

No.5/24/2018-Haj

भारत सरकार

Government of India

अल्पसंख्यक कार्य मंत्रालय

Ministry of Minority Affairs

(Haj Division)

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दिनांक / Date: 20.12.2018

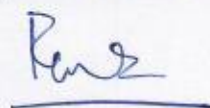
**Subject: Policy for Haj Group Organisers for Haj 2019 – 23 – registration and allocation of Haj quota for Haj 2019.**

As per the regulations of the Government of Saudi Arabia, Private Tour Operators (PTOs) registered with the Government of India and involved in the preparation of the Haj Pilgrimage will be eligible for grant of Haj group visas subject to fulfillment of other terms and conditions as laid down by the Saudi Authorities. Accordingly, Government of India frames policy laying down conditions subject to which registration and allocation of Haj quota to the PTOs would be given.

2. The Hon'ble Supreme Court in its judgment dated 16.04.2013 in petition for Special Leave to Appeal (Civil) No.28609/2011 inter alia approved the Policy for Private Tour Operators (PTOs) for Haj 2013 – 2017. The Policy remained valid for five years. In terms of the Supreme Court directions regarding Haj Policies for the HCol and PTOs, it was decided to review the existing Policies and frame a new Policy. Accordingly, Ministry of Minority Affairs, Government of India had constituted Haj Policy Review Committee (HPRC) of eminent people and senior officials which reviewed the existing Haj Policy of the Government for 2013-17 and suggested framework for new Haj policy 2018-22. However, in view of representations from the stakeholders against the PTO Policy framework suggested by HPRC, it was decided to undertake a more detailed exercise with the help of experts to develop a set of evidence based workable criteria for the new PTO Haj policy for Haj 2019 onwards. Meanwhile, pending a new five years policy, it was decided to continue the previous Haj Policy with a few modifications for Haj 2018. Accordingly, the work of evidence based study for formulation of a sustainable policy for Haj Private Tour Operators for the next 5 years was assigned to Indian Institute of Technology Delhi.

3. The study team of IIT, Delhi conducted extensive research on the available data of the PTOs and submitted their report to the Ministry. They have studied the current system of Haj through PTOs in terms of PTO Policy 2018, HPRC recommendations about the PTO policy for upcoming five years and analyzed the data about PTOs from all sources including field data collected from Saudi Arabia during Haj 2018. Based on the data analysed, they have identified the parameters for assessing the financial strength and the capabilities of the PTOs in terms of their experience and resources required to conduct Haj tours.

4. The IIT Delhi study in its analysis of various scenarios concluded that the policy adopted for Haj 2018 and the formulation suggested by HPRC would not be sustainable over the next 5 years policy period and therefore recommended a sustainable modified criteria optimized for avoiding Qurrah(draw of lots) at each category level. The analysis has assumed availability of a minimum of 45000 seats for allocation to PTOs. It has further been decided that to pass on the benefits of the enhanced quota of the PTOs to common haj pilgrims, the seats allocated to PTOs over and above 45000 seats will be charged by the PTOs as per applicable rates of HCol.



5. Accordingly, the study has suggested a new PTO Policy for next five years i.e. Haj 2019-23. The proposed criteria will enable all the qualified PTOs to get minimum assured quota in each year of the policy period. Weightage has been given in allocation of quota to the PTOs based on their experience and financial strength. The Terms and conditions for registration of PTOs have been simplified and efforts have been made to reduce the documentation.
6. The draft policy for Private Tour Operators for 2019-23 was circulated on 16.11.2018 and also placed in the public domain on the website of the Ministry, Haj Division and Haj Committee of India. Suggestions/ comments were received from various PTO Associations and individual PTOs. These suggestions/ comments were considered in the Ministry in consultation with the IIT Delhi. Accordingly, the PTO Policy for 2019-23 has been finalised.
7. The final Policy for Private Tour Operators for Haj 2019 – 23, hereinafter referred as the **Policy for Haj Group Organisers (HGOs) for Haj 2019-23**, is enclosed. This policy will remain valid for five years i.e. 2019-23 unless there are substantive developments which call for its modification.
8. The allocation of seats to qualified HGOs in each category will be done every year on the basis of overall quota of HGO's specified in annual India- Saudi Arabia Haj Agreement and the number of qualified HGOs remaining in each category. The policy envisages cross category upward movement of HGOs from one category to another. It is to be noted that the HGOs who do not agree with the terms and conditions for registration and allocation of quota or do not wish to take minimum of 50 Hajis or are unable to do so need not apply for registration. Further, a qualified HGO shall abide by all the directions that the competent authority issues in the larger interest of Haj pilgrims from time to time.
9. A mid-term review of the policy may be conducted after two years to assess its implementation vis a vis its aims and objectives.
10. The applications for registration along with the required documents/ information will be submitted online on the HGO's portal [www.haj.nic.in/pto](http://www.haj.nic.in/pto). It is to be noted that all the documents uploaded by the applicant HGO should be clearly legible and be as per the specifications indicated on the portal. Applications not conforming to the laid down quality/ specifications are liable to be out rightly rejected. The printed copy of the acknowledgement duly signed by the authorized representative of the HGO may be submitted to the Under Secretary, Haj Division, Ministry of Minority Affairs.
10. Accordingly, applications are invited from the interested HGOs for registration and allocation of quota for Haj 2019. The last date of submission of online application is on or before **20.01.2019 at 1630 Hrs.** The printed copy of the acknowledgement duly signed by the authorized representative of the HGO along with application fee and Security Deposit may be submitted to the Under Secretary, Haj Division, Ministry of Minority Affairs, V.K. Krishna Menon Bhawan, 9 Bhagwan Das Road, New Delhi-110001 (likely to be shifted to West Block VIII, Sector-1, R.K. Puram) **by 24.01.2019.**

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## **POLICY FOR HAJ GROUP ORGANISERS FOR HAJ-2019-23**

It has been decided that the annual Haj quota allocated to India in the Annual Bilateral Haj Agreement with the Kingdom of Saudi Arabia will be divided between Haj Committee of India (HCoI) and Haj Group Organisers (HGOs) in the ratio determined by the Government of India.

### **A. Categorisation of Haj Group Organisers**

For a sustainable policy for the Haj Group Organisers for the next five years i.e Haj 2019-23, the categorization of the HGOs has been reviewed by the Ministry. Based on the evidence based study conducted by Indian Institute of Technology, Delhi, it has been decided to modify the existing categories of HGOs based on their experience and financial strength. The modified categorization of HGOs and the sharing of Haj quota among the different categories are as under:

<b>Category</b>	<b>Criteria</b>	<b>Quota sharing ratio</b>
<b>Category-1*</b>	HGOs having experience of 12 or more Haj with annual turnover of Rs. 5 crore or more from Haj and/or Umrah operations in any of the preceding two years and fulfilling other terms and conditions given in Annexure-I and II for being eligible as an HGO.	30% of the total quota will be earmarked for category-1* HGOs. Eligible HGOs under this category will be allotted not more than 120 seats each. Distribution of quota will be as per the procedure given in Section B.
<b>Category-1</b>	HGOs having experience of minimum 7 Haj with annual turnover of Rs. 3 crore or more from Haj and/or Umrah operations in any of the preceding two years and fulfilling other terms and conditions given in Annexure-I and II for being eligible as an HGO.	40% of the total quota will be earmarked for category-1 HGOs. Eligible HGOs under this category will be allotted not more than 100 seats each. Distribution of quota will be as per the procedure given in Section B.
<b>Category-2</b>	HGOs having annual turnover of Rs. One Crore or more from Haj and/or Umrah operations in any of the preceding two years and fulfillment of other terms and conditions given in Annexure-I and II for being eligible as an HGO. HGOs should have one or more years of Haj experience and new HGOs having facilitated a minimum of 50 Umrah pilgrims in a year for any 5 years.	30% of the total quota will be earmarked for Category-2 HGOs. Eligible HGOs under this category will be allotted minimum of 50 seats each. Distribution of quota will be as per the procedure given in Section B.

## **B. Distribution of seats among the HGOs in different categories**

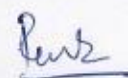
**Stage – I :** The basic quota of 45,000 seats earmarked for HGOs will be allocated in the following manner:

- (i) Eligible HGOs in Cat-1\* will be allocated 70 seats each. If post allotment of seats to each HGO in category 1\*, still some seats remain from the allocated quota, then the remaining seats will be transferred to Category-1. In case the total quota for category-1\* is exhausted and still some HGOs remain in this category, then the quota per HGO can be reduced proportionately to satisfy all the HGOs.
- (ii) Eligible HGOs in Cat-1 will be allocated 60 seats each. If post allotment of seats to each HGO in category-1, still some seats remain from the available seats (i.e allocated quota + surplus seats of Cat-1\*), then the remaining seats will be transferred to Category-2. In case the total quota for category-1 is exhausted and still some HGOs remain in this category, then the quota per HGO can be reduced proportionately to satisfy all the HGOs.
- (iii) Eligible HGOs in Cat-2 will be allocated 50 seats each. In case the total quota for category-2 is exhausted and still some HGOs remain in this category, then the quota per HGO will be allocated on the basis of draw of lots.

In case of non allocation of minimum 70, 60 and 50 seats to any of the Cat-1\*, Cat-1 and Cat-2 HGOs, the surplus seats will first be distributed among the HGOs in that category. If there is shortfall in more than one category, surplus seats will be distributed to Cat-1\*, Cat-1 and Cat-2 HGOs in order of priority. Only after fulfilling the minimum earmarked seats in all categories, to the extent possible, the surplus seats, if any, will be distributed as per stage-II

**Stage-II:** If post allotment of seats to each HGO in category-2, still some seats remain from the available seats in Category-2, then the remaining seats will be allocated in the following manner:

- (i) The surplus seats will be distributed among Cat-1\*, Cat-1 and Cat-2 in the ratio of 30:40:30.



- (ii) The available seats under Category-1\* will be allocated proportionately to eligible HGOs under this category subject to upper limit of 120 seats each.
- (iii) The available seats under Category-1 will be allocated proportionately to eligible HGOs under this category subject to upper limit of 100 seats each.
- (iv) If surplus seats are generated under Category-1\* and Cat-1 after allocation of maximum no. of specified seats for these categories i.e. 120 and 100, those will be transferred to Cat-2 HGOs for further distribution as per the formula given in (v) below.
- (v) The available seats under Category-2 (earmarked surplus seats+ carryover seats from Cat-1\* and Cat-1) will be allocated proportionately to the eligible HGOs having 7 years or more of Haj experience under this category subject to the upper limit of 55 seats each.
- (vi) In case of surplus seats generated after allocation as per (v) above, the available seats will be allocated to Category-1\* and Cat-1 respectively subject to their upper limits.

**Stage III:** In case of additional quota allocated to HGOs over and above 45000 seats, then the additional quota will be allocated in the following manner:

- (i) The additional quota will be distributed among Cat-1\*, Cat-1 and Cat-2 in the ratio 30:40:30.
- (ii) The available seats under Category-1\* will be allocated proportionately to eligible HGOs under this category subject to upper limit of 120 seats each.
- (iii) The available seats under Category-1 will be allocated proportionately to eligible HGOs under this category subject to upper limit of 100 seats each.
- (iv) If surplus seats are generated under Category-1\* and Cat-1 after allocation of maximum no. of specified seats for these categories i.e. 120 and 100, those will be transferred to Cat-2 HGOs for further distribution as per the formula given in (v) below.
- (v) The available seats under Category-2 (earmarked additional seats+ carryover seats from Cat-1\* and Cat-1) will be allocated proportionately to



the eligible HGOs having 7 years or more of Haj experience under this category subject to the upper limit of 55 seats each.

- (vi) In case of surplus seats generated after allocation as per (v) above, the available seats will be allocated to Category-1\* and Cat-1 respectively subject to their upper limits.

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**Terms and Conditions for Registration and allocation of Haj quota to Haj Group Organisers (HGOs) for Haj-2019-23**

Each HGO should establish that it is a genuine and established Tour Operator having experience in sending tourists/pilgrims abroad for which it should produce the following documents:

1. All documents must be in the name and address of the applicant HGO and must be dated prior to the last date for submission of the application.
2. HGO must sign an agreement with each pilgrim indicating the services to be provided to the pilgrim and charges payable. Services should include Medical Insurance/group accident insurance, type of accommodation, air travel and transport facility, duration of stay of the pilgrims in Saudi Arabia, etc.. The model agreement should inter-alia include the following services to be provided during Haj:
  - a. Medical Insurance/ Group Accident Insurance
  - b. Class of air travel to be provided and the number of stoppages of journey.
  - c. Type of Accommodation to be provided in Saudi Arabia along with its distance from the Holy Mosque (both in Makkah and Madinah),
  - d. Transport facility to be provided in Saudi Arabia,
  - e. Duration of stay in Saudi Arabia (separate for Makkah and Madinah) along with likely dates of arrival and departure from the Kingdom of Saudi Arabia,
  - f. Arrangements for providing orientation/ training programmes
  - g. Maktab Number and name of the service provider in Saudi Arabia
  - h. Amount to be charged from each pilgrim
  - i. Name, address and telephone number of local correspondent company in the Kingdom of Saudi Arabia
3. Details of registration for GST including a certificate of registration in the name and address of HGO duly issued by the competent authority.
4. Minimum annual turnover of INR 1 Crore/ 3 Cr/ 5 Cr or more as applicable from Haj and/or Umrah operations in any of the preceding two

financial years from the empanelment year along with balance sheet and profit and loss account duly audited by the statutory auditors, tax audit report and income tax return (ITR). The requirement of minimum annual turnover for qualifying under Category – I and Category-I\* is given in para A of the Policy.

[Turnover means total receipts from Haj and/or Umrah operations in case of Tour Operators. In case of HGOs acting as Travel Agents, turnover means only amount of commission and it should be shown after netting off the Gross Purchase amount from Gross Sales amount of tickets purchased & sold for Haj and Umrah operations. Tax Audit Report means Form 3CA/3CB submitted with 3CD as required under Income Tax Act. Income Tax Return should be submitted with the acknowledgment copy of the said return.]

5. Minimum office area of 200 sq ft. (Carpet area). Self declaration /Affidavit by the applicant indicating complete address of office along with details of nearest Police Station and the layout plan of the office certified by the chartered engineer/ architect.
6. Proof of payment made through banking or other authorized channel duly notified by RBI, from time to time, towards the purchase of tickets and hiring of accommodation in Makkah/ Madinah during any of the two preceding Haj year. Payments toward purchase of tickets and hiring of accommodation for pilgrims in Makkah and Madinah by any other means would not be accepted.

[The HGOs who have been registered and allocated quota during the period Haj 2013-17 need not submit the documents mentioned. However, the applicants who have been registered and allocated quota during previous Haj for the first time are required to submit the requisite documents.]

7. PAN card details of the firm. PAN Card in the name of Proprietor will be accepted provided the HGO is a Proprietor concern
8. HGO involved in court cases related to heinous crimes and/ or matters related with Haj Tour Operations will not be considered at all. HGO is required to submit an Affidavit declaring that it is not involved in any court

cases related to heinous crime and/ or matters related with Haj Tour Operations. Affidavit is required from Proprietor/ all partners/ Directors of the firm/ company.

9. Copies of Registration Certificate issued to the HGO along with quota allocated in support of their claim for higher category, year- wise. Since the process of registration of HGOs by the Government has started since the year 2002, any document for grant of Haj quota prior to that will not be considered.

10. Contracts for hiring of buildings for pilgrims "Tasreeh" and copy of receipt of accommodation together with their English translations.

[A copy of lease agreement 'Tasreeh' and corresponding Rental receipts for hiring of accommodation, duly signed by Saudi Owners to be submitted for Makkah and Madinah both.]

11. Copy of Munazzam Card and relevant Haj visa pages of the Passport of the Proprietor/ Owner/ Director.

12. A security deposit of INR 25 Lakhs for Category-II HGOs, INR 30 Lakhs for Category-I HGOs and INR 35 lakhs for Category-1\* HGOs in the form of fixed deposits with Nationalized bank in favour of Haj Committee of India.

13. A Demand draft of 10000/- (Indian Rupee Ten Thousand Only) in favor of HCol, payable at Mumbai, to be submitted along with the application as non-refundable fee.

14. In case of new applicants, details of at least 50 number of Umrah pilgrims facilitated in each financial year by the Applicant HGO during any five years with year-wise following supporting documents –

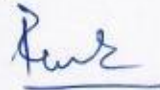
- a. Copies of the contract entered into between the respective HGO and the company licensed by the Kingdom of Saudi Arabia (Umrah Operators) duly indicating the period of contract. The new applicant should also possess a currently valid Umrah agreement.

- b. Proof of purchase of air tickets (copies of invoice and receipt),

- c. Proof of hiring of accommodation in Makkah/ Madinah corresponding to travel dates of the pilgrims (copies of invoice and receipt) and

- d. Proof of payments made through banking or other authorized channel duly notified by RBI from time to time.
15. Document (Affidavit/ declaration in application) that (i) no other member of the family of the HGO has applied for Haj 2019 and also (ii) applicant has not applied in more than one HGO in his/ her capacity as Director/ Partner/ Proprietor. It may be noted that only one member of the family would be eligible for registration for Haj. The family will include a wife and dependent children. In case more than one member of a family satisfy the eligibility conditions and if one of them is a lady, the lady would be given preference for registration to the exclusion of others and if there is no lady, preference would be given to the member who is oldest in the business for registration for Haj quota. No applicant can apply in more than one HGO in his/her capacity as Director/Partner/Proprietor.
16. Name and addresses of the branches of the applicant HGO.

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**Important instructions and Guidelines for Registration of Haj Group Organisers  
(HGOs) for Haj 2019-23**

1. Application must be submitted by online mode only and a print out of the final application duly signed by the Proprietor/ Partner/ Director of the company along with the application fee and security deposit is to be submitted.
2. HGOs that misrepresent or mislead the authorities in their application and documents will be automatically debarred from applying for at least 5 subsequent years besides forfeiture of security deposit. This debarment will apply to all companies and firms in which the director/proprietor/partner of the debarred firm is present, provided that blacklisting will not be ordered unless an opportunity to show cause against such blacklisting is given to the HGO concerned.
3. HGOs must furnish full information of their pilgrims to the CGI (Consulate General of India), Jeddah and also upload it on the website of CGI [www.cgijeddah.com](http://www.cgijeddah.com) before departure of pilgrims to Saudi Arabia. The details of all pilgrims (name, mobile number, e-mail id, passport number, current address of pilgrim, and boarding point for the Saudi Arabia Travel, details of arrangements made in Saudi Arabia, package cost and the agreement signed with the pilgrims) should also be uploaded on the Haj Group Organisers Portal of MoMA [www.haj.nic.in/pto](http://www.haj.nic.in/pto) before their departure to Saudi Arabia.
4. HGOs must ensure vaccination and other medical checks as per requirement of the Government of Saudi Arabia. All Pilgrims must carry Health Cards.
5. HGO should be fully responsible for the stay, transport, and payment of compulsory charges to the Authorities in Saudi Arabia. HGO should honor all terms and conditions of the contract signed with the pilgrims and ensure that none of them is left stranded.
6. HGO should provide good quality identity card, indicating the name of the pilgrim and of the HGO, Passport number, and place of stay in Makkah/ Madinah, to each pilgrim to be worn around the neck whenever they leave the building.
7. HGO should ensure the baggage of all their pilgrims are cleared before they leave the Haj Terminals in India/Saudi Arabia.



8. If a pilgrim sent by a HGO is found begging in Saudi Arabia or declared Fuqra by the Saudi Authorities, the HGO will be blacklisted permanently, and its security deposit forfeited.
9. Selling/ transfer of Haj quota seats to any other HGO is strictly prohibited. In case of receipt of any complaint against any HGO indulging in such activity, the HGO would be blacklisted permanently and the security deposit will be forfeited.
10. HGO must submit only one application. If it is found that a HGO has submitted more than one application in different names, all such applications would be rejected and all such HGOs would be debarred for five years and their security deposit would be forfeited.
11. Without prejudice to the foregoing, all claims, disputes, and differences shall be subject to the jurisdiction of the Court in New Delhi.
12. New HGOs applying on the basis of Umrah experience should have a valid agreement with the licensed Saudi Umrah Operators for the years in which Umrah Pilgrims were facilitated by them.
13. The HGOs should ensure that the Haj Pilgrims contracted by them make the entire payment of the agreed Haj package to the firm's account individually through their bank accounts or other authorized channels duly notified by RBI from time to time. The HGO shall abide by other terms and conditions issued by the Ministry in this regard.
14. All HGOs must report at HGOs helpdesk set up by CGI, Jeddah at Saudi Arabia within 48 Hrs. of their arrival in Saudi Arabia. Non-compliance of the same will be viewed seriously and appropriate action will be taken against the HGO.

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