

**GOVERNMENT OF INDIA  
OVERSEAS INDIAN AFFAIRS  
LOK SABHA**

UNSTARRED QUESTION NO:1943  
ANSWERED ON:05.12.2012  
COMPLAINTS AGAINST RECRUITING AGENCIES  
Biju Shri P. K.;Dhurve Jyoti;Singh Shri Ijyaraj

**Will the Minister of OVERSEAS INDIAN AFFAIRS be pleased to state:**

- (a) the number of complaints received against recruiting agencies for their fraudulent activities in providing jobs abroad during the last three years and the current year, year-wise;
- (b) the details of the complaints is still pending and the reasons therefor;
- (c) the number of persons against whom action has been taken so far; and
- (d) the mechanism put in place to check the activities of such agents?

**Answer**

MINISTER OF OVERSEAS INDIAN AFFAIRS (SHRI VAYALAR RAVI)

(a) to (c): The number of complaints received and action taken against the registered recruiting agencies with pendancies, and against unregistered agencies, are given in Statement-I and Statement-II respectively of Annexure.

Action against the Recruiting Agents(RAs) are taken in accordance with the Emigration Act, 1983 and the Rules framed there under. To reach a conclusion takes some time, as an opportunity to the complainant to provide evidence and ample opportunity to the Agent to resolve issues/defend themselves is given.

Complaints filed against illegal /unauthorized agents are referred to the State Governments concerned for action as per law.

(d): Show-cause notice is served on registered Recruiting Agents against whom complaints are received and the Recruiting Agent is directed to settle/resolve the complaint, in the first instance. If the Recruiting Agent fails to respond to the Show-Cause Notice or his reply is not satisfactory, his Registration Certificate is suspended. If the complaint still remains unresolved, the Registration Certificate is suspended for an indefinite period and action is initiated for cancellation of the Registration Certificate and forfeiture of Bank Guarantee. Cases against the Recruiting Agents are dropped only after confirmation of resolution of grievance with the complainant and also, where applicable, after consulting the Mission and POE concerned.

In order to have only serious and genuine parties work as RAs, Ministry of Overseas Indian Affairs has amended the Emigration Rules. The amended Rules have come into force w.e.f. 09 July 2009. The important changes are as under:

- (i) The amount of security to be furnished by the Recruiting Agent (RA) in the form of Bank Guarantee has been increased to twenty lakh rupees.
- (ii) The application fee for Registration Certificate has been increased from Rupees Five thousand to Rupees Twenty five thousand.
- (iii) The minimum qualification for those applying for Registration Certificate is 'Graduation' . Further, balance Sheet of the previous financial year, or a statement of accounts showing the assets and liabilities of the applicant, income tax returns for the last three consecutive years and an affidavit showing the financial status and soundness are mandatory.
- (iv) Recruiting Agents have to maintain certain basic facilities such as office space being not less than 50 Sq meters of built-up area, there being a waiting hall, adequate and duly trained staff, arrangements for skill testing for the trades for which he recruits the intending emigrants and having a modern well equipped office with adequate Information Technology(IT) facilities.

In addition to the above, Protectors of Emigrants have been asked to conduct appropriate checks and exercise abundant caution while granting emigration clearance, while taking into account the extant instructions of the Ministry. Emigration in respect of women, vulnerable categories are granted only on Embassy attested documents. Emigration to Kuwait, Jordan, Syria, Libya, Lebanon and Yemen are required to be granted only on Indian Embassy attested documents irrespective of the category.