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From: [Wahid Saleh](#)

To: [Honourable Minister Jagdish Tytler](#)

Cc: [Ambassador of India](#) ; [Neena Gill \(TEIC\)](#) ; [Lekha Kumar, IRS](#) ; [Inder Singh \(President GOPIO\)](#)

Sent: Sunday, October 10, 2004 12:26 PM

Subject: New Dutch Old Age Pension Act and the NRI

Berkel en Rodenrijs,
10-10-2004

Honourable Minister Tytler,

During the GOPIO conference in Brussels I raised a question regarding the old age pension of NRI's who have worked in the Netherlands and after their retirement settled in India.

During my question I informed you that through the office of our Ambassador in The Hague we are pursuing this matter since October 2002. To obtain the necessary information our Ambassador contacted the Additional Secretary in the Ministry of Social Justice & Empowerment, Ms. Sarita Prasad. But unfortunately till now we have not seen any result.

The problem is as follows:

In the Netherlands, under the National Old Age Pension Act (AOW) everyone who has been insured under the National Old Age Pension scheme (AOW) is entitled to at least a partial AOW pension as from the age of 65.

In general one will be insured if one lives in the Netherlands, irrespective of nationality. The insurance ends at the age of 65. This pensionable age applies to both men and women.

If one is married or if one is unmarried and sharing a household with a person who is under 65, one is entitled to a supplementary allowance on top of the AOW pension.

There are many Indians who have worked in the Netherlands and have moved to India after reaching the age of 65. Under the present law they are enjoying their well-earned old age pension in India.

But as of 1st January 2003 this is changed and effects drastically the Indians who are enjoying the Dutch Old Age pension (AOW) in India.

On 1 January 2000, the Export Restrictions on Benefits Act (BEU) came into effect. Under this Act, pension payments by the Dutch government to people in India would affect the Dutch Old Age pension (AOW) pension to be paid in India.

If ones partner is under 65 one will not be entitled to a supplementary allowance. The benefit for people whose partner has died and for orphans will be curtailed.

But if an agreement is concluded between the country of residence (in this case India) and the Netherlands before 1 January 2003, the entitlement will remain unchanged after that date.

The Dutch government has sent the necessary documents for the agreement to be signed by the Indian government. But so far they have not received any information from the government of India.

I approached the Indian Embassy in The Hague with a request to find out the status of this agreement and also gave a copy of an agreement signed by another country with the Dutch government. The Indian Embassy has already contacted Delhi and is waiting for an answer.

As your ministry is responsible for dealing with issues concerning Non-Resident Indians as well as all overseas Indians, including People of Indian Origin, I assume your ministry would be dealing with the above problem.

Honourable Minister, I would like to impress upon you the fact that the Dutch legislation debarring receipt of Dutch Old Pension in India has already come into effect. Also, the Indian Embassy, The Hague has not received any reply to their letter requesting further information on the status of the proposed Agreement between the Governments of the Netherlands and India on this issue. As a result of this legislature many Indians who earned their Old Pension in the Netherlands and are now resident in India, will be deprived of their hard earned pension and the contributions which they have made towards the pension through taxes, will be of no use.

I and many other Indians in similar situation, will earnestly request you to look into this issue urgently and bring our plight to the notice of the concerned ministry/department of the Government of India, for immediate action.

Wrong link in the report of the High Level Commission - (<http://indiandiaspora.nic.in>)

As for the second part of my question informing that there is a wrong link in the Report of the High Level Committee on the Indian Diaspora (Full Text in pdf) - web address <http://indiandiaspora.nic.in>. This should be corrected. As per your advice during the break, I did contact Mr Vivek Bharati. He informed me that as this is a government of India site he is not in a position to take any action.

In the above report of the High Level Committee on the Indian Diaspora if one tries to access the Index 12 to get information of "Other countries of Europe" instead one gets 8 pages of information on North America.

Sincerely yours,

Wahid Saleh
Knight in the Order of Orange-Nassau
Chrysantenhof 33
2651 XJ Berkel en Rodenrijs
The Netherlands

Tel: 010 - 511 44 00

Fax: 010 - 512 11 23

E-mail: w.saleh@freeler.nl / w.saleh@indiawijzer.nl

Web: www.indiawijzer.nl

<http://groups.yahoo.com/group/IndiansInNL>