

MEMORANDUM OF UNDERSTANDING
BETWEEN
THE MINISTRY OF OVERSEAS INDIAN AFFAIRS
IN THE REPUBLIC OF INDIA
AND
THE MINISTRY OF MANPOWER
IN THE SULTANATE OF OMAN
IN THE FIELD OF MANPOWER

The Government of the Republic of India represented by the Ministry of Overseas Indian Affairs and the Government of the Sultanate of Oman represented by the Ministry of Manpower hereinafter referred to as the parties, bearing in mind the existing friendly relations between the two countries and their peoples desiring to enhance the existing friendly relations between them through developing cooperation in the field of manpower based on the principles of mutual benefits, recognizing the benefits to be derived by both countries from close cooperation in the field of manpower and pursuant to the current laws and regulations in the respective countries,

Have agreed as follows:

Article One

In the application of this Memorandum the term "manpower" means all the Indian manpower employed in the Sultanate of Oman for a certain period of time, after which the employees shall leave the Sultanate.

Article Two

The Ministry of Overseas Indian Affairs in India and the Ministry of Manpower in the Sultanate of Oman shall implement the provisions of this Memorandum of Understanding.

Article Three

The two parties shall take measures to facilitate the recruitment of the Indian manpower in the Sultanate of Oman and shall exchange visits between the officials in charge of manpower in the two countries for consultation in the area of job creation and generation of employment opportunities. Recruitment of Manpower in India and its entry in the Sultanate of Oman shall be regulated in accordance with the relevant laws, rules and procedures of the two countries.

Article Four

Every demand for employees shall state the required specifications and qualifications for the jobs and types of the jobs needed. It shall also include the duration of the contract, the conditions of employment, including the salary agreed on, the end of service benefits, medical facilities, leave entitlement, to and fro passage and other facilities such as transportation and accommodation and such demand shall be supported by a copy of the work permit issued by the Ministry of Manpower of the Sultanate of Oman.

Article Five

The manpower shall be employed in accordance with the provisions of the employment contract and shall be given protection under the Labour Law and regulations in force in the Sultanate of Oman.

Article Six

In case of dispute between the employer and the employee, a complaint shall be presented to the competent directorate in the Ministry of Manpower to endeavor to reach an amicable settlement. If no amicable settlement is reached, any one of the parties shall have the right to resort to the courts in accordance with the Labor Law and regulations in force in the Sultanate of Oman.

Article Seven

The terms and conditions of employment of the employees in the Sultanate of Oman shall be defined by an individual employment contract between the employee and the employer, authenticated by the Ministry of Manpower, provided that it shall specify the rights and obligations of the two parties in accordance with the laws and regulations in force in the Sultanate of Oman. The employer shall not have the right to amend the provisions of this contract, except with the agreement of the employee.

Article Eight

The employment contract shall terminate with the expiry of its duration. It shall be automatically renewed unless one of the parties notifies the other of his intention to terminate it thirty days before the expiry of its duration.

Article Nine

The employment contract shall be confirmed by writing and valid for a renewable period of two years upon the consent of the Ministry of Manpower in the Sultanate of Oman, and it shall be issued in Arabic of two copies, one copy for each party. If the contract is written in a language other than Arabic, at least one copy in Arabic shall annexed thereto and approved by the two parties to the contract, which shall be equally authentic.

Article Ten

The manpower shall have the right to remit their savings to their country of origin or elsewhere in accordance with the financial laws and regulations in the Sultanate of Oman.

Article Eleven

A committee shall be composed of at least three members from each party, which shall be responsible for the implementation of this Memorandum of Understanding in general and perform the following functions in particular:

- A. To review employment opportunities in the Sultanate of Oman and availability of appropriate skills in India.
- B. To coordinate between the two parties for taking the necessary measures for the implementation of the Memorandum of the Understanding.
- C. To interpret the provisions of the Memorandum of Understanding in case of any dispute in this regard and to resolve the difficulties that may arise in the implementation.
- D. To propose the amendment of any articles of the Memorandum of Understanding as may be required.
- E. To exchange information that will prevent illegal recruitment and human trafficking.

The committee shall meet at least once a year alternately in India and Oman.

Article Twelve

The Memorandum of Understanding shall come into force from the date it is signed and shall be effective for a period of five years. It shall be automatically renewed for other similar periods unless it is terminated by a written notice by one of the parties three months before its expiry.

This Memorandum is executed in three languages – Hindi, Arabic and English versions, each of which shall be equally authentic and in the event of difference, the English version shall prevail.

This Memorandum is signed on 8th November, 2008 corresponding to 09 / 11 / 1429 H.

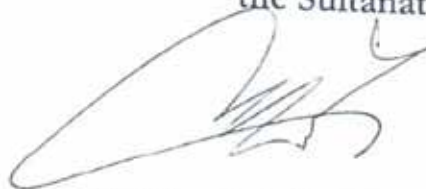
On behalf of the Government of
the Republic of India



(Vayalar Ravi)

The Minister of Overseas Indian
Affairs

On behalf of the Government of
the Sultanate of Oman



(Sheikh Abdullah Bin Nasir Bin
Abdullah Al Bakri)
The Minister of Manpower