



विदेश मंत्रालय, नई दिल्ली
MINISTRY OF EXTERNAL AFFAIRS
NEW DELHI

Z-11025/13/2020-OE-III

Akbar Bhawan, New Delhi.

Dated the 15th December, 2023

CIRCULAR

It has been observed that the Protector of Emigrants (PoEs) usually forward incomplete applications of Recruiting Agents (RAs)/Applicants without submitting, scrutinizing the required documents and rectifying deficiencies at their end which results in unnecessary delay in processing the applications. The Ministry receives numerous calls on daily basis from RAs inquiring the status of their applications which greatly affects the efficiency.

2. To streamline the process, all the PoEs are hereby instructed to forward the applications to the Ministry only after complying with the following at their end:

- I. Scrutinise and upload all the required documents on eMigrate portal.
- II. Rectify any deficiency found in the application.
- III. Forward hard copies of the documents after arranging them in order as per the check-list attached.

3. Check-lists for all the required documents for processing of various applications are attached for ready reference. It is also uploaded on eMigrate portal.

4. This issues with the approval of JS (OE) & PGE.

Encl.: Check-lists


(R. A. Meena)

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Copy to:

1. All PoEs
2. All Registered Recruiting Agents through eMigrate website
3. General Public through eMigrate website
4. eMigrate helpdesk/TCS/PMG

Check-list for Fresh RC

| Sl. No. | PARTICULARS | Documents Provided: Yes/No. |
|---------|--|-----------------------------|
| 1. | Form. I duly signed and stamped. Mandatory PAN No. , Adhar No. , Bank Account of entity (A/c No. & IFSC) need to be quoted at the time of application. | |
| 2. | Proof of online payment Rs.10,000/- (in case of 100+ workers capacity) or Rs. 25,000/- (in case of 1000+ workers capacity) in favour of PAO, MEA, New Delhi under Rule 7(2). | |
| 3. | Mandatory GST registration of the entity. | |
| 4. | The Passport-Size Photographs and Specimen Signature of Proprietor/Managing Partner/Managing Director. | |
| 5. | Statement showing the Name, Age and Residential address of all directors/partners along with designation and business activities undertaken during the last five years. | |
| 6. | (a) Copy of the applicant's bachelor's degree or two years diploma or equivalent from a recognized university or institute as per rule 7(2)(i). | |
| | (b) An undertaking by the applicant, that he/she is a graduate or equivalent. | |
| | (c)* Verification of the educational qualification certificate by the concerned University | |
| 7. | A statement showing the assets and liabilities of the proprietor, if the applicant is sole proprietor, and of the managing partner or the managing director if the applicant is a firm or a company as the case may be duly verified by a chartered accountant having a certificate of practice under the Chartered Accountants Act, 1949 (38 of 1949), showing the financial soundness of the applicant, under Rule 7(2)(ii). | |
| 8. | A copy of PAN card, Aadhar card and copies of the income-tax returns for the last three consecutive years under 7(2)(iii); | |
| | Sl. No. 9 is ONLY For application IN CASE OF PARTNERSHIP and COMPANY firm | |
| 9. | (a) A resolution passed and sign by all Directors/Partners to authorize one of the Directors/Partners to act as Managing Partner/ and to sign papers on behalf of the company/firm. | |
| | (b) A copy of each of the memorandum of Association and Articles of Association/ Partnership Deed which must provide for recruitment of workers for overseas employment. | |
| | (c) A copy of the Certificate of registering the Partnership / Company | |
| | (d) A copy of the Balance Sheet as at in the close of the previous financial year | |
| | (e) A copy of Pan Card Number in respect of all Partners of the company/firm | |
| | (f) Income tax details of last 3 years in respect of Firm, Managing Partners | |
| 10. | An affidavit in Form-II executed by the applicant before a Magistrate or Notary under Rule 7(2)(iv). | |
| 11. | Affidavit (Form-IV) to the effect that no other recruiting agency is functioning from the same premises, duly sworn in before a Magistrate on each page in respect of all the directors/partners. | |
| 12. | Copy of ownership deed/proof duly attested by Notary/Magistrate or in case the office premises are on lease or hired: | |
| | (a) Copy of lease deed/agreement duly attested by Notary/Magistrate. It is required to be for a period of 3 years or at least for one year with a provision of extension, | |
| | (b) Latest rent receipt in original with revenue stamp. | |

| | | |
|------|---|--|
| 13. | Blue Print of the lay-out plan of the office premises duly signed and stamped (with registration number) by Government approved Architect. The dimensions of the rooms and total Built up area, carpet area and complete office address must clearly be indicated. Minimum Area of the premises shall be 50 Sq. Meter. | |
| 14. | No Objection Certificate (in Form-III) from the owner of office premises duly sworn in before metropolitan/Judicial Magistrate. | |
| 15. | Copy of Certificate under the shops and Commercial Establishments Act, duly attested. | |
| 16. | Valuation report of assets/investments etc. duly signed and stamped by a Government approved valuer (with registration number) | |
| 17. | Financial strength Bench Mark (Assets-Liabilities). | |
| | (a) Immovable Assets | |
| | (b) Liquid Assets | |
| | (c) Liability | |
| | (d) Net worth | |
| 18. | Copy of latest telephone bill duly attested. | |
| 19. | Trade Testing Certificate (in original) from a Trade Test Centre duly approved by the central or state governments and must be signed and stamped by the Director of the centre indicating the items /skill being tested at the centre and photographs thereof. | |
| 20. | Experience in recruitment of manpower for Overseas Employment | |
| | (a) Names of countries where the applicant proposes to concentrate | |
| | (b) Number of workers proposed to be deployed annually | |
| | (c) Plans for market development | |
| *21. | Police Verification of both office and residence. PVR is not required if Passport is issued to the applicant in last 1 year subject to an undertaking by the applicant that there is no criminal case is pending in any Court in the country on date of application. | |
| *22. | Inspection Report of office premises by concerned POE may be carried out after issuance of RC. | |
| *23. | (a) Fresh Bank Guarantee of Rs. 50 lakhs (Rs. Fifty lakhs only) in case of 1000+ workers capacity or Rs. 8 lakhs (Rs. Eight lakhs only) in case of 100+ workers capacity should be furnished in the prescribed format having validity of 8 years excluding claim period of at least six months by a scheduled Bank being a Nationalized Bank or a Bank owned & managed by Govt. of India (i.e – a Public Sector undertaking) or a bank that is a public limited company, listed on a national level stock exchange i.e, BSE or NSE. No cutting/same format as emigrate/witness signature /name and signature | |
| | (b) Confirmation of Bank Guarantee(s) from Controlling office of bank/zonal office/regional office (Trade finance CPC is exception) | |

*Only required after obtaining in-principle approval.

Note: The Information provided above is indicative. Protector General of Emigrants(PGE) may ask any additional document to his/her satisfaction. The decision of PGE shall be considered final.

Check-list for Renewal of RC

| S.No | Conditions/Documents | Documents Provided: YES/NO |
|------|--|----------------------------|
| 1 | Passport size photographs of the Proprietor self attested | |
| 2 | Application Form for Renewal, duly filled, in Form-II-A under Rule 9A, completely and correctly filled in with attachments. Educational qualification details are not filled. Copy Also. | |
| 3 | Proof of online payment renewal registration fee of Rs. 25,000/- (in case of 1000+ workers capacity) or Rs. 10,000/- (in case of 100+ workers capacity) in favour of "Pay and Accounts Officer, Ministry of External Affairs" payable at New Delhi | |
| 4 | Copy of PAN card of Proprietor/Managing Partner/Director. | |
| 5 | IT Returns for the last 3 financial years of the R.C. Holder, i.e Proprietor/Managing Partner/Managing Director/ Managing partner of the agency/company, as well as IT Returns of the Firm/Company in case it is not a sole proprietorship. | |
| 6 | Networth Certificate from an authorized Chartered Accountant indicating detail of fixed and liquid Assets of the Prop./firm/company and/or Balance sheet certified/signed by a C.A. | |
| 7 | (a) Fresh Bank Guarantee, extension letter(s) of Rs. 50 lakhs (Rs. Fifty lakhs only) in case of 1000+ workers capacity or Rs. 8 lakhs (Rs. Eight lakhs only) in case of 100+ workers capacity should be furnished in the prescribed format having validity of 8 years from the date of renewal of the Registration certificate excluding claim period of six months by a scheduled Bank being a Nationalized Bank or a Bank owned & managed by Govt. of India (i.e – a Public Sector undertaking) or a bank that is a public limited company, listed on a national level stock exchange i.e, BSE or NSE. No cutting/same format as emigrate/witness signature /name and signature (b) Confirmation of Bank Guarantee(s). Controlling office of bank/zonal office/regional office (Trade finance CPC is exception) (c) Source of fund for any additional Bank Guarantee(s). | |
| 8 | Position of complaints, if any against the Recruiting Agent or No complaints | |
| 9 | Performance of the Recruiting Agent during the last validity of Registration Certificate. i.e. Number of ECR/ECNR workers deployed year wise for last 5 years (not less than one-third of the capacity of RC). | |
| 10 | Police Verification Report, address of Agency & Prop/all Directros/all partners of Agency (in case of Partner/ Director is foreign national then it should be duly attested by Indian Mission/Post). | |
| 11 | POE Inspection report | |
| 12 | Copy of lease deed if premises is hired | |
| 13 | Latest rent receipt if premises is hired | |
| 14 | Duly signed and self attested written statement by Prop/MD/MP that there is no Show Cause Notice (SCN) or Grievance pending against him/her. | |
| 15 | Monthly Returns | |

Note: The Information provided above is indicative. Protector General of Emigrants(PGE) may ask any additional document to his/her satisfaction. The decision of PGE shall be considered final.

Shifting HO/opening BO

| Documents uploaded | Document Provide (Yes/No) |
|---|----------------------------------|
| (i) Application form for shifting of office / Reason for shifting/opening of branch office. | |
| (ii) An attested copy of the registered lease deed if the premises is hired/leased or proof of ownership if the premises is owned. | |
| (iii) Latest rent receipt in original with revenue stamp. | |
| (iv) Blue Print of the Layout plan of the premises duly attested by an approved architect giving details of the covered area, number of rooms, sitting arrangement for the staff, space for interview, arrangement for visitors, etc. Area HO – 538 Sq feet and BO – 300 sq feet | |
| (v) No Object Certificate (Form-III) from the owner of the premises for running overseas recruitment business in the premises sworn before magistrate. | |
| (vi) A certificate from the Competent Authority establishing that the premises falls in commercial area. | |
| (vii) Facilities available/proposed to be made available for Trade Testing etc. with documentary proof/Photographs. | |
| (viii) Affidavit (Form-IV) sworn in before a Magistrate to the effect that no other recruiting agency is functioning from the same premises. | |
| (ix) The POE Inspection Report. | |
| (x) Police Verification Report of the proposed Office/Branch Office. | |
| (xi) Whether complaint is pending against the RA | |
| (xii) Latest telephone bill | |
| (xiii) Valuation certificate for furniture/assets at the new office | |

Note: The Information provided above is indicative. Protector General of Emigrants(PGE) may ask any additional document to his/her satisfaction. The decision of PGE shall be considered final.

CHECKLIST FOR CANCELLATION OF RC AND BG RELEASE

| S.No | Conditions / Documents | Documents Provided (Yes or No) |
|------|--|-----------------------------------|
| 1 | Original RC and EC Book. | |
| 2 | An affidavit duly sworn before the Metropolitan/Judicial Magistrate stating the date of deployment of last workers and not having charged more than the amount as stipulated under Rule 24 of Emigration Act 1983 from any worker with regard to their deployment abroad or otherwise. | |
| 3 | Verification from the POE that no complaint is pending against RA and last date of deployment of workers by RA. | |
| 4 | Permanent residential address/business address for future correspondence. | |
| 5 | Insertion in two local daily newspapers (one in English and one in the Regional Language) about your intention of closing down the recruitment business. Copies of the newspapers, in original thereof may be sent to this Ministry. | |
| 6 | The bank Guarantee will be released after completion of 3½ years from the date of last deployment of workers by the agency. | |
| 7 | A copy of duly passed resolution with regard to closing of overseas manpower recruitment business signed by all the Partners/Directors and the resolution should be registered with the Registrar of Companies. | |

Note: The Information provided above is indicative. Protector General of Emigrants(PGE) may ask any additional document to his/her satisfaction. The decision of PGE shall be considered final.

Checklist for change/inclusion/deletion of partner/managing partner/director/managing director

PT:

RA Name, ID & Address:

- (i) Application in the prescribed Format.
- (ii) Original RC Book has been submitted in original.
- (iii) Attested photograph of the incoming Partner/Director.
- (iv) Name and Address of the incoming Partner/Director.
- (v) Specimen signature of the incoming Partner/Director.
- (vi) Copy of Educational Qualification Certificate of the incoming Partner/Director and its verification from the concerned university.
- (vii) Copy of PAN Card and Income Tax Return of the incoming Partner/Director for the last 03 years.
- (viii) Police Verification Report of the incoming Partner/Director.
- (ix) Affidavit in Form IV duly signed and sworn in before Metropolitan/Judicial Magistrate.
- (x) Whether any SCN/GR is pending against the RA.

(xi) Sl No. (xi) in case of Partnership Firm and Company:

- (a) Board Resolution taken by all the partners/directors authorizing the new partner/director to act as Managing Partner/Managing Director and to sign papers on behalf of the firm.

(xii) Sl No. (xii) in case of Partnership Firm:

- (a) Amendment to Deed of Partnership.
- (c) The extracts of the registrar of firms, whether the change of partnership has been made with the registrar of firms or not.

(xiii) In case of outgoing partner/director:

- (a) Source of BG and BG should not be in the name of outgoing partner/director.

Note: The Information provided above is indicative. Protector General of Emigrants(PGE) may ask any additional document to his/her satisfaction. The decision of PGE shall be considered final.

Change in constitution to Partnership/Company

| S. No | PARTICULARS | Status |
|-------|---|--------|
| 1. | Form. I duly signed and stamped | |
| 2. | Proof of online payment Rs.10,000/- (in case of 100+ workers capacity) or Rs. 25,000/- (in case of 1000+ workers capacity) in favour of PAO, MEA, New Delhi under Rule 7(2). | |
| 3. | The Passport-Size photographs of Managing Partner/Managing Director | |
| 4. | Statement showing the name/Age and Residential address of All partners along with designation and business activities undertaken during the last five years. | |
| 5. | Specimen signature of the Managing partner/Managing Director. | |
| 6. | (a) Copy of the applicant's bachelor's degree or two years diploma or equivalent from a recognized university or institute as per rule 7(2) (in case of new RA/ incoming director/partner) | |
| | (b) Verification of the educational qualification certificate by the concerned University. (in case of new RA/ incoming director/partner) | |
| 8. | A copy of PAN Card of company, firm | |
| 9. | (a) A resolution passed and sign by all Directors/Partners to authorize one of the Directors/Partners to act as Managing Director/Managing Partner and to sign papers on behalf of the company. | |
| | (b) A copy of each of the memorandum of Association and Articles of Association which must provide for recruitment of workers for overseas employment/ Partnership deed | |
| | (c) A copy of the Certificate of registering the partnership/company | |
| | (d) A copy of PAN Card in respect of all Directors/Partners of the company | |
| | (e) Income tax details of last 3 years in respect of all Directors/Partners | |
| | (f) Copy of Aadhar Card of the applicant | |
| 10. | An affidavit in Form-II executed by the applicant before a Magistrate or Notary under Rule 7(2)(iv). | |
| 11. | Form. IV (Affidavit) duly signed and sworn in before Metropolitan/ Judicial Magistrate/ Notoary on each page in respect of all the partners. (in case of new premises) | |
| 12. | Copy of ownership deed/proof duly attested by Notary/Magistrate Or In case where the office premises are on lease or on hire (in case of new premises) | |
| | (a) Copy of lease deed/agreement duly attested by | |

| | | |
|-----|--|--|
| | Notary/Magistrate. It is required to be for a period of 3 years or at least for one year with a provision of extension, (in case of new premises) | |
| | (b) Latest rent receipt in original with revenue stamp, and; (in case of new premises) | |
| 13. | Copy of Certificate under the shops and Commercial Establishments Act, duly attested. (in case of new premises) | |
| 14. | Trade Testing Certificate with photograph thereof. (in case of new premises) | |
| 15. | Blue Print of the Layout plan of the premises duly attested by an approved architect giving details of the covered area, number of rooms, sitting arrangement for the staff, space for interview, arrangement for visitors, etc. (in case of new premises) | |
| 16. | Deployment details for last five years | |
| 17. | Indemnity Bond | |
| 18. | Financial strength Bench Mark of Rs. 42.0 lakh (fixed assets Rs. 22 lakh plus liquid assets Rs. 20.00 lakh) whether satisfied by the private limited company. | |
| 19. | Police Verification of both office and residence for both directors | |
| 20. | Telephone Bill (in case of new premises) | |
| 21. | Form III (No objection Certificate) (in case of new premises) | |
| 22. | Inspection Report of office premises by concerned PoE (not req. if no change of address or inspection done in the last 2 years) | |
| 23. | GST certificate | |

Note: The Information provided above is indicative. Protector General of Emigrants(PGE) may ask any additional document to his/her satisfaction. The decision of PGE shall be considered final.