



## **CONSULTATION WITH THE HEADS OF INDIAN MISSIONS ABROAD**

India is a major country of origin and destination of migrants and is therefore an important player in International migration. The Ministry is pursuing a proactive policy to transform the emigration system into a simple, transparent, humane and orderly process. These reforms seek to empower the emigrants through specific systemic interventions on the domestic, bilateral as well as multilateral fronts.

Overseas Indian Workers (OIWs) in the Gulf represent an important segment of the Overseas Indian Community. The Ministry of Overseas Indian Affairs has been organizing conferences of the Heads of Missions of the GCC countries as well as Jordan, Libya, Malaysia and Yemen to discuss the various issues and problems relating to OIWs and help develop an institutional framework to effectively address their concerns. So far, the Ministry has organized three such conferences. The 2<sup>nd</sup> conference was held on 10-11 September, 2007 at New Delhi and the 3<sup>rd</sup> conference was held during 27-28 November, 2008 at New Delhi.

HoM's conference is an important forum in policy making and implementation, helping the government to evolve effective measures. The outcomes of the Conferences constitute an action plan for the ensuing year.



RECOMMENDATIONS OF THE 2<sup>nd</sup> ANNUAL CONFERENCE OF HEADS OF  
INDIAN MISSIONS – 2007  
NEW DELHI

10 –11<sup>th</sup> SEPTEMBER – 2007

1. A minimum level of Policy Coherence was reached and appropriate institutional arrangements established to ensure bench marked standards of living and working conditions for Overseas Indian Workers in all major destination countries.
2. A package of policy measures for the protection and welfare of women emigrants approved. This will include specifying a minimum wage, a 24/7 help line, establishing shelters for runaway maids, legal assistance and health care support. These measures will be channeled through overseas workers resource centers to be outsourced.
3. A Nation wide awareness campaign to be launched to educate potential emigrants on the risks of illegal migration and the need to follow the emigration clearance procedures.
4. A national pre-departure orientation and skill up gradation programme to help the potential emigrant workers move up the wage chain and benefit from the emerging job opportunities. Heads of missions will identify sectors that should be targeted and skill sets that should be built based on the local demand.
5. Bilateral MoUs for the protection and welfare of Overseas Indian workers to be negotiated and signed with all the GCC and other major labor receiving countries.
6. A Model work contract finalized specifying the following terms and conditions:-
  - Basic Monthly Salary
  - Hours of work
  - Overtime Pay
  - Payment by Cheque
  - Termination of Contract including clause on termination by Employee and Employers respectively.
  - Free transportation.
  - Free Medical check up

The Model contract will be applied with necessary country specific modifications for all the countries.



7. It will be mandatory for all work contracts to be attested by the Indian missions. This will be done, if need be, by outsourcing this service or by engaging additional staff through outsourcing.
8. For onsite welfare measures and community based services the generic model of Indian Community Welfare Fund operated by Kuwait, Oman and KSA will be replicated in other countries. MOIA will provide funding support in addition to a small part of the consular charges being utilized for the purpose.
9. A regular grievance redressal mechanism with periodic reviews with the local government will be devised and made operational.
10. The Joint working groups will be activated to address the problems and concerns of emigrant workers in all major labor receiving countries. These groups will meet twice a year alternately in the home and host countries.



**RECOMMENDATIONS / DECISIONS OF THE THIRD CONFERENCE OF  
HEADS OF INDIAN MISSIONS  
27-28 NOVEMBER, 2008,  
NEW DELHI**

Following recommendations / decisions were made at the end of the two days conference:

I. **Launching of Indian Community Welfare Fund (ICWF):**

The Scheme for the Indian Community Welfare Fund (ICWF) proposed to be set up in the seventeen ECR Countries was adopted. The ICWF would facilitate our Missions to extend a host of welfare services for overseas Indian workers.

The Fund to be operated by the HOM will be as per the scheme document and the sanction orders issued by the MOIA with the concurrence of MEA in this regard. The ICWF would be effective from January 1, 2009.

II. **Activating the Joint Working Groups (JWGs):**

The Ministry has signed bilateral Memorandum of Understanding (MOU) on labor with the Governments of UAE, Kuwait and Oman, apart from signing an Additional Protocol with Qatar. An MOU already exists with Jordan which is dated. We therefore need to negotiate a fresh agreement. Similar MoUs have been finalized with Bahrain and Malaysia. The Missions concerned may coordinate the dates for signing these MoUs with the respective Governments.

The Joint Working Groups (JWG) which have been set up under the MoUs should be activated and regular meetings of the JWG should be organized to sort out bilateral issues on labor such as model contract, minimum wages, documentation requirements, labor dispute redressal, retention of passports, substitution of contracts, dealing with recalcitrant employers, practical solutions to problems of exploitation and abuse of workers, regulation of intermediaries, sharing of experience in manpower deployment, exchange of information on legislative and administrative measures, exchange of labor market information, providing welfare support services through Indian Workers Resource Centers etc.

A calendar of JWG Meetings may be prepared by the HoM's.



III. **Operationalising the Office of Director, Community Affairs (Development) in the GCC Countries:**

The Charter of the duties of Director, Community Affairs (Development), posted in the Overseas Indian Centre (OIC) in the UAE and reporting to the Ambassador will be finalized shortly in consultation with the MEA. This Office would be made operational in the first week of January, 2009 to render a wide variety of services including counseling to the migrant workers in legal, medical and financial matters. The Centre would act as a Resource Centre for the GCC Countries. A similar Centre would be set up in Kuala Lumpur, shortly.

IV. **Finalization of the Model Contract for universal application by the Missions:**

The model Work Contract may be made applicable to all the ECR countries subject to the local laws. HoM's can customize the model Work Contract to accommodate country specific laws which can be enforced through administrative instructions. Country specific variations in the Work Contract can be discussed and finalized in the meetings of the Joint Working Group set up under the provision of MoUs. This should be made effective from 1 July, 2009.

V. **Universal Attestation of the Work Contract through outsourcing.**

The attestation of the Work Contract by the Missions should be universalized. This would ensure creation of a Master Data Register and reinforce the legal migration process. The Kuwaiti model of attestation of work contract through outsourcing can be adopted and the cost of outsourcing can be met from the attestation charges to be levied from the workers. This facility should work on an electronic platform so that data collection would be instantaneous and verifiable. This arrangement should be made operational by 1 April, 2009.

VI. **Establishing Indian Workers Resource Centre (IWRC) which includes a Help Desk and a 24 X 7 Help Line in the GCC Countries and Malaysia.**

Indian Workers Resource Centre (IWRC) which includes a Help Desk and a 24 X 7 Helpline may be made functional in the Missions in the GCC Countries and Malaysia. This would facilitate redressal of the grievances of the migrant workers, provide information dissemination to intending migrants and act as a Resource Centre for State Governments to interact with, in times of distress. A model RFP for soliciting proposals for



outsourcing the Helpline for the IWRC was circulated. HoM's will take steps to start the IWRC by 1 April, 2009.

VII. **Operating a Shelter - cum- Counseling Centre in the GCC Countries through Indian Associations / NGOs / Outsourcing:**

The Shelter –cum – Counseling Centre should be given attention by the HoM's. These Centers, apart from providing temporary shelter, food and medical facilities etc. to the runaway workers and housemaids, should also provide counseling services and legal assistance to the distressed workers. The HoM's can consider management of the Shelter Homes in partnership with Indian Associations / NGOs or through outsourcing to reputed agencies on the model of the Shelter Home operated by EOI, Kuwait. HoM's will take steps to make the Shelter-cum-Counseling Centers operational by 1 July, 2009.

VIII. **Designing and Implementing an on-site Insurance Programme:**

Since the existing PBBY Scheme has not proved beneficial to a large segment of the migrant workers, awareness about the scheme has to be spread and the procedures simplified. Feasibility of alternative Insurance Schemes may be explored which would be in conformity with the local laws. The Insurance Scheme should, in particular, cover cashless hospitalization. The premium of the Insurance cover can be levied from the employers.

IX. **Implementation of the Indo-UAE Pilot Project on Temporary Labour Mobility Partnerships and initiating similar Pilot Projects in other GCC Countries:**

A Brief on the Indo-UAE Pilot Project on Temporary Labor Mobility Partnerships in three sectors, viz., Construction, Health Care and Hospitality was circulated. Similar Pilot Projects can be initiated in other countries of the region to adopt best practices in Labor Migration Management. HoM's may explore these possibilities in consultation with the host Government.

X. **Organizing focused India Investor Meets in all the GCC Countries:**

One Investor Interactive Meet was successfully organized at Muscat in partnership with OIFC on 12<sup>th</sup> November, 2008. Similar Investor Meets may be organized in the other GCC countries to attract maximum investment from this region. OIFC to lay emphasis on developing customized products for overseas Indian workers to transform them from being mere savers to becoming investors. OIFC will liaise with HoM's in this regard.