

10 August 2022

Shri Narendra Modi

Hon'ble Prime Minister of India
South Block, Raisina Hill
New Delhi-110011

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

Dear Shri Modi,

Greetings on the celebrations of India's 75th Year of Independence. We salute the spirit of freedom and global citizenship that India and you represent.

In the spirit of these celebrations, we would like to request your intervention on an issue that relates to the freedom of spouses of global executives on a transfer to India, to work freely.

We have, over the years, received much encouragement where some changes have been made in relation to this issue. However, the barriers at a practical level are making it difficult for spouses of intra-company transferees to access employment in India.

We request a meeting with members of your office to discuss direct employment authorisation on the basis of the E-3X visa for the spouses of intra-company transferees to work in India.

Permits Foundation is an international, not-for-profit, corporate initiative supported by over 40 major international companies and organisations. The Foundation engages with governments worldwide recommending improved work permit regulations that enable direct employment access for recognised dependants of highly-skilled international employees. Our global research reveals that this helps not only to improve country attractiveness as a business destination but also talent retention, gender equality and integration.

India is considered as a highly important country to the Foundation, our sponsors and our wider network where change would be welcomed. The Foundation has held valued and positive discussions with government representatives on this issue for several years, our full dossier of meetings and supporting evidence – including international surveys and global case studies - provides a compelling case for change.

We commend your government for implementing measures to streamline the visa system and in particular the creation of the E-3 category visa for intra-company transferees and E-3X for their spouses. This has created the ideal environment whereby a small but significant step could now make a large difference to global companies investing in India and internationally facing companies operating in India.

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 foreign direct investment in all sectors. Such investments will have a successful outcome when companies have a small group of their own, highly-skilled resources to manage them and apply and transfer domain knowledge, experience and management skills. However, such highly-skilled professionals are typically accompanied by highly-skilled spouses whose expectation is to continue to be able to access employment. Where authorisation can not be assured pre-move, companies find it much harder 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. The proposed amendment will be welcomed by employers and vastly improve the experience of international employees and their family members while in India.

De facto reciprocity currently exists for Indian families in more than 30 globally competitive countries that already allow accompanying spouses to work directly on their dependant visa. The most recent example being in 2021 in the US where direct work authorisation incident to dependant status for spouses of intra-corporate transferees and treaty traders and investors was granted.

Since our start-up in 2001, Permits Foundation has been progressively successful in influencing change throughout the European Union, as well as in the UK, USA, Brazil and Asia. All of these improvements will benefit Indian international professionals and their spouses abroad. We seek your assistance in making India a preferred destination for the global talent pool.

We would be much obliged if your representatives could spare some time for the requested meeting.

Yours faithfully,



Gill Gordon
Chair, Permits Foundation

Copy to:

Supriyo Gupta
Advisor, Permits Foundation
M: +91-9810116661;
Tel: +91-124-4283939-47

Helen Frew
Executive Director, Permits Foundation