

F. No. OI.11012/09/2011-EP-I  
Government of India  
Ministry of Overseas Indian Affairs  
[Emigration Policy Division]

Akbar Bhawan, New Delhi,  
Dated 29<sup>th</sup> July, 2011

**Office Memorandum**

**Subject:** Implementation of Universal Attestation of employment documents by the Indian Missions before grant of emigration clearance - regarding.

The Ministry of Overseas Indian Affairs (MOIA) is mandated with providing protection and welfare of the Indian workers overseas. Pursuant to this, several policy initiatives have been taken by the Ministry in the past.

2. One of the issues that have been under consideration for quite some time is of making mandatory the universal attestation of employment documents by all the Indian Missions in the 17 ECR countries.

3. Under section 22 of the Emigration Act, 1983 r/w Rule 15 of the Emigration Rules, 1983, as amended from time to time, an application for emigration clearance has to be accompanied inter-alia by:

- (i) a true copy of the demand verified and authenticated by the Indian Mission in the country of employment;
- (ii) a true copy of the power of attorney given by the employer to the recruiting agent verified and authenticated by the Indian Mission in the country of employment;
- (iii) a true copy of the agreement under sub section (3) of the section 22 of the Emigration Act, 1983 verified and authenticated by the Indian Mission in the country of employment

4. In line with the recommendation of the 5<sup>th</sup> Annual Conference of the Head of Mission held on 29-30 November, 2010 at New Delhi, the issue of making attestation mandatory universally has been reconsidered in this Ministry in consultation with the Central Bureau of Investigation (CBI).

5. It has been decided with the approval of the competent authority that the emigration clearance may be granted as per section 22 of the Emigration Act, 1983 r/w Rule 15 of the Emigration Rules, 1983 as amended from time to time which call for furnishing of mandatory

attestation of the employment documents by the Indian Missions before the grant of emigration clearance.

6. At present, the employment documents are to be attested universally in case of employment by Indian Missions in Kuwait, Yemen, Jordan, Libya, Sudan and Lebanon. In compliance with the decision, the Indian Missions in the 17 ECR countries where the attestation is not universal at present, are requested to attest all the employment documents from the employers so that the emigration clearance can be accorded by the offices of Protectors of Emigrants (POEs) to the workers moving for employment abroad under the Emigration Act, 1983. However no attestation shall be required if the foreign employer intends to recruit workers who shall be holding ECNR passports. In other words attestation is mandatory only for recruitment of workers who hold ECR passports.

7. In the event of increase in the workload, on need basis, the Indian Missions may hire outsourced staff or outsource the work to an agency for the purpose.

8. Indian Missions are also requested to provide the information of the attestations / attested documents to the Protectors of Emigrants (POEs) online / through email on daily basis for enabling verification by the POEs before grant of emigration clearance. The Indian Missions in Kuwait, Yemen, Jordan, Libya, Sudan and Lebanon where the universal attestation is already being followed may immediately provide information of the attestations / attested documents to the POEs online / through email for enabling verification by the POEs before grant of emigration clearance.

**9. The above decisions may be implemented by all concerned within 45 days of issue of this OM under intimation to this Ministry.**

10. This issues with the approval of Hon'ble Minister of Overseas Indian Affairs.

Yours faithfully,



(Anand Bardhan)

Director (Emigration Policy)

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To

1. The Heads of Missions in the 17 ECR Countries
2. All the Protectors of Emigrants (POEs).

Copy for information and further necessary action to:

1. PGE, MOIA, Akbar Bhawan, New Delhi with a request to issue necessary instructions in this regard to all the POEs.
2. Joint Secretary (FS), MOIA, New Delhi.
3. Director (ES), MOIA, New Delhi.
4. CEO, ICOE, New Delhi.
5. Joint Secretary (Gulf), MEA, New Delhi.
6. Joint Secretary (PV), MEA, New Delhi.
7. Joint Secretary (Consular), MEA, New Delhi.
8. All the Counsellors (Community Affairs), / Overseas Indian Centres, MOIA, Abu Dhabi, Washington and Kuala Lumpur.
9. Bureau of Immigration, MHA, RK Puram, New Delhi.
10. Counsellor (Community Affairs), EOI, Abu Dhabi, UAE.
11. Budget Division, MOIA, New Delhi.
12. Deputy Secretary (Admn), MOIA, New Delhi.
13. Sr. PPS to Secretary, MOIA, Akbar Bhawan, New Delhi.
14. Under Secretary (ES -I)/ Under Secretary (ES-II), MOIA, New Delhi.
15. OWRC Manager, MOIA, New Delhi.
16. MOIA, Website Manager.
17. Office Copy.