

By Speed Post

No.Z-11011/47/2006 PGE-II
Government of India/Bharat Sarkar
Ministry of Overseas Indian Affairs/Pravasi Bhartiya Karya Mantralya
Office of the Protector General of Emigrants

Akbar Bhawan, Satya Marg, Chanakya Puri
New Delhi, dated 31/8/2006

To

Shri B.R. Murlidharan
Executive Director
Executive Recruiters Association
616, J.K. Chambers, Plot no. 76, Sector 17
Vashi, Navi Mumbai-400703.

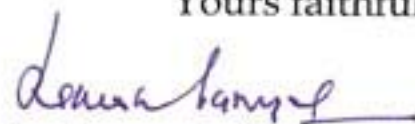
Subject: Confirmation on the "applicability of registration".

...

Sir,

I am directed to refer to your letter dated 21/6/2006 on the above mentioned subject and to say that Registration Certificate issued by the Ministry of Overseas Indian Affairs for manpower recruitment is required for the categories of work covered under Section 2 (o) of the Emigration Act, 1983 (copy of the extracts enclosed).

Yours faithfully



For Protector General of Emigrants

- (g) "employer" means any person providing or offering to provide, employment in any country or place outside India;
- (h) "employment" means any service, occupation or engagement (not being service, occupation or engagement under the Central Government or a State Government), in any kind of work within the meaning of clause (o), for wages or for reward, and all its grammatical variations and cognate expressions shall be construed accordingly;
- (i) "notification" means a notification published in the Official Gazette;
- (j) "prescribed" means prescribed by rules made under this Act;
- (k) "Protector of Emigrants" means a Protector of Emigrants appointed under section 3 and includes a person authorised under section 5;
- (l) "recruiting agent" means a person engaged in India in the business of recruitment for an employer and representing such employer with respect to any matter in relation to such recruitment including dealings with persons so recruited or desiring to be so recruited;
- (m) "recruitment" includes the issuing of any advertisement for the purpose of recruitment, the offering by advertisement to secure or assist in securing any employment in any country or place outside India and the entering into any correspondence, negotiation, agreement or arrangement with any individual for or in relation to the employment of such individual in any country or place outside India;
- (n) "registering authority" means the officer appointed under section 9 to be the registering authority for the purposes of this Act;
- (o) "work" means—
 - (i) any unskilled work, including any form of industrial or agricultural labour;
 - (ii) any domestic service;
 - (iii) any service, not being a service in a managerial capacity, in any hotel, restaurant, tea-house or other place of public resort;
 - (iv) work as a driver of a truck or other vehicle, mechanic, technician or skilled labourer or artisan;
 - (v) work as an office assistant or accountant or typist or stenographer or salesman, or nurse or operator of any machine;
 - (vi) work in connection with, or for the purposes of, any cinema, exhibition or entertainment;
 - (vii) any such work of a professional or of any other nature as the Central Government may, having regard to the need for the protection of citizens of India who may be employed in such work outside India and other relevant circumstances, specify by notification:

Provided that the Central Government may, if satisfied that it is necessary so to do having regard to the conditions of service applicable with respect to employment in any of the aforementioned categories of work or any sub-category thereof, whether generally or in relation to any particular country or place and other