

# Grievance Redressal

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## Grievances against RAs/Project Exporters/ Foreign Employer

### **In the case of unregistered/illegal Recruiting Agents**

- Any recruitment of Indian nationals for employment abroad without Registration Certificate (RC) under Section 10 of the Emigration Act, 1983 is an offence punishable under Section 24 of the Emigration Act, 1983.
- Since such Agents are not registered with Protector General of Emigrants, Ministry of External Affairs and “Law and Order” is a State subject, the complaints are referred to concerned State Police Authorities /Protector of Emigrants for investigation and action for violation of Section 10 of Emigration Act 1983 and other provisions of the law as appropriate.
- The Police authorities in turn, after investigating the case and preparing it for prosecution, seek approval from Protector General of Emigrants, Ministry of External Affairs / competent authority for prosecuting the accused in the appropriate Court of Law under Section 27 of the Emigration Act, 1983.
- Requests for such Prosecution Sanction are processed and Prosecution Sanction issued on priority by the office of the Protector General of Emigrants, Ministry of External Affairs.

## MADAD



- Victim and his family member can register their grievance on Madad Portal at [madad@gov.in](mailto:madad@gov.in). This portal is linked to the website of Ministry of External Affairs. This is a user friendly Portal where once the complaint is lodged, it is automatically transferred to the concerned Mission/Post and status of its redressal is reflected on Track Grievance. The mobile number registered on the Portal gets an SMS-based response as and when the status changes. Meanwhile the received compliant is also forwarded to concerned Mission/Post for action in the matter.
- It is also advised to send email instead sending of hard copies as it is not only easier and faster to forward complaint, but also avoid wastage of papers, postage and photocopying/scanning work etc.

### **In case of registered Recruiting Agents**

- Show-cause Notice is served on registered Recruiting Agents against whom complaints are received and the Recruiting Agent is directed to settle/resolve the complaint in the first instance.
- If the Recruiting Agent fails to respond to the Show-Cause Notice or his reply is not satisfactory, his Registration Certificate is suspended for 30 days. If the complaint still remains unresolved, the Registration Certificate is suspended for an indefinite period and action is initiated for cancellation of the Registration Certificate and forfeiture of Bank Guarantee.

## **Grievances Against Foreign Employers**

- Whenever Indian emigrants face any problem from their Foreign Employer, they contact the Indian Mission/Post to complain against the Foreign Employers and seek redressal of their grievances.
- Such complaints basically relate to non-payment/reduced payment of salaries, non-availability of promised jobs, adverse working conditions or exploitation etc.
- Immediately on receipt of a complaint, the Mission/Post takes up the matter with the foreign employer, Indian emigrants as well as local Authorities to settle the matter amicably. In deserving situations, they try to get the workers repatriated by coordinating with concerned Recruiting Agents and the Protector General of Emigrants.
- Indian Missions and Posts abroad have standing instructions to immediately take up such cases with relevant local authorities /foreign sponsors with a view to expediting the process of law and obtaining due justice.
- Indian Missions and Posts also recommend inclusion of such Foreign Employers in the Prior Approval Category (Black list) based on the merits of the case.
- On the basis of such recommendation, the Ministry places the concerned foreign company in the Prior Approval Category.
- A foreign company – when included in the Prior Approval Category list – is no longer allowed to recruit workers from India.

### **Public Hearing by PGE**

Grievance redressal by Protector General of Emigrants Public can address their queries and grievances to Protector General of Emigrants

<https://emigrate.gov.in/ext/forms/OfficeOrder13may16.pdf>

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