

Compliance in Document Legalization

The Case:

A Birth Certificate submitted (after Apostile from the Ministry of External Affairs, India) by one of the employees of our large IT client at the Immigration Office in Netherlands was found to be fake and rejected summarily. The challenge for TTK was to procure an authentic Birth Certificate and re-submit it through the Apostile process and have it completed within the given time frame.

Case Background:

The Employee of the client was from a small village near Coimbatore in Tamil Nadu, South India and was required to leave for Netherlands on an urgent basis for a critical time bound project. TTK was the sole registered/ empaneled vendor for this Client (Indian Multinational Corporation that provides business consulting, information technology and outsourcing services) for more than 10 years. The immigration department of the Company approached TTK for the service. Based on the compliance process set by the State Department of Tamil Nadu and our experience in providing the services, we estimated 20-25 days time to complete the Apostile Process.

As the project in the Netherlands was urgent and critical, the Client Project Manager requested the employee to complete the Birth Certificate Apostile process on his own through another agency, who estimated a mere 5 days time to complete entire process. On the basis of the Project Manager's approval, the applicant got in touch with an Agency, based out of Tamil Nadu, for his Birth Certificate issuance from the Coimbatore Municipal Corporation and Apostile processing. On submission of this Birth Certificate to the Netherlands Authority in the host country, the birth certificate and attestation were found to be fake and rejected. This led to a huge issue within the organization and with their client firm in the Netherlands for non-compliance. Finally, the applicant got in touch with TTK through their Immigration team for a Birth Certificate and got the Apostile processed the correct way. This ensured an immediate rectification and saved the day for our Client.

How Did We Do:

As a first step, our experts in the TTK Chennai office verified our database (updated within our office with daily submission and collection reference numbers for the documents submitted to the Public foreigner's Department in Tamil Nadu). Since the reference number for the Birth Certificate attestation was not matching with our daily updated database, our professionals met the Undersecretary of Tamil Nadu Public Foreigner's Department to understand whether the document was attested by their office. To our surprise, the attestation reference number mentioned in the applicant's birth certificate did not match the records maintained by the Govt. office as well. Considering the non-compliance by the other agency, TTK (as a legitimate service partner) supplied the contact details and the name of the agency involved to the then Undersecretary and requested him to take a legal action for forging the Undersecretary's Signature and Seals of the Foreigner's Department.

TTK followed it up by facilitating the applicant in procuring a re-issuance of Birth Certificate from the Coimbatore Municipal Corporation, getting the attestation done from the State Home Department of Tamil Nadu and then, MEA Apostile Stamping within a month's time after following the right procedure.

Result:

The correct Birth Certificate submission with a proper Apostile enabled the applicant to submit the Birth Certificate with the Netherlands Authorities on time and get his residential card. The entire case made the Immigration Team of the Client understand the impact of applicants performing attestation on their own and the huge risk associated with it. This enabled them to take a strategic call to route all the cases only through the registered vendors of the client; which enables the applicant, Client and the Immigration team to be compliant with all host-country's legal documentary requirements.

Sometimes fake attestations manage to get through as touts and fake agencies thrive in places like India, but they get caught eventually at some juncture especially with the foreign embassies and cause huge embarrassment and loss of reputation to clients. So it is important to be aware of this and not cut corners during any immigration related processes.

