

OI-11012/13/2017-OIA I
Ministry of External Affairs

Guidelines on Indian Community Welfare Fund
Established in Indian Missions/Posts abroad

1. Background

a. The 'Indian Community Welfare Fund (ICWF) was established in the Indian Missions of 17 Emigration Clearance Required (ECR) Countries and Maldives after due approval of the Cabinet, vide letter No. OI-11012/25/2007- US(EP-I) dated 12th October, 2009 of the Ministry to meet contingency expenditure incurred by them for carrying out various on-site welfare activities for Overseas Indian Citizens in distress.

b. Revised guidelines for utilization of ICWF were issued with the concurrence of IFD vide Dy. No. 4476/Dir(F)/12 dated 04.08.2012.

c. After due consultations with the Department of Expenditure, Ministry of Finance the following guidelines are being issued to enhance the utilization of the fund, expand the scope of activities and purposes for which the fund can be used, and enable activities for welfare of both distressed overseas Indians, and the Indian community.

2. Source of ICWF

2. i.a. **Service Charges** The Indian Community Welfare Fund (ICWF) set up in the Missions will have the following revised charges:

I Funds raised by the Indian Missions by levying a service charge on Consular Services as under:

- (i) For Visa, OCI/ PIO Cards – US \$3 /- per document rounded off in local currency to the next whole/round number
- (ii) For Passport Services – US \$2 /- per document rounded off in local currency to the next whole/round number
- (iii) For attestation of employment document – US \$2/- per worker rounded off in local currency to the next whole/round number
- (iv) Attestation of other documents and other miscellaneous consular services rendered by Mission (other than in death cases) – US \$2/- per worker rounded off in local currency to the next whole/round number

2.i.b. The charges so levied shall be in local currency rounded off to the next whole/round number. The official exchange rate prevalent at the time of such calculation shall be used, and shall not be changed thereafter during the Financial Year keeping in view that charges so levied are adequate to meet requirements of Missions/Posts and to build a suitable reserve to meet unforeseen contingencies. The service charge may be revised by this Ministry from time to time.

2.ii. Voluntary contributions by Indian community.

Need
by
ICWF

Missions/Posts may receive contributions into ICWF from local Indians or Indian community organizations and shall issue a receipt thereto indicating clearly the names and addresses of such contributors. Such receipts should be included in their monthly statement of ICWF accounts sent to MEA and Pr CCA.

2.iii. Income from deposits and investments: If surplus ICWF funds are maintained in FDs, the interest accrued through the investment shall be deposited on yearly basis in the main ICWF corpus.

2.iv. Existing welfare Funds operating in Mission/Posts shall be merged with ICWF after performance audit of existing Fund by the O/o Principal Chief Controller of Accounts. A certificate in this regard will be furnished to MEA.

2.v For Missions/Posts which have not set-up ICWF so far, Ministry of External Affairs would provide budgetary support for setting up the ICWF in the Indian Missions to the tune of Rs. Five lakh annually, for three(3) years or till the period the fund becomes self sustaining, whichever is earlier. The amount would be limited to meet the deficit in financial resources of Missions, with due regard to the utilization of the amount released during previous years.

3. Criteria for Utilisation

3. i. ICWF funds can be used to assist only Indian citizens residing in the host country or those in distress while visiting a foreign country. Persons of Indian Origin and Overseas Citizens of India Card Holders are not eligible for individual financial assistance from ICWF.

3. ii. ICWF can be utilized for the benefit of Indian nationals in distress on a means tested basis provided the officer approving ICWF expenditure has satisfied himself that the beneficiary deserves to be assisted.

3. iii Ordinarily only such Indian National(s) who have entered the host country legally shall be eligible to receive benefits under this Fund. In cases where it is not so, assistance may be provided after HOM/HOP has recorded his satisfaction to the effect that the circumstances of the case necessitate providing assistance under ICWF.

4. Procedures for approval

4.i. Missions/Posts will consider requests from Indian nationals, written or verbal, for grant of assistance. All verbal requests shall be followed by written confirmation.

4.ii. Written proposals for expenditure from ICWF should originate from the Welfare officer/Consular officer/Community Affairs officer of the Mission/Post who will examine and submit them to the competent authority for approval with his/her recommendation, on a case-to-case basis. In Missions/Posts where such officers are not designated, the HoM/HoP may designate an appropriate level officer for proposing such assistance.

4.iii Approval of expenditure from ICWF will be at the level of HoM/HoP subject to ceilings specified for various ICWF related items of expenditure in Sections A, B and C of the Guidelines respectively. **HoM/HoP should ensure that ICWF shall not be used for routine activities or expenses for which budget spending is available.**

4.iv **HoM/HoP may formally authorize DCM/DHC/DCG to approve requests for assistance from ICWF subject to an upper limit of**

US\$ 2000 per case in ECR Countries; *Approx 7300 AED*

US\$ 1000 per case in Other Countries.

4.v If HoMs/HoPs consider it necessary to deploy the Fund in most deserving cases, for services not indicated in these guidelines or if Mission/Posts' funds are not adequate to meet a contingency, they shall send a detailed self contained proposal, alongwith facts, justification etc. seeking prior approval of Ministry.

4. vi Proposals received from Missions/Posts will be considered in the Ministry, by a Committee comprising of following members:

- (i) Joint Secretary, OIA Division, MEA (dealing with ICWF);
- (ii) Joint Secretary (CPV), MEA; and
- (iii) Director (Finance) or DS (Finance), MEA.

4. vii The recommendation of the above Committee shall be submitted to Foreign Secretary. Proposals involving expenditure upto Rs. 25 lakhs can be approved by Foreign Secretary. Proposals involving expenditure beyond Rs. 25 lakhs shall be submitted to EAM for approval.

4. viii Requests for transfer of additional ICWF funds from other Missions/Posts(if there is shortage of funds in the ICWF account of the recipient Mission), to assist distressed overseas Indians during crisis/emergency situations, shall be submitted by HoM/HoP concerned, to the Ministry for approval of EAM.

5. Assistance from ICWF will be permissible for the following activities:

- a. Section 'A': Individual Financial Assistance for Indian nationals in distress
- b. Section 'B': Support for Community Welfare Activities
- c. Section 'C': Improvement in Consular Services

Section A

Individual Financial Assistance for Distressed Indian nationals

6. Boarding and lodging (B&L) for deserving distressed Indian nationals abroad on a means tested basis in Budget category or shelters run by Mission/Post or NGOs empanelled with Mission.

6.i. ECR countries : B&L for distressed Indian nationals upto 30 days extendable upto a maximum of 60 days by HoM/HoP, if circumstances so warrant. If period of B & L exceeds 60 days, prior approval of Foreign Secretary may be sought, indicating reasons for seeking extension, and the total cost to be incurred in each case.

6.ii. Other countries: B&L subject to an upper limit of 30 days with approval of HOM/HOP. If period of B&L exceeds the above limits, extension can be done for a further period of not more than 30 days with prior approval of Foreign Secretary.

7. Air passage to India to stranded Overseas Indians.

Good!
7.i. Mission/Post can pay for one-way airfare by cheapest class on Air India or any other cheaper carriers having direct connection, on a means tested basis, for deserving distressed Indian nationals, from the country of departure of overseas Indian to the nearest airport/ first port of arrival in India with the prior approval of HOM/HOP.

7.ii. With prior approval of HoM/HoP, air passage to a Doctor /an attendant (for mortal remains) when local government mandates so or to accompany primary beneficiary in case of permanent disability or serious injury / illness of primary beneficiary, on recommendation of a doctor/hospital in the latter case. HOM/HOP to approve two-way airfare to the accompanying Doctor/or attendant of primary beneficiary.

Hospital cases

8. Legal Assistance

8.i. Eligibility: On a means tested basis to deserving overseas Indian nationals who have committed minor crimes, offences or have been falsely implicated by their employer and put in jails; fishermen/seamen/sailors/Indian students in distress; and Indian women abandoned/ cheated / abused by their NRI/PIO or foreign spouses (upto seven years after their marriage) (Detailed guidelines are at Annexure- A).

Consular matters

Priority may be given to release of Indian nationals who have completed their prison sentence; filing bail applications in respect of those qualifying for bail; filing of applications for remission of sentences in cases of petty offences; assistance to Indian migrant workers who have been abused/cheated/tortured by their employer/sponsor/ insurance company.

8.ii. Missions/Posts may seek Foreign Secretary's prior approval, with proper justification, for legal assistance on a mean-tested basis to Indian nationals, charged for organized/serious crimes such as trafficking of arms and humans; murder; sexual

crimes or for trafficking of drugs (where there is reasonable ground to believe that the Indian national may not be at fault) etc.

8.iii. Appointment of panel of lawyers: GCC + Top 20 countries with major Overseas Indian national population, as per list enclosed at Annexure - B

Missions/Posts may appoint on basis of GFR principles, on annual contract, a panel of 3-5 local lawyers/firms proficient in local language and law, and who enjoy credibility and have commitment and experience to assist deserving Indian nationals in distress. Mission/Post may finalize a rate contract with the law firm for different legal services to be provided (including filing bail applications, petitions for remission of sentence; review of sentence; mercy petitions etc.).

Ministry should be informed about the appointment of the panel; and whenever there is any change in the panel appointed. Details of the law firms hired and rates charged by them shall be made available on the website of the Mission/Consulate.

8.iv Financial Limits for Legal Assistance

HOM/HOP can authorize legal assistance subject to an upper limit of US\$10,000 per person/case, provided the recipient is not receiving such assistance from a third party, (employer, sponsor or family etc.) and the beneficiary does not have the means to pay for legal expenses. The amount includes expenditure on a trained, experienced local interpreter (empanelled by Embassy at specified rates agreed on a yearly basis) if court hearings are in local language.

Prior approval of Foreign Secretary shall be sought for providing legal assistance beyond the prescribed limits. Foreign Secretary can approve proposals upto US\$20,000. Proposals which exceed this amount shall be submitted to EAM for prior approval.

9. Transportation of Mortal Remains (TMR)

9.i. Expenditure on incidentals and airlifting mortal remains of deceased Indian national to India or local cremation/burial of deceased in such cases where the employer, sponsor or insurance company is unable or unwilling to do so as per the contract and the family is unable to meet the cost.

9. ii. Mission/Post may provide Free of Cost (FOC) letter to Air India/Indian Airlines or pay for the one way airfare for TMR from the concerned airport in the country of departure of remains to the nearest airport to the place of destination in India, in deserving cases on means tested basis. Wherever deemed necessary, the Mission/Post, with the approval of HOM/HOP, may also provide airfare by the cheapest class for a relative/attendant to accompany the mortal remains by the same flight.

9. iii. Mission/Post can pay for cremation / burial of deceased Indian national in the host country subject to authorization of HoM /HOP and family members where the situation demands so.

9.iv. Before payment is released HOM/HOP may satisfy himself that related expenditure cannot be borne under contract of deceased (with the employer/sponsor) or the insurance policy of deceased.

9.v. Mission/Post may pay for expenditure on embalming charges, and services charges of the agency which facilitates transportation of remains to India. Mission/Post may constitute a panel of such agencies on an annual basis, with rates (as commensurate with prevailing local rates) specified for different services provided or actual costs, wherever local government agencies are handling such work.

9. vi. Belongings of deceased: In ECR countries and Malaysia, based on request from the family of the deceased, HOM/HOP may authorise in deserving cases, payment for transportation (preferably by sea cargo) of important personal belongings of the deceased Indian national to the nearest port/airport in India, upto a maximum of 100 kgs as per actuals and approved rates of concerned Mission/Post for its panel of packers/forwarding agents with an upper limit of US\$ 500 per case. AED 1835 (Approx)

10. Payment for small fines and penalties:

10. i. Providing payment of small fines & penalties in respect of Indian nationals for minor offences/crimes; for illegal stay in the host country where prima facie the worker is not at fault, and to enable release of Indian nationals from jail/detention center (and to enable his repatriation).

For illegal stay one-time payment of maximum of US\$2000 per case for no fault of Indian national.

For release from jails/detention centres, subject to an upper limit of US\$4000 per case.

Payment shall be made by Indian Mission/Post on behalf of Indian national directly to concerned authorities and not to the Indian national.

Prior approval of Ministry to be obtained for such payments to Indian nationals involved in serious and organized crimes such as trafficking of drugs (where there is reasonable ground to believe that the Indian national may not be at fault), arms and humans; and sexual crimes.

11. Emergency Medical Care:

11.i HoM/HoP may authorize emergency medical care to overseas Indians who are involved in an accident (with serious life threatening injuries) have life-threatening medical conditions or suffer a serious disability, if the employer/sponsor/insurance company is unwilling to meet expenses or the family is unable to meet the cost (on means tested basis) or unable to reimburse expenses to Mission/Post).

Missions shall set up a panel of hospitals (with rate contract for specific services for medical care and medical emergencies) which can be recommended to distressed

Indian nationals availing assistance under ICWF. Panel of such hospitals to be separate from that of the panel for diplomatic staff of Mission.

MEA should be informed about the appointment of the panel; and whenever there is any change in the panel appointed by Mission/Post. The details of the panel hospitals hired on contract by the Mission and the rates charged by such hospitals for different medical care services shall be made available on the website of the Mission/Consulate.

11.ii. Expenditure by Missions/Posts in such cases should be for specific medical procedures only subject to an upper limit of US\$5000.

11.iii. Any expenditure beyond this amount and upto an upper limit of US\$10,000 is subject to prior approval of Foreign Secretary. Proposals which exceed this amount shall be submitted to EAM for approval with proper justification. Proposals should contain an estimate of maximum expenditure to be incurred and should be for specific medical procedures, subject to a maximum amount that is indicated. No approvals would be given for open ended treatments.

11.iv. While making such payments or sending proposals to MEA, HoM/HoP may satisfy himself that the beneficiary does not have the means to pay, or does not hold an insurance policy under which such treatment can be undertaken; that the family has no means to pay; and that the employer/sponsor is unwilling to pay for medical expenses.

Section B

Community Welfare Activities

12. Mission/Post is authorized to spend on community activities pertaining to the Indian community, subject to an overall upper limit of 10% in ECR countries and 7.5 % in other countries of total ICWF collection till the previous financial year on following items* :

12.i. For ECR Countries only: A one-time payment of a matching grant upto a maximum of US\$30,000 per asset can be paid by Mission/Post to support setting up assets/infrastructure such as shelter homes for distressed Indian nationals, crematoriums; and community centres for Indian nationals in ECR Countries. ICWF support in this regard will be a top-up contribution, to augment funding raised by the Indian community or other sponsors/organizations. Prior approval of Foreign Secretary shall be sought for proposals up to US\$40,000.

Where such facilities have already been set up, HOM/HOP can approve a grant of a maximum of US\$10,000 per asset per annum for expansion / upgradation of existing facilities.

12.ii Mission/Post is authorized to spend, subject to a maximum of US\$ 10,000 per annum, to promote Indian Culture for activities which include:

Indian cultural programmes organized by recognized Indian Diaspora organizations at major Indian Festivals, National Days of India; Indian culture Programs by recognized local artists or Indian artists based in India etc.

Payment of honorarium for teachers/faculty teaching Indian languages, art forms. The teachers can be from Indian Diaspora or local community. The students availing the facility shall pay nominal fee for hiring venue and administrative costs.

13. Welfare activities for Indian students: Missions/Posts shall organize an Annual Day for Indian students at Universities/educational institutions to discuss problems, issues faced by Indian students, including their visa, residence status, work permit, financial, welfare and other issues with participation of students. Senior officials of Mission/Consulate to preside over/organize such events.

Financial Limits (excluding expenditure for hospitality purposes):

Upto US\$ 1500 per annum- where students are less than 500

Upto US\$ 2500 per annum - where students are between 500-1000

Upto US\$ 5000 per annum - where students are between 1000-5000

Upto US\$ 10,000 per annum - where students are between 5000-10000

Upto US\$ 15,000 per annum - where students are between 10000-20000

Upto US\$ 20,000 per annum - where students are more than 20000

** (under no circumstances, expenditure on Community Welfare Activities should include expenses towards extending hospitality)*

Section C Improvement in Consular Services

Mission/Post is authorized to spend on administrative expenses pertaining to schemes/welfare measures etc. with prior approval of HoM/HoP subject to an overall upper limit of 15% in ECR countries and 7.5 % in other countries of total ICWF collection till the previous financial year for following purposes:

For ECR countries only :

14.a Missions/Posts with prior approval of HoM/HoP, may hire a maximum of two local staff (on the same terms and conditions as contingency basis staff) for consular services and managing work relating to e-Migrate, Madad, Nationality Verification portals, etc for a period of one year. The engagement of local contingent staff should not be against local laws of the country. Necessary break in service should be given so as to ensure that these contingent staff do not claim any absorption or any other benefit under local laws. Proposals for extending the services of such local staff by additional periods of one year at a time should be sent to Foreign Secretary for prior approval.

14.b Hire vehicles on a need basis for visits to jails, police stations; detention centres; labour camps; welfare camps; shelters for distressed Indians; prisons; hospitals; morgues and to airports for deportation/repatriation of distressed Indian nationals) to handle increase in consular work.

14.c Hiring of local interpreters on a case-to-case basis for consular visits.

14.d Design, publication, translation costs of pamphlets by Mission/Post about local labour laws, regulations, norms, dos & don'ts, welfare measures pertaining to overseas employment in the host country subject to a maximum of US\$5000 per annum.

14.e Organizing labour camps / consular camps for interacting with Indian migrant workers and informing them about issues related to overseas employment; labour laws; welfare and protection measures of GOI, subject to a maximum of US\$5000 per annum excluding travel and stay costs. May incur an additional expenditure subject to a maximum of US \$ 5000 per annum towards creating awareness among the community for benefit of safe migration through media/workshops etc.

14.f Missions/Posts may setup 24 x 7 toll-free helplines, walk-in resource centres for providing information, advise, guidance on problems faced by distressed Indian nationals; and helping them register their grievance with the Mission/Post. Helplines or resource centres may also be set-up through a service provider, with competitive bidding as per GFR, with the approval of CPV Division.

14.g Development of e-Governance solutions, applications to address Consular/ welfare matters (including centralized platforms by Ministry), subject to a maximum of US\$ 20,000 as one time cost and/or annual recurring cost of US \$5,000. While incurring such expenditure, Mission/Post must ensure that these e-Governance solutions and applications are compatible with existing MEA and other GoI e-portals and should not lead to duplication of effort.

Consular Expense: All Countries:

14.h Missions/Posts, with prior approval of HoM/HoP, may hire a maximum of two local staff on contingency basis for a period of not more than three months for consular work, in circumstances which result in sudden and unexpected increase in consular work due to unforeseen circumstances, such as natural disasters, war, civil war, evacuation, and political instability. The engagement of local contingent staff should not be against local laws of the country. Necessary break in service should be given so as to ensure that these contingent staff do not claim any absorption or any other benefit under local laws. These local staff, intended to deal with sudden/seasonal spikes in consular demand, would be in addition to the two local staff referred to in para 14.a above in respect of ECR countries.

14.i Any extension of hiring of local staff beyond the periods specified above shall be subject to the prior approval of Foreign Secretary.

14.j Missions/Posts, with prior approval of HoM/HoP, may incur one-time expenditure on creation of infrastructure or asset within premises of Mission/Consulate to enhance amenities provided for Indian nationals in Consular/Reception area.

14.k One-time expenditure for overall improvement of Consular area (setting up tea/coffee vending machines, water dispenser, photocopier, TV & cable, computer, printer & internet kiosk in consular wing, and reception area of consular section (to be used by applicants) subject to an upper limit of US\$10000 per annum.

14.l Annual operational and maintenance costs related to such items/equivalent subject to an upper limit of USD \$ 5000 per annum.

14.m After lifetime of these items, new items/equipments can be purchased as per GFR provisions, with the approval of HoM/HoP.

15. Record about ICWF beneficiary

An endorsement shall be made in the Passport and PRIDE (*centralised database*) of *ICWF Beneficiary as under:*

The holder of this passport was the beneficiary of ICWF assistance for evacuation/other services provided by the Mission/Consulate in.....on..... DD/MM/YYYY

16. Administration and Financial Management

16.i. It is mandatory for every Mission/Post to open a separate personal deposit ICWF account in local currency entitled 'ICWF Account' for the purpose as prescribed in the Civil Accounts manuals.

16. ii. MEA may, on a proposal received from a Mission/Post and after consultation with IFD and Pr CCA, exempt the Mission/Post from opening or allowing it to close its existing ICWF account.

16.iii. Daily collection of ICWF surcharge will be deposited in the bank account on the next working day by the Accountant.

16. iv. HOM/HOP may constitute a Committee of three officers consisting DCM/DCG and Officers dealing with Labour, Consular, Community Welfare or Administration to review the operations of the fund every quarter.

16. v. A separate Cash Book will be maintained for ICWF with all receipts and withdrawals reflected, on the lines of the Cash Book being maintained under the existing procedures of Cash and Accounts.

16. vi. A Drawing and Disbursing Officer (DDO) of appropriate level with one other signatory to be decided by the HOM, will operate the PDA and will be responsible for all the transactions from the Fund.

16. vii. Release of Payments from ICWF shall be made only through cheques/DD/bank account/e-payment etc., on the basis of written approvals of the competent authority (in the Mission/Post/Ministry, as the case may be) duly supported with original invoices / bills etc., in respect of the service/assistance provided to the ICWF beneficiary, under appropriate receipt/acknowledgement, and, no direct cash payments shall be allowed to the beneficiaries of ICWF.

16.viii Missions/Posts, with approval of HOM/HOP, can build and maintain a Corpus Fund, for handling crisis and / or emergency situations, which may be equal to an amount not exceeding 50% of the funds collected in the ICWF account and invested in US\$ GBP or Euros, in staggered and multiple FDs in Indian PSU banks operating in host country or in local banks where Indian PSU banks are not operating. Interest accrued from FDs is to be deposited on yearly basis in the Corpus fund. If HoM/HoP is of the considered view that funds may be invested in FDs beyond 50% of the collection in the ICWF account, the same may be done with prior approval of the Ministry.

16.ix The Corpus Fund is to be built after maintaining sufficient balance for any unforeseen contingency that may arise.

16.x A statement containing a detailed account of collection and utilization of the fund will be submitted for each financial year, latest by 30th April of the following year, to the MEA by the Missions. A monthly update about utilization of ICWF funds under for various purposes will be uploaded on MADAD website's ICWF module.

16.xi Mission/Post shall maintain a register showing therein - month wise receipts with relevant information of the Depositor and brief description of the receipt. The Register will also show the quarterly balance of total collections made and expenditure made out of the funds for purposes of ascertaining the amount available for disbursement out of the fund. Vouchers pertaining to receipts and payments made out of the fund by the Missions will also be attached with the cash account for the month for reconciliation at the Office of the Pr.CCA, MEA and MEA.

16. xii All expenditure to be incurred on activities to be financed from the Fund as approved by the Ministry will be sanctioned by competent authority by following the normal procedure and copies of sanctions will be issued to all concerned including the Pay & Accounts Office.

16. xiii. In case of devaluation of local currency (due to war or a crisis of similar nature), HOM/HOP can authorize shifting ICWF funds to a separate US\$,GBP or Euro account (not Chancery account) under intimation to MEA (OIA Division, IFD and Pr. CCA), along with adequate justification.

17. **Imprest:** HOM/HOP may decide an appropriate advance sum of a maximum of US\$10,000/- as the Imprest amount under the custody of DDO or an Officer designated for the purpose. A separate account of expenditure of Imprest will be maintained in the Imprest Advance Register reflecting the details of expenditure, amount of advance recouped from time to time etc. The Register with all relevant details of expenditure on account of disbursement will be put up at least every quarter for periodical scrutiny of the HOM/HOP.

18. Audit of Accounts

The accounts of ICWF maintained at various Missions shall be audited by the Internal Audit Wing of the Office of the Pr.CCA, MEA and will also be subject to Statutory Audit.

19. Amendments to Guidelines

19.i. Amendments in these guidelines may be made by the Ministry of External Affairs in consultation with the Department of Expenditure.

19.ii. The above guidelines have been issued after consultation with Ministry of Finance / Department of Expenditure who concurred vide their OM No. 3(43) E.Coord/2007 dated 19th June, 2017. These guidelines shall become effective from September 1, 2017. All earlier guidelines issued or clarifications given by erstwhile Ministry of Overseas Indian Affairs / Ministry of External Affairs shall be deemed to have been revoked.

ANNEXURE- A

Legal/financial assistance to Indian women deserted by their overseas Indian/foreigner husbands .

1. Objective:

1.1 The objective of the assistance under ICWF is to provide some financial assistance to needy Indian women in distress (who have been deserted by their overseas Indian / foreigner husbands) for obtaining counseling and legal services.

1.2 Counseling and legal services would be provided through credible Indian Women's Organizations/Indian Community Associations/NGOs identified for providing such services and empanelled with the Indian Missions.

2. Scope of and Eligibility for the Scheme:

2.1 Assistance under ICWF would be available to Indian women who have been deserted by their overseas Indian / foreigner husbands or are facing divorce proceedings in a foreign country, subject to the following conditions:-

(i) "Desertion" in the context of eligibility for providing financial assistance under the MEA's Scheme would mean the voluntary abandonment of the wife by her husband. Also, if the husband - by his words- and or actions compels the wife to leave the matrimonial home or stay away without reasonable cause, he will be guilty of desertion, though the wife has seemingly separated from him. Desertion is frequently coupled with non-support, which is a failure to provide monetary resources for those to whom such an obligation is due, denial of visa status for continued stay in the foreign country concerned, meting out harassment to a woman, where such harassment is with a view to coercing her or any person related to her to meet any unlawful demand for any property or valuable security or is on account of failure by her or any person related to her to meet such demand.

(ii) Coverage of the Scheme: Applicable in all Missions and Posts abroad.

(iii) The woman is an Indian passport holder.

(iv) The marriage of the woman has been solemnized in India or overseas with an overseas Indian or a foreigner.

(v) The term "Overseas Indian" in this case would include Non-Resident Indians (NRIs) and Persons of Indian Origin (PIOs).

(vi) The woman is deserted in India or overseas within seven years of the marriage; or

(vii) Divorce proceedings are initiated within seven years of marriage by her overseas Indian / foreigner husband, or

(viii) An ex-parte divorce has been obtained by the overseas Indian / foreigner husband within seven years of marriage and a case for maintenance and alimony is to be filed by her.

(ix) Assistance would not be available to a woman having a criminal case decided against her, provided that a criminal charge of Parental Child Abduction shall not be a bar if the custody of the child has not yet been adjudicated upon by a competent Court.

(x) The domicile of the Indian woman seeking relief under the Scheme may not be relevant for allowing the benefit.

(xi) Preference will be given to applicants on the basis of financial need.

(xii) The assistance will be limited to a maximum of US\$ 4000 per case. The assistance will be released to the empanelled legal counsel of the applicant or Indian Community Association / Women's organization / NGO concerned to enable it to take steps to assist the woman in documentation and preparatory work for filing the case.

ANNXEURE- B

(I) GCC Countries

1. Saudi Arabia
2. UAE
3. Kuwait
4. Oman
5. Qatar
6. Bahrain

(II) Countries with major Overseas Indian Population (NRIs) [excluding GCC Countries]

- 1 USA
- 2 Nepal
- 3 Singapore
- 4 UK
- 5 Malaysia
- 6 Australia
- 7 Canada
- 8 Italy
- 9 Philippines
- 10 Germany
- 11 New Zealand
- 12 South Africa
- 13 Bhutan
- 14 China
- 15 Hong Kong (SAR of China)
- 16 Nigeria
- 17 Spain
- 18 Russian Federation
- 19 Japan
- 20 Netherlands

Indian Community Welfare Fund Guidelines

Comparative Chart

Head	Existing Guidelines	Revised Guidelines
Proceeds for ICWF		
Consular Fee	Rs.100 per service/worker	US\$3 per document for visa, OCI/PIO cards; US\$2 per document for other miscellaneous consular services (other than death cases)
Welfare support extended under ICWF Assistance to distressed Overseas Indian nationals		
Boarding & Lodging	Up to 30 days with approval of HOM/HOP	<p>ECR Countries –Extendable up to 60 days with approval of HOM/HOP. Beyond this, with Foreign Secretary's approval.</p> <p>Other countries – Max. of 30 days with approval of HOM/HOP. Beyond this, with Foreign Secretary's approval.</p>
Air passage	Stranded Overseas Indians in need	Air passage also to an escort/attendant (for mortal remains), if needed.
Legal Assistance	<p>Initial legal assistance to Overseas Indian nationals in deserving cases</p> <p>Financial Limits not specified</p> <p>Payment of Fines and Penalties For illegal stay maximum of US\$ 1000 per case.</p> <p>Indian nationals in jails/detention centres, max of US\$ 2500 per case.</p>	<p>Cover all aspects of legal assistance in deserving cases of Migrant workers; fishermen/seamen/sailors; students in distress; and women abandoned/cheated by overseas Indian spouses</p> <p>Subject to Ministry's approval: Indian nationals charged for serious crimes such as trafficking of drugs, arms and humans; murder; sexual crimes etc (where ground exists to believe that the individual may not be at fault)</p> <p>Maximum of US\$10,000 per case by approval of HOM/HOP; Foreign Secretary's approval for expenditure up to US\$20,000; Beyond this, with prior approval of EAM.</p> <p>Empanelment of lawyers for ECR countries and top twenty countries with large Overseas Indian community</p> <p>For illegal stay: One-time payment of up to US\$ 2000 per case; For release from jails/detention centres: Upper limit US\$ 4000 per case in ECR Countries</p> <p>With Ministry's approval for payments to Indian nationals involved in organized crimes (where individual may not be at fault)</p>
Emergency Medical Care	Financial Limits not specified	Upper limit US\$5000; Up to US\$10,000 with approval of Foreign Secretary; Beyond this, with approval of EAM.

Need medical go to Pub

Welfare support extended under ICWF Community Welfare Activities		
Community Activities	No provision	ECR Countries: Annual upper limit: 10% of total ICWF collection till previous financial year; Other Countries: Annual upper limit: 7.5% of total ICWF collection till previous financial year; For expenditure beyond these limits, prior permission of Ministry to be obtained. Provisions include: Community assets, support for promotion of Indian culture and language, students welfare
Welfare support extended under ICWF Improvement in Consular Services		
Support for Consular activities	No provision	ECR Countries: Maximum of 15% of total ICWF amount collected till previous financial year. Other Countries: Maximum of 7.5% of total ICWF amount collected till previous financial year. Provisions include: ECR countries: Setting up of toll-free helplines/walk in Centres; Developing e-governance solutions to address consular problems; Hiring vehicles to visit to jails, police stations, detention centres, labour camps etc. on a need based basis; Awareness campaigns; Hiring contingency staff (upto two for not more than 12 months) All countries: Hiring contingency staff (upto two for not more than three months; Limited Funding support for improvement in consular areas – Token machines, water dispensers, tea/coffee vending machines etc.
Management of ICWF corpus		
Accounting and Financial Management	ICWF proceeds are deposited in separate account in Missions and Posts abroad	Up to 50% of funds collected can be invested in US\$, GBP or Euros in staggered and multiple FDs in Indian PSU banks where available in host country or in local banks after maintaining sufficient balance for unforeseen contingencies; Interest accrued from FDs to be deposited on yearly basis in main ICWF corpus; If HoM/HoP is of the considered view that funds may be invested in FDs beyond 50% of the collection in the ICWF account, the same may be done with prior approval of the Ministry.
Streamlining of Procedures and Safeguards		
Record about ICWF beneficiary	Nil	Endorsement in passport and PRIDE (centralised database)
Administrative procedures/ approvals	HoMs/HOPs consider it necessary to deploy ICWF for other services in most deserving cases, not indicated in guidelines or for any other purpose, prior approval of Ministry shall be obtained. Time consuming process of approval	Mission to seek Ministry's approval; Proposals to be considered by Committee consisting of JS (OIA), JS(CPV) and Director (Finance) or DS (Finance); Committee submits recommendations to Foreign Secretary; Expenditure up to Rs. 25 lakhs approved by Foreign Secretary. By EAM, beyond this limit; For Inter-Mission transfer with prior approval of EAM.