

# Annual Report 2007-08



सत्यमेव जयते

Ministry of Overseas Indian Affairs



*“In this increasingly inter-dependent and inter-connected world, overseas Indians are becoming 'Global Citizens'. The overarching idea of a shared culture and shared values bonds all of us together. The Indian Diaspora is a pluralistic community just as India is. It holds within its fold people of different languages, faiths and regions. I call this multi-cultural identity, Indian-ness. The idea of India transcends the narrow barriers of religion, language, caste or class, both within and outside the Indian nation”.*

- From the Inaugural Address of Prime Minister Dr Manmohan Singh  
At the Pravasi Bharatiya Divas, New Delhi, January 8, 2008

Ministry of Overseas Indian Affairs

# Annual Report

## 2007-08

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# India and Overseas Indians An Overview







## India and Overseas Indians An Overview

In the theatre of development, the competitiveness and growth of an economy is determined by its capacity to acquire and apply new knowledge. In a rapidly globalizing world, learning new ways of doing things depends in no small measure on the ability to integrate with the larger world outside. We live in a world in which the free movement of goods and capital across borders is seen as a virtue. Arguably, it is seen to reinforce the principle of competitive advantage and help spur savings, investment and demand. What is less recognised is that International migration of human capital: the movement of knowledge, talent and skills across borders is central to learning and development.

The emergence of significant Diasporas has in recent years brought into sharp focus two key facts. First, there is a large expatriate population of skilled people from emerging economies in the developed world. Second, overseas communities can constitute a significant resource for the development of the countries of origin. The movement of the high skilled and low skilled workers from less to more



*With over 25 million people of Indian origin living outside India, a powerful new global community has emerged.*

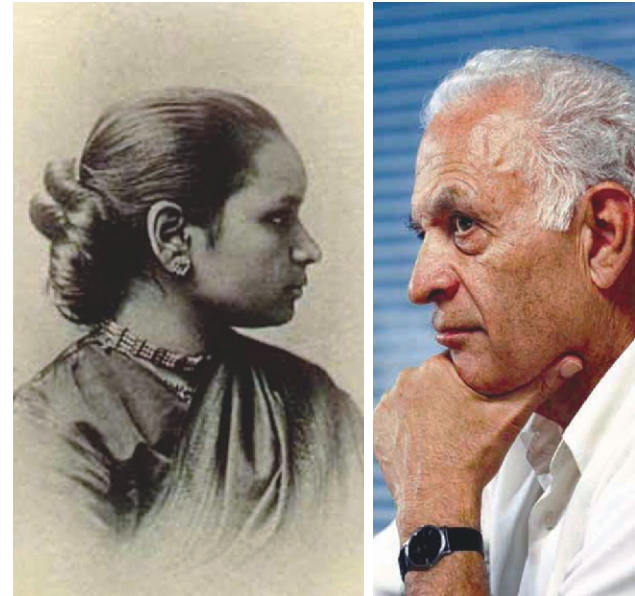
developed economies and back opens several new opportunities for development. To view the Diaspora only through the looking glass of remittances and financial flows is to take a myopic view. Not all expatriates need to be investors and their development impact measured only in terms of financial contributions to the home country.

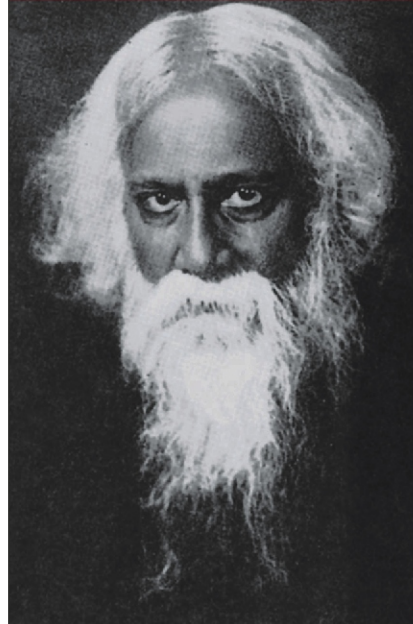
An overseas community can and does serve as an important 'bridge' to access knowledge, expertise, resources and markets for the development of the country of origin. The success of this bridge is

often predicated upon two conditions: the ability of the Diaspora to develop and project a coherent, intrinsically motivated and progressive identity and the capacity of the home country to establish conditions and institutions for sustainable, symbiotic and mutually rewarding engagement. Home countries are now beginning to recognise the need to pursue and promote the dynamic of the Diaspora and development.

India has the second largest Diaspora in the world. The overseas Indian community estimated at over 25 million is spread across every major region in the world. Yet, it is difficult to speak of one great Indian Diaspora. The overseas Indian community is the result of different waves of migration over hundreds of years driven by a variety of reasons-mercantilism, colonialism and globalisation. Its early experiences make up a saga of trials, tribulations and the eventual triumph of determination and hard work. In the last three decades of the 20<sup>th</sup> century the character of migration began to change and a 'new Diaspora' led by high skilled professionals moving to the western world and semi-skilled contract workers moving to the Gulf, West and South East Asia emerged.

The overseas Indian community thus constitutes a diverse,





## The Faces of Global India



heterogeneous and eclectic global community representing different regions, languages, cultures and faiths. The common thread that binds them together is the idea of India and its intrinsic values. Overseas Indians comprise People of Indian Origin and Non Resident Indians and today are amongst the best educated and successful communities in the world. In every part of the world the overseas Indian community is recognised and respected for its hard work, discipline, non-interference and for successfully integrating with the local community. Overseas Indians have made significant contributions to the economy of the country of residence and have added in considerable measure to knowledge and innovation.

Overseas Indians share a strong bond with their country of origin. This is reflected in their language, cultures and traditions that have been maintained, often over centuries, and continue to be vibrant and unique. It is now being witnessed in the growing popularity of Indian films, dance, music, arts and culture on

foreign shores, the strong surge in remittances back home, the return of many to live and work in India and in their increasing engagement with India's development. The relationship between India and its overseas community is growing, new partnerships evolving and newer multi-faceted dimensions being explored.

India's engagement with its Diaspora is symbiotic, the strands of both sides of the relationship equally important to create a resilient and robust bond. To engage with the Diaspora in a sustainable and mutually rewarding manner across the economic, social and cultural space is at the heart of the policy of the Ministry. To create conditions, partnerships and institutions that will best enable India to connect with its Diaspora comprehensively is central to all our programmes and activities. As a new India seeks to become a global player of significance, the time has come for a strong and sustained engagement between India and overseas Indians. The time has also come for overseas Indians to benefit from the exciting opportunities that India provides. The time is now.

I am personally committed to a closer and wide-ranging interaction between India and overseas Indians. That is why our Government created a new and separate Ministry of Overseas Indian Affairs... It is my intention to make this Ministry a friend and supporting guide for all persons of Indian origin.

– Dr. Manmohan Singh  
Prime Minister

# The Ministry and its Mandate







## The Ministry and its Mandate

The Ministry of Overseas Indian Affairs (MOIA) is the quintessential people's agency, a one-stop address for the overseas Indians. Established in 2004, it is a young, compact, interactive and contemporary Ministry of the Government of India. Driven by a larger mission of development through coalitions sans borders MOIA seeks to connect the matrices of the Diaspora story. It is therefore the nodal point which overseas Indians, Diaspora associations, trade and industry, lawmakers, think-tanks and opinion builders, key stakeholders of society and governance, and state governments, turn to for information, partnerships and facilitation for all matters relating to overseas Indians. Small and unconventional, the Ministry is headed by a Cabinet Minister and has four functional service divisions:

- ❖ Diaspora Services
- ❖ Financial Services
- ❖ Emigration Services
- ❖ Social Services

Simplicity is of the essence at MOIA. Positioned as a 'services' Ministry, it is an ideas driven Ministry run in a de-layered manner, drawing

on the power of partnerships and outsourcing. Decisions are swift, and action followed through diligently. Our mission is simple - drive policy and build partnerships with the Diaspora. This is best summed up by the agenda that we pursue in India's engagement with its Diaspora which in brief includes:

- ◆ Developing an inclusive agenda for the Diaspora to benefit from India's development.
- ◆ Seeding the idea of Indian Diaspora networks and drawing up a road map for establishing them.
- ◆ Making the home and Diaspora institutions active stakeholder partners in the networks.
- ◆ Developing templates for individual initiatives and community action to leverage the knowledge and other resources of the Diaspora.
- ◆ Drawing a road map for meaningful engagement of the Diaspora in our development efforts round the year and across the globe.

- ◆ Developing templates for ongoing dialogue between India and its Diaspora at the National and state levels.
- ◆ Partnering with the Diaspora in new initiatives in the economic, social and cultural space.
- ◆ Developing capacity building programs in the states to respond better to the needs of the Diaspora as well as potential emigrants.

In implementing this agenda aimed at promoting and nurturing a mutually beneficial and organic relationship between India and overseas Indians, MOIA is guided by four key principles:

- ◆ offer customized solutions to meet the varied expectations of the overseas Indian community
- ◆ Lend a strategic dimension to India's engagement with the Diaspora
- ◆ Tap the investible diasporic community in terms of knowledge and resources
- ◆ Anchor all diasporic initiatives in the States

To enhance its outreach and delivery capabilities the focus of the Ministry has been on developing networks with and amongst overseas Indians. We recognise that sustainability as well as efficient

service delivery is determined by institutions and partnerships. The key institutions that drive MOIA's mandate include the Overseas Indian Facilitation Centre (OIFC) for investment and business, the Council for Promotion of Overseas Employment (CPOE) for International migration, Overseas Indian Centres (OIC) for welfare and protection, and a variety of public private partnerships.

Besides dealing with all matters relating to overseas Indians (OIs) comprising persons of Indian origin (PIOs) and non-resident Indians (NRIs), the Ministry is engaged in several initiatives with OIs in promotion of trade and investment, emigration, education, culture, health, and science & technology among others. Given the region and country specific ethos and expectations of the diaspora, MOIA has policies, programmes and schemes that seek to meet the varied expectations and needs of the diverse Overseas Indian Community under the following rubrics:

- ❖ Pravasi Bharatiya Divas
- ❖ Overseas Citizenship of India
- ❖ Know India Programme
- ❖ India Health Care Initiative (AAPI)
- ❖ Pravasi Bharatiya Bima Yojana
- ❖ Pravasi Bharatiya Kendra

- ❖ Tracing the Roots
- ❖ Scholarship Programme for Diaspora Children (SPDC)
- ❖ Setting up of a PIO University

### Looking back at 2007-08:

The year 2007-08 has been eventful and productive for the Ministry and for overseas Indians. We have together made progress on several fronts economic, social and cultural.

The highlights of the year in brief are:

In **April**, a Memorandum of Understanding (MoU) on labour, employment and manpower development was signed with Kuwait. The MoU provides for strengthening of cooperation in the employment of Indians in Kuwait, sets out the

parameters for the welfare and protection of these workers, provides the mechanism of a Joint Working Group (JWG) for dispute resolution and addresses the concerns of workers in the informal sector and not covered by the labour laws of Kuwait.

In **May**, the ministry launched the Overseas Indian Facilitation Centre (OIFC), a not for profit trust, in partnership with the Confederation of Indian Industry (CII). The OIFC serves as a 'one stop shop' for all investment and business related services for potential overseas Indian investors.

In **June**, the ministry began a dialogue, the first of its kind, with Poland for placement of Indian workers in the construction, roadways and agriculture sectors in that country. This is part of the Ministry's strategy to



diversify the destination base of overseas Indian workers. The focus of this dialogue was to consider an appropriate bilateral instrument to strengthen cooperation in legal labour mobility from India.

In **July**, a Memorandum of Understanding (MoU) on facilitating managed and legal migration from India to select countries of the European Union (EU) was signed with the International Organisation of Migration (IOM), a leading inter-governmental organization in the field of International migration. The MoU will facilitate legal migration, enhance capacity in migration management and disseminate information on emerging job opportunities in the EU member states.

In **September**, the first overseas Pravasi Bharatiya divas (PBD) was held at New York. PBD New York brought together overseas Indians from the USA, Canada and the Caribbean and was co-hosted by the Ministry and the CII as part of the India @ 60 celebrations in the US.

In **October**, a major emigration policy reform, the abolition of the requirement of Emigration Clearance Requirement Suspension (ECRS), was implemented by the Ministry. This is a pioneering reform that has helped simplify overseas

travel by ECR passport holders, who will not henceforth be required to take emigration clearance if they travel to ECR countries for visits other than for employment.

In **November**, an Additional Protocol to a 22 year old agreement on the regulation, protection and welfare of Indian workers, was signed with Qatar. The protocol will now cover the workers in the informal sector besides providing for an effective Joint consultative committee of the two countries for dispute resolution.

In **December**, the Ministry launched a nation wide awareness campaign on emigration of Indian workers overseas. The campaign was primarily in the vernacular electronic media and was aimed at creating awareness amongst the potential emigrant workers and women on the risks of illegal migration, the importance of proper documentation and the need to safeguard themselves from unscrupulous subagents and touts masquerading as registered recruiting agents.

The Ministry also commenced the first dialogue with the USA to discuss the approaches to promote cooperation in social security coordination for the benefit of the nationals working in each others' countries.

In **January**, the Pravasi Bharatiya Divas (PBD) 2008 was organised in partnership with the government of the National Capital Territory of Delhi and the Confederation of Indian Industry.

At the inaugural of the PBD, the Prime Minister launched the Overseas Workers Resource Centre (OWRC) established by the Ministry for the benefit of the large overseas Indian work force and the equally large potential emigrants. This centre runs a multi-lingual help line for the benefit of overseas Indian workers in distress and disseminates credible and relevant emigration related information to potential emigrants.

The Ministry also successfully negotiated a Social Security Agreement with the Netherlands to facilitate social security coordination for the benefit of the Indian professionals working in that country and the Dutch professionals working in India. The agreement is expected to be signed at the ministerial level in the ensuing year.

In **February**, the first meeting of the Indo-Kuwait Joint Working Group (JWG), was held in New Delhi. The meeting resulted, inter alia, in the adoption of a model work contract prescribing terms and conditions for



*Prime Minister unveiling the PBK model at PBD-08*

the better welfare and protection of Indian workers recruited for employment in Kuwait.

The Ministry also successfully negotiated an agreement on Social Insurance with Germany. The agreement provides for exemption from social security payments for workers of one country posted in the other country for a period upto 60 months. The agreement is expected to be signed at the ministerial level in the ensuing year.

### **Looking Ahead to 2008-09:**

Several major initiatives and programmes are on the anvil and are expected to be implemented by the Ministry in the ensuing financial year. Four important initiatives announced by the Prime Minister at the Pravasi

Bharatiya Divas 2008 will be at the vanguard of our activities as we look ahead. These initiatives include:

Establishing the '**India Development Foundation**' (IDF), a not for profit trust to serve as the focal point for diaspora philanthropy in India. Diaspora philanthropy is not a new phenomenon. Apart from making contributions at times of national calamity, like earthquakes and the tsunami, several overseas Indians are already engaged in various development initiatives in India. Philanthropy is an ideal area where a number of new partnerships can be built, existing ones strengthened and the range and reach scaled up.

To give impetus to these partnerships, the IDF trust will serve as a credible institutional mechanism to lead overseas Indian philanthropic propensities into human development efforts in India. The foundation will assist overseas Indians to contribute to the cause of education, health and rural development in their erstwhile home villages, districts or states. It will also partner with credible NGO's and philanthropic organizations actively engaged in social development, thus providing a strong public-private partnership bridge between overseas Indians and their target beneficiaries.

The proposal of the Ministry to set up a PIO University has gained momentum with the government approving the basic policy framework for the University. This university will be established in a public-private partnership and will have the autonomy and flexibility in the disciplines that it offers and in its academic governance. The work on the University is expected to commence in the next financial year.

To enable the government to draw upon the best overseas Indian knowledge and expertise, the Ministry proposes to establish a global advisory council of overseas Indians chaired by the Prime Minister. This high level platform will bring together some of the best minds wherever they reside and serve as a policy 'think tank' in all matters relating to India's engagement with the overseas Indian community.

Finally, work on the Pravasi Bharatiya Kendra (PBK) to serve as a state of the art centre for overseas Indians is slated to commence in the ensuing financial year. The PBK will be a modern, environment friendly facility that will provide an exhibition centre, a library cum documentation centre, an auditorium, a business centre and myriad other facilities and will constitute the hub of overseas Indian activity in India.

The MOIA Team						
Cabinet Minister						
Secretary						
Joint Secretary (Diaspora Services)		Joint Secretary (Financial Services and Emigration Policy)				Protector General of Emigrants
Director (Diaspora Services)	Deputy Secretary (Diaspora Services)	Director (Emigration Policy)	Deputy Secretary (Financial Services & Budget)	Deputy Secretary (Admn.)	Deputy Secretary (Vigilance & Coordination)	Director (Emigration Services)



**T**his is a young Ministry and it will be my endeavour to make this your Ministry. My team and I would like to make this Ministry your friend and guide-a Ministry that you can look up to at all times. In doing so, we wish to partner with all of you, Indeed, my focus will be to promote an interactive mode of functioning that will enable you, as much as us, to define the agenda of this Ministry and shape its activities for the ensuing year.

-Vayalar Ravi  
Minister for Overseas Indian Affairs

# Diaspora Services







## Diaspora Services

The Diaspora Services Division deals with all matters relating to Overseas Indians comprising Persons of Indian Origin (PIO) and Non-Resident Indians (NRIs), overseas citizenship matters, Pravasi Bharatiya Divas, Pravasi Bharatiya Samman Awards, admission of NRI/PIO students to various educational, technical and cultural institutions in India, scholarships to NRI/PIO students in India and new initiatives to promote interaction of overseas Indians with India in Tourism, Media, Youth Affairs, Education, Culture etc.

### **Overseas Citizenship of India (OCI) Scheme**

In response to a long and persistent demand for “dual citizenship” particularly from overseas Indians in North America and the western world and in view of the Government's deep commitment towards fulfilling the aspirations and expectations of Overseas Indians, Prime Minister Dr. Manmohan Singh had announced at the Pravasi Bharatiya Divas 2005 held in Mumbai the grant of Overseas Citizenship of India (OCI) to all Persons of Indian

Origin where local laws permit “dual citizenship” in some form or the other except Pakistan and Bangladesh.

Accordingly, the citizenship (Amendment) Ordinance was promulgated on 28.06.2005 amending the Citizenship Act, 1955 extending the facility of Overseas Citizenship of India (OCI) to Persons of Indian Origin (PIOs) of all countries (who were citizens of India or eligible to become citizens of India on 26 January, 1950 and are citizens of the countries (except Pakistan and Bangladesh). The Citizenship (Amendment) Act was passed in the Monsoon Session of the Parliament in August 2005.

The scheme has been in operation from December 2, 2005. OCI has been introduced by statute to facilitate life-long visa-free travel to India and certain economic, educational and cultural benefits. This is not to be construed as 'dual citizenship' since it does not confer political rights. Any Overseas Indian applicant who is comfortable with his present citizenship status in the country of his residence can apply for OCI. As on

31<sup>st</sup> March, 2008, over 2.5 lakh OCI documents have been issued.

Registered Overseas Citizens are eligible to multiple-entry, multi-purpose life-long visa, and are extended certain financial, economic, educational benefits. Overseas Citizens of India have been granted parity with Non-resident Indians in areas such as inter-country adoption of Indian children, entry fees to national parks and wildlife sanctuaries; and in domestic airfares within India. The Ministry is in the process of working out further benefits that could be extended to registered Overseas Citizens of India.

### **Scholarship Programme for Diaspora Children (SPDC)**

This scheme seeks to make higher education in India accessible to the children of overseas Indians and promote India as an education hub. Under the scheme, the Ministry provides 100 scholarships for undergraduate courses in Engineering, Technology, Humanities/Liberal Arts, Commerce, Management, Journalism, Hotel Management, Agriculture, Animal Husbandry, etc. (except medical courses) to partially fund the tuition and hostel fees each year from 2006-07. The current annual outlay is Rs. one crore. This is being doubled to Rs. Two crores for the ensuing year and is likely

to go up to Rs.4 crores in the fourth year.

For the academic year 2006-07, 69 children of overseas Indians from 23 countries covering Africa, Asia, the Gulf and the Caribbean, which represent an overseas Indian population of over 12.5 million, have been covered under the scheme. During the year 2007-08, 81 children of overseas Indians from Africa, Asia, the Gulf and the Caribbean were granted scholarship under the scheme. The students were selected on the basis of an entrance test conducted by M/s Educational Consultants India Limited (Ed.CIL), an autonomous body under MHRD with whom the Ministry is working on a partnership basis.

Children from developing countries with inadequate educational facilities, lesser opportunities for higher studies and where there is a significant concentration of the diaspora population were targeted. The scholarship amount provided this year would cover approximately 60-70% of the tuition fees, depending on the courses selected.

It is proposed to increase the scholarship amount to cover the entire tuition fees of the applicants from the next academic year. The number of countries from where applications are sought is also being increased.

**Know India Programme (KIP):**

The Ministry organizes three-week internship programmes for diaspora youth to promote awareness about India, its socio-cultural diversities, its emergence as an economic powerhouse, a centre of higher education and the ongoing developments in the infrastructure, technology & other sectors. Earlier known as IPDY, the 'Know India Programme' (KIP), is implemented in partnership with a State Government and the logistics support of the Nehru Yuvak Kendra and the Confederation of Indian Industry (CII).

The 7<sup>th</sup> KIP was organized from 29<sup>th</sup> August to 15<sup>th</sup> September, 2007 in partnership with the State of Goa. 29 youths of Indian origin from Canada,

Guyana, Israel, Malaysia, Mauritius, Netherlands, South Africa, Trinidad & Tobago and UK participated in the Programme. The highlights of the programme included visits to the Maruti Udyog Plant, Central Production Centre, Doordarshan, Delhi Metro, Sir Ganga Ram Hospital, Goa University, National Institute of Oceanography, BITS Pilani and other centres of excellence besides visit to rural India to interact with village community, taking part in mock Panchayat sessions and getting acquainted with projects covering women and youth empowerment and democracy at grassroots. A visit to the Taj Mahal was one of the main highlights in their visits to various

*UPA chairperson  
Sonia Gandhi  
inaugurating the  
Pravasi Bharatiya  
Divas in New York  
on 23 September, 2007*



historical and cultural places of interest. The participants also got the opportunity to interact with the Minister and Secretary of Overseas Indian Affairs besides meeting with Commissioner NRI, Goa.

The 8<sup>th</sup> KIP was held from 26<sup>th</sup> December 2007 to 18<sup>th</sup> January, 2008 in partnership with the State of Tamil Nadu. The programme was planned to coincide with the Pravasi Bharatiya Divas -2008 held from 7-9 January, 2008. 34 participants from 13 countries viz. Canada (2), Fiji (3), Guyana (1), Israel (3), Malaysia (3), Netherlands (1), New Zealand (2), Reunion Islands (3), South Africa (5), Trinidad & Tobago (3), Mauritius (1), UK (2) and USA (5), took part in the program. The programme in Tamil Nadu included interactions and workshops with eminent historians like Prof. Suresh Sethuraman, visits to heritage sites like Fort St. George, Santhome Basilica, Anna University and Film Institute, Mahabalipuram Dance Festival, Pondicherry and Tanjavur. A visit to Ooty was also undertaken.

The rural component of the programme in Tamil Nadu, arranged by NYKS, consisted of a visit to Rajiv Gandhi Memorial and Foundation, visit to Brahma Kumari Foundation,

participation in Mock Panchayat Session, rural sports events, lecture on Contemporary Rural Tamil Nadu and field work on panchayat, health, education, women, youth, artisans and spirituality.

The stay in Delhi from 07-18 January, commenced with participation in the Pravasi Bharatiya Divas from 07-09 January. They have called on Shri Mani Shankar Aiyar, Hon'ble Minister of Youth Affairs & Sports on 11<sup>th</sup> January, 2008 and had a meeting with Hon'ble Rashtrapatiiji on 16<sup>th</sup> January, 2008. The programme in Delhi included visits to historical monuments, temples, National Museum, Film City in NOIDA, Moser Baer, Hero Honda Plant and Doordarshan. The participants also interacted with Shri Vayalar Ravi, Hon'ble Minister of Overseas Indian Affairs at the valedictory session on 16<sup>th</sup> January, 2008.

### **Establishing A PIO University**

The High Level Committee on the Indian Diaspora, appointed by the Government in 2000 had visited various countries with large concentration of Indian Diaspora and had recommended, among other things, the setting up of new

Universities and professional institutions offering courses of international standards in Management, Information Technology, Media, Agricultural Research, Medicine, Food processing, etc. The University will have the status of "Deemed University" under Section 3 of the UGC Act. It will have 50% seats earmarked for PIOs/NRIs and the remaining 50% for resident Indian students.

The policy framework to establish a PIO/NRI University, with the requisite flexibility in the choice of educational discipline and courses offered, at any suitable place in the country has been approved by the Government.

Expressions of Interest were invited by the Ministry from credible Overseas Indian Trusts or Registered Societies having experience in the field of education for setting up the University. An inter-Ministerial Screening Committee, after considering the 16 applications received in response, has already made its recommendation.

A decision on it is likely to be taken by the Government of India soon.

### **Promotion Of Cultural Ties with the Diaspora**

With a view to support Indian performing arts, languages and culture in the diaspora and promote interaction between India and overseas Indians in the cultural space, a Memorandum of Understanding has been signed between the Ministry and the Indian Council for Cultural Relations (ICCR). Under this, MOIA can utilize ICCR's network to implement an action plan for exchange of visits by Indian art groups, diaspora scholars, academicians, etc.; organising seminars concerning the diaspora in India and abroad; cultural scholarships for children of overseas Indians; and setting up chairs in foreign universities in the field of diaspora studies, Indian history and culture.

An overseas Indian dance troupe from Rasika Dance Academy of Mauritius visited India in July 2007 and performed in Delhi, Chandigarh, Jaipur and Lucknow. Another cultural troupe from Mauritius was invited by the Ministry for performances during the Pravasi Bharatiya Divas (PBD) conference 2008. Besides its performance during PBD, the troupe

also performed Dance and Music based on Voyage of Experience Anubhavik Safar at Jammu and Mumbai. It is also proposed to invite three/four overseas Indian cultural troupes in a year and organize their performances in various cities in India in coordination with ICCR, beginning from this year.

The Ministry has extended financial assistance to Gandhi Development Trust, Durban Institute of Language and Culture for Rural Development, Mahidol University and Thai-Bharat Cultural Lodge, Bangkok for organizing seminars and other activities in commemoration of the 'Satyagraha Centenary Year' of Gandhiji. The assistance was provided through the Indian Missions in the respective countries.

### **Pravasi Bharatiya Divas**

Pravasi Bharatiya Divas 2008, the sixth in the series, was held in the imposing Vigyan Bhavan, at the center of India's capital city of New Delhi, from 7-9 January 2008. The convention is the annual flagship event of the Ministry of Overseas Indian Affairs, which has taken the lead in engaging Indians living abroad with their emotional homeland, India. The Government of the National Capital Territory of Delhi partnered the event,

and the institutional partner for the second consecutive year was the Confederation of Indian Industry (CII).

The focus of the convention this year was on involving the overseas Indian community in India's development, and promoting their interaction in social issues. The overarching theme for the event was 'Engaging the Diaspora: the way forward'. Dr. Navinchandra Ramgoolam, Prime Minister of the Republic of Mauritius, was the Chief Guest this year. He was also conferred the Pravasi Bharatiya Samman Award by President of India.

The Pravasi Bharatiya Divas was inaugurated by Dr. Manmohan Singh, Prime Minister of India. The Prime Minister stressed that the 'Indianness' of Indians living anywhere derived from a common cultural heritage of peace, assimilation and non-violence. He urged all Indian communities to preserve their 'Indianness' which binds them with an invisible thread. In his address, the Prime Minister elaborated on the key initiatives that were being taken by the Government for addressing concerns of overseas Indians and to deepen their interaction with India's socio-economic development. The Prime Minister also launched a helpline as part of the Overseas Workers Resource Center,

which would be available to Indians working overseas in times of distress. He unveiled a model of the proposed building for a Pravasi Bharatiya Kendra, a center for research and policy in the study of the Indian diaspora.

The Prime Minister also announced the setting up of an 'India Development Foundation' as an autonomous not to profit trust. The foundation will serve as a credible institutional mechanism to lead overseas Indian philanthropic propensities into human development efforts in India. Prime Minister also announced the establishment of a Prime Minister's Global Advisory Council of People of Indian Origin. The council would serve as a high level platform for the Prime Minister to draw upon the experience, knowledge and wisdom of the best Indian minds wherever they may be based.

Dr. Navinchandra Ramgoolam recalled with pride his country's long association with India, and requested that a special platform be established to facilitate the efforts of Persons of Indian Origin (PIO) in India. Mr. Vayalar Ravi, Minister for Overseas Indian Affairs, reiterated that the PBD was aimed at strengthening the two-way partnership between PIO living abroad and India. In particular, this

year's PBD stressed engagement in social development issues such as education and health.

Mrs. Sheila Dikshit, Chief Minister of NCT of Delhi, requested the gathering to contribute to Delhi's infrastructure, health and education sectors. Plenary Sessions spanned a range of issues relating to India's economic growth and social development, including trade, investment, and empowerment of rural women. Wide enthusiasm among the delegates was evident in the participation at the sessions, and in the issues raised. The desire of the overseas Indian community to engage with India offering knowledge, training, and funds was deep and strong. Success stories of initiatives taken by the diaspora as well as challenges faced by them were enumerated.

A unique session on partnership opportunities with the states included five Chief Ministers and two industry ministers representing seven states. Each of them highlighted the prevailing business environment and the initiatives taken to promote economic and social development in their state, vying to attract the attention of overseas Indians. This enabled delegates to obtain an overview of their region of origin, and the potential



routes for engagement. States had also set up colorful pavilions in the exhibition area, allowing visitors to examine their areas of interest in more detail. Concurrent sessions highlighted particular dimensions of engagement with India, centering on expanding India's emerging knowledge economy, building networks for culture and mitigating challenges to leadership roles for women. Eminent

men and women from all walks, of life in India as well as overseas brought new perspectives on jointly addressing the issues, with an emphasis on using technology for overcoming barriers. Regional matters were the topic of discussion in the Working Sessions which covered the Indian diaspora residing in different parts of the globe. It was reiterated that engagement of the overseas Indian community with

India carried diverse dimensions related to the countries of residence. Both sides have a lot to give each other, and at the same time, each needs actions from the other. Thus a two-way process of engagement is necessary.

One of the highlights of PBD 2008 was the session on Diaspora Philanthropy: Empowerment of Rural Women using innovative methods including micro credit. This is targeted to run concurrently with the 11<sup>th</sup> Plan period and reflects the priorities of the 11<sup>th</sup> Plan. Of all outcomes targeted at PBD till date, this perhaps holds the most potential if planned, executed and monitored actively by MOIA.

The Valedictory Session was addressed by President of India, Smt. Pratibha Devisingh Patil. The President urged the overseas Indian residents to actively participate in health, education, infrastructure and business in India. She advised them to make use of the multiple forums being instituted by the Government to facilitate this participation. These include the OIFC, the PIO University and the proposed India Development Foundation. The President also conferred the Pravasi Bharatiya Samman Awards to 12 distinguished persons of Indian origin.

The Overseas Indian Facilitation Center (OIFC), which has commenced

operations recently to assist to assist and advise the overseas Indian investor, was in prominence at the convention. It had set up a 'Marketplace', a place for interaction on a one-to-one basis for concrete projects in the social and business fields, which was a big hit with visitors. The OIFC promoted by the Ministry is managed by an independent trust in partnership with the Confederation of Indian Industry, an apex industry body with wide international connectivity.

### **Highlights of the PBD**

- ❖ 1500 delegates from over 50 countries
- ❖ Seven Plenary Sessions, three Concurrent Sessions and five Working Sessions
- ❖ 15 overseas Ministers / Members of Parliament of Indian Origin attended the Conference
- ❖ 98 speakers, 46 of them from overseas
- ❖ Fourteen Indian Ministers, five Chief Ministers, five Members of Parliament and Four Ministers from States addressed the Conference
- ❖ Focus on the common man, rural women and overseas Indian workers
- ❖ Launch of the Overseas Workers Resource Center helpline by the Prime Minister

- ❖ Unveiling of the model of the proposed Pravasi Bharatiya Kendra building by the Prime Minister

- ❖ 'Marketplace' of the Overseas Indian Facilitation Center, a place for interaction on a one-to-one basis for concrete projects in social and business fields

- ❖ Participation of 17 Indian states in the Exhibition

- ❖ Over 60 private exhibitors

### **Key Outcomes of PBD**

- 1) Prime Minister's Global Advisory Council of People of Indian Origin

- 2) India Development Foundation

- 3) Council for the Promotion of Overseas Employment

- 4) India Diaspora Knowledge Network

- 5) PIO University

- 6) Mini-PBDs in different parts of the world

### **Pravasi Bharatiya Divas (PBD), New York - 2007**

The first overseas Pravasi Bharatiya Divas, New York was organized on 23<sup>rd</sup> September 2007 at New York to enlist the wider participation of the overseas Indian community in the USA and Canada. This meet was organized under the

aegis of Overseas Indian Facilitation Centre (OIFC). Ministry of Overseas Indian Affairs is planning to organize similar mini PBD's in other parts of the world with significant overseas Indian populations.

### **Pravasi Bharatiya Samman Awards (PBSA)**

Introduced in the year 2003 the prestigious PBSA conferred on eminent overseas Indians celebrates the success of the Indian diaspora and its recognition of its achievements.

As per the revised guidelines for PBSA, the Award shall be conferred on a Non-Resident Indian, Person of Indian origin or an organization or institution established and run by the Non-Resident Indians or Persons of Indian Origin, who has made:

- (a) Significant contribution towards better understanding abroad of India and support to India's causes and concerns in a tangible way;

- (b) Significant contribution for the welfare of diaspora;

- (c) Notable contribution in philanthropic and charitable work and for social and humanitarian causes in India and abroad;

- (d) Significant contribution in building closer links between India and its diaspora in the economic, cultural and scientific fields;

(e) Eminence in one's field for outstanding work which has enhanced India's prestige in the country of residence; or

(f) Eminence in his skills which has enhanced India's prestige in that country (for non-professional workers).

Nominations for the Award are made by Heads of Indian Diplomatic Missions abroad, Chairman of the Department Related Parliamentary Standing Committee of the Ministry of Overseas Indian Affairs, Prominent Overseas associations with nation-

wide character as may be decided by the Ministry of Overseas Indian Affairs and awardees of Pravasi Bharatiya Samman Award. The Vice President of India is the ex-officio Chairman of the Jury-cum-Awards Committee. The number of Awardees will be a maximum of 15 per year.

In 2008, 11 distinguished overseas Indians and one overseas Indian Association were conferred the Award by President of India at the valedictory session of Pravasi Bharatiya Divas on 09 January 2008.

### **PBSA Awardees 2008**

<b>S.No.</b>	<b>Name of the Nominees</b>	<b>Fields</b>	<b>Country</b>
1.	Dr. The Hon'ble Navinchandra Ramgoolam	Public Service	Mauritius
2.	Mr. Neville Joseph Roach	Community Service	Australia
3.	Dr. Ravi Pillai	Business	Bahrain
4.	Mr. A.P.S. Mani	Community Service	Japan
5.	Judge Ajit Swaran Singh	Public Service	New Zealand
6.	Mr. Rafiudin S. Fazulbhoy	Community Service	Saudi Arabia
7.	Mr. Bicky Chakraborty	Business	Sweden
8.	National Council of Indian Culture (NCIC)	Community Service	Trinidad & Tobago
9.	Mr. Krishnamurthy Kumar	Community Service	U.A.E.
10.	Lord Karan Bilimoria	Business	U.K.
11.	Dr. Thomas Abraham	Community Service	USA
12.	Dr. Joy Cherian	Public Service	USA

The Ministry has constituted a committee chaired by the Secretary with representatives from the Ministry of External Affairs and the Ministry of

Home Affairs to revise the scheme and make the selection process more broad based, objective and transparent.



# Migration Management







## Migration Management

International migration is an important dimension impacting economic relations between the developed and developing countries. At the start of the century the United Nations estimated that about 175 million people roughly 3 percent of the world population lived and worked outside the country of their birth. The remittances - money and goods sent back home by these migrant workers have a profound impact on the living standards of people in the developing countries of Asia, Africa, Latin America and the Middle East. In 2007 the flow of international remittances to developing countries stood at \$270 billion per year of which India was the largest recipient at about \$27 billion. It is also noteworthy that over 40 percent of this was remittances made by overseas Indian workers in the Gulf (World Bank, 2007).

The debate on international migration has acquired a sense of urgency in recent years. Growing mobility of labour in a globalizing economy, emerging population and demographic dynamics, as well as enhanced security concerns, have



*The Indo-Kuwait Bilateral MoU on Labour and Employment was signed in Kuwait in April 2007*

together underlined the importance of good migration management to transform it into an efficient, orderly and humane process. The question is no longer whether to allow migration, but indeed, how to manage migration effectively to enhance its positive effects on development and mitigate the negative. Which forms of migration are desirable, and should be facilitated and under what circumstances? Which forms are undesirable and need to be prevented? The macro-economic benefits of migration for the country of origin by reducing unemployment,

easing labour market pressures, together with the positive impact of remittances on foreign reserves and the balance of payments, have invited increasing attention. Equally, the positive economic impact of migration on the country of destination, including the contribution to GNP, the labour market, local consumption and human capital, can be substantial. In a world that perceives the benefits of cross border movement of capital, wider recognition of the benefits of International mobility of labour is imperative. Calibrated liberalization of migration policies must move in tandem with the liberalization of trade.

India is a major country of origin and destination and is therefore an important player in International migration. Overseas Indian workers estimated at about five million constitute an important segment of the Indian diaspora. The strategy of the ministry has been to evolve a coherent, liberal and progressive migration policy that addresses the entire 'virtuous cycle' of the mobility of labour. Our approach is to work towards building consensus on an end to end solution that can transform migration into an orderly and mutually beneficial economic process and constitute a win-win for all the stakeholders in both the country of origin and the country of destination.

Emphasis has been on introducing reforms and implementing best practices in migration management covering all stakeholders in the migration process. In doing so the ministry has been led by four principles:

- ❖ Promote legal migration by making the process simple, transparent and efficient.
- ❖ Actively prevent illegal migration by acting in tandem with the states against unscrupulous middlemen and those indulging in human smuggling
- ❖ Capacity building amongst all the stakeholders - end to end - in the migration process
- ❖ Proactively pursuing and strengthening bilateral and multilateral cooperation

### **Emigration Policy Division**

An Emigration Policy Division was established in March 2006. It deals with all policy matters relating to emigration of workers from India. Its responsibilities include formulation of policies for improving emigration management, proposing legislative changes, implementing emigration reforms including institutional changes and e-Governance, formulation of welfare schemes for emigrants and

promoting bilateral and multilateral cooperation in international migration.

The Ministry is pursuing a proactive policy to transform the emigration system into a simple, transparent, humane and orderly process. These reforms seek to empower the emigrants through specific systemic interventions on the domestic, bilateral as well as multilateral fronts. Indian emigrants (other than white collar workers) have so far been typically less educated, low-skilled and ignorant about the relevant laws, procedures, foreign culture and language. That makes them vulnerable to lure, cheating at the hands of agents and exploitation at the hands of employers. The emigration process needs transformation into a more orderly economic process offering a win-win for all stakeholders. Emigration laws require to be modernized to bring about greater transparency, better regulation and deterrent punishment.

To achieve the transformation of the emigration system the Ministry has already taken several steps. It has initiated the process for amending the Emigration Act. It has taken up implementation of e-Governance in emigration to make it simple, quick,

effective, transparent and accountable by linking all stakeholders on a common platform.

Proposals for signing MOUs with the Gulf countries for bilateral cooperation in deployment and protection of workers are being vigorously pursued. Bilateral social security agreements are being pursued with the developed countries to protect the interests of Indian professionals.

A scheme has been launched for skill up gradation and pre-departure orientation of potential emigrants with the help of state governments, the Ministry of Medium, Small and Micro Enterprises as well as the Private sector. Action is being taken to lay down the framework for carrying out on-site welfare measures, to set up Overseas Indian Centers to coordinate on-site welfare and to replicate the best practices of progressive sending countries like the Philippines in the area of emigrant welfare. The recruitment experience since the enactment of the Emigration Act in 1983 has shown severe shortcomings, which result in exploitation of the emigrants. A proposal has been initiated to revamp the Recruiting Agent system to make it more professional and accountable.

### **Amendments to the Emigration Act, 1983**

Complaints are often received about cheating of intending emigrants by touts and recruiting agents and about exploitation and ill-treatment of emigrants by their foreign employers. Malpractices like substitution of contract, underpayment and delayed payment of wages, denial of contractual facilities etc are frequent. It has also come to the notice of the Ministry that there is a high incidence of misuse of visit visa for seeking employment abroad. In view of this feedback, the Ministry decided to take a fresh look at the emigration system as enshrined in the Emigration Act, 1983 particularly with reference to the need for redefining the role and responsibilities of key stakeholders in the emigration process with the objective of protection and welfare of emigrants and intending emigrants.

There is an urgent need to convert the Emigration Act into an effective instrument for promotion and facilitation of legal emigration and prevention of irregular emigration. Accordingly, the Ministry has initiated the process for bringing about far reaching amendments to the Emigration Act. The proposed amendments are based on the following principles:

1. The law should provide an enabling environment for promotion of overseas employment and welfare of workers.

2. The emigration process should be simple and transparent.

3. Roles and responsibilities of critical stakeholders including Central Government, Indian Missions, Protector General of Emigrants and Recruiting Agencies and Employers should be laid down.

4. A robust mechanism for protection of emigrants and intending emigrants should be provided to save them from exploitation by the recruiting agencies and the employers.

5. An effective grievance redressal system should be put in place.

6. A framework for welfare of emigrants should be provided, including enabling provisions for creation of a welfare fund.

7. Penalties for violation of the Act should be more stringent and the offence of "human smuggling" should be brought under the penal provisions.

The Ministry circulated the proposed amendments to the relevant Ministries and Indian missions abroad for comments. The proposal has been finalized on the basis of the inputs

received and will be placed before the cabinet shortly.

### **Reforming the Emigration System**

The number of emigration check not required (ECNR) countries has been increased from 53 to 174 recently. Now emigration check is required only for 18 countries, out of which emigration is banned for Iraq because of the uncertainty about protection and welfare of our workers in that country. The Ministry has relaxed the eligibility criteria for ECNR passport. Now anybody who is class 10 pass or above would be entitled for a passport without the ECR stamp and can proceed on overseas employment without any emigration check. The Ministry has abolished the procedure which required an ECR passport holder proposing to go abroad on a visit visa to obtain ECR suspension from the POE. The procedure was resulting in inconvenience, harassment and corruption without serving any good cause. This reform will benefit about 5-6 lakh ECR passport holders every year resulting in tremendous cost and time savings for them.

A proposal to outsource the public interface of the POE offices with respect to grant of emigration clearance on the lines of outsourcing of visa services is underway. The

objective is to facilitate better and quicker delivery of emigration services to intending emigrants. This initiative will go a long way in mitigating harassment of applicants and removing corruption in emigration process.

The Ministry is taking steps to revamp the recruiting agent system to ensure better enforcement of the emigration laws on ground and curb illegal recruitments. Under this initiative, the eligibility criteria for registration of recruiting agents will be made stringent, performance standards will be prescribed and monitoring will be strengthened. The Emigration Rules are being amended to implement this initiative.

### **E- Governance in Emigration Management**

The ministry has undertaken a comprehensive e-Governance in emigration project with technical assistance from the National Institute of Smart Government, Hyderabad.

The project is aimed at achieving greater user convenience and effective protection and welfare of the emigrant. The subsidiary benefits would include greater levels of efficiency, transparency and accountability in the emigration system, facilitation of legal emigration and prevention of illegal

emigration. The scheme is expected to automate emigration clearance, computerize registration of RAs and employers' permits, dispense with discretion, mitigate harassment of emigrants and remove corruption. It would also provide useful tools and data for policy analysis, information dissemination and speedy grievance redressal.

The scheme involves computerization of the functions of the POE offices & the PGE office, phased interlinking with recruiting agents, employers, immigration counters, Indian missions abroad, insurance companies and state governments etc. It envisages real-time capture and updating of data, quick access to reliable emigrant data, customized management information system to support decision making, computerized management of recruiting agent system, performance rating of recruiting agents & employers, effective monitoring of emigration offences, interlinking of stakeholders and online validation of information across stakeholders.

The emigration clearance process has been automated in six offices of Protectors of Emigrants (POE) and implementation is underway in the remaining 2 POE offices. Smart cards

would be issued to the emigrants after examining all pros and cons to ensure that the benefits outweigh the cost to the emigrant.

### **Council for Promotion of Overseas Employment**

The Union Cabinet has approved the proposal of the Ministry to constitute a Council for Promotion of Overseas Employment, which will serve as a think tank to conduct market research, identify employment opportunities in the international labour market, disseminate market information to stakeholders, do skill profiling to identify skill gaps and plan appropriate interventions for addressing such gaps, devise strategies to respond to the market dynamics and enable intending emigrants to reap the demographic dividends of globalization.

The Council is being constituted through a Government Resolution. Registration of the Society under the Societies Registration Act, 1860 is underway. The appointment of Chairman and Members and identification of office accommodation are also underway.

### **Welfare Fund**

It is often wrong that most return emigrant workers are rich. The fact is



*Indo-Polish Bilateral discussions on Cooperation in Labour and Employment*

that many of them live hand to mouth due to exploitation by the agents and the employers. In some cases, when they return home they have hardly any savings left because of heavy borrowings done earlier. The Ministry receives many representations for repatriation from emigrants who get stranded abroad. Embassies have also been approaching the Ministry for assistance in such cases.

The Government has provided statutory social security cover to most of the workers in the organized sector. It has also set up welfare funds to be administered by the Ministry of Labour for the workers employed in bidi, cigar and certain other sectors. On the same principle, the Ministry has moved a

proposal for setting up such a fund for overseas Indian workers also. The fund will be used for the following purposes:

1. Payment of the Government's contribution towards the monthly sustenance allowance scheme. The scheme will be implemented through banks.
2. Payment of subsidy for the returnee rehabilitation scheme. The scheme will be implemented through banks.
3. On-site welfare measures in host countries. The implementation will be through the Labour wings of Indian missions.
4. Humanitarian assistance to emigrants in distress in host countries through the Indian missions

This fund will be a non-profit initiative and, therefore, it has been proposed to create a Trust to manage this fund. The proposal is expected to be implemented in the ensuing financial year.

### **Special Measures for Women Emigrants**

Special measures are being taken in consultation with Ministry of External Affairs, Ministry of Home Affairs, Ministry of Women and Child Development, the National Commission for Women and other relevant Ministries for better protection and welfare of our workers especially the vulnerable sections like women emigrants. These include:

1. Installation of a 24/7 Helpline in the host countries
2. Application of the age restriction of 30 years to all women emigrating on ECR passports
3. Defining a minimum wage for women emigrants in the household sector.
4. Stipulation of a security deposit per worker from the foreign employer directly hiring Indian worker
5. Compulsory attestation of employment documents for all women emigrants with ECR passport

6. Opening of Overseas Indian Workers Resource Centre in host countries to serve as a one stop service outlet for addressing the information and assistance needs of emigrants

7. Operating shelters for distressed emigrants

8. Putting diplomatic pressure on host countries to extend the protection of labour laws to the workers in the informal sector.

### **Bilateral Labour Cooperation**

Protection of emigrants against exploitation and abuse is not possible in the absence of commitment of the Government of the host country. To secure such commitment, India signed labour agreements with Jordan and Qatar in 1980s. However, no further progress was made in this direction for many years.

After its creation in 2004, the Ministry of Overseas Indian Affairs made concerted efforts to enter into Memoranda of Understanding (MoU) with the major labour receiving countries for bilateral cooperation towards protection and welfare of our emigrants. The Ministry planned to sign MOUs with 5 Gulf countries (Kuwait UAE, Bahrain, Saudi Arabia and Oman) and with Malaysia.

The MOU with UAE was signed 13<sup>th</sup> December 2006 and with Kuwait in April 2007. MOU with Malaysia has been finalized and will be signed soon. Negotiations are underway with Oman. Efforts are being made to negotiate MOUs with Bahrain, Saudi Arabia and Yemen also. An additional protocol to the existing labour agreement between India & Qatar was signed in New Delhi on 20 November 2007 to address mutual concerns. The following broad principles have been built into the MOUs:

1. Declaration of mutual intent to enhance employment opportunities and for bilateral cooperation in protection and welfare of workers.

2. The host country to take measures for protection and welfare of the workers in unorganized sector.

3. Statement of the broad procedure that the foreign employer shall follow to recruit Indian workers.

4. The recruitment and terms of employment to be in conformity of the laws of both the countries

5. A Joint Working Group to be constituted to ensure implementation of the MOU and to meet regularly to find solutions to bilateral labour problems.

The Ministry proposes to sign MOUs with important receiving

countries of the Central and Eastern Europe and Asia to forge bilateral partnerships to expand the overseas employment market for Indian workers particularly for the skilled category. We are already in talks with Poland and have also sent a draft MOU to South Korea. Similar MOUs will be pursued with some other labour receiving countries in Europe and South East Asia.

### **Bilateral Social Security Cooperation**

Most of the developed countries have an umbrella social security system mandated by law and funded through mandatory periodic contribution in the form of tax from all working people and their employers (in a prescribed ratio) in order to provide multiple benefits like old age pension, disability insurance, health insurance and unemployment insurance etc. Generally this social security tax is in the form of a fixed percentage of income subject to a maximum lump sum limit. All expatriate workers are also required to pay social security tax as per the law of that country.

Often our workers are professionals who are sent to these countries by their Indian employers on short term contract. During this period, they continue to make social security contribution in India as per the Indian

law. As such, they are compelled to pay contribution in both countries under their respective laws during this period. Indian workers often do not get any benefit from the social security contribution made abroad after they return to India or relocate elsewhere on completion of the term of contract. This happens because most countries do not allow export of social security benefit. There is also loss of contribution paid under the host country system for want of fulfilling the minimum insurance period under their law. Another disadvantage is that due to the high rate of social security tax, the Indian companies become less competitive while bidding for projects in these countries. All these issues, in varying degree, affect the expatriates working in India too.

Bilateral social security agreements can protect the interests of such expatriate workers on a reciprocal basis by providing for exemption from social security contribution in case of short-term contracts (provided the worker is covered under the home country's social security system), exportability of pension in case of relocation to the home country or any third country and totalisation of the contribution periods pertaining to both countries. Such agreements would also make companies more competitive in each other's territory since exemption from

social security contribution in respect of their employees substantially reduces costs.

In November 2006 the Ministry signed a bilateral social security agreement with Belgium. During November 2007 negotiations with the Belgian delegations were held in India for finalizing the Administrative Arrangements. The two sides agreed to a common draft, which was initialed. The Arrangements will be signed shortly and thereafter the social security agreement will come into force on mutual confirmation of the completion of ratification procedures.

The Indo-Belgian model has been adopted for signing similar agreements with other countries of the European Union. Negotiations are underway with Germany and the Netherlands. The process has been initiated in respect of the Czech Republic, France, Sweden, Bulgaria, Switzerland, Norway and Cyprus too. Bilateral discussions on social security issues were held with the USA during 12-13 December 2007 and both sides agreed to have expert level talks on the subject during second quarter of 2008.

### **Asia-EU Project**

An MOU was signed on 31 July 2007 between the Ministry of Overseas Indian Affairs (MOIA) and

the International Organization for Migration (IOM) for implementation of the project "Regional Dialogue and Program on Facilitating Managed and Legal Migration between Asia and the European Union (EU)". The project is sponsored by the European Union (EU) and covers 10 Asian countries (Bangladesh, China, India, Indonesia, Nepal, Pakistan, Philippines, Sri Lanka, Thailand, Vietnam; for some activities Afghanistan) and 5 European countries (Germany, Ireland, Italy, Spain and UK).

The project is already under implementation and will provide an opportunity for capacity building towards emigration management, to develop overseas employment market in the strategically important European countries and upgrade the Indian workers in the wage chain. The Project is aimed at facilitating development of legal migration, enhancing regional cooperation on legal migration management, reducing irregular migration, enhancing placement capacity amongst recruiting agencies and dissemination of information relating to employment opportunities and procedures to intending emigrants. The key outcomes of the project will be establishment of a Migrant Resource Center, Report on national skill profiling and skill certification, pilot placement of Indian

workers in participating EU countries, information dissemination to all stakeholders based on a knowledge and attitudes and practices (KAP) survey.

To implement the project the MOIA and IOM have jointly established a Program Implementation Unit (PIU) in New Delhi. The MOIA will set up a Market Research Unit (MRU) to support the project activities. The project is expected to be completed on 30 June 2008.

### **Annual Conference of Heads of Indian Missions**

The second annual conference of the Heads of the Indian Missions in the major labour receiving countries was held in New Delhi during September 2007. The Conference was attended by the Heads of Indian Missions in Saudi Arabia, Qatar, Bahrain, Oman, United Arab Emirates, Kuwait, Jordan, Libya, Yemen and Malaysia. The representatives of the State Governments of Kerala, Andhra Pradesh and Punjab and the representatives of the Ministries of External Affairs and Home Affairs were also present. The objective of the annual Conference was to provide an opportunity to the Indian missions in various labour receiving countries to share their experiences in dealing with

labour issues amongst themselves and with the Central Government. It also served the purpose of clarifying the policy framework on migration as well as to discuss potential avenues of cooperation with countries of destination. The recommendations of the Conference serve as useful inputs for corrective action.

### **Protector General of Emigrants**

The operational matters relating to emigration, the provision of emigration services to emigrants and the enforcement of Emigration Act, 1983 are under the Protector General of Emigrants (PGE). The PGE is the statutory authority under the Emigration Act responsible for the welfare and protection of emigrant workers. He also oversees the eight field offices of the protectors of Emigrants.

The Emigration Act, 1983, which came into effect from 30<sup>th</sup> December, 1983 embodies the guidelines enunciated by the Supreme Court of India in its judgement and order dated 20.03.1979 (Kanga Vs. Union of Indian & Others) and provides a regulatory framework in respect of emigration of Indian workers for overseas employment and seeks to safeguard their interests and ensure their protection and welfare. The Act provides for:

1. Duties of Protectors of Emigrants Section 3.

2. Regulation of Recruiting Agents Sections 9-14.

3. Direct recruitment by employers Sections 15-21.

4. Mandatory emigration clearance Section 22.

5. Emigration offences and penalties Sections 24-26.

6. Power to exempt certain countries or employers Section 41.

Procedural safeguards have been provided under the law for protection of emigrants. The Act regulates recruitment for overseas employment and departure of the intending emigrant from India. It provides for penalties against offences.

Section 16 of the Emigration Act, 1983 provides that recruitment for overseas employment can be done either by a recruiting agent by obtaining a Registration Certificate from the Registering authority or by an employer directly by obtaining a Permit from the Competent Authority. The Protector General of Emigrants (PGE) has been empowered by the Central Government to also function as the Registering Authority to regulate the recruitment through recruiting agents and as Competent Authority to

regulate direct recruitment by employers. The recruiting agents are required to obtain the Demand Letter, Power of Attorney and Specimen Employment Contract (all in original) from the foreign employers in order to recruit workers and obtain emigration clearance for their departure. The specimen employment contract lays down the basic terms and conditions of employment including salary, accommodation, medical cover, transport, etc. In case of vulnerable categories of workers, i.e. unskilled labour and women emigrants the employment documents are required to be attested by the Indian Mission concerned.

Section 22 of the Emigration Act, 1983, provides that no citizen of India shall emigrate for any work falling under section 2(1)(o), unless he obtains emigration clearance from the Protector of Emigrants. However, thirteen categories of persons have been exempted from this requirement. Such persons are entitled to the 'Emigration Check Not Required' passport (also called ECNR passport). Broadly, any person who has passed class X or more is entitled to an ECNR passport. An ECNR passport holder does not need any emigration clearance for going to "any" country. Further, even those holding ECR

passport (bearing ECR stamp) are exempted from emigration check formalities while going to 174 countries, which are termed as ECNR countries. There are only 18 ECR countries (including Iraq to which emigration has been banned) for which emigration check is required (only by ECR passport holders). Insurance of the intending emigrant under the Pravasi Bharatiya Bima Yojna (PBBY) is compulsory for emigration clearance.

### **Trends in Emigration**

There are about five million overseas Indian workers all over the world. More than 90% of these workers are in the Gulf countries and Southeast Asia. During 2006 about 6.77 lakh workers emigrated from India with emigration clearance. Out of this about 2.55 lakh workers went to UAE, about 1.34 lakh to Saudi Arabia, about 76,000 to Qatar and about 36,000 to Malaysia. Tamil Nadu, Kerala, Andhra Pradesh and Uttar Pradesh were the leading sourcing states.

Major outflow of emigrant workers in the last few years from India has been to the Gulf countries where about four million workers are estimated to be employed. A vast majority of migrants to the Middle East, including Gulf countries, are semi-

skilled and unskilled workers and most of them are temporary migrants who return to India after expiry of their contractual employment. There has been a consistent and steady increase in the number of persons emigrating for employment abroad from the year 2003 onwards. The number of emigration clearances granted by the eight offices of the Protector of Emigrants has increased from 4.66 lakhs in 2003 to 8.09 lakhs in 2007. U.A.E. is the main destination for Indian workers followed by Saudi Arabia. Outside the Gulf region, the intake of Indian manpower by Malaysia has shown a significant and consistent increase till 2005. There is considerable decline noticed in 2006 and 2007. Employment for Indian workers in these countries holds a great potential. The number of workers who were given emigration clearance for contractual employment abroad during the last five years and data on distribution of labour outflows is detailed in Tables A, B and C.

### **Remittances**

The employment of Indian workers abroad helps to earn foreign exchange and thereby adds to the foreign exchange reserves of the country. The private transfer of foreign exchange from the year 2001-2002 onwards is given in Table - D. It may be observed that there has been a steady increase in the remittances from

Rs. 57,821 crore in 2001-2002 to Rs. 75,238 crore in 2007-08 (upto September, 2007). It is assessed that a significant proportion of this is contributed by the increasing number of unskilled and semi-skilled Indian workers employed in the Gulf countries and Malaysia.

### **Emigration Check Required Suspension (ECRS) Category**

Categories of persons whose passports have been endorsed as "Emigration Check Required" (ECR), if intending to travel abroad for purposes other than employment were earlier required to obtain 'suspension' from the offices of Protectors of Emigrants (POEs). However, the procedure of grant of Emigration Check Required Suspension (ECRS) by the POEs has been abolished w.e.f. 1<sup>st</sup> October, 2007. Consequently, w.e.f. 1<sup>st</sup> October, 2007, the ECR passport holders travelling abroad for purposes other than employment will be allowed to leave the country on production of valid passport, valid visa and return ticket, at the Immigration Counters at the International airports in India. The data on all such passengers going abroad in terms of the country and the duration of the visit will be maintained by the Bureau of Immigration.

The total number of 'suspensions' granted by the Protectors of Emigrants during the last five years is given in **Table - E**.

### **Recruiting Agents**

The registration of Recruiting Agents under the Emigration Act, 1983, commenced from January, 1984, and as on 31.12.2007 there are 1835 recruiting agents. This figure includes nine State Manpower Export Corporations established in the States of Uttar Pradesh, Andhra Pradesh, Kerala, Punjab, Tamil Nadu, Karnataka, Himachal Pradesh, Haryana and Delhi. Goa is also shortly joining this category. Major concentration of Recruiting Agents is at Mumbai, Delhi, Chennai and Kerala.

### **Modernization of POE Offices**

To provide better work environment to the staff and enhanced facilities to the workers, the Ministry has initiated a programme of modernization of its 8 POE offices. The modernization work is already underway in the offices of POE, Delhi, Thiruvananthapuram and Chandigarh.

### **Managing Complaints of Emigrants**

Complaints are received about exploitation of overseas Indian workers. Such complaints often pertain to non-payment/ delayed payment of wages, unilateral changes in the contract of workers, changing the jobs arbitrarily etc. In extreme cases, the workers are not given any employment at all and are left in the

lurch in the foreign country. Such workers, besides suffering untold misery, also become a burden on our Missions. In such instances, the Protector General of Emigrants (PGE) steps in and asks the concerned Recruiting Agent (RA) to get the workers repatriated on his expense. If the RA fails to do, action is taken to suspend/cancel his registration and forfeit his Band Guarantee to pay for the repatriation expenses.

Complaints against Recruiting Agents are enquired into with the help of POEs and the concerned Indian Missions. Complaints against un-registered agents are referred to the concerned Police authorities for investigation and action under the law of the land. All State Governments and UT Administration have been advised to instruct all Police Station to keep a strict vigil on the activities of unscrupulous agents. Complaints against foreign employers are taken up with the Indian Mission and if need be the employer is blacklisted.

During 2007 registration certificates of 6 recruiting agents were cancelled. At the moment 332 foreign employers are on the blacklist. During 2007 we received 34 complaints of illegal recruitment. Prosecution sanctions were issued in 6 in 2007 cases based on police report.

### **Simplification of Procedures**

To improve and streamline the procedure for processing of various applications the following measures have been taken:

❖ With effect from 1<sup>st</sup> April, 2007, the fresh applications for registration as recruiting agent are submitted in the respective office of the Protector of Emigrants, who will verify the completeness of the applications and forward the same to the Ministry along with all the documents for consideration.

❖ Further, effective 1<sup>st</sup> April, 2007 the applications for renewal of existing registration certificates (RC) are submitted by the RAs to the Protector of Emigrants, who will after verifying the completeness of the applications, send the same to the Ministry for further processing.

❖ Emigration Clearance Books (EC Books) are issued to the recruiting agents through the Offices of the Protector of Emigrants.

❖ Applications for opening of branch offices, change/shifting of office, change of Managing Director/Managing Partner, enhancement of capacity of Registration certificate under the Emigration Act are submitted by the recruiting agents to the respective office of the POE with complete documents/information.

❖ With affect from 1.8.2007 emigration clearance has made further stringent by incorporating some more conditions such as (a) the age restriction of 30 years is made mandatory in respect of all women emigrants emigrating on ECR passports irrespective of the nature/category of employment; (b) the contract should compulsorily include the minimum wage of US \$ 300 per month;(c) FE should deposit a security deposit of \$ 2500.

### **Amnesty In UAE**

The Government of the UAE had announced a general amnesty scheme for three months beginning from June, 3 to September 2, 2007 which was later extended upto November 2, 2007 calling upon all those persons who were staying illegally in UAE either to leave the country or amend their residential status if they wished to continue to work in the UAE. About 70,000 Indian expatriates who were staying illegally benefited from the amnesty and have either left the country or regularized their status with proper documents.

The Ministry of Overseas Indian Affairs took up the matter with the local authorities through Indian Missions for either regularizing the stay of the Indian workers or organizing smooth issue of Emergency Certificates for their deportation to India. The Ministry also ensured the smooth deportation of these workers in

consultation with Ministry of Home Affairs, Ministry of Civil Aviation and State Governments.

### **Kenya Plane Crash**

A Kenyan Airways Flight No. KQ 507 from Douala ( Cameroon ) to Nairobi ( Kenya ) crashed on 5<sup>th</sup> May, 2007, in a mangrove swamp, 10 km south east of Douala , in Cameroon . The plane which carried 105 passengers including 15 Indians, went down with its nose in the swamp in a marshland making it very difficult to access the site for finding out the survivors. The aircraft was located more than 100 km away from the zone where radar equipped helicopters, ground search parties and villagers on motorbikes had spent much of time combing thick forest.

A control room was set up in Akbar Bhawan in MOIA. The Ministry through the Indian Mission officials maintained a continuous liaison and kept a close watch on the situation with an objective of ascertaining the whereabouts of the 15 Indian nationals involved in the crash. The Ministry received references from relatives of some of the Indians who had perished in the crash. The details of names / passports numbers of the family members of these dead were forwarded to the Indian High Commission in Nairobi for making necessary arrangements for their travel to Kenya and also for extending all possible help to them for transportation of the body of the deceased to India.

### **Strike Of Workers In UAE**

About 4300 workers of Pauling Middle East Company on 28.10.07 and about 35000 workers of Arabtec Construction Company in UAE had gone on strike from 1.11.07 demanding increase in salary etc. This Ministry took up the matter with the local authorities in consultation with the Indian Missions and 4141 workers were got released immediately. About 90 Indians who were detained for investigation, for violence were also released and their deportation to India was facilitated . In an another case about 35000 workers of M/s. Arabtec Construction Company went on strike from 1.11.2007, of which majority of workers were Indian. The Ministry got involved in the matter through the Indian Mission and consequently the company announced an increase in salary on 10.11.07 and most of the workers resumed their work.

### **Bridge Collapse in Dubai**

7 India workers were killed and 24 injured when a bridge under construction collapsed in Dubai on 8.10.2007. The accident was a result of collapse of a side wall of a bridge under construction in Dubai Marina. This Ministry facilitated the immediate deportation of dead bodies of these workers through Indian mission and the compensation amount was got released from the company to the next of the kin of these deceased workers immediately.



# Financial Services







## Financial Services

Overseas Indians constitute a vast reservoir of potential investors, entrepreneurs and corporate leaders whose enterprise can be deployed in India. They also represent knowledge, expertise and skills in diverse sectors that can potentially be invested in India. Equally, India has witnessed rapid economic growth and today offers considerable investment opportunities and is a preferred investment destination. The financial services division seeks to pursue a partnership between these two potential partners. Simply put, to try and make the overseas Indian an active participant in the India growth story.

Financial Services includes promotion of investment by overseas Indians in India including policy initiatives consistent with overall Government policies, interaction with the Investment Commission relating to foreign direct investment by overseas Indians (OIs), the Foreign Investment Promotion Board, and new initiatives for interaction by OIs in fields such as Trade, Health, and Science & Technology. We recognise that the Indian diaspora represents an important economic constituency with

the ability and willingness to invest in the emerging opportunities in their country of origin. While there is high interest amongst overseas Indians to invest in India, there is a need for a market driven institutional platform that will facilitate a two-way flow of overseas Indian investments into India as well as promote Business-to-Business partnerships of Indian businesses with overseas Indians.

One of the focus areas of the Ministry is the promotion of investments by Overseas Indians including innovative investment and policy initiatives. In doing so, the effort of the ministry is to establish an institutional framework that can facilitate this process. Overseas Indians approach the Ministry for information and guidance on a variety of subjects related to investment policies, emerging investment opportunities and other financial services. A need has therefore been felt for a trusted and neutral body with state of the art facilities to provide a host of investment advisory services efficiently and on a real time basis. This is best done by a market driven entity supported by but at an arm's length from the Government, established in

partnership with and managed by an apex Industry association.

An important international trend relevant to investor and business start-up services is the efforts by national and local governments to streamline and make more "user friendly" the steps and procedures related to business formation and investment. The term, "One-stop shop", has become a popular concept adopted by many governments around the world as part of their effort to encourage private investment by simplifying investment frameworks. The basic idea of "one-stop shop" schemes is to provide investors with a single contact point where investors can go for all publicly available information and services that they need.

### **Overseas Indian Facilitation Centre (OIFC)**

The ministry has established an Overseas Indian Facilitation Center

(OIFC) as a not-for-profit-trust, in partnership with Confederation of Indian Industry (CII). The Center will be a 'one stop shop' for serving the interests of the Overseas Indian community and has the mandate to cover two broad areas: Investment Facilitation and Knowledge Networking.

The objectives of the Center are:

- ❖ Promote Overseas Indian investment into India and facilitate business partnership, by giving authentic and real time information

- ❖ Function as clearinghouse for all investment related information. This would be done by processing information on a real time basis through ICT platform

- ❖ Establish and maintain a Diaspora Knowledge Network (DKN) by creating a database of Overseas Indians, who would act as knowledge Diaspora and whose knowledge resources could be using ICT platform

- ❖ Assist States in India to project investment opportunities to overseas Indians in the infrastructure and social sectors. The objectives of the OIFC will be to bring the Indian States, Indian Business and potential Overseas Investors on the same platform and to facilitate the investors to identify the investment opportunities

- ❖ Provide a host of advisory



services to PIO and NRIs. These could include matters such as consular questions, stay in India, investment and financial issues etc.

During PBD 2008, the OIFC organized a market place in which many one on one meetings and presentations were organized on the sectors important to Overseas Indians. The OIFC also brought out two publications for the benefit of overseas Indian investors - a 'Handbook for overseas Indians' and 'A compendium on the investment policy and opportunities in India'. These documents are updated every year.

### **Awareness-cum-Publicity Campaign**

The Ministry has launched a national 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 focus of the Ministry's campaign is primarily on three issues:

- i) Problems faced by emigrant workers and the legal emigration process
- ii) Problem relating to NRI marriages
- iii) Problems relating to Indian housemaids overseas.

The awareness campaign has been necessitated by the fact that the outflow of potential Emigrants going overseas in search of jobs has substantially increased in the last five



*The Ministry launched the Overseas Indian Facilitation Centre (OIFC) in May 2007*

years. This number is expected to increase further in the coming years as demand of Indian labour is increasing. The objectives of the campaign are to create wider awareness among the General Public about the legal migration, precautions against illegal practices by fraudulent recruiting agencies and to provide information to those who facing problems.

On January 8<sup>th</sup> 2008, the Prime Minister launched the Overseas Workers Resource Centre (OWRC) as a Helpline for assistance and protection of Indians working abroad and those who are desirous of going

abroad for jobs. The helpline has been dedicated to the large workforce comprising of contract workers, laborers and housemaids who are often at the risk of exploitation in India as well as abroad. The OWRC will include a helpline with a toll free number 1800 11 3090 accessible from anywhere in India. Presently the helpline is working in seven languages Hindi, English, Tamil, Malayalam, Punjabi, Kannada and Telugu with following objectives:

- ❖ Information dissemination on matters relating to emigration
- ❖ Registering, responding to and monitoring complaints received from emigrant workers
- ❖ Grievance redressal and follow up with stakeholders

Establishment of a Migrant Resource Center is envisaged under the Asia-EU project. A booklet "Emigration and You" was released on 8 January 2008 during the PBD to disseminate information on emigration laws, procedures, guidelines etc to help intending emigrants in taking informed decisions. A Knowledge, Attitudes and Practices (KAP) survey and a study on the skill sets required in specific trades for overseas employment are underway. All these are part of the ministry's efforts to create awareness among potential

emigrants and make them more competitive.

### **Training of Emigrant Workers**

Globalization and demographic dynamics will accelerate migration of people in future from the labour sending countries for employment purposes. By the year 2020 developed countries would have majority of their population over 50 years of age, while India would have the largest population in the working age group. It is therefore important for India to take immediate steps for preparing its young workforce to avail the emerging opportunities in the overseas employment market.

The demand for unskilled workers is declining. The future belongs to those who have skills - preferably multiple skills - and are willing to continuously upgrade them. India is not the only country supplying manpower for overseas employment. Countries like Bangladesh, Pakistan Sri Lanka, Nepal, Indonesia, Philippines and China are competing countries of origin. This is another reason why India must take steps to upgrade the skills of its workers so that they can move up the value chain. The overseas employment market is an imperfect market leading to malpractices by intermediaries and is often characterized by low wages, poor

working and living conditions and sometimes ill-treatment and exploitation of workers. Possession of specific job skills reinforces protection and welfare of the emigrants.

Ministry of Overseas Indian Affairs has been mandated with the establishment of Institutions to impart vocational and Technical Training to meet the requirement of skilled manpower abroad. Since the demand for unskilled workers is declining rapidly in the Overseas Employment Market. It is essential to take steps for upgrading the skills of work force to meet the challenges of future needs in the Overseas Employment Market. This would also enable our workers to move higher in the wage ladder.

Against this background, a scheme for Skill upgradation and Pre-departure Orientation for prospective emigrant workers in diverse sectors such as construction, engineering, manufacturing, nursing, IT and household services etc has been drawn up and is being implemented by the Ministry in partnership with State Governments, Ministry of Micro, Small & Medium Enterprises (MSME), apex Industrial associations and reputed Non-Government organizations (NGO's) working in the field.

The objective of the Scheme is to institute a process to develop skills for

Indian Workers and to equip them with a basic knowledge about laws, language and culture of the destination countries. This is being done with a view to enhance perception of Indian workers abroad and enable the workers to adjust to an international working environment better, thereby creating favorable conditions for further opening of employment opportunities for Indian workers. The ultimate objective is to promote overseas employment of Indian workers and to improve productivity, prosperity and happiness amongst the emigrants with consequent positive impact on remittances and national development.

The scheme would also aim at capacity building in the country in the area of development of training standards, curricula, learning material, assessment standards to match with Global Standards and also planning, implementation and monitoring of Skill Development programmes for the unorganized sector. The scheme aims to train about 1,60,000 workers over a five year period (2007-2012). The overall cost of the scheme is estimated as Rs. 88 crores. (Rs. 80 crores to be spent on training of personnel and Rs. 8 crores towards other training support services).



# Social Services







## Social Services

### **Problems Relating to Overseas Indian Marriages**

In furtherance of its campaign to address the problems arising out of marriages with overseas Indians and to create awareness amongst prospective brides and their families towards precautions that need to be taken in such marriages as well as to provide legal counseling and financial assistance to affected Indian women - the Ministry of Overseas Indian Affairs (MOIA) has taken the following steps:

#### **(i) Compulsory Registration of Marriages**

The Hon'ble Supreme Court in a recent case of Mrs. Seema vs Ashwani Kumar has held that registration of marriages of all persons who are citizens of India should be made compulsory and directed the Union Government and the State Governments to frame suitable rules and procedures for it. MOIA has drawn the attention of the States/UTs to the aforesaid judgement of the Supreme Court and requested them to make laws for compulsory registration of marriages and monitoring the progress in this regard. Sixteen States



have already framed suitable rules for compulsory registration of marriage .

#### **(ii) Constitution of Inter-Ministerial Sub-Committee**

An inter-Ministerial Sub-Committee has been constituted, inter-alia, to discuss the clauses that could be inserted in the bilateral agreements between India and the foreign countries to protect the interests of victims of failed and fraudulent marriages. A special task force comprising officers of Ministry of External Affairs and Ministry of Law and Justice was constituted to study the problems .

Recommendations of the task force are under consideration of the Inter-Ministerial sub-Committee.



bringing out the guidance booklet in Hindi and other regional languages. The Ministry has also launched the publicity cum awareness campaign through audio-visual advertisement on regional TV network primarily to cover the States of Punjab, Kerala, Andhra Pradesh, Tamil Nadu and Karnataka.

(iv) Scheme to provide financial assistance to women in distress

The Ministry has launched a scheme to provide legal and financial assistance through Indian Missions abroad to Indian women deserted or divorced by their overseas Indian spouses. Under the scheme, funds have been placed at the disposal of Indian Missions in USA, UK, Canada, Australia, New Zealand and countries in the Gulf which can be released to the Indian Women's Associations, NGOs etc. empanelled with the Missions for providing legal and counseling services to Indian women victims of NRI marriages. The Indian High Commission on Australia has provided assistance to 10 victims of NRI marriages through Indian Welfare Resource Centre (IWRC), the welfare wing of the Federation of Indian Association of Victoria, Melbourne. So far, the following 19 Indian Women Associations/NGOs have been empanelled by the Indian Missions to provide assistance under the scheme.

### **(iii) Awareness campaign to educate prospective brides and their families**

The Ministry had brought out information pamphlets in English, Hindi, Punjabi, Malayalam and Telugu to make Indian women aware of their rights and responsibilities and precautions that could be exercised before entering into marital alliance with overseas Indians. The Ministry is bringing out the information pamphlets in other regional languages also. It has also brought out a guidance booklet on "Marriages to Overseas Indians". This booklet contains information on safeguards available to women deserted by their NRI spouses, legal remedies available, authorities that can be approached for redressal of grievances, and NGOs which can provide assistance. The Ministry is

## **INDIAN WOMEN'S ASSOCIATION /NGOs EMPANELLED WITH THE INDIAN MISSIONS**

### Washington DC, USA

ASHA (Asian Women's Self-help Association) , Post Box 2084, Rockville, MD 20847-2084

### San Francisco ,USA

- (i) MAIRI, 234 , East Gish Road, Suite 200, San Jose, CA 95112
- (ii) NARIKA, Post Box NO. 14014, Berkeley, CA 94714
- (iii) SevA Legal Aid, 37053 Cherry Street # 207, Newark, CA 94560

### New York, USA

- (i) SAKHI, New York
- (ii) AWAKE, (Asian Women's Alliance for Kinship and Equality)
- (iii) MANAVI, New Jersey
- (iv) SEWAA(SERVICE AND EDUCATION FOR WOMEN AGAINST ABUSE)  
Philadelphia
- (v) INTERNATIONAL INSTITUTE OF BUFFALO
- (vi) Asian Women's Safety Net

### Chicago ,USA

APNA GHAR INC (OUR HOME), Chicago

### Qatar

Indian Community Benevolent Fund (ICBF) , Doha, Qatar

### Australia

The Indian Welfare & Resources Centre (IWRC), the Welfare wing of Federation of Indian Association of Victoria, Melbourne .

### Canada

- (i) Indian Canada Association, 1301 Prestone Drive, Ottawa, ON K1E , 2Z2
- (ii) Ottawa Community Immigrant Services Organization , 959 Wellington Street West, Ottawa, ON K1Y 2X5.
- (iii) National Association of Canadians of Indian Origin, 24 Saint-Paul East, Suite 201. Montreal , QC H2Y 1G3.
- (iv) AWIC Community & Social Services  
3030 Don Mills Road, Peanut Plaza , Norht York, ON M2J 3C1.

### Bahrain

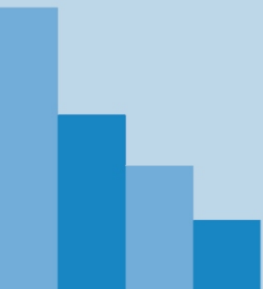
Migrant Workers Protection Society (MWPS) (being considered for empanelment)

### New Zealand

Shakti Community Council INC, Auckland



# Budget and Financial Review







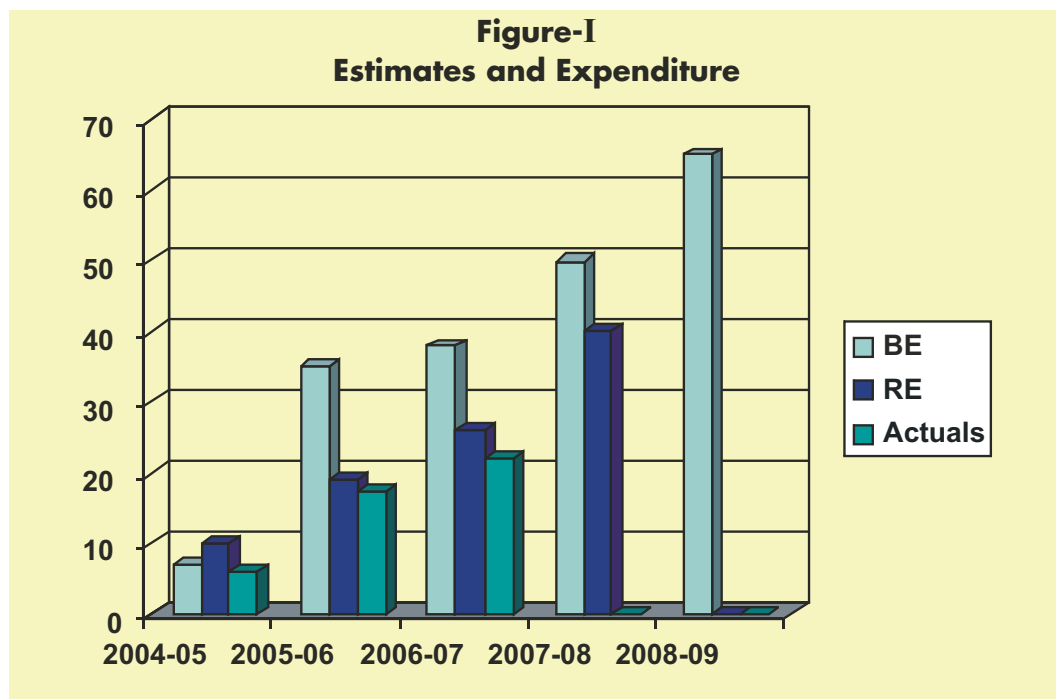
## Budget and Financial Review

The Outcome Budget of the Ministry for the year 2007-08 was presented to the Parliament in March 2007. The Budget Estimate of the Ministry during 2007-2008 was Rs. 50 crores and the Revised Estimate was Rs. 40 crores. The Budget Estimate for the year 2008-2009 has been fixed at Rs. 65 crores. The expenditure of the Ministry is on the Non-plan side. The Ministry operates three major Heads of Expenditure as under:-

- 2052 - Secretariat General Services
- 2061 - External Affairs; and
- 4059 - Capital Outlay on Public Works

The focus of the Ministry during the last year was on three aspects:

- (a) to contain Administrative expenditure
- (b) increase allocations for Programmes and Schemes to achieve the mandate of the Ministry; and
- (c) to maximize the productivity of Scheme expenditure through partnerships. The trends in the expenditure is depicted in figures I-III in the following pages.

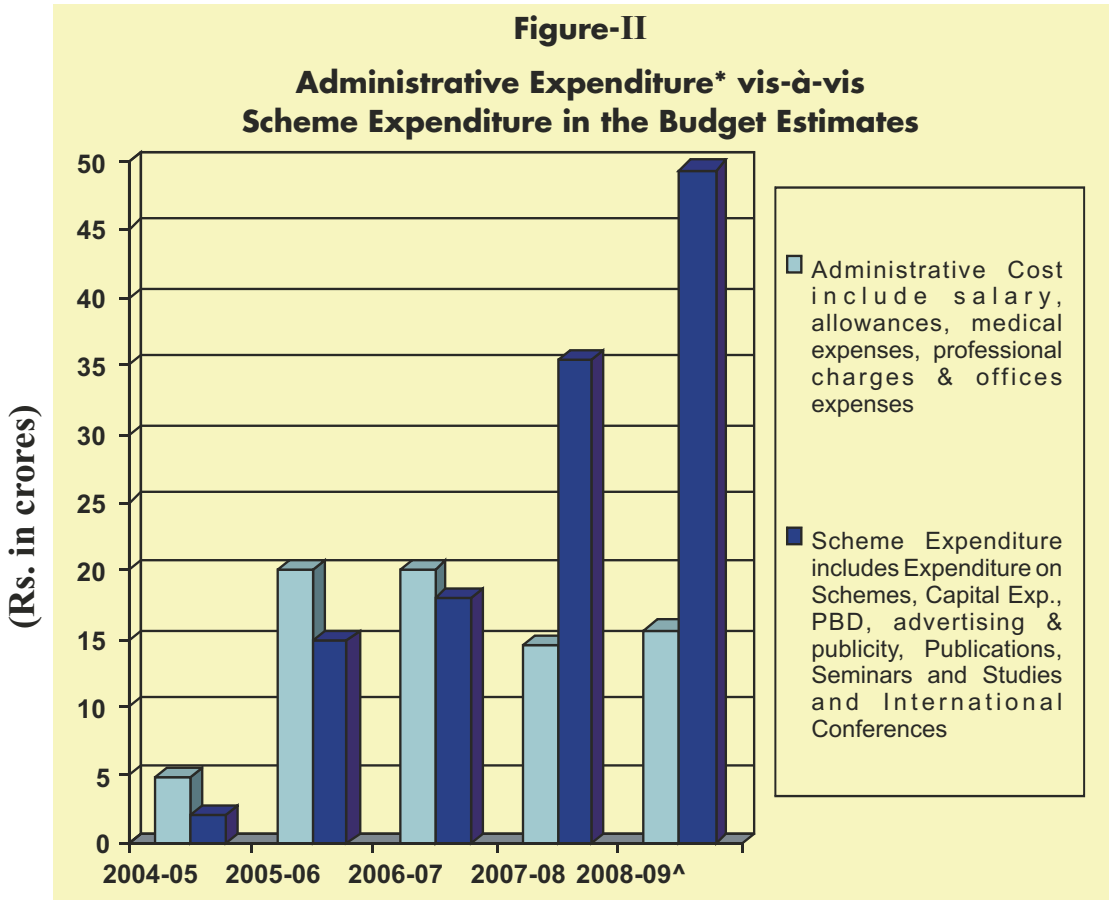


Source: Budget Division

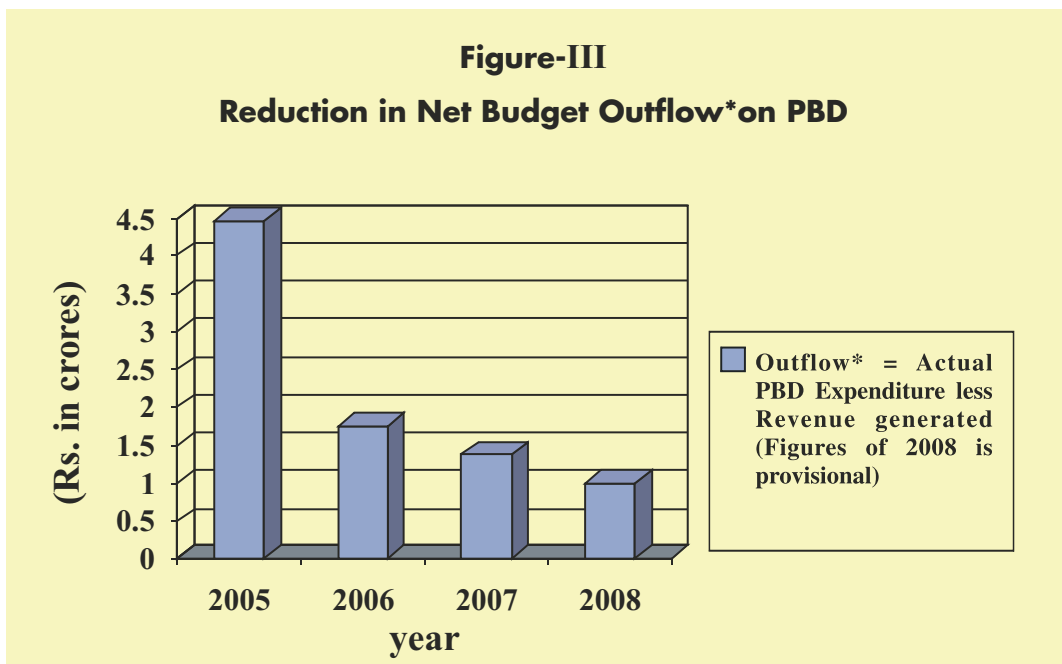
(Rs. in Crores)

	2004-05	2005-06	2006-07	2007-08	2008-09
BE	7	35	38	50	65
RE	10	19	26	40	-
Actual	6	17.4	22	-	-

Source: Budget Division



Source: Budget Division



Source: Budget Division



# Miscellaneous







## Miscellaneous

### **Overseas Indian Centers**

The Government has sanctioned 3 posts of Counselor-Community Affairs (Development) in the Indian Missions at Washington, Dubai and Kuala Lumpur as field organizations of MOIA in those countries. The Counselor at Washington will look after the interests of the overseas Indian community in the USA and Canada, the one in Dubai will cover the Gulf (GCC) countries, and the Counselor at Kuala Lumpur will look after Malaysia, Singapore and Brunei. The Counselors will be supported by professionals to be appointed from locally to provide assistance in the fields of health, legal and financial matters. Based on the experience of these offices, extension of these services to other countries will also be considered.

### **Vigilance Framework**

The Vigilance Division of the Ministry is headed by a Chief Vigilance Officer (CVO) of the rank of Joint Secretary who functions as a nodal point for all vigilance matters in consultation with the Central Vigilance Commission and Investigation

Agencies like the Central Bureau of Investigation. Complaints on corruption and malpractices about the functioning of the Protectors of Emigrants Offices and the Recruiting Agents, received from the general public are dealt with in a time bound manner.

The Ministry is implementing the guidelines/instructions issued by the Department of Personnel & Training and the Central Vigilance Commission on creating greater awareness of vigilance among the users. In order to bring about awareness about vigilance and transparency in functioning of offices that have public inter-face, the Vigilance Awareness Week was celebrated from November 12-18, 2007 starting with a pledge taking on November 12. As a part of preventive vigilance during the year 2007, vigilance audit of three Protectors of Emigrants Offices was conducted.

The investigation reports received from the Investigating Agencies are promptly dealt with and prosecution sanction got issued as per requirement

of the Investigating authorities. The actions pending with the Investigating Agencies are being followed up.

### **Progressive Use of Hindi**

Official Language Section of the Ministry has the nodal responsibility for effective implementation of the Official Language Act and Rules made there under. It is at present manned by one Assistant Director. Two posts of Hindi translators also exists. One Hindi Translator had joined but resigned from service after serving around a month. Efforts were made to increase the use of Hindi in the Ministry during the period under report with the help of out sourcing. Provisions of Section 3(3) of the Official Language Act, 1963 were complied with fully. All papers pertaining to these provisions were issued bilingually i.e. Hindi & English. Letters received in Hindi were replied to in Hindi.

The Ministry organized the “Hindi Week” from 24 to 28 September 2007. During this period useful material was distributed to all the officers/employees including the outsourced staff to impart basic knowledge on writing notes and preparing drafts in Hindi on routine subjects. Noting & Drafting in Hindi and Essay competitions were organized. Cash prizes and certificates were given to the successful officers/employees.

### **Right To Information Act (RTI)**

For information under the RTI Act, 2005 citizens may approach the Public Information Officer (RTI) of Ministry of Overseas Indian Affairs available from 10:00 hrs to 13:00 hrs on each day (except Monday and Friday). The following officers are designated as the Public Information Officer and Appellate Authority in

Matter	Public Information Officer	Appellate Authority
All matters relating to the office of Protector General of Emigrants and offices of Protectors of Emigrants	Director (Emigration Services)	Protector General of Emigrants
All matters relating to Ministry of Overseas Indian Affairs, other than emigration related issues	Deputy Secretary (Financial Services & Budget)	Joint Secretary (Financial Services) & C.V.O

respect of matters pertaining to Ministry of Overseas Indian Affairs:

Cases received during 2007-08: During the financial year 2007-08 (upto Feb. 2008), 130 applications and 4 appeals were received by the Ministry under the

RTI Act. During the said period all the 4 appeals and 124 applications were disposed of. The effort of the Ministry is to send reply to the applicant at the earliest possible and in any case within the stipulated time limit of one month.



# Annexure & Tables

ANNEXURE	Functions of the Ministry
TABLE - A	Emigration For Employment during The Last Five Years
TABLE - B	The Distribution of Annual Labour Outflows from India by Destination
TABLE - C	State-wise figures of Workers Granted Emigration Clearance /ECNR Endorsement (2003-2007)
TABLE - D	Private Remittances
TABLE - E	Suspension of Emigration Clearance
TABLE - F	List of Persons/Categories of workers in whose case Emigration Check is Not Required
TABLE - G	List of countries for which Emigration Check is Not Required
TABLE - H	Offices of the Protectors of Emigrants





## Annexure-

# Functions of the Ministry

1. All matters relating to Overseas Indians comprising Persons of Indian Origin (PIO) and Non-Resident Indians (NRIs) excluding entries specifically allotted to other Departments.
2. Promotion of investment by Overseas Indians in India including innovative investments and policy initiatives consistent with the overall Government policies particularly in areas such as exclusive Special Economic Zones (SEZs) for Overseas Indians.
3. To be represented in the Foreign Investment Promotion Board and the Foreign Investment Implementation Authority.
4. To interact with the Investment Commission and to be consulted by the said Commission and to be kept informed of all matters relating to Foreign Direct Investment (FDI) by Overseas Indians.
5. All emigration under the Emigration Act, 1983 (31 of 1983) from India to overseas countries and the return of emigrants.
6. Matters relating to Pravasi Bharatiya Divas, Pravasi Bharatiya Samman Awards and Pravasi Bharatiya Kendra.
7. Matters relating to programmes in India for overseas Indian Volunteers.
8. Setting up and administration of Centres for Overseas Indians' Affairs in countries having major concentration of Overseas Indians in consultation and coordination with the Ministry of External Affairs.
9. Policy regarding employment assistance to PIO/NRIs excluding reservations in Government service.
10. Collection and dissemination of information concerning admission of NRI/PIO students to various educational, technical and cultural institutions in India wherever discretionary quota for NRI/PIO students exists, in consultation with the Ministry of Human Resource Development and the Ministry of Culture.
11. Scholarship to NRI/PIO students for study in India under different schemes in consultation with the Ministry of External Affairs.
12. Development of marketing and communication strategies to ensure strong links between the Overseas Indian community and India.
13. Matters relating to NRI/PIO contributions to the Government and parental organisations in consultation with the Department of Economic Affairs.
14. Guidance to and Cooperation with the State Governments and coordination with them on matters related to Overseas Indians.
15. To be represented in the Indian Council of Cultural Relations.
16. Establishment of institutions to impart vocational and technical training to meet the requirements of skilled manpower abroad with the concurrence of the Ministry of Labour and Employment.
17. External Publicity relating to Overseas Indians' affairs in consultation with the Ministry of External Affairs and in consonance with foreign policy objectives.
18. New initiatives for interaction by Overseas Indians with India in the fields such as Trade, Culture, Tourism, Media, Youth Affairs, Health, Education, Science and Technology in consultation with concerned Ministries.
19. Exercise of powers conferred by the section 7B(1) of the Citizenship Act, 1955 (57 of 1955).

**TABLE A**  
**Emigration for Employment During the Last Five Years**

Year	No. of workers (in lakhs)
2003	4.66
2004	4.75
2005	5.49
2006	6.77
2007	8.09

Source: Office of the Protector General of Emigrants

**TABLE B**  
**The Distribution of Annual Labour Outflows from India by Destination**  
**2003-2007**

SN	Country	2003	2004	2005	2006	2007
1	U. A. E.	143804	175262	194412	254774	312695
2	Saudi Arabia	121431	123522	99879	134059	195437
3	Malaysia	26898	31464	71041	36500	30916
4	Qatar	14251	16325	50222	76324	88483
5	Oman	36816	33275	40931	67992	95462
6	Kuwait	54434	52064	39124	47449	48467
7	Bahrain	24778	22980	30060	37688	29966
8	Maldives	-	3233	3423	4671	ECNR
9	Mauritius	-	3544	1965	1795	ECNR
10	Jordan	-	2576	1851	1485	1254
	Libya	-	-	-	-	3223
	Others	44044	10715	15945	14175	3550
	<b>TOTAL</b>	<b>466456</b>	<b>474960</b>	<b>548853</b>	<b>676912</b>	<b>809453</b>

Source: Office of the Protector General of Emigrants

**TABLE C****State-wise Figures of Workers Granted Emigration Clearance/ECNR Endorsement during the Years 2003-2007**

SN	State	2003	2004	2005	2006	2007
1.	Kerala	92,044	63,512	1,25,075	1,20,083	150475
2.	Tamil Nadu	89,464	1,08,964	1,17,050	1,55,631	150842
3.	Karnataka	22,641	19,237	75,384	24,362	27014
4.	Gujarat	17,012	22,218	49,923	13,274	20066
5.	Andhra Pradesh	65,971	72,580	48,498	97,680	105044
6.	Maharashtra	29,350	28,670	29,289	15,356	21496
7.	Punjab	24,963	25,302	24,088	39,311	53942
8.	Uttar Pradesh	24,854	27,428	22,558	66,131	91613
9.	Rajasthan	37,693	35,108	21,899	50,236	70896
10.	Bihar	17,104	21,812	9,366	36,493	51805
11.	Delhi	6,513	6,052	6,024	9098	5327
12.	Madhya Pradesh	10,651	8,888	5,312	7047	3616
13.	West Bengal	8,906	8,986	5,102	14,929	24817
14.	Haryana	1,246	1,267	2,313	193	1852
15.	Goa	3,494	7,053	1,627	4,063	3102
16.	Orissa	5,370	6,999	1,258	4,114	6696
17.	Jharkhand	1,779	919	974	1,427	3651
18.	Chandigarh	2,374	2,405	807	6,616	9177
19.	Himachal Pradesh	1,690	1,506	762	1,180	1119
20.	Assam	2298	2,695	669	1,075	1905
21.	Jammu & Kashmir	42	1,944	486	1,661	3276
22.	Pondichery	24	560	222	2	45
23.	Uttarakhand	122	58	137	93	179
24.	Andaman & Nicobar	9	29	5	190	87
25.	Tripura	4	2	1	1	121
26.	Chhattisgarh	588	580	0	4735	310
27.	Arunachal Pradesh	61	73	0	0	25
28.	Nagaland	54	46	0	0	7
29.	Mizoram	81	38	0	0	-
30.	Manipur	50	29	0	0	1
31.	Sikkim	3	0	0	10	2
32.	Meghalaya	1	0	0	0	7
33.	DNH/UT	0	0	0	11	12
34.	Port Blair	0	0	0	1	2
35.	Others	0	0	24	1909	924
Total		4,66,456	4,74,960	5,48,853	676912	809453

Source: Office of the Protector General of Emigrants

**TABLE D**  
**Private Remittances (upto September, 2007)**

YEAR	In US \$ million	In Rs. Crore
2001-2002	12125	57821
2002-2003	14807	71642
2003-2004	18885	86764
2004-2005	14494	66861
2005-2006	24102	106860
2006-2007	27195	122635
2007-2008*	18420	75238

\*Source: RBI Website

**TABLE E**  
**Suspension of Emigration Clearance**

YEAR	No. of suspension granted (in lakhs)
2002	4.37
2003	4.96
2004	4.49
2005	4.65
2006	5.54
2007 (* upto 30.09.2007)	2.98

\* The procedure was abolished w.e.f. 1.10.07.

**TABLE F**

**List of Persons/categories of Workers in Whose Case Emigration Check is not Required**

1.	All holders of Diplomatic / Official Passports
2.	All Gazetted Government servants.
3.	All Income-tax payers (including Agricultural Income-tax payees) in their individual capacity
4.	All professional degree holders, such as Doctors holding MBBS degrees or Degrees in Ayurveda or Homoeopathy; Accredited Journalists; Engineers; Chartered Accountants; Lecturers; Teachers; Scientists; Advocates etc.
5.	Spouses and dependent children of category of persons listed from (2) to (4).
6.	Persons holding class 10 qualification or higher Degrees.
7.	Seamen who are in possession of CDC or Sea Cadets, Desk Cadets (i) who have passed final examination of three year B.Sc. Nautical Sciences Courses at T.S. Chanakya, Mumbai; and (ii) who have undergone three months pre-sea training at any of the Government approved Training Institutes such as T.S. Chanakya, T.S. Rehman, T.S. Jawahar, MTI(SCI) and NIPM, Chennai after production of identity cards issued by the Shipping Master, Mumbai/Kolkata/Chennai.
8.	Persons holding permanent immigration visas, such as the visas of UK, USA and Australia.
9.	Persons possessing two years' diploma from any institute recognized by the national Council for Vocational Training (NCVT) or State Council of Vocational Training (SCVT) or persons holding three years' diploma / equivalent degree from institutions like Polytechnics recognized by Central/State Governments.
10.	Nurses possessing qualification recognized under the Indian Nursing Council Act, 1947.
11.	All persons above the age of 50 years.
12.	All persons who have been staying abroad for more than three years (the period of three years could be either in one stretch or broken) and spouses.
13.	Children below 18 years of age.

**TABLE G****List of Countries for which Emigration Check is Not Required**

1. Albania	32. Chile	63. Ghana
2. Algeria	33. China	64. Greece
3. Andorra	34. Colombia	65. Grenada
4. Angola	35. Comoros	66. Guatemala
5. Antigua & Barbuda	36. Congo	67. Guinea
6. Argentina	37. Costa Rica	68. Guinea-Bissau
7. Armenia	38. Cote d'Ivoire	69. Guyana
8. Australia	39. Croatia	70. Haiti
9. Austria	40. Cuba	71. Honduras
10. Azerbaijan	41. Cyprus	72. Hungary
11. Bahamas	42. Czech Republic	73. Iceland
12. Bangladesh	43. DPR Korea	74. Iran
13. Barbados	44. Democratic Republic of Congo	75. Ireland
14. Belarus	45. Denmark	76. Israel
15. Belgium	46. Djibouti	77. Italy
16. Belize	47. Dominica	78. Jamaica
17. Benin	48. Dominican Republic	79. Japan
18. Bhutan	49. Ecuador	80. Kazakhstan
19. Bolivia	50. Egypt	81. Kenya
20. Bosnia and Herzegovina	51. El Salvador	82. Kiribati
21. Botswana	52. Equatorial Guinea	83. Kyrgyzstan
22. Brazil	53. Eritrea	84. Laos.PDR
23. Bulgaria	54. Estonia	85. Latvia
24. Burkina Faso	55. Ethiopia	86. Lesotho
25. Burundi	56. Fiji	87. Liberia
26. Cambodia	57. Finland	88. Liechtenstein
27. Cameroon	58. France	89. Lithuania
28. Canada	59. Gabon	90. Luxemburg
29. Cape Verde	60. Gambia	91. Madagascar
30. Central African Republic	61. Georgia	92. Malawi
31. Chad	62. Germany	93. Maldives
		94. Mali
		95. Malta

- |                       |                                    |  |
|-----------------------|------------------------------------|--|
| 96. Marshall Islands  | 125. Portugal                      | 152. Tajikistan  |
| 97. Mauritania        | 126. Rep of Korea                  | 153. The former Yugoslav Rep of Macedonia                |
| 98. Mauritius         | 127. Romania                       | 154. Timor- Leste  |
| 99. Mexico            | 128. Russian Federation            | 155. Togo  |
| 100. Micronesia       | 129. Rwanda                        | 156. Tonga   |
| 101. Moldova          | 130. Saint Kitts and Nevis         | 157. Trinidad and Tobago                                 |
| 102. Monaco           | 131. Saint Lucia                   | 158. Tunisia   |
| 103. Mongolia         | 132. St Vincent and the Grenadines | 159. Turkey  |
| 104. Montenegro       | 133. Samoa                         | 160. Turkmenistan  |
| 105. Morocco          | 134. San Marino                    | 161. Tuvalu  |
| 106. Mozambique       | 135. Sao Tome and Principe         | 162. Uganda  |
| 107. Myanmar          | 136. Senegal                       | 163. Ukraine   |
| 108. Namibia          | 137. Serbia                        | 164. United Kingdom of Great Britain and Northern Island |
| 109. Nauru            | 138. Seychelles                    | 165. United Republic of Tanzania                         |
| 110. Nepal            | 139. Sierra Leone                  | 166. USA   |
| 111. Netherlands      | 140. Singapore                     | 167. Uruguay   |
| 112. New Zealand      | 141. Slovakia                      | 168. Uzbekistan  |
| 113. Nicaragua        | 142. Slovenia                      | 169. Vanuatu   |
| 114. Niger            | 143. Solomon Islands               | 170. Venezuela   |
| 115. Nigeria          | 144. Somalia                       | 171. Vietnam   |
| 116. Norway           | 145. South Africa                  | 172. Zambia  |
| 117. Pakistan         | 146. Spain                         | 173. Zimbabwe  |
| 118. Palau            | 147. Sri Lanka                     | 174. Vatican   |
| 119. Panama           | 148. Suriname                      |  |
| 120. Papua New Guinea | 149. Swaziland                     |  |
| 121. Paraguay         | 150. Sweden                        |  |
| 122. Peru             | 151. Switzerland                   |  |
| 123. Philippines      |                                    |  |
| 124. Poland           |                                    |  |

Source: Protector General of Emigrants

**TABLE H**  
**Offices of the Protectors of Emigrants**

- |  |   |
|--|---|
| <p>1 Protector of Emigrants, Delhi<br/>           Jaisalmer House, Canteen Block,<br/>           Man Singh Road,<br/>           New Delhi- 110011<br/>           Ph.: 011-23382472, 23073908<br/>           Fax: 011-23382472</p>          | <p>5 Protector of Emigrants, Cochin<br/>           3rd Floor, Putherikal Building,<br/>           Maket Road,<br/>           Cochin-682035</p>  |
| <p>2 Protector of Emigrants, Mumbai<br/>           Building E, Khira Nagar, S.V. Road,<br/>           Santa Cruz (West),<br/>           Mumbai -400039<br/>           Ph.: 022-26614393<br/>           Fax: 022-26614353, 022-26614393</p> | <p>6 Protector of Emigrants, Hyderabad<br/>           Gagan Vihar, Ground Floor,<br/>           Opposite to Gandhi Bhawan,<br/>           Nampally, Hyderabad<br/>           Ph.: 040-24652557<br/>           Fax: 040-24652557</p>                                 |
| <p>3 Protector of Emigrants, Chennai<br/>           TNHB, Ashok Nagar Shopping<br/>           Complex (Annexe), Ashok Nagar,<br/>           Chennai- 600083<br/>           Ph.: 044-24891337<br/>           Fax: 044-24891337</p>          | <p>7 Protector of Emigrants, Chandigarh<br/>           5<sup>th</sup> Block, Ground Floor,<br/>           Kendriya Sadan, Sector -9A<br/>           Chandigarh-160017<br/>           Ph.: 0172-2741790<br/>           Fax: 0172-2741790</p>                         |
| <p>4 Protector of Emigrants,<br/>           Thiruvananthapuram<br/>           Suganthi, 24/846(1), Thycad,<br/>           Thiruvananthapuram- 695014<br/>           Ph.: 0471-2324835<br/>           Fax: 0471-2324835</p>                 | <p>8 Protector of Emigrants, Kolkata<br/>           Room No. 18, A-Wing, MSO<br/>           Building,<br/>           3<sup>rd</sup> Floor, DF Block, Salt Lake,<br/>           Kolkata-700084<br/>           Ph.: 033-23343407<br/>           Fax: 033-23343407</p> |





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