

GOVERNMENT OF INDIA  
MINISTRY OF EXTERNAL AFFAIRS

**LOK SABHA**  
**UNSTARRED QUESTION NO.1319**  
TO BE ANSWERED ON 25.07.2018

**ILLEGAL AGENCIES**

†1319. SHRI MANSHANKAR NINAMA:

Will the Minister of EXTERNAL AFFAIRS be pleased to state:

- (a) whether the Government has taken a decision to take action against those agencies which illegally send Indians to foreign countries particularly West Asian countries for employment;
- (b) if so, the details thereof;
- (c) whether the Government has asked to recruit people through the agencies set up by the State Governments to work as domestic help in these countries; and
- (d) if so, the details thereof?

ANSWER

THE MINISTER OF STATE IN THE MINISTRY OF EXTERNAL AFFAIRS  
[GEN. (DR) V. K. SINGH (RETD)]

(a) & (b) Complaints are received from time to time by the Ministry of External Affairs from Indian emigrants who have been sent for overseas employment by illegal agents, on tourist visas.

On receipt of details of such illegal agents involved in unauthorized recruitment for overseas employment, the same are forwarded to the concerned State/UT Government and Police authorities urging them to apprehend illegal agents and prosecute them on the basis of complaints. This is necessary as 'Law & Order' is a State subject. On receiving requests from these Governments/Police authorities, the necessary Prosecution Sanctions are issued expeditiously by the Ministry enabling them to proceed for prosecuting the accused illegal agents.

As per the available records, number of cases forwarded to the State Governments against illegal agents, and number of Prosecution Sanctions issued during 2017-18 (upto 30<sup>th</sup> June, 2018) are as under:

<b>Year</b>	<b>Total Number of cases referred to State/UT Governments for initiating</b>	<b>Names of State/UT Governments for initiating</b>	<b>Number of cases which request received for issue of Prosecution Sanction</b>	<b>Number of Prosecution Sanction issued</b>
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	<b>investigation</b>			
2017	446	Delhi	1	1
		Goa	1	1
		Kerala	5	5
		Punjab	3	3
		Rajasthan	5	5
		Tamil Nadu	5	5
		Telengana	10	10
		<b>Total</b>	<b>30</b>	<b>30</b>
2018	231 (up to June)	Delhi	1	1
		Goa	1	1
		Telengana	1	1
		<b>Total</b>	<b>03</b>	<b>03</b>

In May 2016, Government had also issued Standard Operating Procedure to be followed by States on receipt of complaints. Visual and print media campaigns are also launched from time to time for promoting legal and safe migration and encouraging emigrants to use the services of registered Recruiting Agents to avoid being trapped by Illegal/fake agents.

(c) & (d) In view of the complaints of exploitation and harassment by unscrupulous agents and employers in the Gulf countries, the Government has taken additional measures to safeguard the interests of female workers migrating to Emigration Check Required (ECR) countries. As per extant guidelines, the minimum age of Emigration Check Required (ECR) category female workers proceeding for overseas employment to Emigration Check Required (ECR) countries is 30 years.

Their emigration for overseas employment is permitted only through following six designated State-run recruitment agencies:

- (i) Non- Resident Keralites' Affairs Roots (NORKA), Kerala;
- (ii) Overseas Development and Employment Promotion Consultant (ODEPC), Kerala;
- (iii) Overseas Manpower Corporation Ltd. (OMCL), Tamil Nadu;
- (iv) Uttar Pradesh Financial Corporation (UPFC), Uttar Pradesh;
- (v) Overseas Manpower Company A. P. Ltd. (OMCAP), Andhra Pradesh; and
- (vi) Telengana Overseas Manpower Company Limited (TOMCOM), Telengana.

In addition, Foreign employers who recruit directly have to deposit US\$2500 in the form of a Bank Guarantee with the Indian Mission in case of female workers holding ECR passports, which is returned when the emigrant returns safely.

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