

SHRI KIREN RIJJU: Sir, the consent is required in the Schedule-V areas only. In case of linear projects, for example, you are establishing a railway track or a road which passes through numerous Gram Sabhas; then, it is difficult to really envisage the project. In that case, there has been some kind of exemption. But, otherwise, in Schedule-V, the exemption is not possible and the consent and consultation with Gram Sabha is mandatory.

**Problem of salary for Indian workers in Gulf countries**

\*251. SHRI A. W. RABI BERNARD: Will the Minister of OVERSEAS INDIAN AFFAIRS be pleased to state:

(a) whether over five million Indian nationals employed in the rich oil exporting States of the Gulf are in dangerous jobs from construction to the oil industry, transport and services;

(b) whether workers are promised one salary when they sign up here and then forced to renegotiate lower wages when they arrive in the Gulf, if so, the details thereof; and

(c) whether India is pressing the Gulf countries to raise the wages of Indians working there since inflation, the value of Indian currency and a rise in the cost of living in the Gulf affect these workers, if so, the details thereof?

THE MINISTER OF OVERSEAS INDIAN AFFAIRS (SHRIMATI SUSHMA SWARAJ): (a) to (c) A statement is laid on the Table of the House.

***Statement***

(a) It is true that over five million Indian nationals are working in Gulf countries and majority of them are blue-collared workers in labour oriented sectors including construction, industrial sector, transport, supply and service sectors.

(b) All the ECR passport holders emigrating to 18 ECR countries are required to obtain emigration clearance, under section 22 of the Emigration Act 1983 read with Rule 15 of the Emigration Rules 1983 from the competent authority in India. One of the most important conditions for obtaining such emigration clearance is the Agreement/Employment Contract containing detailed terms and conditions of employment including the wages to be paid. It is required to be signed by the Foreign Employer and intending Emigrant and is to be produced before the competent authority in India for emigration clearance. In such cases, the number of complaints regarding payment of lower wages or forcing the emigrants to renegotiate lower wages by the

Foreign Employers are relatively less. Most of the complaints are received regarding payment of lower wages than the promised quantum of wage when the Indian workers were facilitated by unscrupulous agents in India as well as in the host country. Such emigration bypasses legal requirements like valid visa and valid employment contract containing Minimum Referral Wage to be signed by the Foreign Employer and intending emigrant before granting emigration clearance by competent authority in India. As and when such complaints are received from emigrants, stringent action is initiated against the registered recruiting agents by way of suspension, cancellation of their license including forfeiture of their Bank Guarantee. Action is also initiated against unregistered agents, immediately on receipt of complaint by referring such cases to the respective State Governments/Police Authorities for investigation under Section 10 and 24 of the Emigration Act 1983 and prosecution sanction is granted on priority under section 27 of the Emigration Act 1983, on receipt of such request from State Police Authorities.

(c) India has entered into Memorandum of Understanding on employment of workers (MoU) with the major labour receiving countries for ensuring protection and welfare of our emigrants by incorporating better terms and conditions of employment. Such MoUs have been entered into with the five Gulf countries including Qatar, United Arab Emirates (UAE), Kuwait, Oman, Bahrain and an Agreement on Domestic Sector Workers has been signed with the Kingdom of Saudi Arabia. Under the above MoUs/Agreement periodical Joint Working Groups (JWG) are held to sort out the issues arising out of employment of Indian workers in Gulf countries.

However, there is no statutory system of minimum wages in the labour market of most of the Gulf countries. It is regulated by the market conditions and depends on the agreement between Foreign Employers and the Emigrant. On the advice of the Ministry, the Indian Missions in ECR countries including Gulf countries have put in place a system of Minimum Referral Wages for all categories of workers by taking into account working conditions, cost of living, inflation conditions, local employment market conditions, etc. in the host countries. Employment Contracts are based on such MRWs or higher wages. Ministry also asks Indian Missions to revise the MRW, if or whenever required and such MRWs are published by the Indian Missions every year.

MR. CHAIRMAN: Ask your supplementary quickly please.

SHRI A.W. RABI BERNARD: Sir, the...

MR. CHAIRMAN: I am afraid. Question Hour is over.

---