OFFICE MEMORANDUM

Subject: Standard Operating Procedure/Guidelines for Emigration Clearance through RA when Foreign Employer (FE) is registered in eMigrate system through Indian Mission.

In continuation of this Ministry’s Office Memorandum of even number dated 03.03.2016 on the above mentioned subject, the undersigned is directed to say that recently some of the RA Associations have represented to the Ministry about the problems emanating from the guidelines contained in the above OM, namely RA should be allowed to hold passport of shortlisted/selected candidates with their consent and uploading of receipts of service charges should not be mandatory. The Ministry has examined the issues raised by the RA Associations and the following clarifications may be noted:

2. It would be better that RAs should collect the prescribed services charges after emigrant has accepted the job offer and definitely before applying for visa. This will allow RAs to upload the receipt of service charges at the time of applying for Emigration Clearance (EC). Provision for collecting services charges at the stage of acceptance of job offer by the selected emigrant will also do away with the need for holding the passport of emigrants by RAs. Even otherwise, the RAs should follow the provisions of “Emigration Act/Passport Act” while dealing with passports of emigrants. As already indicated on the last cover page (inside) of the Passport, the passport of the emigrant can only be retain after obtaining a written consent of the emigrants. This may be strictly followed by all RAs for compliance.

This issues with the approval of the Protector General of Emigrants.

(Bikash R Mahato)
Under Secretary to the Government of India

To
1) Protector of Emigrants (PoEs)
2) PIB, Ministry of Information & Broadcasting.
3) Recruiting Agents (RAs).
4) Foreign Employers.
5) Emigrants/ Public
6) Project Director, eMigrate Project TCS
7) e-migrate website
8) MEA Website