STANDARD OPERATING PROCEDURE (SOP) FOR PUTTING A FOREIGN EMPLOYER (FE) UNDER PRIOR APPROVAL CATEGORY (PAC) LIST

In view of the reported problems faced by Indian workers because of violation of their Employment Contract etc by their employers in foreign countries (ECR/ ECNR country), an online procedure is now made available through eMigrate system to put errant Foreign Employers (FEs) in Prior Approval Category (PAC), which prevents the FE from further recruitment of Indian workers.

2. When an FE is put in PAC, the FE will be restricted to recruit the Indian workers by way of following-

    a. FE is not allowed to recruit any Indian worker till the time his name is not removed from the PAC by the Ministry of External Affairs.

    b. Indian Recruiting Agents (RAs) cannot conduct any recruitment activity with the FEs placed under PAC in any manner for any ECR/ECNR passport holders. Recruitment activities, if any, already in progress shall also have to be discontinued by the RAs with immediate effect.

    c. Since eMigrate system is online integrated with Bureau of Immigration (BoI) system, Intimation can be forwarded to Immigration Check Posts through BoI if the passport no. of workers is available (even in cases where emigration clearance is not required), recruited by FE in PAC, so that they can be even stopped from traveling for such overseas employment.

    d. In cases where emigration clearances (EC) is required for ECR passport holders, EC already granted to the emigrant for FE under PAC, is cancelled online and BoI is informed not to allow the emigrant to travel abroad.

    e. RAs who have recruited Indian workers before the FE is put in PAC, are required to declare the name of such FE, to the Ministry in their online Monthly Return as per Form IV under Section 10(1)(x) of Emigration Rules 1983.

    f. Protector of Emigrants (PoEs) cannot grant permission for recruitment or emigration clearance to any workers from India proposed for deployment with the FEs placed under PAC.

3. MEA officials including Indian Mission officers, POE Officers and PGE officers, having user id to use eMigrate system can initiate the online request to put an FE in PAC (or removing an FE who is already in PAC). Approval/ Rejection of the application shall be

done by PGE. Indian Mission users can obtain the user Id and password for accessing eMigrate can do so by sending their details on usoe3@mea.gov.in. In case of any difficulty in using the eMigrate system for putting the FE in PAC, the eMigrate helpdesk may contacted at helpdesk@emigrate.gov.in and 011 26887772/3/4.

4.   In each of the offices, two user levels are created one is known as 'Executive' and another is known as 'Officer' such as Indian Mission Executive/ Indian Mission Officer/ PoE Executive/ PoE/ PGE Executive/ PGE Officer. The PAC request can be initiated at Executive or Officer level in any of the offices. The online application shall be processed as per below –

   i) **Indian Mission Executive (IME)** → **Indian Mission Officer (IMO)** → **PGE Executive** → **PGE Officer** → **Protector General of Emigrants (PGE)** (if the request is initiated by the Indian Mission officials)

   ii) **PoE Executive** → **Protector of Emigrant (PoE)** → **PGE Executive** → **PGE Officer** → **Protector General of Emigrants (PGE)** (if the request is initiated by the POE officials)

   iii)   **PGE Executive** → **PGE Officer** → **Protector General of Emigrants (PGE))** (if the request is initiated by the PGE officials)

5.The steps for the initiating PAC request is described below-

   I. MEA Officials logs into eMigrate system using his username and password.

   II. To add an FE to PAC, user chooses the option **'Add Employer in PAC'** through the menu **'Initiate action → Add Employer to PAC'**
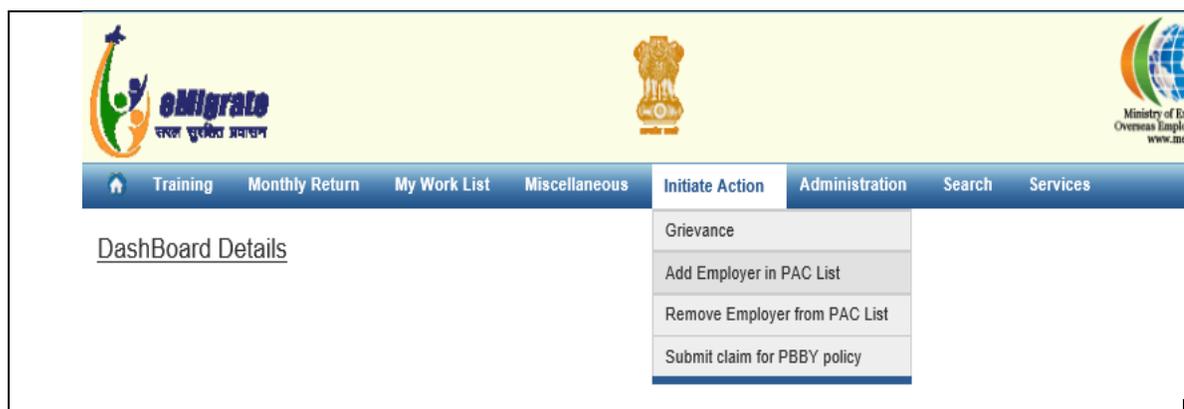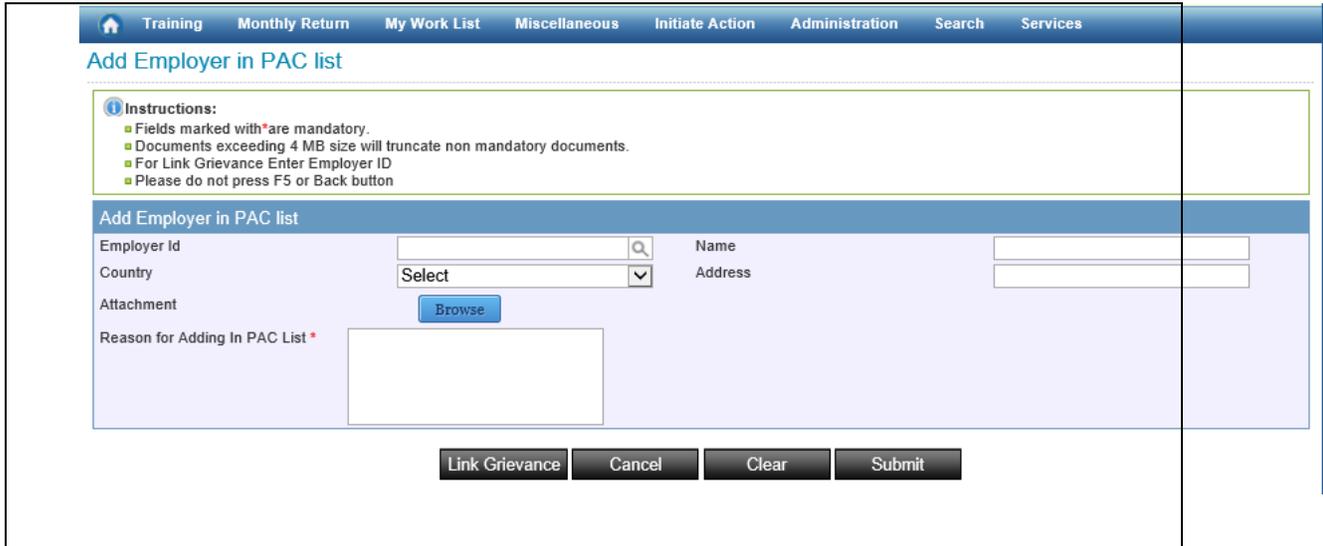

Figure 1

a. If the Foreign Employer is not registered in eMigrate-

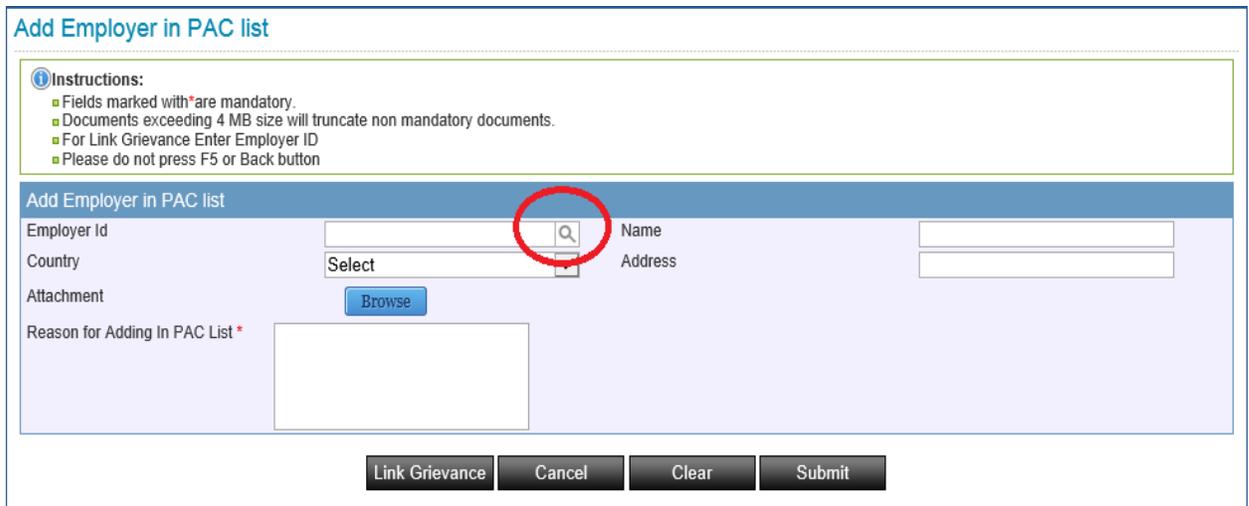i) The user is required to enter the details of the FE, as given below-

Figure 2

ii) Reason for adding FE under PAC is to be provided.

iii) After entering the details of the FE, user is required to click 'Submit' button.

b. If the Foreign Employer is already registered in eMigrate-

i) User can search the FE name through the 'Search' functionality given in the form. (as shown in Fig. 3)

Figure 3

ii) On clicking the 'Search' button, FE can be searched by Name/ Country/ Authorized Signatory First Name/ Last Name. The screen showing the same is given below-

Figure 4

iii) User can provide any of these as given in the screen below- (for e.g. In this case, 'Name of the country' is chosen from dropdown. The list of FEs for the chosen country shall appear in the next screen).

Figure 5

iv) The list of 'Foreign Employers' based on the input (Name of the Employer/ Country name/ Authorized Signatory First Name/ Last Name) appears.

Search Results				No. of Records per Page	10 ∨
Select	FE/PE ID	FE/PE Name	Authorised Signatory	Country of Operation	Status
○	FE5000 XXX	FOREIGN EMPLOYER NAME	AUTHORISED SIGNATORY	KUWAIT	Active
○	FE5000 xxx	FOREIGN EMPLOYER NAME	AUTHORISED SIGNATORY	KUWAIT	Active
○	FE5000 XXX	FOREIGN EMPLOYER NAME	AUTHORISED SIGNATORY	KUWAIT	Active
○	FE5000 XXX	FOREIGN EMPLOYER NAME	AUTHORISED SIGNATORY	KUWAIT	Active
○	FE5000 XXX	FOREIGN EMPLOYER NAME	AUTHORISED SIGNATORY	KUWAIT	De-Activated
○	FE5000 XXX	FOREIGN EMPLOYER NAME	AUTHORISED SIGNATORY	KUWAIT	Active
○	FE5000 XXX	FOREIGN EMPLOYER NAME	AUTHORISED SIGNATORY	KUWAIT	Active
○	FE5000. XXX	FOREIGN EMPLOYER NAME	AUTHORISED SIGNATORY	KUWAIT	Active
○	FE5000 XXX	FOREIGN EMPLOYER NAME	AUTHORISED SIGNATORY	KUWAIT	Active
○	FE5000 XXX	FOREIGN EMPLOYER NAME	AUTHORISED SIGNATORY	KUWAIT	Active
30 results found, displaying 1 to 10.				[First / Prev] 1, 2, 3 [Next / Last]	

Select

Figure 6

v) The user chooses name of the FE who is to be put under PAC and clicks 'Select'. On doing so, the user is redirected to the screen shown in Figure 3 where all the details of the FE are auto displayed. User is then required to upload supporting document, if any and provide the 'Reason for adding in PAC'.

iv) User can also link grievance against that FE, if any already registered online in eMigrate system, using the 'Link Grievance' button (as shown in Fig. 2). It is recommended that the grievance if not registered already in the eMigrate system, is also logged in eMigrate so that the grievance linking can also done, which helps in capturing the details of emigrants affected

vi) User clicks 'Submit' to complete the request for adding the FE in the PAC. The user gets a success message with the Application Reference No. (ARN)–

Success Page

Request for 'Add Employer PAC' is initiated successfully. The Application Reference Number is PT5002248 . The application has now been forwarded to next level in your office.

Implications-
(i) FE login ID is deactivated with immediate effect.
(ii) Emigration Clearance given to the Emigrants who have not travelled yet is being put on hold. Accordingly BoI data shall be revised with the new EC status.
(iii) It should be communicated to Recruiting Agents not to conduct any recruitment activity on behalf of this FE with immediate effect.

Figure 7

c. The application is then forwarded to the next level for assessment and approval/ rejection as mentioned in para 4 above. The next level user shall be required to see the request under his login in his worklist and further forward the request online.

Figure 8

Figure 9

III. To remove an FE from PAC, IME chooses the option 'Remove Employer from PAC' through the menu **'Initiate action → Remove Employer from PAC'**
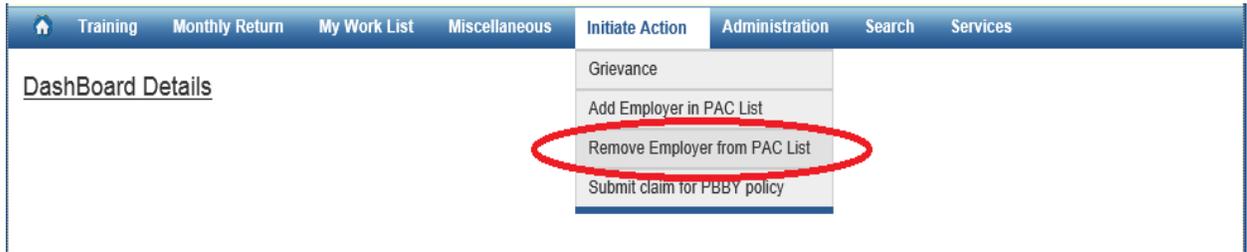

Figure 10

a. **If the Foreign Employer is not registered in eMigrate-**

i) The user is required to enter the details of the FE as shown in screen below-

Figure 11

ii) Reason for removing FE from PAC is to be filled mandatorily.

iii)   After entering details of the FE, user is required to click 'Submit' and proceed.

b. If the Foreign Employer is registered in eMigrate,-

i) User can search the FE name through the 'Search' functionality given in the form.

Figure 12

ii)   On clicking the 'Search' button, user lands to the page where he can search the FE using his Name/ Country/ Authorized Signatory First Name/ Last Name. The screen showing the same is given below-

Figure 13

iii)   User is required to input any of the above mentioned parameters (as given in the Fig. 12)-

Figure 14

iv) The list of 'Foreign Employers' based on the input (FE name/ Country/ Authorized Signatory First Name/ Last Name) appears.

Search Results				No. of Records per Page	10 ∨
Select	FE/PE ID	FE/PE Name	Authorised Signatory	Country of Operation	Status
⦿	FE5000XXX	XXXXXXXXX	XXXXXXXXX	KUWAIT	De-Activated
○	FE5000XXX	XXXXXXXXX	XXXXXXXXX	KUWAIT	De-Activated
○	FE5000XXX	XXXXXXXXX	XXXXXXXXX	KUWAIT	De-Activated
○	FE5000XXX	XXXXXXXXX	XXXXXXXXX	KUWAIT	De-Activated
○	FE5000XXX	XXXXXXXXX	XXXXXXXXX	KUWAIT	Added in PAC
○	FE5000XXX	XXXXXXXXX	XXXXXXXXX	KUWAIT	De-Activated
○	FE5000XXX	XXXXXXXXX	XXXXXXXXX	KUWAIT	De-Activated
○	FE5000XXX	XXXXXXXXX	XXXXXXXXX	KUWAIT	Added in PAC
○	FE5000XXX	XXXXXXXXX	XXXXXXXXX	KUWAIT	De-Activated
○	FE5000XXX	XXXXXXXXX	XXXXXXXXX	KUWAIT	De-Activated
14 results found, displaying 1 to 10.				[First / Prev] 1, 2 [Next / Last]	

Select

Figure 15

v) The user chooses name of the FE who is to be removed from PAC and clicks 'Select' button. On doing so, the user is redirected to the screen shown in Figure 12 where all the details of the FE get auto- filled. User is then required to upload attachment, if any and enter the 'Reason for removing employer from PAC'. User is required to click the 'Submit' button in order to complete the process for removing FE from PAC. The user gets a success message as shown below –

Success Page

Request for 'Remove Employer PAC' is initiated successfully . The Application Reference Number is PT5002270 . The application has now been forwarded to next level in your office.

Figure 16