



## Ministry of External Affairs

Government of India

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# QUESTION NO.429 WORKERS ILLEGALLY DETAINED IN UAE

July 21, 2016

LOK SABHA  
UNSTARRED QUESTION NO.429  
TO BE ANSWERED ON 21.07.2016

## WORKERS ILLEGALLY DETAINED IN UAE

429. SHRI MD. NADIMUL HAQUE:

Will the Minister of EXTERNAL AFFAIRS be pleased to state:

- (a) whether it is a fact that incidents have come to the notice of the Ministry that labourers/workers/employees working in UAE have been illegally detained by their employers, if so, details thereof;
- (b) the steps taken by the Ministry for release of labourers/workers/employees illegally detained in UAE; and
- (c) the details of initiative taken by the Ministry with UAE on a diplomatic level?

ANSWER  
THE MINISTER OF STATE IN THE MINISTRY OF EXTERNAL AFFAIRS  
[GEN. (DR) V. K. SINGH (RETD)]

- (a) No incident of illegal detention of labourers/workers/employees working in UAE has been reported by the Indian Mission in UAE. However, occasional complaints are received through different sources in the Ministry regarding non-release of passports of the workers by the foreign employers.
- (b) Wherever the worker has obtained overseas employment through the Registered Recruitment Agent (RA) and has travelled after obtaining Emigration Clearance (EC), the RA's registration certificate is suspended and he is directed to immediately rescue the emigrant including arrange for his airfare and unpaid wages. Only after the emigrant's grievances are settled, the suspension is revoked. This ensures safe return of emigrant. In cases where emigrants have travelled on a visit/tourist visa and later converted

to employment visa, it is difficult to rescue such emigrants. In such cases the Indian Mission, on receipt of complaints directly contacts the foreign employer and mediates with them to resolve the grievance and rescue the emigrant. In cases where the emigrant/employer approaches the local court, the emigrants are provided free legal counselling from advocates at the Indian Workers Resource Centre (IWRC) in UAE, to help them in the litigation and resolve their grievance to return home safely.

(c) India has signed a Memorandum of Understanding (MoU) with United Arab Emirates in 2006. The following broad principles have been built into the MoU:

- i) Declaration of mutual intent to enhance employment opportunities and for bilateral cooperation in protection and welfare of workers.
- ii) The host Country to take measures for protection and welfare of the workers in organized sector.
- iii) Statement of the broad procedure that the foreign employer shall follow to recruit Indian workers.
- iv) The recruitment and terms of employment to be in conformity with the laws of both the Countries.
- v) To ensure implementation of the MoU, a Joint Working Group (JWG) is constituted which meet regularly to find solutions to bilateral labour problems.

Through the MoU/JWG mechanism broad principles and policies are laid down to address different types of grievances and problems faced by the emigrants with their employers.

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