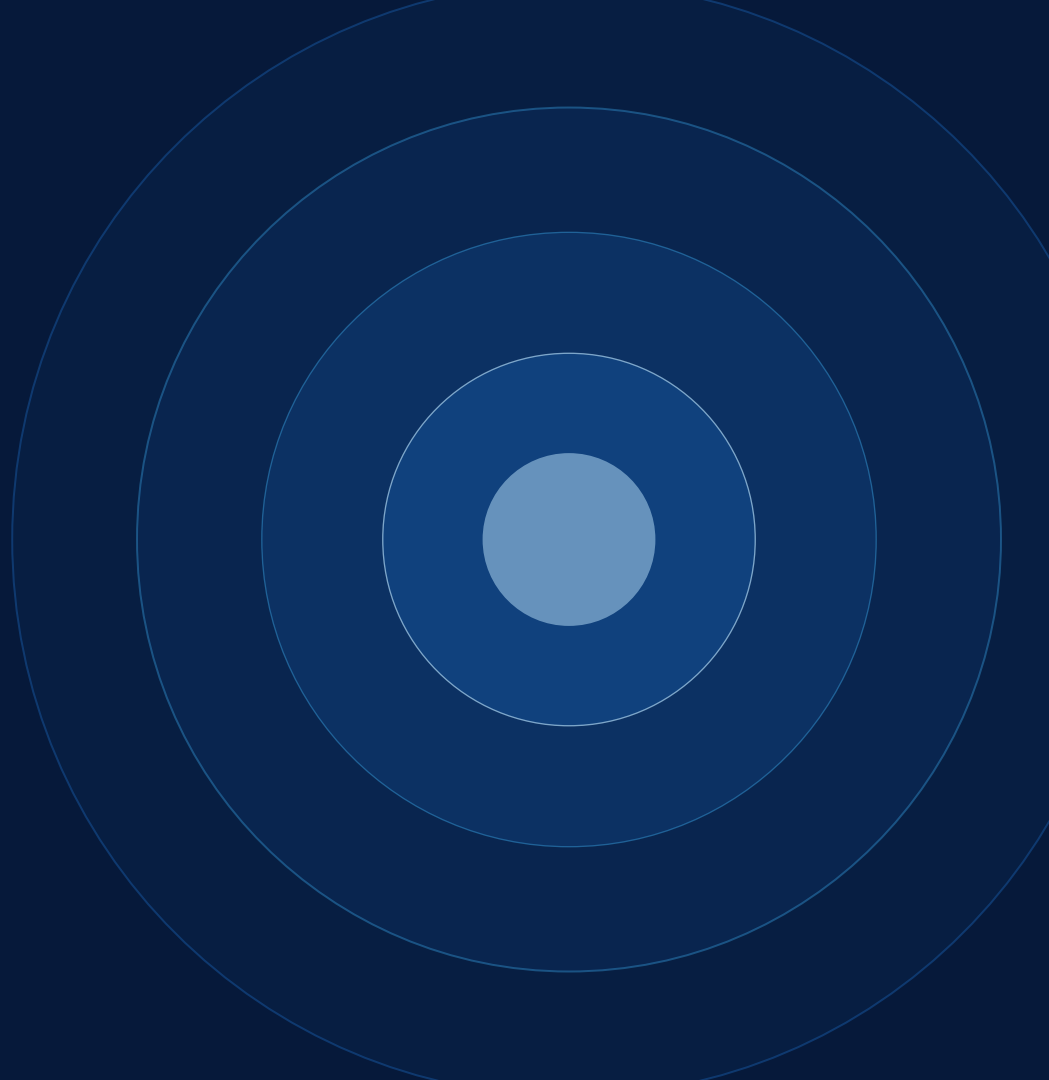


# India

## Background Check Process Guide

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Legal Framework & Verification Practices — 2026



# Executive Summary & At-a-Glance

## Executive Summary

- Background screening is widely practiced in India, especially for MNCs, IT firms, financial institutions, and regulated industries.
- Screening must account for evolving data protection (DPDP Act), institutional variability, and state-level differences.
- Successful programs combine clear consent, role-based scope, multiple verification sources, and strong governance.

## India — At a Glance

Category	Position
Legal Framework	DPDP Act
Consent Required	Yes – explicit & purpose-based
Standard Coverage	5–7 years typical
Typical Turnaround	5–15 business days
Cross-Border Transfers	Permitted with safeguards
Data Localisation	Not mandatory but regulated

# Why India Is Different + Key HR Considerations

## India vs. Other Asian Markets

Area	India	Singapore	Hong Kong
Hiring Volume	Very High	Moderate	Moderate
Employer Responsiveness	Variable	Moderate	Moderate
Education Verification	High Complexity	Moderate	Moderate
Criminal Record Structure	Fragmented	Structured	Structured
Address Verification	Common	Limited	Limited
Candidate Participation Requirements	High	Moderate	Moderate
Language Diversity	High	Low	Low

## What HR Leaders Need to Know

### Candidate Consent

Must be documented before screening.

### Education Complexity

Large, diverse landscape needs scrutiny.

### Criminal Records

Fragmented; multiple approaches needed.

### Address Verification

More common than other Asian markets.

### Local Adaptation

Adapt global frameworks to India.

### Verification Timelines

vary depending on institutional responsiveness and candidate participation.

# Legal Framework & Consent Requirements



## Digital Personal Data Protection Act (DPDP Act)

### Consent-Based Processing

Obtain appropriate candidate consent before screening begins.

### Purpose Limitation

Define why information is collected and how it will be used.

### Data Minimisation

Collect only information necessary for the hiring purpose.

### Data Security

Apply appropriate controls to protect candidate information.

### Accountability

Maintain documentation, access controls, and audit trails.

⚠ Consent must specify: Scope · Purpose · Data Usage & Retention · Cross-Border Handling

# Background Check Process Flow & Common Challenges



## Common Challenges

1

### Incomplete Candidate Data

Omitted employers, missing dates, name variants delay verification.

2

### Education Verification Complexity

Thousands of institutions; distance learning and autonomous bodies add complexity.

3

### Institutional Response Delays

Some require manual processing, physical correspondence, or site visits.

# Core Screening Services (Part 1)



## 5.1 Identity Verification

- Aadhaar verification (where lawfully permissible)
- PAN verification
- Passport validation
- Government-issued ID review



## 5.2 Employment Verification

- Confirms tenure, job title, organisation
- Reporting relationships where available
- Multiple data points used to validate history
- Significant variability in employer responsiveness



## 5.3 Performance Reference Checks

- Conducted via candidate-provided referees
- Common for mid-level, management & executives
- Supplements formal employment verification
- Structured questionnaires preferred



## 5.4 Education Verification

- Confirms attendance, degree authenticity, dates
- Name variants across certificates & ID carefully examined
- Physical follow-up or site visits often needed
- Review UGC / AICTE recognition status

**Key: Education verification should also assess UGC / AICTE recognition and accreditation status — not just certificate authenticity.**

# Core Screening Services (Part 2)



## 5.5 Criminal Record Checks

- No single national criminal database
- May include police & court record searches
- Address-based checks and public records
- Coverage is fragmented and role-dependent



## 5.6 Address Verification

- More common in India than other Asian markets
- Confirms current or previous residential address
- Methods: documentary, field, or local validation
- Supports criminal and identity screening



## 5.7 Credit & Financial Checks

- Applied to finance and regulated roles
- Requires explicit candidate consent
- Must be justified by role requirements
- Covers senior management appointments



## 5.8 Litigation & Public Records

- Covers civil litigation and court case searches
- Includes bankruptcy-related records
- Coverage varies by jurisdiction and court
- Relevant for senior and regulated hires



## 5.9 Directorship & Corporate Checks

- Registry searches identifying directorships, company involvement, and corporate affiliations.
- Particularly relevant for senior executives and regulated roles.

# Role-Based Screening Framework & Turnaround Times

## Screening by Role Type

Role Type	Common Screening Components
Entry-Level	Identity · Employment · Education
Professional Roles	Identity · Employment · Education · Reference Checks
Financial & Regulated	Identity · Employment · Education · Criminal · Credit · Litigation · Sanctions
Senior Executives	Identity · Employment · Education · Directorship · Bankruptcy · Litigation · Enhanced Refs

*Apply screening requirements based on role risk — not identical packages for every employee.*

## Turnaround Times (Business Days)

Check Type	Est. Days
Identity	1–3
Employment	5–10
Reference Checks	3–7
Education	5–12
Criminal Record	5–7
Address Verification	3–7
Directorship	1–3
Litigation	1–5

# Educational Accreditation & Common Screening Mistakes



## Understanding Educational Accreditation in India

**UGC**

### University Grants Commission

Primary authority recognising universities and degree-awarding institutions.

**AICTE**

### All India Council for Technical Education

Regulates technical/professional programs incl. engineering & management.

**NAAC**

### National Assessment & Accreditation Council

Evaluates institutional quality; awards grades A++, A+, A.

**NBA**

### National Board of Accreditation

Accredits specific academic programs, especially engineering/technical.



## Common Screening Mistakes to Avoid

- Assuming all educational institutions are equivalent.
- Failing to check UGC or AICTE recognition status.
- Relying on a single verification source only.
- Underestimating candidate participation requirements.
- Applying global templates without local adaptation.

# Data Protection, Governance & Why eeCheck

## Governance Areas

Governance Area	Recommended Approach
Consent & Disclosure	Clear consent explaining scope, purpose, and data handling.
Secure Handling	Technical and organisational controls to protect candidate data.
Controlled Access	Limit access to HR, compliance, and authorised decision-makers.
Retention Policy	Retain data only for appropriate periods per policy.
Cross-Border Transfers	Assess transfer requirements when using overseas providers.

## Why Global Employers Work With eeCheck

eeCheck Capability	Employer Value
Employment Verification	Validates history across a complex, variable landscape.
Education Verification	Supports qualification validation across India's sector.
UGC & Institutional Validation	Clarifies recognition and accreditation context.
Criminal Record Screening	Supports lawful, role-relevant screening.
Identity & Address Verification	Confirms identity; widely used in India screening.
Directorship & Litigation	Identifies affiliations and public record risks.
Sanctions & PEP Screening	Supports regulated industry integrity requirements.
Cross-Border Asia-Pacific	Supports regional hiring programs across APAC.

*eeCheck supports banks, financial institutions, technology firms, government-linked organisations, multinational corporations, and regulated industries throughout Asia.*