

Government of Pakistan
Bureau of Emigration and Overseas Employment
Emigration Tower, 10 Mauve Area, G-8/1, Islamabad

No. BE-Ops(Pcy)1/2022

Islamabad, the 4 April, 2022

Subject: - **SUBMISSION OF CASES TO THE DIRECTOR GENERAL FOR APPROVAL BEFORE REGISTRATION ON DIRECT EMPLOYMENT.**

It has been observed with great concern that the Protectors of Emigrants frequently refer cases of Direct Employment for approval of the Director General without observance of the Emigration Ordinance 1979 and the Rules made thereunder. The Director General has taken a serious view of this practice as intending emigrants from remote areas often visit the Bureau regarding these issues. The following types of cases are usually referred to the Bureau which causes a delay in registration and sometimes expiry of visas and missing flights:

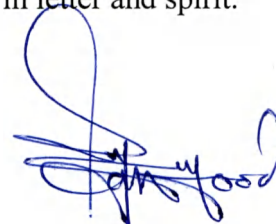
- a) **Non-traditional country.** There is nothing in the Emigration Ordinance 1979 or the Rules made thereunder which necessitates approval of the Director General for registration against a non-traditional country. The terms “traditional” and “non-traditional” are also not mentioned. The Director General has decided that in the future, PEs should evaluate, resolve, and decide such cases at their own level.
- b) **Verification of Visa and Job through Pakistan Missions Abroad.** Requests for verification of visas and jobs are sent to the Bureau for approaching the Pakistani Missions abroad. Such requests should be sent directly to the concerned missions with a copy to the Bureau. If no response is received within 15 days, the emigrant should be registered after getting an undertaking from him. However, unnecessary referring of such cases to the Missions should also be avoided and equal treatment should be ensured in respect of intending emigrants for a particular country.
- c) **Ban on Export of Manpower to a country.** Some cases are referred to the Bureau with the plea that the export of manpower to a particular country is banned, depending on an advisory issued by the Ministry of Foreign Affairs, etc. Only the Federal Government (Prime Minister and his cabinet) has the authority to impose a ban on the export of manpower to a foreign country. According to sub-section (4) of Section 8 of the Emigration Ordinance 1979 “*The Federal Government may, by notification in the Official Gazette, prohibit, from a date and for reasons to be specified in the notification, all persons or any specified class of persons from emigrating to all or any specified country.*” Unless there is such an official notification published in the Gazette of Pakistan, there is no ban on the export of manpower to such a country. Advisories issued by the Ministry of Foreign Affairs are their advice based on situation assessment. Such advisories are to be examined by the relevant Ministry and then submitted to the competent authority to decide. If the Federal Government imposes a ban on the export of manpower, the Director General, being a sub-ordinate authority can not relax such ban. The Director General has therefore directed that unnecessary referring of such cases to the Bureau may please be avoided.

d) **Attestation of Job Contract from Pakistan Embassies.** If anything is defined by an Ordinance, it can not be modified by a Rule. Similarly, if anything is mentioned in a Rule, it can not be modified through an administrative order/ instruction/ procedure. Sub-rule (2) of Rule 22 of Emigration Rules 1979 clearly states "*The holder of direct employment visa shall receive foreign service agreement, contract or letter of appointment, duly signed by the employer and attested by the Embassy of Pakistan abroad or where there is no Pakistan Mission, the Foreign Ministry of the country of the employer or an undertaking shall be furnished by the emigrant to the Protector of Emigrants, in such form as is specified by the Director General which shall be registered with the Protector of Emigrants.*" This sub-rule allows Protectors of Emigrants to register such cases where an emigrant does not possess an attested job contract, on submission of an undertaking. The Director General has therefore directed that in the future, all such cases should be registered by getting the undertaking instead of demanding attested job contracts.

e) **Registration of emigrants from the areas outside the jurisdiction of PE.** The cases of the emigrants who belong to an area that is outside of the jurisdiction of a Protector of Emigrants are referred to the Bureau for grant of permission for registration. The Director General has directed that the Protectors of Emigrants may register such emigrants on being satisfied that an authentic proof of residence (his/her own or immediate family members) in their area of jurisdiction is provided by the emigrant.

2. The Director General has also directed that the Protectors of Emigrants must display a list of required documents on Direct Employment Counters for information of the intending emigrants and only the documents required in that list should be demanded. Unnecessary formalities such as "OK to Board" stamps etc. should not be demanded. The Protectors of Emigrants are directed to implement the above-mentioned instructions in letter and spirit.

3. This issues with the approval of the Director General.



(Safdar Mehmood)
Deputy Director (Policy)
Tel: 051-9107261

Protectors of Emigrants,
Rawalpindi, Lahore, Multan, Dera Ghazi Khan, Sialkot, Peshawar, Malakand, Karachi, Quetta,

Copy to:

- 1) Deputy Secretary (Emigration), Ministry of Overseas Pakistanis and Human Resource Development, Islamabad.
- 2) Director (Admins)/ Deputy Director IT/ Deputy Director (Research), BE&OE, Islamabad.
- 3) PS to Director General, Bureau of Emigration and Overseas Employment, Islamabad.
- 4) D.E.O, Directorate of Operations, BE&OE, Islamabad with the request to place this letter on the website of the Bureau.


(Safdar Mehmood)
Deputy Director (Policy)