

Draft of a “BILL”- The Private Placement Agency (Regulation) Bill, 2025

To provide for the regulation of Private Placement Agencies engaged in the business of placement activities in India and abroad, to ensure transparency and accountability in recruitment practices, and for matters connected therewith or incidental thereto.

WHEREAS it is expedient to regulate the activities of private placement agencies, to ensure transparency and fairness in job placements, to protect the interests of job seekers and employers, and for matters connected therewith or incidental thereto; it is hereby ENACTED by the Parliament in the Seventy-sixth Year of the Republic of India as follows: -

CHAPTER I

PRELIMINARY

1. Short title, extent and commencement.

- 1.) This Act may be called the Private Placement Agency (Regulation) Act, 2025.
- 2.) It extends to the whole of India.
- 3.) It shall come into force on such date as the Central Government may, by notification in the *Official Gazette*, appoint.

2. Definitions.

In this Act, unless the context otherwise requires, —

- a) “Career/Counselling Centres” means any field office/local centre of the Ministry of Labour & Employment, established or maintained for implementation of this Act.
- b) “Central Government” means the Ministry of Labour and Employment.
- c) “e-migrate Portal” means the Ministry of External Affairs’ digital portal for regulating emigrations.
- d) “Employer” means a person who employs, whether directly or through any person or private placement agency, or on his behalf, or on behalf of any person, one or more employees in his establishment.
- e) “Establishment” means any office or place where any industry, trade, business or occupation is carried on.
- f) “Integrated Career Service portal” means the online platform established and maintained by the Ministry of Labour and Employment, Government of India, for facilitating job matching and career-related services.
- g) “Job seeker” means a person who is seeking work or employment.
- h) “Notification” means a notification published in the Official Gazette.
- i) “Overseas Employment” means any service, occupation or engagement (not under the Central or State Government) for wages or consideration outside India.
- j) “Private Placement Agency” means any person, group of persons, or legal entity, other than a government agency, government department, or government organization, that engages in placement or recruitment activities for Indian job seekers, on behalf of private or public employers, for employment within India or overseas.

- k) "Central Placement Support Authority" means the Authority designated by the Central Government to register and regulate Private Placement Agencies at central level, in prescribed manner.
- l) "Prescribed" means prescribed by rules made under this Act.
- m) "Recruitment" includes the issuance of any advertisement for the purpose of recruitment; the offering, by advertisement or otherwise, to secure or assist in securing employment for any individual in India or outside India; and the entering into any correspondence, negotiation, agreement, or arrangement with any individual in relation to their employment in India or abroad.
- n) "State Government" includes the government of a State and the administration of a Union Territory.
- o) "State Placement Support Authority" means the Authority designated by the State Government as prescribed by the Central Government to register and regulate Private Placement Agencies at State level.

CHAPTER II

REGISTRATION OF PRIVATE PLACEMENT AGENCIES

3. Mandatory Registration.

1) No Private Placement Agency shall carry out or engage in the business of providing placement services, whether within a State, or Union Territory, or for employment outside India, unless it is registered with the respective Central or State Placement Support Authority, in accordance with the provisions of this Act and the rules made thereunder:

Provided that every Private Placement Agency in existence on or before the date of commencement of this Act shall obtain a certificate of registration within a period of one hundred and eighty days from such commencement.

2) A Private Placement Agency which operates or intends to operate within the territorial jurisdiction of a single State or Union Territory shall be required to obtain registration from the Placement Support Authority of the respective State Government or Union Territory Administration, as the case may be. Furthermore, if a Private Placement Agency operates or intends to operate in more than one State or Union Territory, it shall be required to obtain registration from the Central Placement Support Authority as prescribed, at a nominal fees, in the States / UTs, it intends to operate.

3) Notwithstanding anything contained in sub-sections (1), (2), and (3), any Private Placement Agency engaged in providing placement services for employment outside India shall, in addition to the registration referred to therein, also obtain registration or necessary authorization from the Ministry of External Affairs, in accordance with the applicable laws or rules.

4) Nothing contained in sub-sections (1) to (4) shall apply to placement activities undertaken by an educational institution through campus recruitment directly with employers:

Provided that such educational institution shall furnish details of placements conducted through campus recruitment to the local Placement Support Authority within a period of sixty days from the date of such placement.

4. Application for Registration.

1) Every Private Placement Agency seeking registration shall make an application to the State Placement Support Authority, as the case may be, in accordance with sub-sections (2) of section 3, in such form and manner and accompanied by such fees, security deposit and documents as may be prescribed.

2) On receipt of an application under sub-section (1), the State placement support authority shall, within a period of forty-five days from the date of receipt of such application, after making such inquiry as it may deem necessary, either—

- a) grant a certificate of registration, subject to such terms and conditions as may be specified therein; or
- b) for reasons to be recorded in writing, refuse to grant such certificate:

Provided that no order refusing registration shall be passed unless—

- i. the applicant has been given a reasonable opportunity of being heard; and
- ii. the grounds for such refusal are clearly specified in the order.

3) A certificate of registration granted under this section—

- a) shall be subject to such terms and conditions as may be prescribed;
- b) shall be valid for a period of five years from the date of its issue, unless cancelled earlier in accordance with the provisions of section 6;
- c) may be renewed, on an application made in such form and manner and on payment of such fees as may be prescribed, for a further period of five years at a time; and
- d) shall be non-transferable.

5. Renewal of Registration.

1) An application for renewal of a certificate of registration shall be made to the competent authority not less than forty-five days prior to the date of expiry of its validity, in such form, accompanied by such documents and fees, as may be prescribed.

2) The provisions of section 4 relating to the grant of a certificate of registration shall apply mutatis mutandis to the renewal thereof.

6. Role of Private Placement Agency

Every Registered Private Placement Agency shall-

- a) ensure that it is registered with the State Placement Support Authority in accordance with the provisions of section 3, and that all jobseekers and employers availing its services are registered on the Integrated Career Service Portal, the online employment platform maintained by the Government of India;
- b) maintain a registry or database of jobseekers and employers, linked to their respective integrated career service Identification Numbers, in such form and manner as may be prescribed;
- c) in the case of placement for employment—

- i. within India, upload on the Integrated career service portal the career service Identification Numbers of the jobseeker and the employer, along with the nature of placement and the date of commencement of employment, within a period of thirty days from the date of such placement;
- ii. outside India, upload on the integrated career service Portal the career service Identification Numbers of the jobseeker and the employer, along with the nature of employment offered and proposed date of departure, prior to the initiation of the emigration clearance process, and in any case not later than thirty days from the date of placement;
- d) comply with all applicable laws, rules, and regulations, and, in the case of placement for employment outside India, obtain prior registration or authorization from the Ministry of External Affairs in accordance with the relevant laws in force;
- e) ensure that every jobseeker availing placement services through the agency possesses a valid career service Identification Number at the time of registration;
- f) actively coordinate with and utilize such institutional mechanisms as may be notified by the appropriate Government, including Employment Exchanges, E2E Centres, or other recognized career counselling or employment facilitation centres, for the purposes of skill development, job placement, career counselling, and soft skills training.

7. Conditions for Registration of Private Placement Agencies

Every registered Private Placement Agency shall—

- a) Comply with the provisions of this Act and the rules framed thereunder.
- b) Maintain prescribed records and registers, including details of job seekers, employers, and placements facilitated.
- c) Report placement details to the State Placement Support Authority within 60 days of placement, using the integrated career service Portal in the prescribed format.
- d) Follow fair and transparent recruitment practices and shall not engage in fraudulent activities or charge unfair fees from job seekers.
- e) Ensure that Job seekers must provide verifiable documentation of their qualifications, skills, and relevant experience to support recognition during the registration process, where applicable
- f) Ensure reasonable measures for the social protection and welfare of placed job seekers, particularly blue-collar and unorganized workers, within the scope of its placement activities.
- g) Use the integrated career service Portal for registration, data management, analytics, and dashboards, as directed by the Central Placement Support Authority.
- h) Cooperate fully with the Placement Support Authorities in the execution of their functions.

CHAPTER III

CENTRAL AND STATE PLACEMENT SUPPORT AUTHORITY

8. Constitution of the Central Placement Support Authority.

1) The Central Government shall, by notification in the Official Gazette, designate such agency or authority under the Ministry of Labour and Employment, as it may consider appropriate, to function as the Central Placement Support Authority for the purposes of this Act.

2) An officer not below the rank of Additional Secretary to the Government of India or Director General in the Directorate General of Employment under the Ministry of Labour and Employment shall be designated as the Administrative Head of the Central Placement Support Authority and shall exercise such powers and perform such functions as may be prescribed.

9. Functions of the Placement Support Authority.

The Placement Support Authority shall—

- a) Register Private Placement Agencies operating in more than one State or Union Territory.
- b) Maintain and manage the centralized database of job seekers and employers on the integrated Career Service Portal.
- c) Monitor compliance to ensure all registered Private Placement Agencies maintain updated records on the integrated career service Portal; non-compliance may lead to revocation of registration.
- d) Ensure transparency and fairness in the operations of Private Placement Agencies.
- e) Foster collaboration between Government bodies and Private Placement Agencies to improve job placement outcomes.
- f) Inspect records and premises of registered Private Placement Agencies to ensure compliance with applicable provisions.
- g) Suspend or cancel registrations of Private Placement Agencies found violating the provisions of this Act or its rules, after providing a reasonable opportunity of being heard.

10. Constitution of State Placement Support Authority

- 1) The State Government shall, by notification in the Official Gazette, designate such department or authority under the administrative control of the State Labour and Employment Department, as it may consider appropriate, to function as the State Placement Support Authority for the purposes of this Act within such territorial jurisdiction as may be specified in the notification.
- 2) An officer not below the rank of Secretary to the State Government or equivalent, serving in the Department of Labour and Employment or such other department as the State Government may notify, shall be designated as the Administrative Head of the State Placement Support Authority and shall exercise such powers and perform such functions as may be prescribed.

11. Functions of the State Placement Support Authority

The State Placement Support Authority shall -

- a) Register Private Placement Agencies operating within its respective State or Union Territory or as prescribed.
- b) Monitor the operations and compliance of all registered Private Placement Agencies in the State.
- c) Ensure maintenance of prescribed databases of job seekers, employers, and placements on the centralized integrated career service Portal.
- d) Ensure timely sharing of data with the Central Government through the integrated career service Portal.
- e) Prevent and address fraudulent practices by Private Placement Agencies.
- f) Promote the welfare and social protection of job seekers placed through such agencies.

- g) Facilitate data collection and analysis related to placements and agency performance, using the integrated career service Portal as the primary platform.
- h) Hear and resolve grievances and disputes concerning the functioning of Private Placement Agencies, as per the prescribed procedure.
- i) Dispute resolution in case of a Private Placement Agency operating in more than one State/UT, would fall under the purview of the State Placement Support Authority with whom the Private Placement Agency has been registered, along with the role of such State Placement Support Authority of the respective State / UT, where the dispute arose, as prescribed.
- j) Provide placement-related support through career counselling centres, such as Employment Exchanges, E2E lounges, and similar platforms.
- k) Suspend or cancel registrations of agencies for violations of the Act or rules, after providing a reasonable opportunity of being heard.

12. Delegation

The State Government may, by notification, direct that any power or function (as specified under section 12 Chapter III)— (a) which may be exercised or performed by it, or (b) which may be exercised or performed by the State Placement Support Authority, under this Act, may, in relation to such matter and subject to such conditions, if any, as may be specified in the notification, be also exercised or performed by such officer or authority subordinate to the Government or officer subordinate to the State Authority, as may be specified in such notification.

CHAPTER IV

OFFENCES AND PENALTIES

13. Offences.

Any Private Any Private Placement Agency shall be deemed to have committed an offence under this Act if it -

- a) carries on or engages in the business of providing placement services, either within India or outside India, without obtaining a valid certificate of registration under this Act;
- b) fails to comply with any of the conditions of registration or renewal specified under sections 4 and 5;
- c) engages in any fraudulent activity, misrepresentation, or charges fees from jobseekers in contravention of the rules made under this Act;
- d) fails to upload or provide such information regarding job placements as may be prescribed;
- e) obstructs, hinders, or refuses to cooperate with any officer or representative of the Central or State Placement Support Authority in the discharge of their lawful duties under the provisions of this Act or the rules made thereunder.

14. Penalties.

Any Private Placement Agency -

- 1) Whoever commits an offence under clause (a) and (c) of section 13 shall be punishable with imprisonment for a term of 3 months and with fine, as may be prescribed.

- 2) Whoever commits an offence under clause (b), or (d) of section 13 shall be punishable with fine and temporary suspension of registration up to 6 months or as may be prescribed; and in the case of a continuing offence, with an additional fine as may be prescribed for every day during which the offence continues after the first conviction.
- 3) Whoever commits an offence under clause (e) of section 13 shall be punishable with temporary suspension of registration for a term or with fine, as may be prescribed, or with both.
- 4) Where an offence under this Act has been committed by a Private Placement Agency which is a company or other legal entity, every person who, at the time the offence was committed, was in charge of and responsible to the company for the conduct of its business shall be deemed to be guilty of the offence and shall be liable to be proceeded against and punished accordingly:

Provided that nothing in this sub-section shall render any such person liable to punishment if he proves that the offence was committed without his knowledge or that he exercised all due diligence to prevent the commission of such offence.

CHAPTER V

MISCELLANEOUS

15. Power to make rules.

- 1) The Central Government may, by notification, make rules for carrying out the purposes of this Act.
- 2) In particular, and without prejudice to the generality of the foregoing power, such rules may provide for all or any of the following matters, namely: —
 - a) The form and manner of application for registration and renewal, and the fees payable therefor under sub-section (1) of section 4;
 - b) The terms and conditions subject to which a certificate of registration may be granted under sub-section (2) of section 4;
 - c) the period of validity of the certificate of registration, and the manner and conditions for its renewal under sub-section (3) of section 4;
 - d) the records, registers, and databases to be maintained by registered Private Placement Agencies;
 - e) the manner, format, and timelines for uploading or providing information regarding placement of jobseekers under section 6;
 - f) the composition, powers, and functions of the State Placement Support Authority under section 10;
 - g) the procedure for hearing and adjudicating grievances, and the authorities competent to do so;
 - h) the amounts of fines, durations of imprisonment, and conditions relating to the imposition of penalties under section 11;
 - i) any other matter which is required to be, or may be, prescribed for giving effect to the provisions of this Act.

16. Power of State Government to make rules.

- 1) The State Government may, with the previous approval of the Central Government, by notification, make rules for carrying out the purposes of this Act within the State.
- 2) In particular, and without prejudice to the generality of the foregoing power, such rules may provide for all or any of the following matters, namely: —
 - a) The designation of the State Placement Support Authority;
 - b) The procedure for registration of Private Placement Agencies;
 - c) The manner of monitoring and controlling the activities of Private Placement Agencies;
 - d) The measures to be taken for the welfare and social protection of job seekers;
 - e) The integration of data from Private Placement Agencies with the integrated career service portal;
 - f) Any other matter which the State Government deems necessary for the effective implementation of this Act within the State.

17. Laying of rules.

Every rule made by the Central Government under this Act shall be laid, as soon as may be after it is made, before each House of Parliament, while it is in session, for a total period of thirty days, which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid, both Houses agree in making any modification in the rule or both Houses agree that the rule should not be made, the rule shall thereafter have effect only in such modified form or be of no effect, as the case may be:

Provided that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule.

18. Power to remove difficulties.

If any difficulty arises in giving effect to the provisions of this Act, the Central Government may, by order published in the Official Gazette, make such provisions, not inconsistent with the provisions of this Act, as may appear to it to be necessary or expedient for removing the difficulty:

Provided that no such order shall be made after the expiry of a period of two years from the date of commencement of this Act.

19. Exemption from Existing Legislation.

Notwithstanding anything contained in any other law for the time being in force, the provisions of The Private Security Agencies (Regulation) Act, 2005 shall not apply to any Private Placement Agency registered under this Act.

In addition, private security agencies falling under the purview of the Private Security Agencies (Regulation) Act, 2005 would not be governed under this Act (i.e., The Private Placement Agency (Regulation) Bill, 2025). A negative list of agencies may be further prescribed for exemption under this Act.

STATEMENT OF OBJECTS AND REASONS

This Bill seeks to regulate the functioning of private placement agencies in India and overseas. While these agencies play a significant role in facilitating job placements, there is a need to streamline their operations, ensure transparency, and protect the interests of job seekers and employers.

Discussion