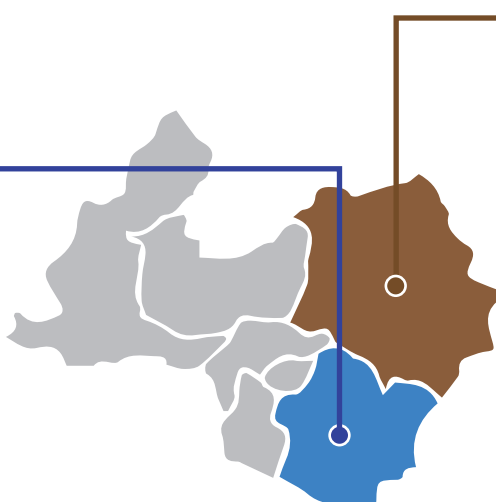


Welcome to the thirteenth **Citizen Insider**! Citizen Helpdesks is a group of young volunteers known as Community Frontline Associates (CFAs) who gather and disseminate information on critical issues affecting Nepali citizens to eliminate information gaps between the government, the media, donor organizations and communities; and improve collective decision-making.

## Concerns

### PAACHKHAAL, KAVREPALANCHWOK

“Is it possible for a migrant worker to return home if he falls sick by replacing his friend willing to work in his place?”



### SUNKOSHI, SINDHUPALCHWOK

“Is it true that a migrant worker can keep his/her friend as a warrantor and come back to Nepal if he falls sick? If it’s so then what happens to the warrantor if the migrant worker doesn’t return to work again?”

## Answers

Human bondage is illegal according to the constitution of Nepal. Therefore, keeping someone as a warrantor or having a work contract that states so is against the law.

Even if someone is willing to be a warrantor through verbal agreement, it is against the law of Nepal. There are no legal remedies for the consequences of such incidence.

The Department of Foreign Employment oversees the concerns of the migrant workers related to foreign employment, but they make the decisions based on the contract between them and the employer in the destination country. One of the terms in all the contract states that “Other conditions will be based on the rules and regulations of the destination country.” The ‘other conditions’ in this statement is vague and does not clarify what these conditions may include. Therefore, if the employing agency has any terms and contracts for warrantor, then the legal remedy will be based on the rule of that destination country.

**Sashi Lamsal**  
Spokesperson  
Department of Foreign  
Employment  
Kathmandu  
00977-9851023288

## Questions

### JWALAMUKHI, DHADING

"It has been long since 'the free visa free ticket' policy is in place but I haven't heard of a single worker going abroad to work for free. What is this policy actually?"

### BIDUR, NUWAKOT

"I would like to know the exact rates that one needs to pay to go for foreign employment in different countries."

### MELAMCHI, SINDHUPALCHOWK

"They say its 'free visa, free ticket' but also that we need to pay Rs 10,000. What is this amount for and why do we need to pay this amount?"

## Answers

The government of Nepal has implemented a policy called, 'Free Visa Free Ticket' from 6th July 2015 for workers going to the six Gulf countries or Malaysia. The six Gulf countries are Saudi Arabia, Qatar, UAE, Kuwait, Oman, and Bahrain. The employing companies in these destination countries sign contracts with the manpower agencies in Nepal that have received approval from the government of Nepal to function.

Most often, these employing companies pay the manpower agencies for their service of recruiting and sending the demanded workforce. But, in case if these companies do not cover those cost, that is when the manpower agencies can charge Rs 10,000 to the workers applying for the jobs.

Also, there are different rates suggested by the government that the manpower agencies can legally ask for their service from the workers applying for other countries. The rates are as follows:

Japan: Rs 50,000  
Lebanon: Rs 70,000  
Mauritius: Rs 19,000  
Poland : Rs 80,400

One can go to the Department of Foreign Employment with evidence and file a complaint if any manpower company charges more than the rates mentioned above. If proven guilty, the manpower agency is liable for compensation and punishment by the government of Nepal.

**Sashi Lamsal**

Spokesperson

Department of Foreign Employment  
Kathmandu  
00977-9851023288

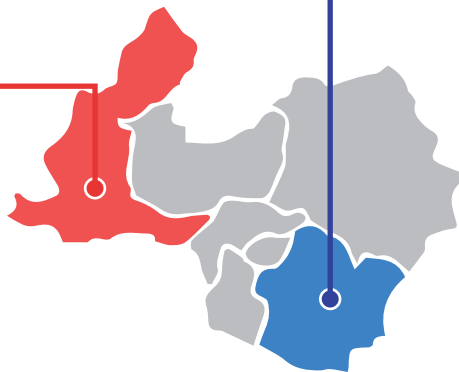
**Nepal Government Ministry of  
Foreign Employment**

Department of Foreign Employment  
00977-1-4782454

## Concerns

### **DHUNEBESI, DHADING**

“Do the rural municipalities and the municipalities have authority to formulate their own guidelines for the operation of Local Government?”



### **PANCHKHAL, KAVREPALANCHWOK**

“Who is responsible for formulating the guidelines for local government operation? Will they be formulated by the central government and passed on to the local level or will the local citizens also be involved?”

## Answers

Currently, the Ministry of Federal and Local Development has created a sample policy for the guidelines for local government operation. The policy states that the rural municipalities and the municipalities have authority to formulate operation guidelines for their respective jurisdiction.

The executive committees can formulate guidelines, regulations, and indicators following Section [1] of the same policy. The rural municipalities and the municipalities have to publish the new guidelines in their local gazette.

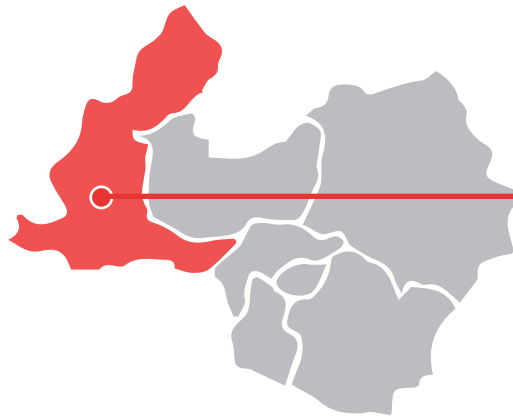
A legal drafting committee has to be formed under the jurisdiction of mayor/deputy mayor or chairperson/vice chairperson of the municipalities and rural municipalities and also the experts from respective regions to formulate the guideline.

### **SOURCE**

Local Government Operations Act 2074.

# Insights

## Story from the Field



### Jhamka Bahadur Magar

Jwalamukhi, Dhading

Jhamka Bahadur Magar of Dhading district had been working in UAE as a driver for more than 14 years. In between, he had also been returning to Nepal and renewing the labour permit and extending his visa. On 4 September 2017, he was hospitalized after falling sick. After three months of hospitalization but no diagnosis of his illness, he returned back to Nepal in November as he was running out of money. Doctors in Nepal told him that his both kidneys had failed, a devastating news for him and his family who couldn't afford his healthcare costs.

In the month of March, one of the Community Front Line Associates, Guna Bahadur Aryal organised a meeting with the local elected representatives in Jwalamukhi rural municipality ward no. 3 to raise discussion on migration related issues. Mr. Bhoj Bahadur Magar, member of the ward office brought up the case of Jhamka Bahadur in the meeting. He expressed that he had always wanted to help Jhamka Bahadur's family knowing the family condition but was not aware about any mechanisms to do so. Also, as Jhamka was already back, the family did not have any hope of getting compensated. The ward chairperson of the same ward issued a letter of recommendation for the fundraising campaign to support Jhamka's family. In addition, Guna has supported the family in collecting the necessary documents and applying for the compensation from Foreign Employment Promotion Board. The Foreign Employment Promotion Board has shown positive response and has asked for a few additional documents.

Following the meeting, the ward local representatives have realised that foreign employment issue is important and have expressed they want to contribute as much as they can from their side to work on migration related issues at local level. If these kind of issues are prioritized by the local government, it would be easy for the victims to attain justice.

## Know Before You Go - the latest Government Decisions

- Local Level Website Details ([Link](#))
- Judiciary Committee Guidelines ([Link](#))

The sources of information, rumours and issues presented here are collected from CFAs, community meetings, development agencies and face-to-face discussions in communities with over 783 people in 4 districts between 1st March – 31st March 2018. The issues highlighted are chosen on the basis of prevalence and relevance. The information presented here is correct at the time of issue.

Citizen Helpdesks Bulletin is brought to you by **Accountability Lab** in collaboration with **Local Interventions Group**.

