

GOVERNMENT OF INDIA
MINISTRY OF EXTERNAL AFFAIRS

RAJYA SABHA
STARRED QUESTION NO-19

ANSWERED ON- 8/12/2022

REGULATION OF UNREGISTERED TRAVEL AGENCIES

19. SHRI HARBHAJAN SINGH:

Will the Minister of External Affairs be pleased to state:

- (a) whether Government is aware of increasing number of illegal agencies dealing with emigration of Indians to other countries;
- (b) if so, the details thereof;
- (c) the action proposed / taken to prevent emigration of Indians through illegal travel agencies;
- (d) whether Government will consider compulsory registration of such agencies; and
- (e) if so, the details thereof and if not, the reasons therefor?

ANSWER

THE MINISTER OF EXTERNAL AFFAIRS
(DR. SUBRAHMANYAM JAISHANKAR)

(a) to (e) A Statement is laid on the Table of the House.

STATEMENT REFERRED TO IN REPLY TO PARTS (A) TO (E) OF THE RAJYA SABHA STARRED QUESTION NO. *19 REGARDING “REGULATION OF UNREGISTERED TRAVEL AGENCIES” TO BE ANSWERED ON 08.12.2022.

(a) to (e) The recruitment of Indian nationals for overseas employment is regulated under the Emigration Act 1983. As per this Act, only those Recruiting Agents that are registered with the Ministry of External Affairs, are permitted to recruit Indian citizens for overseas employment. Under Chapter III Section 10 of the Emigration Act 1983, no persons/agencies can function as recruiting agent without a valid certificate issued by the registering authority. For application of registration by persons/agencies, the application has to be made in prescribed form and provide details such as financial soundness, trustworthiness, premises at which applicant the intends to carry on his or her business.

Registration of recruitment agencies is mandatory, with the stated goal of reducing fraud or exploitation of Indian workers recruited to work overseas. The Act imposed a requirement of obtaining emigration clearance (also called POE clearance) from the office of Protector of Emigrants (POE) offices. Registration of Recruitment Agents/Agencies and accreditation of Foreign Employers is scrutinized by Protector General of Emigrants through 13 POEs offices across the country and our Missions abroad, respectively. This requirement applies only for ECR passport holders travelling abroad to 18 Emigration Check Required countries. However, it has been noticed that several travel agents with license from State Govt are also conducting the business of manpower recruitment for overseas employment, which is illegal.

On the basis of complaints of overcharge and cheating by some illegal agencies, the lawful authorities of States concerned are alerted to take appropriate actions against them.

Ministry has been making constant efforts to educate migrant workers about the perils of illegal channels. Following the implementation of the eMigrate system in 2015, and with the welfare of aspiring emigrants in mind, ECR emigrants are recommended to seek overseas employment exclusively through legal channels, such as the eMigrate portal.

Given that, this Ministry has also launched the 'Surakshit Jaaye Prasikshit Jaaye - Go Safe, Go Trained' campaign in 2018 to raise awareness and facilitate safe and legal migration. This motto has been widely publicized through awareness generation workshops and Pre-Departure Orientation & Training (PDOT) imparted to the prospective migrants since its launch in March 2017. The program is presently being popularized through 32 centers spread across the country. The goal is that well-

informed migrant youths will be able to seamlessly integrate and have a safe and productive stay abroad.

To promote legal migration, Ministry has taken several initiatives such as PBB (Pravasi Bhartiya Bima Yojna), PDOT (Pre-Departure Orientation & Training) and expansion of scope of ICWF (The Indian Community Welfare Fund) etc. in ensuring that migrant workers undertake safe migration, have decent working and living conditions in destination countries, are aware of their rights and have access to GOI welfare schemes.

Ministry has also been working on various activities such as aligning eMigrate portals with other Ministries in India as well as Governments of host countries for skilling and mapping overseas opportunities and promoting legal migration to boost the Indian workforce's sustainable employment ecosystem and entrepreneurship opportunities in order to maximize the benefits to the Indian migrant workers going abroad.

It is also Government's endeavor to broad-base the location of recruitment agents and agencies so that small cities, towns, and villages also have fair opportunity. The new scheme, launched in December 2017, aims to provide business opportunities in the field of overseas employment to new entrepreneurs as well as those small entities already engaged in related activities such as travel consultancy, travel and tourism.

Separately, the Ministry has been coordinating with several State Governments and stakeholders to disseminate information on the Indian diaspora and opportunities abroad. The Ministry has also ensured new bilateral agreements with some countries to make it easier for talent and skills to migrate freely and smoothly.
