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NATION

# Police report needed for lost passport



**LEGAL VIEW**  
**ASHISH MEHTA**

I work in a real estate company in Sharjah which is run by an Indian national. We have not seen or heard from him for more than two weeks now.

The rumour in the office is he is bankrupt and has decided to abscond. My passport is with the company and the remaining HR personnel do not know where it is, as the person I entrusted it to is also missing. Other staff have the same issue. I only have copies of my labour card and passport, and my ID card is original.

Do I report the issue to the labour department or the police, or do I approach the Indian consulate? I'm not sure if a case has been filed against my absconding employer and his family.

I need the passport back to look for a job or even return home. How do I obtain a new passport? Is there any other document which the consulate can provide for my return? And what is my current status? Will I be considered illegal?

It is understood from your question that your employer is in possession of your passport, who you suspect has now absconded from the United Arab Emirates. And, further to this, the Human Resources department at your office has no knowledge regarding your passport.

It is unlawful for an employer to detain or hold the passport of an employee without a court order and you may initiate legal recourse against your employer, if there was no justification on the part of your employer to keep your passport in its possession.

It would be prudent to first check if the employer is in the UAE or if he has departed. You have a good chance to obtain

your passport from the employer if the employer is in the UAE.

You would require a police complaint reporting the loss of your passport. Subsequently, with the police report, you will approach either of the Indian diplomatic missions in the UAE (i.e. the Indian Consulate in Dubai or the Embassy of India in Abu Dhabi) for issuance of a fresh passport to you. After your application is accepted, the authorities concerned shall carry out the requisite due diligence checks as to your background and on successful completion of those, you may be issued a new passport. Thereafter, you will obtain a print from the General Directorate of Residency and Foreigners' Affairs which will confirm your status in the UAE (i.e. whether you hold a valid visa), and then arrange an employment visa from your subsequent employer.

Your stay in the UAE shall be considered illegal if either of your passport or your visa has surpassed its date of validity and has not been renewed. Assuming that both the documents are still valid for the time being, your stay in the country shall not be considered illegal.

**Can I sponsor father-in-law?**

I plan to sponsor my father-in-law (wife's father), who has now retired from a job in Dubai. He is not keen to return to our home country Sri Lanka as he has no one there anymore. He's financially sound and has enough savings but does not want to return home as he has become used to life in the UAE, and is now 65. I earn Dh21,500 per month working with an oil company in marketing and I understand you can only sponsor your parents. My wife earns Dh15,000 per month, working in a PR company. Can you advise me regarding this? Will the immigration consider such a case as 'humanitarian'?

You and or your wife may sponsor your father-in-law's residence visa in the UAE, since both of you fulfill the salary requirements for sponsoring a residence visa of your father-in-law. However, you may contact the General Directorate of Residency and Foreigners' Affairs in Dubai seeking their approval to sponsor your father-in-law as a dependant. If you fulfil all their requirements, you may be allowed to sponsor a residence visa for your father-in-law.

Each application for sponsorship of residence visa for parents or in-laws is considered on its merit, at the discretion of the General Directorate of Residency and Foreigners' Affairs.

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