Transformation of Emigration Services in India through E-governance: Enabling Safe Migration and Efficient Services for Indian Citizens and Diaspora

Harshita Bhatnagar* and R S P Singh**

[1] Associate Professor, IILM Institute for Higher Education, New Delhi and Ph.D. scholar (IGNOU)
E-mail: harshita.bhatnagar@iilm.edu
[2] Director, School of Vocational Education and Training, Indira Gandhi National Open University, New Delhi
E-mail: rsp.singh@ignou.ac.in

Abstract: The Emigration Act, 1983 is the basis of legal international migration from India. During the initial two decades of its implementation, Ministry of Labor and Employment was the implementation agency and would grant "Emigration Clearance" to Indian workers migrating to "notified countries" and falling under the defined vulnerable category under the Emigration Act, 1983. In the year 2004 a separate Ministry was created by the union government: "Ministry of Overseas Indian Affairs" and the sovereign function of granting emigration clearance became the responsibility of this new Ministry. Its core functions revolved around granting emigration clearance, looking at the welfare of emigrants and addressing their grievances. From early 2000's when Ministry was formed, India has come a long way on diaspora issues. In the year 2014, a very ambitious and transformative e-governance project: e-Migrate was implemented by the Ministry of Overseas Indian Affairs at a cost of INR100crore which has completely transformed the emigration clearance process. Now it is a completely technology based, quick, transparent and responsible system. A very important component of this system is the completely online, paperless process of emigration clearance starting from applying for clearance, intermediate approvals, validations and final grant of emigration clearance. The system also handles grievance redressal mechanism through the use of technology. Grievances can be lodged using internet and also through a mobile app. In the current paper the author would elucidate how technology is proving to be a boon for the Indian diaspora for various purposes. Author would also present a comparative study of the emigration ecosystem pre and post implementation of e-Migrate project. Interestingly, in April 2016 the Ministry of Overseas Indian Affairs has been merged with the Ministry of External Affairs as most of its functions are closely related to the later Ministry and are implemented through Indian diplomats in Indian embassies abroad.

1. GENESIS OF EMIGRATION MANAGEMENT IN INDIA

Before 1983, the emigration from India for employment purpose was controlled by the Ministry of Labour. When the restructuring happed after the formulation of the Emigration Act, 1983; the sovereign function of granting the emigration clearance by the Indian Government became the responsibility of Ministry of Labour and Employment, GoI. In 2004, UPA government created a new Ministry for the welfare of Indian diaspora

across the world by the name of "Ministry of NRIs" which was rechristened as "Ministry of Overseas Indian Affairs (MOIA)" in 2006. This new Ministry took over the functions related to emigration for employment from Ministry of Labour and Employment and welfare related functions and responsibilities from Ministry of External Affairs (MEA). Over 10 years of its existence, MoIA has implemented many technology driven processes to make emigration clearance a smooth process for the Indian emigrant.
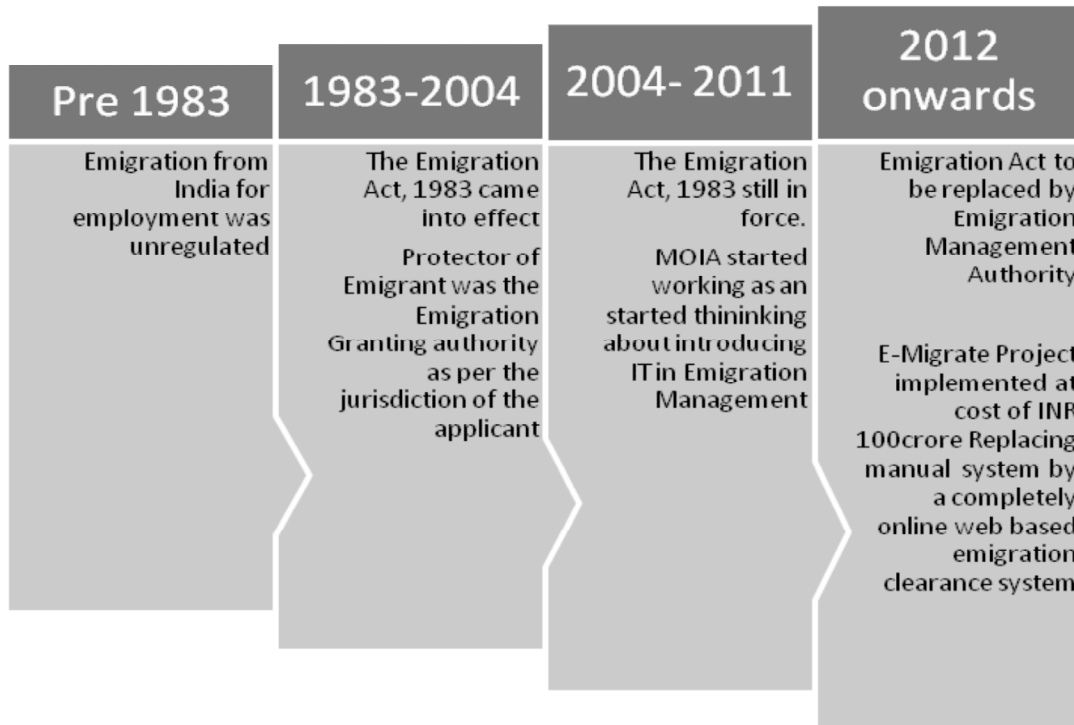

Figure 1: Development of emigration management policies and processes in India

The Government of India amended the Emigration Rules, 1983 vide Emigration (Amendment) Rules, 2009 notified on 09.07.2009. Major highlights of the amended rules are:

(i)   The validity period of a new registration certificate has been increased from the existing 5 years to 10 years maximum.

(ii) The amount of security to be furnished by the recruiting agent in the form of bank guarantee has been increased to twenty lakh rupees.

(iii) The application fee for registration certificate has been increased from five thousand rupees to twenty five thousand rupees.

2.   NEED FOR TECHNOLOGY IN EMIGRATION MANAGEMENT

Migration to the Middle East increased sharply between the late1970s and early 1980s. In the mid to late 1980s, however, the number of Indian workers migrating to the Middle East fell sharply. Labour migration increased substantially again during the 1990s. Owing to more employment opportunities post gulf-war in the early 1990s, a lot of Indian workers started migrating to the oil rich Middle-Eastern countries. Today, some 3 million Indian migrants live in Gulf countries.

Table below shows the figures for emigration outside India for employment for period 2002-2014.

EMIGRATION FOR EMPLOYMENT DURING LAST TEN YEARS	
YEAR	**NO. OF WORKERS**
2002	368000
2003	466000
2004	475000
2005	549000
2006	677000
2010	641355
2011	626565
2012	747041
2013	816655
2014	804878

Figure 2: Data for no. of Indian citizens emigrating for employment (ECR passport holders) between 2002 to 2014

Source: Annual Report 2014-15, Ministry of Overseas Indian Affairs, Govt. of India

Remittances are the main benefit of external migration, they provide scarce foreign exchange and scope for higher levels of savings and investments. Remittances also bring up the economic level of the families of emigrants. India has replaced China as the country receiving maximum remittances in 2014 to the tune of $70.39 billion.

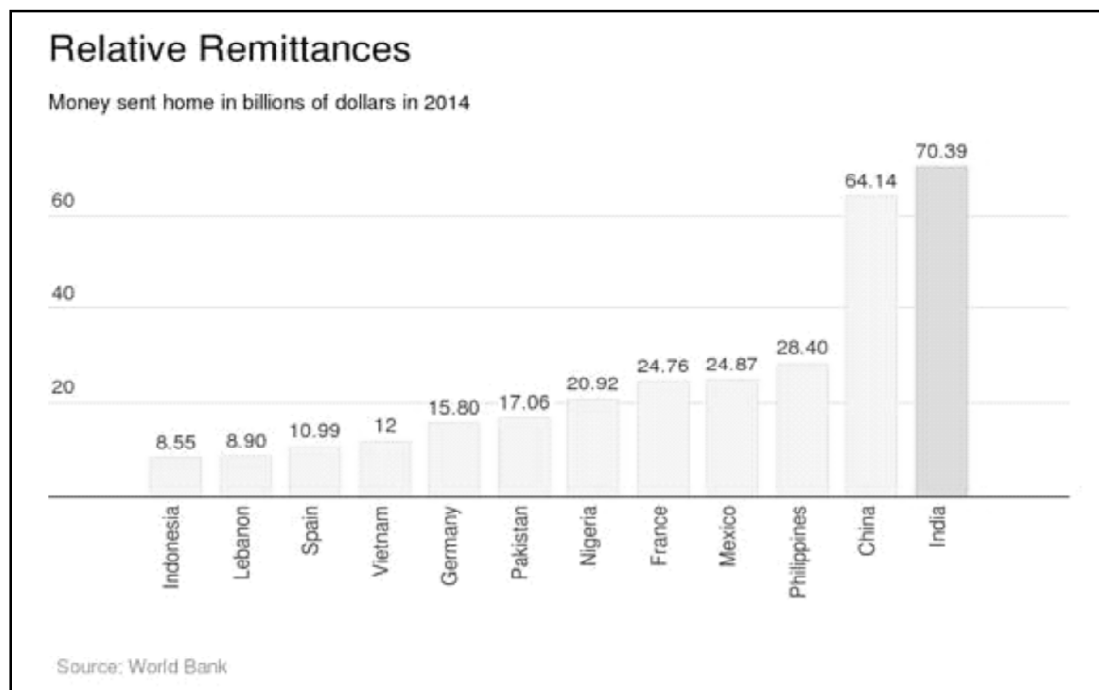Graph below shows official figures for remittances sent by Indian emigrants in 2013-14.

Figure 3: World Bank figures for remittances by various countries in 2014

Many recent studies have reconfirmed that migration is a significant livelihood strategy for poor households in several regions of India (PRAXIS, 2002; Mosse *et al*, 2002; Hirway *et al*, 2002; Haberfeld *et al*, 1999; Rogaly *et al*, 2001; Srivastava, 1998 and forthcoming). Unskilled and semi-skilled workers migrate to oil exporting

countries of the Middle East on temporary contracts of 2 to 3 year duration, especially following the oil price increases of 1973–74 and 1979 (Srivastava R and Sasikumar S K, 2003).

However, the emigration clearance process was still a paper based slow process with a lot of loopholes and scope for manipulation. The process has been a paper and file based manual process. All the approvals at various hierarchical levels were granted on paper and evidences were also collected as printed paper copies. This allowed for delays, poor monitoring of application approval process and corrupt practices. Not just issuance of Recruiting Agent (RA) licenses but also the process of granting Emigration Clearance (EC) were long stretched and followed malpractices.

3. E-GOVERNANCE IN EMIGRATION FROM INDIA

In 2008-09, Ministry of Overseas Indian Affairs(now merged with Ministry of External Affairs), started discussions about modernizing the emigration process using technology. A project called "e-Governance in emigration" was conceptualized in consultation with National Institute for smart Governance. During its development, the project was renamed as 'e-Migrate project'. In the year 2012 a bid process was completed and this project was awarded to a well known IT company. In a nutshell, this project was to be implemented at Protector General of Emigrants Office in New Delhi, 10 Protector of Emigrants offices in India and 17 Indian embassies abroad. Following were the objectives of e-Migrate project:

  i)   To make emigration a safe and hassle free process for the emigrants.

  ii)   To increase the efficiency and transparency of processes for emigration clearance.

  iii) To set the accountability of action by government authorities and define the service levels for the citizens.

All Stakeholders brought online

It brought all stakeholders such as Foreign Employers, Indian Embassies, Recruiting Agents, Employees of Office of Protector of Emigrants, Ministry of Overseas and emigrant online onto a single online system.

Electronic Integration between Departments and Ministries

The project emerged as one of the few truly integrated e-governance project in the Indian Government. E-Migrate system is fully integrated with the Passport Seva system and with Bureau of Immigration system of Ministry of Home Affairs (MHA).On the input side, it electronically verifies the passport number from the Passport Seva database and thus 100% removes the chance of a fake-passport holder getting an emigration Clearance; simultaneously on the other end e-Migrate system is integrated with BoI/MHA system at all the Sea-ports and /Airports' Immigration systems. While the emigrant boards his/her flight/ship, the genuineness of Emigration Clearance (EC) can be verified by the Immigration authorities by swiping the passport only. The system electronically confirms the status of emigration clearance before departure. This has almost removed the chances of fake emigration to zero percent.
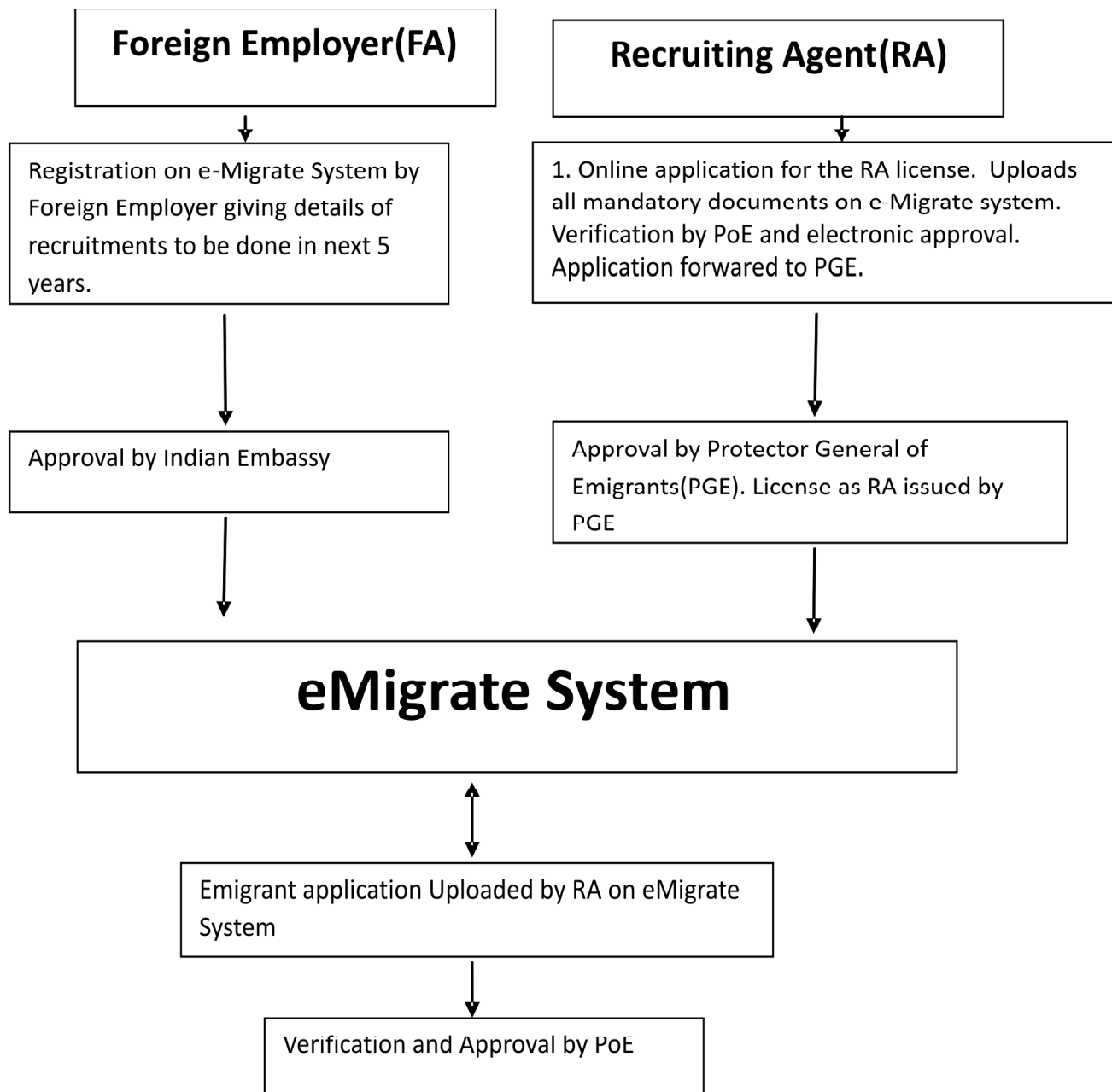
IV. BENEFITS OF CONSULAR SERVICES MANAGEMENT SYSTEM(E-MIGRATE SYSTEM)

(a) No scope for fake Passports/Clearances: e-Migrate system provides a comprehensive and online database of emigrants, Recruiting Agents, Foreign Employers to make the whole emigration cycle faster and authentication of credentials of stakeholders quicker. The database will also detect any foreign employers with complaint cases pending against them and alert POE officials at the time of clearance of new recruitment for these foreign employers.

e-Migrate is integrated with Passport Seva Project (PSP) of Ministry of External Affairs for online validation of passport details of the ECR category workers being registered. This integration helps in detecting fake passport cases and checking data entry error at registration stage itself. e-Migrate is also integrated with Bureau of Immigration system of Ministry of Home Affairs, used at Immigration Check Post (ICP) at airports for online validation of the emigration clearance granted by POEs. Integration with Bureau of Immigration system enables e-Migrate system to record departure details of the ECR category workers.

(**b**) **Instant Availability of Authentic Emigration Database**: The electronic database of emigrants generated through this system is very useful in emergencies to evacuate Indian citizens to India.

Process flow for Granting Emigration Clearance in India
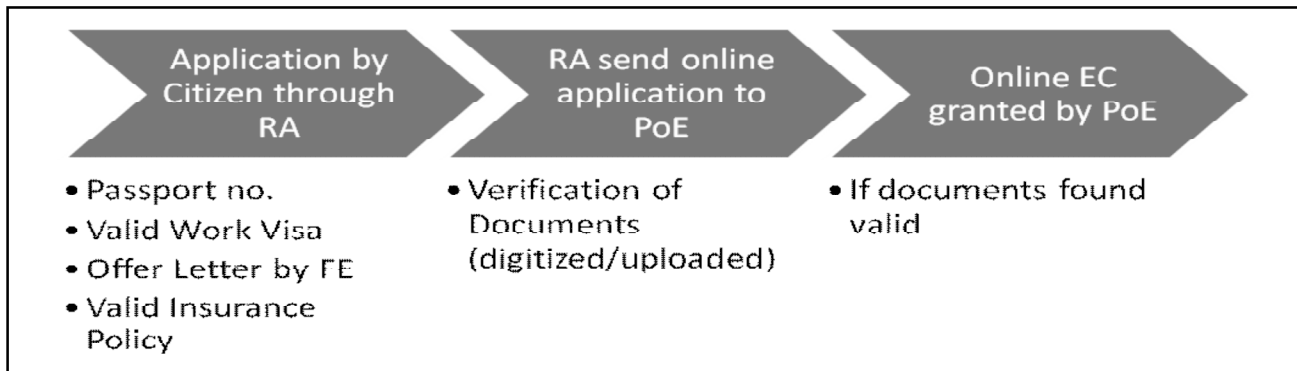
Grating Emigration Clearance (EC) through e-Migrate system

Figure 4: Process flow for Grant of Emigration Clearance using e-Migrate system

(C) TECHNOLOGY ENABLED FEATURES OF E-MIGRATE SYSTEM OR COUNSULAR SERVICES MANAGEMENT SYSTEM

E-Migrate system has been renamed as Consular Services Management System in 2017. It provides the following useful

(a) **Completely online workflows and approvals:** All the processes related to issuing of Licence to Recruiting agents, grant of emigration Clearance, intermediate approvals have been made online in e-Migrate system.

(b) **Online Grant of Emigration Clearance and use of Digital Signatures:** The Protector of Emigrants (PoE) grants emigration clearance using digital signatures. No physical signatures are need for the grant of EC.

(c) **Online verification of validity of PBBY policy:** Before emigrate system many emigrants went on lapsed PBBY insurance policies. In case of mishaps in foreign location, they had no cover. As verification of validity of PBBY policy was difficult, e-Migrate system has been electronically integrated with the Insurance Company's system. Upon entering the Policy number, it returns the validity status of the policy. If the policy is invalid, the system rejects the application. Thus no emigrant leaves India without a valid insurance cover of minimum IN3.0 Lakh.

(d) **Abolition of stamping of passports -** The proof of Emigration Clearance before 2014 was a stamp on the physical passport. Emigrate system provides online Emigration Clearance (EC) using digital signatures. Hence no stamping is done on the physical passports. Instead, the Bureau of emigration officials at the Port of Departure (in India) electronically verifies from e-Migrate System the status of EC by using the emigrant's passport Number. This has made the system foolproof.

(e) **Generating online Employment Contract-** Since last 30 years, none of the emigrant from India getting Emigration Clearance for work was given any written contract by the foreign employer. E-Migrate system provides a mechanism to download a signed (by employer) contract of employment from the system. This can be used for any litigation matters in cases of disputes.

(f) **Online Process for direct recruitment/Raising a permit:** If an individual employer (not company) wants to hire an Indian emigrant, he/she can register on e-Migrate and raise a Permit of employment online. While registering, employer has to clearly provide the terms of employment including wages, overtime and other facilities that he/she intends to provide. This is in favour of Indian emigrants who cannot be employed on vague terms and conditions.

(D) FEATURES FOR WELFARE AND PROTECTION OF INDIAN EMIGRANTS

The main purpose of providing emigration Clearance for overseas employment top Indian citizens is to ensure that they are protected from exploitation in a foreign country.

(a) Mandatory Foreign Employer Registration on e-Migrate system

After the implementation of emigrate project in May 2014, it has been made mandatory for every foreign employer (FE) to register on e-Migrate system by providing their authentic credentials and approval from the respective Indian Embassy in their country. This ensures that no fake employees hire the Indian emigrant. Employers are required to submit their Article of Association and Company registration no. issued by the local government to the Indian Embassy. The authenticity of documents is verifies through online and offline processes. Only those whose credentials are found correct are given an approval to register on emigrate system.

(b) Online availability of Minimum Referral Wages (MRW) for all Notified/ECR Countries

To ensure no exploitation, e-Migrate system provides a list showing Minimum referral wages for different trades for each of the notified/ECR countries. This is dynamically updated whenever the foreign government changes their wages slabs for emigrants. This ensures that all Indian emigrants are paid at least the minimum wages.

Figure 5: Screen shot of Consular Services Management System for finding the Minimum Referral Wages (MRW)

(c) MADAD Help Desk

A 24x7 help desk has been set up by the Ministry which provides services through phone and email. Notably the helpdesk offers its services in many regional Indian languages. The services have been availed and appreciated by a lot of Indian emigrants.

(d) Online reporting of Emigrant Eventuality

The e-Migrate system provides an online interface to citizens/RAs/FEs and any other concerned person to submit a report related to any eventuality happening with an Indian Emigrant across the world. This module has received tremendous response from everyone. Especially the relatives of effected emigrants have been able to inform the government quickly using this option. Indian government has acted promptly on the cases reported through it. This facility has fulfilled a long pending demand from the Indian emigrants. A unique tracking no. is assigned to each case reported through the system so that it can be tracked and closed.

(e)   Grievance redressal through Madad App

The Madad App (android based) provides the facility to submit any grievance related to emigration clearance process as well as related to employment in a foreign country. A unique tracking no. is assigned to each lodged grievance so that it can be tracked and closed.

(f)   Electronic Locker (e-Locker) for Indian emigrants

Using this feature, Indian emigrant can safely scan and upload his/her important documents online. This is accessible worldwide using user id and password. Important documents such as passport, insurance policy and visa can be safely kept and accessed whenever and wherever needed.

(g)   Registration of Indian Students abroad

Indian students studying abroad can register on the consular services management system, this can help the students in case of a crises. This is also helping the government in creating a database of Indian students studying abroad.

CONCLUSION

The adoption and implementation of technology for emigration processes has proved to be a boon to all stakeholders be it the government functionaries, the recruiting agents, the Indian embassy officials abroad, immigration authorizes at the port or the Indian emigrants. Technology allows viewing status of application at any point of time. The response time has reduced manifold. It provides safety features for the welfare of the Indian emigrant. Overall the efficiency has improved. The end beneficiary of the technology enabled system is the common Indian citizen who now faces very few difficulties while applying for emigration clearance and getting overseas employment.

REFERENCES

[1]   Irudaya, R. S & Bhaskar.T.L.S (2014). *Governance of International Migration in India.*

[2]   Irudaya, R. S., & Percot, M. (2011). *Dynamics of Indian migration: Historical and current perspectives. London: Routledge.*

[3]   Jones, G. W. (2015). Migration and Urbanization in China, India and Indonesia: An Overview. *Contemporary Demographic Transformations in China, India and Indonesia,* 271-276.

[4]   Ministry of External Affairs, Government of India. (n.d.). Retrieved November 5, 2016, from http://mea.gov.in/

[5]   R. S. (2003, June 22). *An overview of migration in India, its impacts and key issues* [Scholarly project]. In *Www.livelihoods.org*. Retrieved from *www.livelihoods.org*