

GOVERNMENT OF INDIA
MINISTRY OF EXTERNAL AFFAIRS
RAJYA SABHA
UNSTARRED QUESTION NO-3920
ANSWERED ON- 06/04/2023

EMIGRANT FEMALE DOMESTIC WORKERS FROM INDIA IN GCC COUNTRIES

3920. DR. JOHN BRITTAS

Will the Minister of EXTERNAL AFFAIRS be pleased to state :-

(a) whether Government is aware of the predicaments of female domestic workers in Gulf Cooperation Council (GCC) countries who don't possess ECR passport or clearance/registration before departure from India;

(b) actions taken against unscrupulous recruiting agents resorting to unethical ways in recruiting domestic workers circumventing e-migrate system;

(c) whether Government will execute bilateral agreements with GCC countries insisting that domestic workers can be engaged only after obtaining clearance from Indian Mission beforehand, on the lines of MOUs by Philippines Government with GCC countries; and

(d) whether Government will prepare data base of all domestic workers including those whose original/tourist visas were subsequently converted to domestic employment?

ANSWER

THE MINISTER OF STATE IN THE MINISTRY OF EXTERNAL AFFAIRS

(SHRI V. MURALEEDHARAN)

(a & b) Recruitment of Indian female Domestic Sector Workers (DSWs) is regulated through the provisions of Emigration Act 1983. To safeguard interests of female DSWs, process of their recruitment has been restricted only through 10 State Run Recruiting Agencies. Any Indian citizen having valid tourist/visit visa (including holding ECR passport holder) can travel abroad without ECR clearance. In recent times, it has been noted that some female DSWs have migrated illegally, for employment without ECR clearance.

The Government of India encourages only legal form of migration from India. The Ministry regularly organizes outreach programs to sensitize various stakeholders about benefits of safe and legal migration and on possible ways of preventing illegal migration through fake or unregistered recruitment agencies. Information about illegal agents is also uploaded and updated on regular basis on the eMigrate Portal. As on 10 February 2023, 2458 illegal agents have been notified in eMigrate Portal. This information is regularly updated based on complaints filed by affected individuals.

Ministry issues advisories, media briefings and tweets about fake job rackets from time to time. Such communications are also issued by concerned Indian Missions/Posts abroad through their websites and social media handles and through the print media. During 17th Pravasi Bharatiya Divas at Indore, Hon'ble Prime Minister released a commemorative postal stamp dedicated to "Safe and Legal Migration".

Whenever instances of illegal recruitment and/or cheating by unauthorised agents come to the notice

of the Ministry, quick and decisive action is taken. Such complaints, along with details and addresses of illegal agents, are forwarded to the concerned State Governments and Police authorities urging them to apprehend and prosecute such illegal agents as per existing laws. Wherever required such complaints are also referred to Mission/Post abroad for providing immediate relief and assistance to the affected Indian national. The concerned Mission/Post provide necessary help to distressed Indian national with particular focus on female workers, irrespective of category of their passport, including legal assistance, boarding and lodging, medical and repatriation to India using Indian Community Welfare Fund (ICWF) if required.

Since such agents are not registered with the Protector General of Emigrants (PGE) and "law and order" is a State subject, the Ministry refers all such cases to the State authorities concerned for taking necessary action against the illegal agents. Government of India, from time to time, issues Standard Operating Procedure to be followed by various State Governments on receipt of complaint against fake agencies.

(c) The Government of India has signed Memorandum of Understanding (MoUs) with various countries including with all the GCC countries where large numbers of Indian workers exist. The broad principles covered in the MoUs include:

(i) Declaration of mutual intent to enhance employment opportunities and for bilateral cooperation in protection and welfare of workers;

(ii) The host country to take measures for protection and welfare of the workers in organized sector

(iii) Statement of the broad procedure that the Foreign Employer shall follow to recruit Indian workers;

(iv) The recruitment and terms of employment will be in conformity with the laws of both the countries;

(v) Constitution of joint Working Groups which would meet regularly to find solutions to bilateral labour problems.

These MOUs are renewed/ signed afresh from time to time and during this process any modifications are duly considered for inclusion.

(d) Database of Domestic Sector Workers (DSWs) holding ECR category passports and proceeding for employment abroad through the eMigrate portal is maintained. However, data of those circumventing the the eMigrate portal and subsequently converting their visit/tourist visas to work visas is not available as most of the foreign countries do not share data of such emigrants who convert their visas after their departure from India.
