

### EMPLOYMENT OF MEMBERS OF FAMILY IN FOREIGN ORGANIZATIONS.

**Authority**

*Cir. No.BDL/  
04/57/18/C-P&A  
Dt. 12.04. 1991*

In accordance with the instructions issued by the Ministry of Home Affairs, acceptance of employment in any of the following categories of foreign organizations in India by any member of family of an employee/officer would be subject to prior permission or prior intimation etc., as the case may be :-

I Foreign missions and related organizations like United States International Communications Agency, British Council, Cooperative for American Relief Everywhere, Catholic Relief Services, etc.

II International organizations, namely, UN and other related organizations or any other similar body of which India is a member.

III Foreign commercial organization is defined as follows :

- (i) a foreign company within the meaning of Section 591 of the Companies Act, 1956 and also includes :-
  - (a) a company which is a subsidiary of a foreign company, and
  - (b) a multi-national corporation within the meaning of the Companies Act.
- (ii) a Corporation not being a foreign company, incorporated in a foreign country or territory ;
- (iii) a multi-national corporation within the meaning of the Foreign Contribution (Regulation) Act, 1976;
- (iv) a company within the meaning of the Companies Act, 1956 if more than one half of the nominal value of its share capital is held, either singly or in the aggregate by one or more of the following, namely : -
  - (a) Government of a foreign country or territory;
  - (b) Citizens of a foreign country or territory;
  - (c) Corporation incorporated in a foreign country or territory;

- (d) Trusts, societies or other associations of individuals (whether incorporated or not) formed or registered in a foreign country or territory.
- (v) Any business whether proprietary, partnership incorporated or in the form of a cooperative control of the business, is in the hands of foreigners.

2. Members of family for this purpose would include :

- (a) the spouse, but not including a separated spouse or one living separately while judicial separations proceedings are on;
- (b) children and step-children but not including children and step-children of whose custody the Government servant has been deprived of by law;
- (c) other persons such as wards who are dependent on and normally live with the Government servant.

3. Employment on commission or agency basis will also be deemed to be regular employment and will be governed by instructions applicable to regular employment but this will be limited to contracts or dealings with Government Departments and public sector undertakings.

4. Every member of the staff of the Company, whose spouse or other member of family desires to accept employment in any foreign mission or related organization/international organization/foreign commercial organization should ascertain from the administrative authority concerned the procedure to be followed before accepting such employment.

5. A declaration as at Annexure -1 will be sent to all employees/officers of the Company by P&A Department of respective Divisions for furnishing necessary information.

6. Any subsequent changes in the information furnished should also be reported to the P&A Departments immediately.

\*\*\*



## ANNEXURE - I

**DECLARATION**

I, \_\_\_\_\_ St.No. \_\_\_\_\_  
 Group/Grade \_\_\_\_\_ Department \_\_\_\_\_ Division \_\_\_\_\_ hereby declare that  
 my family members :

(1) are not working in Foreign Missions and related Organisations in India or  
 with any International Organisations or Foreign Commercial Organisations in  
 India.

OR

(2) are working and details of same are given  
 hereunder :  
 (strike off whichever is not applicable)

- a) Name of the Family members and  
 relationship  
 (Family means, the spouse, children and step-  
 children and other persons such as wards who  
 are dependent on and normally live with the  
 Employee).
- b) Name of the Foreign Mission and related  
 Organisation in India or International  
 Organisation or Foreign Commercial  
 Organisation in India in which employed.
- c) Date of taking up employment
- d) Post held
  - i) Pay scale & Group
  - ii) Present emoluments

I here by seek permission for having employment in the said Organisation by  
 my family member(s) stated above.

Signature of the employee

Name :  
 St.No. :  
 Design :  
 Deptt :

Date :

