from the States.
- ii. Creating awareness among workers on overseas employment opportunities and the recruitment process.
- iii. Instituting a process to develop and upgrade the skills for workers from different States, who are desirous of traveling abroad for the purpose of employment.
- iv. Directing them towards the countries where the specific skills are required.
- v. Providing information and advice while they are abroad.
- vi. Dealing with unscrupulous recruiting agents (RAs).
- vii. Prosecution of violators of Emigration Act/IPC.

II. Diaspora Related Issues:

- i. Programs/schemes operated by the States for the benefit of NRIs/PIOs
- ii. Visit of Diaspora Cultural Troupes to the States
- iii. Problems relating to Overseas Indian Marriages
- iv. Know India Program
- v. Speedy redressal of property related grievances/problems faced by Overseas Indians

EMIGRATION RELATED ISSUES

(I) PROMOTING LEGAL MIGRATION FROM THE STATES

There are about 50 lakh overseas Indian workers all over the world. More than 90% of these workers are in the Gulf countries and Southeast Asia. During 2007 about 8.00 lakh workers emigrated from India with emigration clearance. Tamil Nadu, Kerala, Andhra Pradesh, Punjab, Uttar Pradesh are the leading labour sending states.

2. The policy of the Government of India is to promote legal, orderly and organized migration from India and to discourage illegal migration. To this end, the Ministry is pursuing a proactive policy to transform the Emigration system and empower the emigrants through specific systemic interventions at the domestic, bilateral as well as multilateral fronts.

3. Indian emigrants (other than white collar workers) have, so far, been typically less educated, low-skilled and ignorant about the relevant laws, procedures, culture and language of the destination countries. That makes them vulnerable cheating by unscrupulous Recruiting agents and exploitation by overseas employers and many of them become illegal migrants while opting to work in foreign countries without proper documentations or overstaying after the expiry of the work visa.

4. To achieve the transformation of the emigration system, the Ministry has undertaken / initiated the following steps:-

- **AMENDMENT OF EMIGRATION ACT, 1983**
- **LIBERALIZATION OF EMIGRATION SYSTEM**
- **COMPUTERIZATION OF EMIGRATION SYSTEM**
- **INFORMATION DISSEMINATION**
- **SPECIAL MEASURES FOR WOMEN EMIGRANTS**
- **COUNCIL FOR PROMOTION OF OVERSEAS EMPLOYMENT**
- **SKILL UPGRADATION CUM ORIENTATION TRAINING SCHEME**
- **SETTING UP OF A WELFARE FUND for OVERSEAS WORKERS**
- **BILATERAL LABOUR COOPERATION**
- **ASIA-EU PROJECT FOR PROMOTION OF LEGAL MIGRATION**

5. However, the Ministry recognizes that promotion of legal migration can be successful only if the States become equal stakeholders in this endeavor. The Ministry has, therefore, identified the following areas which require active participation from the State Governments for promotion of legal migration.

(i) There is a proliferation of middle men/ sub agents in the States who are engaged in exploitation of intending Overseas Workers by charging them exorbitant sums

of money. In some of the States, the Travel Agents and illegal representatives of Companies are working hand in glove to promote illegal

emigration. All the States are required to devise specific legal mechanism to curb the middle men/sub agents/travel agents involves in the exploitation of the potential Oversea Workers.

- (ii) Ministry of Overseas Indian Affairs has undertaken a nation wide Awareness cum-Publicity Campaign for promotion of legal migration and for making the people aware of the procedure involved in the emigration process and risks of illegal migration. State Governments may undertake similar Awareness Campaigns, especially in the vernacular languages to make their efforts more targeted.
- (iii) It is observed that not much headway has been made for the implementation of Orientation Cum Skill upgradation training programme by the States. It is proposed that a proper institutional arrangement be put in place for the implementation of the scheme. The State Governments which are conducting Skill upgradation training programmes may share their experience with other States to enable them to set up similar facilities.
- (iv) State Governments should consider establishing State Manpower Recruitment Units / Agencies like the Overseas Manpower Corporation Ltd. in Tamil Nadu, Overseas Manpower Company in Andhra Pradesh etc. This setup may work as the nodal point for interaction with the MOIA for implementation of various schemes as well as for the sharing of information.
- (v) One of the major reasons for the exploitation of the workers is their ignorance about the conditions in the country of destination. It is proposed that all the emigrant workers must undergo a orientation course and the certificate for the same become mandatory for the issue of the Clearance. States must create facility for the orientation courses and may enter Public private partnership in the States for this.
- (vi) Certain areas of the States have high incidence of emigration. Targeted Awareness Campaign may be launched in these areas for promotion of legal migration.
- (vii) A high degree of cooperation is required for the profiling of the emigrants at the exit points which are manned by the State police to reduce the illegal emigration. It is suggested that the staff manning the exit points must be properly trained.



State Government can devise the training programme in consultation with Ministry of Overseas Indian Affairs and Bureau of Immigration.

- (viii) State Governments may replicate Overseas Workers Resource Centre as a Guidance / Counselling centre for the Overseas Workers and for the returnees.

(ii) **CREATING AWARENESS AMONG WORKERS ON OVERSEAS EMPLOYMENT OPPORTUNITIES AND THE RECRUITMENT PROCESS**

Ministry of Overseas Indian Affairs had undertaken a Multimedia Awareness Campaign for educating intending emigrants, particularly the vulnerable category, about the risks involved in irregular migration and the precautions to be taken while seeking overseas employment. The Prime Minister official launched an **Overseas Workers Resource Centre (OWRC)** on 8th January 2008 during the Pravasi Bharatiya Divas. The OWRC provides need based information and assistance to emigrants. It operates a toll free helpline for this purpose. In future, the functions of the OWRC will be expanded to convert this into a one-stop shop for emigrants. Establishment of another **Migrant Resource Center (MRC)** is envisaged under the Asia-EU project. A booklet “Emigration and You” was released on 8th January 2008 during the PBD to disseminate information on emigration law, procedures, guidelines etc. to help intending emigrants in taking informed decisions.

2. All the above measures have been taken to pursue the Ministry’s policy of promotion of legal, orderly and organized migration from India and to discourage illegal migration by making the people aware of the procedure involve in the emigration process and risks of illegal migration.

3. The Ministry has recently conducted a Knowledge, Attitude and Practice Survey in the states of Kerala and Punjab to identify the information campaign Strategy for the promotion of legal migration. The study may be shared with the two states and other states may also conduct similar study to scientifically know the media strategy required for the information campaign.

4. The Ministry has also conducted a skill profiling study to identify the gaps in the skill sets required in the European Union and the skill sets available in India. This study can also be shared with the States with a view that the States may introduce training facilities to fill the identified gaps.

5. Most of the emigration in the lower skills from India takes place to the Gulf region. While most of the Higher Skill / professional emigrants go to USA. The demographic situation of the western world is creating a large potential for the migration of Indian workers after appropriate training to the countries of Eastern and Western Europe. Ministry is pursuing pilot placement programme with the countries like Denmark, Italy, Canada etc under the multilateral mode and also working towards the bilateral labour mobility partnerships with the countries of Eastern and Western Europe. The estimated labour supply gaps in the eastern European countries are available skill category wise. States can make a database of the potential and trained workers in these categories to fill the labour supply gap when the opportunity comes.

6. The first Migrant Resource Centre is being established in Cochin. Apart from counseling services the MRC will also disseminate information about the opportunities available in various countries in the Europe. The MRC is to be replicated in all the

major sending States. States may act as a stakeholder for the establishment and running of MRC's.

(iii) **INSTITUTING A PROCESS TO DEVELOP AND UPGRADE THE SKILLS FOR WORKERS FROM DIFFERENT STATES, WHO ARE DESIROUS OF TRAVELLING ABROAD FOR THE PURPOSE OF EMPLOYMENT**

The Ministry of Overseas Indian Affairs is the nodal Ministry for administration of the Emigration Act, 1983. The objective of the Act is to protect and safeguard the interests of Indian workers going overseas for employment. This statutory role is performed by the Protector General of Emigrants appointed under Section 3 of the Act. This role can be performed best only by empowering the emigrants.

2. The demand for unskilled workers is declining in the overseas employment market and the future belongs to the skilled workers, preferably with multiple skills. It is, therefore, important to upgrade the skills of the young work force to meet the challenges of future needs in the overseas employment market which is having a flux of emigrant labourers from neighboring countries. The overseas employment market is a highly imperfect market leading to malpractices by intermediaries, low wages, poor working conditions and exploitation of workers. The situation becomes worse due to lack of awareness and skills amongst emigrant workers. In such a scenario, there is a need for Government's intervention to rectify the imperfect conditions and to give a support system to our potential emigrant workers.

3 Keeping the above need in view, the Ministry started the scheme of skill upgradation and pre-departure orientation to emigrant workers during 2006-07 and implemented by involving five State Governments, namely, Tamil Nadu, Kerala, Andhra Pradesh, Karnataka and Punjab.

4. During 2007-08, the Ministry signed a Memorandum of Agreement with the Ministry of Micro, Small and Medium Enterprises (MSME) to conduct the training through their seven MSME training institutions located at Ludhiana, Mumbai, Hyderabad, Agra, Ramnagar, Jalandhar and Guwahati. The Central Tool Room (CTR), Ludhiana was designated as the nodal Training Centre and it was proposed to conduct 74 programmes in various batch sizes with duration of 2 weeks to 1 year, there by training nearly 1400 candidates during the year, at a cost of Rs. 2.41 crores.

5. However, based on the experience gained in the last financial year, the Ministry has drawn up a **revised scheme** under which the Ministry will be funding for the training of the potential emigrant workers, selected jointly by the Training Organization concerned and the Ministry of Overseas Indian Affairs, for skill upgradation to bridge the skill gap in the identified trades/vocations for which the emigrant worker has been offered employment overseas.

6. Pre-departure orientation specific to the host country's laws, culture and language will be imparted as a separate module by the state Government concerned through the state institution in collaboration with select non-Government organizations.

The training will be provided in partnership with the Ministry of Micro, Small and Medium Enterprises (MSME), select State Governments, Apex industry Associations, Non- Government Organizations working in the field and other key stakeholders. The Partner(s) will be responsible for all required activities for training, assessment and certification of potential emigrant workers, to identify the training centers and administrative management with regard to implementation of the scheme

7. For successful implementation of the scheme, active cooperation of the State Governments is required. In this direction, the following action points have been identified for consideration:

- ❑ Appropriate and adequate training centres should be identified by the states for imparting the training in skill upgradation.
- ❑ Selection of trades, suitable to the requirement of the prospective emigrant workers, for training should be made. Only those trades will be selected which are in demand in overseas markets and earn decent wages.
- ❑ Assessment for training – the number of trainees to be trained in a year should be estimated and proposal for release of funds sent to the Steering Committee indicating details.
- ❑ Standardized curricula would be developed for the trades/skills identified for the training. For this, a three member Task Force may be constituted. Areas in which training should be imparted to the **Housemaids** needs to be decided so that the training will stand them in a good stead in the foreign country. Areas like health and hygiene, use of latest electronic gadgets, care for old and children, etc may be considered. Such training may be imparted through institutions already working in the field such as Home Science departments of a University/College etc.
- ❑ A separate pre-departure training module needs to be developed.
 - It may be in different languages.
 - It may be specific to the countries of destination.
 - The duration may be of half a day.
 - Involvement of the Recruiting Agents may be considered.
 - The need for making pre-departure orientation a mandatory requirement for grant of emigration clearance may be considered.



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- The procedure of certification of the pre-departure orientation training may be decided.
 - The Housemaids should also be given appropriate pre-departure training.
-
- ❑ A lead training institution may be designated in each state for coordination between the different institutions of the MSME, the State Governments and the apex industry associations.
 - ❑ For training through vocational training centres under the state Governments, the State Governments will be responsible for **appointment of a Nodal Agency--an appropriate department of the State Government /Societies-- for receipt and disbursement of funds to the vocational training providers.**
 - ❑ Signing of Memorandum of Agreement with the Ministry to implement the Scheme.

(iv) **DIRECTING POTENTIAL OVERSEAS WORKERS TOWARDS COUNTRIES WHERE SPECIFIC SKILLS ARE REQUIRED**

Most of the migration of labour in the lower skilled category from India takes place to the Gulf region, while most of the Higher Skilled / Professional emigrants go to the West, especially, Europe and USA. One of the objective of the Ministry is to diversify the emigration base of the Indian workers and to raise them in the value and salary chain.

2. To meet this objective, the Ministry is working towards entering into bilateral labour mobility partnerships with the countries of Eastern and Western Europe and Canada. One of the activities of the Migrant Resource Centre is to give counseling service to the potential emigrants about the opportunities, procedures, contacts etc for the Migration to the European Countries. Under the Asia-EU project that the Ministry is implementing in partnership with International Organization for Migration (IOM) Ministry is pursuing pilot placement project with Denmark, Canada and Italy.

3. To promote the opportunities in the countries other than the Gulf countries, the Ministry intends to organize Job Fairs. The States may come on board as stakeholders for organizing the Job Fair for the specific countries in the State.

4. The estimated labour supply gaps in the Eastern European countries are available skill category wise. States can make a database of the potential and trained workers in these categories to fill the labour supply gap when the opportunity comes. However, for this there is a need to establish a State Recruitment Agency in line with OMC or OMCAP.

5. States must also start specific training courses to prepare a pool of potential workers in the specific skill categories which are in demand in the EU countries.

6. States may identify the specific areas of high propensity of migration and can promote the opportunities, procedures and benefits for the emigration to the European countries and also the importance of training for such migration.

(v) **PROVIDING INFORMATION & ADVICE TO OVERSEAS INDIAN WORKERS WHILE THEY ARE ABROAD.**

There are about 50 lakh Indian workers all over the world. More than 90% of these workers are in the Gulf countries and Southeast Asia. Most of the Indian emigrants (other than white collar workers) have so far been typically less educated, low skilled and ignorant about the relevant laws, procedures, foreign cultural etc. This makes them vulnerable and open for exploitation at the hands of foreign employers as well as under the laws of the host countries.

The workers in the host countries under distress would like to have a window for information as well as for counseling for redressal of their grievances. As per the policy of the Ministry the Indian mission are providing on site welfare to the aggrieved workers. Ministry has also directed and Indian mission to operate telephonic helpline to give wide publicity to the phone No. of the helpline among the workers. Ministry also started a telephonic help lines which is toll free for the calls made from India. Ministry is now considering to obtain toll free number and then to publicize this number through the Indian Missions in the host countries among the Indian workers.

However considering the large volume of worker overseas it is proposed that such initiatives may also the started by the State Government.

It is also proposed that the State Government shall advertise the toll free Number (of the Central OWRC as well as the once proposed to be open by States) on all the exit points manned by the State agencies.

State Government must also nominate nodal Officer in the State to whom all the request for specific information may be referred for early reply.

(vi) DEALING WITH UNSCRUPULOUS RECRUITING AGENTS(RAs)

It is noticed that there is a large number of Sub agents operating in the States who are exploiting potential workers overseas workers by charging them extra money / sending them to host countries on visit visa with the promise to provide work visa on arrival, providing forged documents etc. In some of the States the travel agents / unauthorized representatives of the foreign companies are promoting illegal emigration. To curb such middle men / sub agents / travel agents, it is proposed that the States should take following corrective measures:

- Devise a legal mechanism to restrict the sub agents / travel agents.
- Devise an identification mechanism for identification of illegal middlemen / sub agents / travel agents at the Sub division / District level.
- Impose stringent penalties on the sub agents / middle men / travel agents who are found guilty of sending the workers abroad illegally.
- Launch targeted Awareness –cum- Publicity programmes for creating awareness among the potential workers regarding the opportunities / procedures as well as cautioning the potential emigrants for ascertaining the antecedents of the RAs before they seek their assistance for employment abroad.

(vii) PROSECUTION OF VIOLATORS OF EMIGRATION ACT/IPC

- Ministry of Overseas Indian Affairs is aware of the fact that potential workers who intend to go aboard for employment are exploited by the RAs by way of charging exorbitant amount of money over and above the prescribed fee for the RAs. This is in gross violation of the Emigration Act. Ministry is now considering amendments to the Emigration Act to incorporate stringent penalties for the violation of Emigration procedures.
- It is proposed that the law and order agencies at the State level may be sensitized to register cases against the RAs as well as the sub agents / middlemen / travel agents and Foreign Employers who are violating the provisions of the Act.



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- State Governments may organize training / sensitization Work Shops for the law and order agencies in consultation with Ministry of Overseas Indian Affairs /BOI.
- Ministry of Overseas Indian Affairs would like the States to give wide publicity of stringent measures incorporated; this will act as an effective deterrent for the travel agents/middle men.

DIASPORA RELATED ISSUES

(i) PROGRAMMES/ SCHEMES FOR THE BENEFIT OF OVERSEAS INDIANS (NRIS & PIOS)

(a) OVERSEAS CITIZESHIP OF INDIA (OCI) SCHEME

The Overseas Citizenship of India Scheme was introduced in January 2006 with the Hon'ble Prime Minister handing over the first two OCI cards at the Pravasi Bharatiya Divas organized in Hyderabad on 6th January 2006. As per this Scheme, Persons of Indian Origin (PIOs) of all countries (except Pakistan and Bangladesh) who were citizens of India or were eligible to become citizens of India on 26th January, 1950 or any time thereafter as per the Citizenship Act, 1955 are eligible to become Overseas Citizens of India. A registered Overseas Citizen of India (OCI) is issued an OCI registration booklet and a Universal Visa on his/her foreign passport, by virtue of which he can travel to India anytime and for any purpose. An updated version of the scheme is available at the **website : www.mha.nic.in.**

2. The following benefits are available to registered OCIs:

- (i) Multi-purpose, multiple entry, lifelong visa for visiting India.
- (ii) Exemption from registration with local police authority for any length of stay in India.
- (iii) General parity with Non-Resident Indians in respect of economic, financial and educational fields except in matters relating to the acquisition of agricultural/plantation properties.
- (iv) Parity with Non-Resident Indians in the matter of inter-country adoption of Indian children.
- (v) Parity with resident Indian nationals in the matter of tariffs in air fares in domestic sectors in India.
- (vi) Parity with domestic Indian visitors in entry fees to visit national parks and wildlife sanctuaries in India.

3. The Scheme does not confer political rights. The Overseas Citizens of India are not allowed to hold government jobs. They are also not allowed acquisition of agricultural or plantation properties.



4. Chief Secretaries of all State Governments/Union Territories have been informed vide JS(DS)'s letter dated 21st February, 2008, of the OCI Scheme and the facilities available to registered OCIs so that OCI Card holders are duly extended benefits that are admissible to them. Their OCI registration booklets may be treated as their identification document for any services rendered to them. Some of the difficulties faced by registered OCIs living in India, which have been brought to our notice are the issue of Indian driving licence and admission of their children to educational institutions, including higher educational institutions in India. Since OCIs have been granted parity with NRIs, they are entitled to these facilities.

5. The following State Governments/UTs have acknowledged MOIA's letter:

- (i) Haryana
- (ii) Dadra and Nagar Haveli
- (iii) Chandigarh
- (iv) Meghalaya
- (v) Gujarat
- (vi) Daman and Diu
- (vii) Punjab
- (viii) Mizoram
- (ix) NCR Delhi
- (x) Goa
- (xi) Sikkim
- (xii) Nagaland
- (xiii) Himachal Pradesh
- (xiv) Kerala

(b) EDUCATION OF NRIs

AICTE has approved a scheme enabling supernumerary quota of 15% seats in all the institutions of higher education/Universities offering technical courses for foreign nationals/persons of Indian origin/children of Indian workers in the Gulf countries. This could be over and above the approved intake. It has also been envisaged that one-third of the 15% supernumerary quota shall be reserved across different disciplines in the educational institutions, for the children of Indian workers in the Gulf countries. It has also been prescribed that the concerned State Government/Union Territory shall notify the tuition and other fees for candidates to be admitted under Foreign National/Persons of Indian Origin (PIOs) category. There shall be no NRI fees. The Children of Indian workers in the Gulf countries shall be treated at par with resident Indian citizens.

Similarly, UGC has issued orders regarding creation of 15% supernumerary seats for foreign students, out of which 5% shall be earmarked for the children of Indian workers in the Gulf. Copies of UGC circulars dated 13th October, 2000 and 2nd April, 2004 in this connection are enclosed.

Educational institutions under the State Governments may be requested to implement the Scheme

(ii) **VISIT OF DIASPORA CULTURAL TROUPES TO INDIA**

The Ministry of Overseas Indian Affairs extends invitation every year for two-three diaspora cultural troupes from select countries with significant overseas Indian population. Under a MOU signed by this Ministry with ICCR, they would make arrangements for performances by the troupes in different cities in the country. Such performances have been organized in the past at Delhi, Jaipur, Agra, Jammu, Mumbai, etc.

State Governments are requested to provide all assistance in organizing performances by overseas Indian cultural troupes in terms of logistics, organization, including publicity, board and lodging, etc.
