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Government of India
Ministry of Minority Affairs
(Haj Division)

11th Floor, Pt. Deendayal Antyodaya Bhawan,
C.G.O. Complex, Lodhi Road,
New Delhi - 110003
Date: 04.10.2024

NOTICE

**Subject: Clarifications to the queries raised on HGO policy for Haj 2025 -
regarding.**

It is stated that vide Ministry's notice dated 13.09.2024, it was conveyed that the HGO applicants or their associations may flag any concerns/doubts/problems faced by them in the HGO Policy for Haj-2025 so as to enable the Ministry to issue suitable clarifications, instructions or amendments, in public interest, as the case may be. The window for flagging concerns/doubts/problems was kept up to 21.09.2024 and was subsequently extended up to 27.09.2024.

2. Various representations were also received from associations of HGO applicants seeking an appointment with the Ministry to raise concerns w.r.t. HGO Policy for Haj-2025 and consequently a meeting was held on 28.09.2024 in the Ministry wherein various concerns were raised by the representatives of various associations.

3. The issues flagged by the HGO applicants or their associations, have been examined carefully by the Ministry and the Ministry's clarifications/instructions/amendments on the HGO Policy for Haj-2025 as approved by the competent authority are as under:

A. Turnover eligibility criteria

Concerns raised/representations received :



i. Regarding the turnover criteria for Category-1* (Lead HGO applicants); it was stated that the turnover requirements are high and that a large number of operators offering budget packages to the pilgrims may not be eligible for lead HGO.

ii. It was represented that the requirement of submission of submission by experienced HGO applicants of Umrah agreement with licensed Umrah operators in Kingdom of Saudi Arabia (KSA) may be relaxed.

iii. It was represented that many operators had not got quota in Haj-2022 even though they were eligible, due to draw of lots in view of Haj being conducted by KSA in 2022 in a limited manner, and for such operators found eligible but not allocated quota in Haj-2022, the turnover of F.Y. 2019-20 may be allowed for determination of eligibility as per turnover eligibility criteria.

iv. It was represented that while Category-1* (Lead HGO applicants) are allowed to establish turnover by submitting documents for preceding three financial years, i.e., FY 2019-20, 2022-23 and 2023-24 (2020-21 & 2021-22 excluded as Haj was not conducted due to CoVID-19 pandemic), the other Category-1 & 2 can submit documents of only the preceding two financial years, i.e., FY 2022-23 and 2023-24.

The issues raised have been examined by the Ministry on merits in detail and following clarifications are hereby issued:

i. HGO applicants across all categories shall now be allowed to submit financials of the preceding three financial years, i.e., F.Y. 2019-20, 2022-23 & 2023-24 (2020-21 & 2021-22 excluded as Haj was not conducted due to CoVID-19 pandemic) for consideration under the turnover eligibility parameters while applying for Haj-2025 instead of the preceding two Haj years, i.e., FY 2022-23 & 2023-24, as has been mentioned in the policy issued on 07.09.2024.

ii. The mandatory requirement of submission of Umrah agreement with licensed Umrah operators of KSA in case of experienced HGOs submitting Umrah turnover at present is hereby waived. However, the other requirements pertaining to Umrah such as air ticket receipts / accommodation receipts etc. shall have to be complied with.

iii. The turnover requirement in HGO Policy-2019 has been compounded based on interest rate on RBI bonds, i.e., 8% per annum, and accordingly the turnover threshold for all categories including Category 1* in HGO policy 2025 have been defined. Moreover, the average HGO package has increased by 100% from 2019 to 2023. Further, the turnover criteria includes not just Haj but Umrah as well, with the size of the Umrah economy being more than 4 times that of Haj. Recording of financial transactions from Haj and Umrah in a transparent manner would lead to true reporting of the turnover. In view of



the above, the turnover criteria for Category-1* and all other categories is based on sound rationale.

B. Submission of financial statements and returns (Clause-4 of Annexure-I of HGO Policy for Haj-2025)

Concerns flagged/representations received:

- i. It was represented that submission of provisional financial statements may be permitted for FY 2023-24 as the due date for filing of statutory records and returns is still available as per provisions of Income Tax Act.
- ii. It was further requested to consider the relaxation of the provision of mandatory submission of various documents required for determining net worth as due date for auditing of books of accounts for F.Y. 2023-24 is still not over.
- iii. Furthermore, it was requested to relax the requirement of submitting GST annual return for FY 2023-24 as due date of filing annual returns for FY 2023-24 is yet not over.


The issues raised have been examined by the Ministry on merits in detail and following clarifications are hereby issued:

- i. Submission of provisional financial statements for FY 2023-24 is hereby allowed. However, the Ministry shall seek audited financial statement at the time of evaluation of applications and the applicants are advised to get their financials for FY 2023-24 audited early and not wait for the deadline.
- ii. Submission of Net worth certificate for FY 2023-24 duly certified by Chartered Accountant is hereby allowed. However, the same would be verified subsequently with audited financials for FY 2023-24 at the time of evaluation of applications.
- iii. Submission of GST monthly return for FY 2023-24 along-with reconciliation statement is hereby allowed in cases wherein GST annual return is not furnished. It must be certified by the HGO applicant that statutory dues for Haj and/or Umrah related business are paid.

C. Scope and applicability of Clause 3.5 of HGO Policy for Haj-2025

Concerns flagged/representations received :

- i. It was represented that issuance of a Show Cause Notice (SCN) or Charge sheet is not tantamount to establishment of guilt, and a business entity cannot



be excluded from dealing with the State on the mere suspicion of having committed an offence – Erusian Equipment & Chemicals Ltd. v. State of West Bengal, (1975) 1 SCC 70, Para 12. Hence, representations were made to consider the relaxation of this criteria for the HGO applicants to apply for Haj-2025 and to provide opportunity of being heard to the HGO applicants.

The issues raised have been examined by the Ministry on merits in detail and following clarifications are hereby issued:

- i. It is hereby clarified that in case Show Cause Notices (SCNs) issued by the Ministry have been responded to by the HGO applicant, and no further decision of the Ministry has been communicated to the HGO applicant in this regard, such HGO applicants shall be considered for Haj-2025.

D. Submission of Security Deposits by HGO applicants for Haj-2025

Concerns flagged/representations received:

- i. It was represented that this time the HGO related activities have started in the month of September, 2024 and the Security Deposit to be submitted by HGO applicants would be held till December-2025. Hence, this would cause blocking of funds for the HGOs. It was suggested that given the fact that this time the registration is to be done through a two-stage process, instead of taking Security Deposits in the form FDRs at Stage-1, the Ministry may consider taking EMD /application fees from the HGO applicants initially and take Security Deposit only from applicants who are allotted quota for Haj-2025.

The issues raised have been examined by the Ministry on merits in detail and following clarifications are hereby issued:

- i. It is hereby decided that only Application Fees (non-refundable) amounting to INR 20000 would be required to be submitted at the stage of initial application by individual HGO applicants. However, Security Deposits in the form of fixed deposits as specified in the HGO Policy-2025 would be required to be submitted only by the eligible individual HGO applicants along with their CHGO applications during Stage-2. All other conditions in HGO Policy-2025 pertaining to submission of Security Deposit remain the same.

E. Requirement of Office area of HGO applicants

Concerns flagged/representations received:



- i. Representations were received to reconsider the differential classification for office space and minimum number of employees for all the categories of HGOs for Haj-2025.
- ii. It was further represented that HGO Policy for Haj-2024 mandated an office space of only 200 sq. ft. (carpet area) and most of the present HGO applicants seeking to apply under Category-1 have been operating for last several years based on the earlier policy guidelines of 200 sq. ft.(carpet area) office space and would be adversely impacted due to the increased requirement of 300 sq. ft. (carpet area) of office area in HGO Policy for Haj-2025

The issues raised have been examined by the Ministry on merits in detail and following clarifications are hereby issued:

- i. The office area requirements specified for various categories is to differentiate and enhance the service delivery experience of the prospective Haj pilgrims and is in line with KSA's directives to select the best organisers who have the experience and capability to serve the pilgrims with high quality. A higher requirement of office area has been kept for Category-1* applicants (both Lead and Non-Lead) as they will be catering to a larger number of pilgrims and the lead HGO would have a greater role of coordinating with other members of a CHGO.
- ii. It has however been decided to relax the office space requirement for Category-1 to 200 sq.ft (carpet area) from the present requirement of minimum 300 sq.ft. (carpet area) based on precedence of previous year's policy. However, all other criteria pertaining to office area and number of employees remain the same.

F. Feedback mechanism

Concerns flagged/representations received :

- i. It was represented that certain services are directly provided by Tawafa companies/Moallims in KSA, and despite contracting with them for standard services, sub-standard services are provided which are beyond the control of HGOs. This impacts the feedback of pilgrims and many pilgrims complain due to sub-standard services being provided by the Tawafa companies/Moallims.
- ii. Ministry may consider the provision of a functionality in the Haj Suvidha App or HGO Portal to help the HGOs track the feedback percentage and also the qualitative feedback provided by the pilgrims.
- iii. Reconsideration on the Ministry's stand on rejection of HGO applicants on the basis of feedback (low percentage as well as negative feedback with respect to the services which are beyond the control of HGOs). It was also represented



that the issue of Moallim/Tawafa Companies and bus transportation related sub-standard service delivery by many vendors in KSA should be discussed with CGI Jeddah and KSA.

The issues raised have been examined by the Ministry on merits in detail and following clarifications are hereby issued:

- i. The option for viewing the feedback percentage received from various Hajis would be provided to HGOs for Haj-2025 so as to help ensure better compliance.
- ii. Issues to be highlighted pertaining to Saudi Tawafa companies/Moallims, transportation service providers etc. in KSA which are beyond the control of the HGO would be taken up with CGI Jeddah and KSA, and specific representations may be made by the associations in this regard.
- iii. It is hereby clarified that not meeting the minimum percentage of feedback received would not be the sole ground for rejection of applications. It is only in cases of Nil feedback or abnormally lower percentage of feedback or any negative feedback on factors within the control of the HGO, that the application shall not be considered. However, in such cases also, adequate opportunity would be given and a query would be raised to the HGO applicant through HGO portal and the final decision would be taken on the basis of the response received and facts of each case.

G. Timelines for response to the Ministry's queries on HGO Portal

Concerns flagged/representations received:-

- i. It was represented that at-least 3 working days for submission of response to queries should be allowed as there are practical difficulties in complying with this requirement as the financial closure for F.Y. 2023-24 is going-on and most of the CAs are now occupied. Moreover, during September-November, a lot of public/national holidays are there due to which responding within 72 hours becomes extremely difficult.

The issues raised have been examined by the Ministry on merits in detail and following clarifications are hereby issued:

- i. HGO applicants are advised to adhere to the 72 hour timeline for response to queries as Haj is a time bound process. However, it is also conveyed that delayed response will not be the sole ground of rejection of an application.

H. Nature of the CHGO to be formed



Concerns flagged/representations received:

- i. Suggestions were received to consider other alternatives such as a Special Purpose Vehicle (SPV) model, where each individual HGO can retain their sense of autonomy and identity. It was represented that under this model, eligible HGOs should be invited to form coalitions of minimum 2000 pilgrims, and within each coalition, the HGOs will self-nominate a lead HGO. Further, individual HGOs can transfer payments collected by them to the SPV they are a part of, which will then remit the same to Haj Committee of India, and further to CGI Jeddah. It was submitted that this alternative model would also ensure compliance with the directives of KSA.
- ii. Concerns were raised that HGO Policy-2025 has not provided any safeguards for Category-1 & Category-2 HGOs who are eligible but are not able to join any CHGO.

The issues raised have been examined by the Ministry on merits in detail and following clarifications are hereby issued:

- i. It is hereby clarified that the role of the lead HGO is to initiate and enable the process of registration with MoMA for submitting the combined application of CHGO for a minimum of 2000 pilgrims as per the directives of KSA. The internal management structure of the CHGO can be fine tuned based on the requirements of each CHGO and any member (not necessarily from the lead HGO) can play a managerial role in the group, and clear responsibilities can be delineated for the same in the MOA/AOA of the CHGO as provided under the provisions of Companies Act and LLP Act.
- ii. The HGOs can form a SPV (CHGO) which shall be a legal entity registered with Ministry of Corporate Affairs which can open a bank account and represent the entire group before KSA. Emphasis is placed on it being a legal entity as to ensure greater transparency, stability and safety of smaller players.
- iii. It is clarified that all individual HGOs of a CHGO are free to devise their own packages and maintain their own autonomy and identity.
- iv. The opinion of Ministry of Law and Justice would be sought as to whether the CHGO has to be a LLP or a Company or any other form of legal entity. The treatment of direct and indirect taxes for a CHGO shall be sought by the Ministry from the Department of Revenue to facilitate all the HGOs.
- v. It is clarified that while the CHGOs shall be finalised on a first come first serve basis, HGOs who are unable to join any CHGO shall be facilitated by the Ministry to become a part of a CHGO.

I. Zone at Mina and packages:-



Concerns flagged/representations received:-

- i. A clarification was sought as to whether a CHGO would be mandatorily required to opt for one zone only as the constituent members of a CHGO might want to offer different zones and packages ,as per the needs of their pilgrims. Imposing the requirement of same zone for the entire CHGO would increase the package cost and hence, the requirement of same zone per CHGO may be relaxed.

The issues raised have been examined by the Ministry on merits in detail and following clarifications are hereby issued:

- i. The Ministry will seek clarification from KSA through MEA in this regard as to whether KSA would permit multiple zones and packages within the same CHGO. The decision communicated by KSA shall be communicated to the HGOs in due time.

J. Formation of CHGO with entities from various states/UTs/sects

Concerns flagged/representations received:-

- i. Representations were received from associations or HGO applicants from some states/UTs/sects that are no HGO applicants in their state/UT/sects that meet the minimum turnover criteria for Category-1* (Lead HGO applicant) and thus the HGO applicants of a particular state/UT would not be unable to form a CHGO

The issues raised have been examined by the Ministry on merits in detail and following clarifications are hereby issued:

- i. It is hereby clarified that there is no bar on a CHGO having member HGOs from multiple states/UTs/sects.
- ii. Individual HGOs may join any CHGO of their choice while at the same maintain their own packages and autonomy, as applicable at present, subject to it being permissible by KSA's guidelines.

K. Requirement of Munazzam documentation (Clause-12 of Annexure-I of HGO Policy-2025)

Concerns flagged/representations received:-



- i. Representations were received seeking the relaxation of the requirement of providing Munazzam details for all past years in which experience is shown by an HGO applicant.

The issues raised have been examined by the Ministry on merits in detail and following clarifications are hereby issued:

- i. It is clarified that Munazzam details are required to be provided only for the latest Haj year for which the HGO applicant has claimed its experience.

L. Concerns w.r.t. Clause 11 of Annexure-I of HGO Policy for Haj-2025

Concerns flagged/representations received:-

- i. It was represented that Clause-11 of Annexure-I of HGO Policy-2025 may be suitably amended as lessors in Saudi Arabia have not been issuing physical rental receipts since 2016. Receipts are now being generated by the e-Haj portal. It was also stated that previously the MEA has accepted computerised receipts as valid documentation.

The issues raised have been examined by the Ministry on merits in detail and following clarifications are hereby issued:

- i. It is clarified that the Ministry will consider documents downloaded from e-haj portal submitted in compliance with Clause-11 of Annexure-I to HGO Policy for Haj-2025.

M. Clause-8 of Annexure-I of HGO Policy for Haj-2025

Concerns flagged/representations received:-

- i. Concerns were expressed with respect to Clause 8 of Annexure-I of HGO Policy-2025 which requires HGO applicants to keep copies of boarding passes and visa copies with immigration stamps and that these details are required to be provided within 72 hours from the Ministry's request. It was submitted that there are practical difficulties in complying with this requirement since many pilgrims do not keep their boarding passes after arriving at the airport. Moreover, for many years, the immigration authorities of the KSA have discontinued the practice of stamping of visas and KSA Government now issues paper visas. It is thus not possible for HGOs to maintain copies of visas with immigration stamps.



The issues raised have been examined by the Ministry on merits in detail and following clarifications are hereby issued:

- i. It is clarified that these documents are not sought during the normal application process and are sought only in case of complaints/court cases or in cases of doubt.

N. Clause-13 of Annexure-II of HGO Policy for Haj-2025:

Concerns flagged/representations received:-

- i. It was represented that Clause-13 of Annexure-2 of HGO Policy-2025 may be suitably amended as it requires individuals to make the entire payment of the Haj package to the CHGOs through their bank accounts. It is submitted that practically, pilgrims do not always pay from their personal accounts. For instance, a husband may pay on behalf of his wife if she does not have sufficient funds or does not have an account at all.

The issues raised have been examined by the Ministry on merits in detail and following clarifications are hereby issued:

- i. It is clarified that all payments are permitted in compliance with RBI guidelines and any other rules in force.

O. Helpline for queries w.r.t. HGO Portal

Concerns flagged/representations received:-

- i. It was represented that in addition to the Haj Support e-mail ID, a dedicated landline / mobile number should be provided by the Ministry so that the issues pertaining to HGO portal during the HGO application process are responded in time.

The issues raised have been examined by the Ministry on merits in detail and following clarifications are hereby issued:

- i. A landline number has been operationalised in Haj Division (011-24306732) for addressing HGO Portal related queries during working hours, i.e., 09:00 AM to 05:30 PM from Monday to Friday.

P. Request for extension of last date of submission of applications on HGO Portal



Concerns flagged/representations received:-

- i. Representations were received to extend the last date for filing applications on HGO portal to 14.10.2024.

The issues raised have been examined by the Ministry on merits in detail and following clarifications are hereby issued:

- i. It has been decided to provide an additional 10 days extension from the date of releasing this clarification, i.e., applications can be submitted up to 14.10.2024.
- ii. The HGO applicants are strongly advised to submit their applications for HGO registration without further delay, so that allocations may be completed in a timely manner. This is particularly important in view of the KSA's timeline for Mashaer service packages and allocation of Zones, starting from 23.10.2024 . Since the changes in the HGO Policy for Haj-2025 are based on directives issued by KSA, in which the Haj pilgrimage is carried out, any further clarifications, if required, shall be sought and issued to the HGO applicants and their associations, while the selection process is being carried out. Since time is of the essence, all HGO applicants are advised to apply for the Haj Registration immediately.

4. The consequent clause wise amendments/modifications to the HGO Policy for Haj-2025 issued on 07.09.2024 would be issued subsequently.

5. This disposes of all the representations received by the Ministry on the HGO Policy for Haj-2025.

6. This issues with the approval of the Competent Authority.



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Copy to:

1. NIC, Ministry of Minority Affairs - with a request to upload the notice on the website of the Ministry and HGO portal.
2. Haj Committee of India, Mumbai - with a request to upload the notice on the website of HCoI.