

Shri Nityanand Rai  
Minister of State  
Ministry of Home Affairs  
Government of India  
New Delhi

28 June 2019

**Sub: Request direct employment permission for spouses of Intra-Company Transferees (E-3X visa)**

Dear Shri Rai,

Greetings from Permits Foundation!

Congratulations on your electoral success and your taking over a very important role in government. We would like to continue the discussions and fruitful engagement we have had with Shri Rijiju on a matter of great importance to global businesses bringing investment to India and running operations in the country. We have over the years received support from his office resulting in important changes in the visa regime applicable to global businesses.

As introduction, Permits Foundation is an international non-profit corporate initiative to promote direct access of accompanying spouses and partners of international staff to employment through an improvement of work permit regulations worldwide.

**We write to request an appointment to discuss our request of direct employment authorisation (on the basis of the E-3X visa) for the spouses of Intra-Company Transferees to work in India in any format they choose and without qualifying conditions.**

We have been in discussion with your ministry for some time and certain steps were taken to improve the visa regime for the small but highly significant group of expatriate employees whose presence is an outcome of inflow of FDI into the country.

**With the support of Ministry of Home Affairs, Indian visa system was streamlined with a set of specific sub-categories of employment visa in particular the E-3 visa for intra-company transferees and E-3X for their spouses.**

We had reached out to global companies with a presence and activities in India and they were delighted that such clarity was brought to the visa structure.

Under the current system, Clause 35 of Annex III (Details of Visa Granted by India) states:

*“Conversion of ‘E-3X’ visas to ‘E’ visas of the spouse of an employee on intra-company transfer. The conversion of ‘E-3X’ (Entry) visa of the spouse of an employee on intra-company transfer into Employment Visa may be permitted within the country, subject to the applicant fulfilling all the conditions laid down for grant of Employment Visa, with prior approval of the Ministry of Home Affairs.”*

**We would like to propose the following amendment to the conditions attached to the E-3X visa: All spouses holding an E-3X visa are permitted to take up employment, self-employment or voluntary work for the duration of the visa and co-terminus with the E-3 visa holder.**

Sir, it has been the intention of the Government of India to attract FDI in all sectors. Such investments will have a successful outcome when companies have a small group of their own, highly skilled resources to manage these investments and apply domain knowledge, experience and management skills. However, such highly skilled professionals are typically accompanied by highly skilled spouses. The inability of spouses to work in India due to the visa regime often results in companies not being able to deploy their best talent. In that context, we would like to submit that a simplification of Visa norms for the small segment of spouses of intra-corporate transferees by granting them permission to take up employment or self-employment for the duration of the assignment would address reservations of highly skilled employees in taking up short term assignments in India.

The proposed amendment will be welcomed by employers and make a huge difference to the lives of international spouses, who want to work more flexibly than the current visa conditions allow.

De facto reciprocity currently exists for Indian families in more than 30 countries that already allow accompanying spouses to work on their dependent's visa.

Since our start-up in 2001, Permits Foundation has been progressively successful in influencing change throughout the European Union, as well as in the USA and Asia (Hong Kong, Japan and Malaysia). All of these improvements will benefit Indian international professionals and their spouses abroad.

We look forward to your urgent attention on this matter and seek your assistance in making India a preferred destination for the global talent pool. We would be much obliged if you could spare some time for the requested meeting.

Yours faithfully,



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