

19

**STANDING COMMITTEE
ON EXTERNAL AFFAIRS
(2007-2008)**

FOURTEENTH LOK SABHA

MINISTRY OF OVERSEAS INDIAN AFFAIRS

[Action Taken on the recommendations contained in the Sixteenth Report (14th Lok Sabha) on Demands for Grants of the Ministry of Overseas Indian Affairs for the year 2007-08]

NINETEENTH REPORT



**LOK SABHA SECRETARIAT
NEW DELHI**

November, 2007/Kartika, 1929 (Saka)



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Presented to Lok Sabha on 20.11.2007
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LOK SABHA SECRETARIAT
NEW DELHI
November, 2007/Kartika, 1929 (Saka)

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CONTENTS

	PAGE
COMPOSITION OF THE COMMITTEE 2007-2008.....	(iii)
INTRODUCTION.....	(iv)
REPORT	
Chapter I Report.....	1
Chapter II Recommendations/Observations that have been accepted by the Government.....	7
Chapter III Recommendations/Observations which the Committee do not desire to pursue in view of the Government's replies.....	22
Chapter IV Recommendations/Observations in respect of which replies of Government have not been accepted by the Committee and require reiteration.....	23
Chapter V Recommendations/Observations in respect of which final Replies of the Government are still awaited.....	24
APPENDICES	
I. Minutes of the sitting of the Committee held on 7.11.2007...	25
II. Analysis of Action Taken by Government on the Recommendations/Observations contained in the 14 th Report of the Standing Committee on External Affairs (14 th Lok Sabha)	27

STANDING COMMITTEE ON EXTERNAL AFFAIRS (2007-2008)

LOK SABHA

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* Nominated w.e.f. 30th August, 2007

INTRODUCTION

I, the Chairman, Standing Committee on External Affairs (2007-2008) having been authorised by the Committee to submit the Report on their behalf, present this 19th Report (14th Lok Sabha) on Action Taken by Government on the Recommendations contained in the 16th Report (14th Lok Sabha) of the Committee on Demands for Grants of the Ministry of Overseas Indian Affairs for the year 2007-08.

2. The 16th Report was presented to Parliament on 26 April, 2007. The Action Taken Replies of the Government on all the recommendations/observations contained in the Report were received on 8 August, 2007.

3. The Committee considered and adopted the Draft Action Taken Report at their sitting held on 7 November, 2007. The Minutes of the sitting of the Committee have been reproduced at Appendix-I to the Report.

4. An analysis of the action taken by Government on the recommendations contained in the 16th Report of the Standing Committee on External Affairs (14th Lok Sabha) is given in Appendix-II.

NEW DELHI
12 November, 2007
21 Kartika, 1929 (Saka)

DR. LAXMINARAYAN PANDEY,
Chairman,
Standing Committee on External Affairs

CHAPTER – I

REPORT

This Report of the Standing Committee on External Affairs deals with the Action Taken by the Government on the observations/recommendations contained in their Sixteenth Report on Demands for Grants (2007-2008) of the Ministry of Overseas Indian Affairs which was presented to Lok Sabha on 26 April, 2007.

2. The Action taken notes have been received from the Ministry of Overseas Indian Affairs on all the observations/recommendations contained in the report. These have been categorized as follows: -

(i) Recommendations/Observations, which have been accepted by the Government.

Recommendation Nos.1, 2, 3, 4, 5, 6, 7, 9, 10, 11 and 12

Total-11

(ii) Recommendations/Observations which the Committee do not desire to pursue in view of the Government replies.

Recommendation Nos. NIL

Total- NIL

(iii) Recommendations/Observations in respect of which replies of Government have not been accepted by the Committee and require reiteration.

Recommendation Nos. NIL

Total- NIL

(iv) Recommendations/Observations in respect of which final replies of Government are still awaited.

Recommendation No. 8

Total-01

3. The Committee will now deal with the action taken by the Government on some of their observations/recommendations.

A. Construction of Pravasi Bharatiya Kendra (PBK)

(Recommendation No. 2)

4. The Committee expressed regret that there had hardly been any progress regarding construction of Pravasi Bharatiya Kendra (PBK), the proposal of which had been mooted in 2004 and for which funds were earmarked in 2005-06 and 2006-07. All that the Ministry could do till the Committee made their report was wire fencing of the land allotted for PBK in New Delhi. Action for appointment of consultant was stated to be still in progress. Considering that two precious years had already been lost without any substantial progress on the work of PBK, the Committee desired the Ministry to focus on accomplishing the establishment of PBK in a reasonable time frame with a view to harnessing the talent pool among the Indian Diaspora.

5. The Ministry of Overseas Indian Affairs in their action taken note have replied as under:

“A decision to appoint NBCC as consultant-cum-project manager for the Pravasi Bharatiya Kendra has been taken and a formal MoU between MOIA and NBCC will be signed shortly. Simultaneously, action to obtain certain statutory clearances is in progress.”

6. The Committee note that a decision to appoint NBCC as Consultant-cum-Project Manager for the construction of Pravasi Bharatiya Kendra (PBK) has been taken and a formal MoU between the Ministry and NBCC will be signed shortly. The reply of the Ministry is, however, silent about the time frame for completion of the project. The Committee would like to be informed of the project schedule and details of the MoU.

B. Complaints against Recruiting Agents

(Recommendation No. 4)

7. Taking note of the fact that as many as 33 cases of complaints filed against recruiting agents in 2006 were reported to be still pending for final action, the Committee desired that the causes for delay in finally disposing of complaints should be looked into and suitable remedial measures taken to ensure expeditious action on complaints. As regards 106 complaints dropped/settled in 2006, the Committee desired to be intimated of the number of complaints actually settled and the nature of such complaints.

8. In their action taken reply, the MOIA have reported the present position of the 33 pending complaints of 2006 as under:-

(i)	Registration Certificates cancelled	-	4 cases
(ii)	Settled/closed	-	8 cases
(iii)	Still pending for final action	-	21 cases

In the remaining 21 cases, the complaints are stated to be pending due to several reasons such as non-receipt of replies/comments of the complainants, Indian Embassies, Police authorities and pending court cases etc. These cases are being pursued for early settlement/closure.

The MOIA have further stated that of the 106 complaints settled/dropped, 86 complaints have been settled. The nature of such complaints are as under:

S.N.	Nature of complaints	No. of complaints
1.	Diversion of workers to another country	2
2.	Providing of different nature of job than promised	1
3.	Overcharging the emigrants/ cheating	17
4.	Non-payment of salary	7
5.	Repatriation sought by emigrants	4

6.	Non-deployment	11
7.	Payment of less salary	5
8.	Grievances of emigrants reported by the Embassy	2
9.	Breach of contract	3
10.	Seeking emigration clearance on forged visa/Recruitment without authorization and attestation	6
11.	Overcharging/breach of contract	1
12.	Poor living conditions/ non-availability of proper facilities/Facing of other problems by the workers	5
13.	Confusing advertisement by the Agent	7
14.	Sending workers for blacklisted company	4
15.	Handing over Registration Certificate to third party	3
16.	Shifting of office without prior approval	8

9. The Committee note that 29 out of 86 complaints settled related to serious offences such as breach of contract, use of forged visa, recruitment without authorization and attestation, confusing advertisements, sending workers for blacklisted company, handing over Registration Certificate to third party, complaints of poor living conditions, etc. The Committee would like to be informed as to what action was taken by the Government in respect of each of these cases, given the serious nature of offences.

C. Amendment of Emigration Act, 1983

(Recommendation No. 5)

10. The Committee have observed that there was an urgent need to convert the Emigration Act, 1983 into an effective instrument for prevention of irregular migration. The Committee were at a loss to understand why the bill for amending Emigration Act, 1983 to address the present day concerns in emigration management had not been introduced even one year after the Committee made a recommendation to this effect in their 10th Report (14th Lok Sabha). The

Committee had urged that the amendment Bill should be introduced in Parliament without further loss of time.

11. The Ministry in their action taken reply have stated as under:

“The process of inter-ministerial consultations has been completed. A Note for Cabinet is being submitted to the Cabinet shortly.”

12. The Committee regret to note that no bill for amending the Emigration Act 1983 has been introduced in Parliament so far despite repeated recommendations by this Committee. The Ministry of Overseas Indian Affairs have not given any reasons for delay in this regard. The Committee would like to know the present status of the proposed amendment bill and the reasons for delay in introduction of the amendment bill.

D. Automation of PoE Offices

(Recommendation No. 6)

13. The Committee were glad to note that the pilot project for automation of Protector of Emigrants (PoEs) office, Delhi was almost operational which would usher in greater transparency, efficiency and accountability in the emigration process. The Committee had desired that after gaining experience from the pilot project, automation of the other PoE offices should be taken up in a time bound manner with a view to realizing the merits of e-governance.

14. The Ministry in their action taken note replied as under:

“The automation of the office of PoE, Delhi became operational with effect from May 3, 2007. This has made the emigration process much easier and transparent. The computerization of the

rest of 7 offices is being taken up in a time bound manner and is expected to be completed shortly.”

15. The Committee are happy to note that the automation of the office of PoE, Delhi became operational in May 2007. The Committee note the Ministry’s reply that the automation process of the rest of the 7 PoE Offices is being taken up and is expected to be completed shortly. It is not clear what is the time frame for introducing automation in the remaining 7 PoE offices. The Committee would await information in this regard.

E. Setting up of PIO University

(Recommendation No. 11)

16. The Committee have noted that the Cabinet has given in-principle approval to the setting up of a University which will have 50% students from abroad and 50% from India. The modalities of setting up the University were yet to be firmed up and notified. Needless to point out that the University will be first of its kind. All efforts should, therefore, be made to ensure that it is a University of excellence with international academic standards and world-class environment. The Committee had desired that a detail note regarding this university should be placed before the Committee for discussion before finalization of the proposal.

17. The Ministry of Overseas Indian Affairs in their action taken reply have given details of the proposed University and also the broad guidelines for the University as approved by the Government. The Committee also held discussion with the representatives of the Ministry of Overseas Indian Affairs on 24.7.2007 regarding the proposed University. The Committee hope that the Ministry will make all out efforts to ensure that the proposed University will be a University of excellence with international standards and world class environment.

CHAPTER II

RECOMMENDATIONS/ OBSERVATIONS WHICH HAVE BEEN ACCEPTED BY THE GOVERNMENT

Recommendation No. 1

The assertion of the Ministry of Overseas India Affairs that no scheme or activity of the Ministry was affected due to the downward revision of the original budget estimates from Rs. 38 crore to Rs. 26 crore during 2006-07 clearly points to the fact that the initial demand for grant for the year was far in excess of actual requirement. The Committee hope that the current year's demand for grant of Rs. 50 crore is based on realistic estimates. The Committee expect the Ministry to ensure effective implementation of all programmes and activities without surrendering funds and depriving the beneficiaries of the intended benefits.

Reply of the Government

As regards the Committee's observation that the Demands for Grants for the year 2006-07 was projected in excess of actual requirement, it may be clarified that during the mid-term appraisal of the budgetary expenditure it was found that many of the Schemes/programmes formulated by the Ministry had not reached the stage of implementation. Accordingly, at the RE stage, the Demands for Grants was revised to Rs. 26 crore by the Ministry of Finance. For the FY 2007-08, the BE has been fixed at Rs. 50 crore on the basis of projected expenditure on various Schemes and developmental activities to be undertaken by the Ministry during the current year.

To ensure effective monitoring of implementation of the various Schemes and activities during the course of the year, instructions have been issued on regular multi level reviews. This include monthly monitoring of the progress of the Schemes by the Divisional Heads, bi-monthly Budget Review at Joint

Secretary level and Quarterly Review by Secretary, MOIA. with this, it is expected that implementation of Schemes and other activities would be much more effective than in the previous years.

[MOIA OM No. H-11013/9/2007-Parl. Dated 07.08.2007]

Recommendation No. 2

The Committee regret to observe that there has hardly been any progress regarding construction of Pravasi Bharatiya Kendra (PBK), the proposal of which was mooted in 2004 and for which funds were earmarked in 2005-06 and 2006-07. All that the Ministry could do so far was wire fencing of the land allotted for PBK in New Delhi. Action for appointment of consultant is stated to be still in progress. Such slow progress reflects poorly on the Ministry. It is essential to ensure in the formative years of the Ministry that an efficient and dynamic administrative system is in place to speedily achieve its main objectives. The Committee hope that necessary action will be taken in this regard. Considering that two precious years have already been lost without any substantial progress on the work of PBK, the Committee desire the Ministry to focus on accomplishing the establishment of PBK in a reasonable time frame with a view to harnessing the talent pool among the Indian Diaspora.

Reply of the Government

A decision to appoint NBCC as consultant-cum-project manager for the Pravasi Bharatiya Kendra has been taken and a formal MoU between MOIA and NBCC will be signed shortly. Simultaneously, action to obtain certain statutory clearances is in progress.

[MOIA OM No. H-11013/9/2007-Parl. Dated 07.08.2007]

Comments of the Committee
(Please see Paragraph No. 6 of Chapter-I of the Report)

Recommendation No. 3

It is a matter of concern that with the creation of a separate Ministry having a key function of preventing irregular migration, the number of workers who were not given any employment on reaching in the country of employment has sharply increased from 762 in 2004 to 1152 in 2005 and to 1013 in 2006. Similarly, the number of complaints against recruiting agents has shot up from 41 in 2005 to 167 in 2006. The Secretary, MOIA was candid enough to admit that, there has been a nexus between the recruiting agents and officials of the Ministry. It is a sad reflection on the quality of supervision of the Ministry over its officials. It is not clear whether the Ministry have evolved any mechanism for taking effective preventive measure, including frequent surprise checks followed by swift and deterrent action against delinquent officials to break the nexus between officials and recruiting agents. The Committee would like to be informed of the mechanism in this regard and its functioning.

Reply of the Government

MOIA have taken steps to improve the emigration process and make it more transparent. These steps include:

- (i) The posts of POE at Delhi, Mumbai & Chennai have been recently upgraded to the level of Deputy Secretary/Director while those at Thiruvananthapuram and Hyderabad have been upgraded to the level of Under Secretary. This is expected to ensure better supervision & control and greater accountability. New officers have been selected based on their record for posting at PGE offices and have been posted to these POE offices during the past few months.

- (ii) A programme of Vigilance Audit on a monthly basis at various POE offices has been prepared. The offices at Mumbai and Hyderabad have been audited.
- (iii) The Ministry is in close contact with CBI, Anti Corruption Branch to expedite action against errant officials.
- (iv) Computerization of POE office, Delhi has been completed and launched. This is expected to ensure speed and transparency. The remaining seven offices are also being computerized.
- (v) Rationalization of procedure for processing of fresh applications & renewal of Recruiting Agents has been done to ensure that only those with capability and good credentials are registered as RAs.
- (vi) In case where evidence of bribery and wealth disproportionate to known sources of income has been intimated by CBI, disciplinary proceedings have been initiated.
- (vii) A proposal is being contemplated to fully computerize office of the Protector General of Emigrants in the Ministry.
- (viii) Strict instructions have been issued to POEs for conducting rigorous checks and adopting adequate caution while granting emigration clearance. In order to curb the discretionary influence of the POEs, suitable Orders have been issued.

[MOIA OM No. H-11013/9/2007-Parl. Dated 07.08.2007]

Recommendation No. 4

Incidentally, as many as 33 cases of complaints filed against recruiting agents in 2006 are reported to be still pending final action. The Committee desire that the causes for delay in finally disposing of complaints should be looked into and suitable remedial measures taken to ensure expeditious action on complaints. As regards 106 complaints dropped/settled in 2006, the Committee be intimated of the number of complaints actually settled and the nature of such complaints.

Reply of the Government

(A) The present position of the 33 pending complaints of 2006 is as under:

(i)	Registration Certificates cancelled	-	4 cases
(ii)	Settled/closed	-	8 cases
(iii)	Still pending for final action	-	21 cases

In the remaining 21 cases, the complaints are pending due to several reasons such as non-receipt of replies/comments of the complainants, Indian Embassies, Police authorities and pending court cases etc. These cases are being pursued for early settlement/closure.

(B) Of the 106 complaints settled/dropped, 86 complaints have been settled. The nature of such complaints are as under:

S.N.	Nature of complaints	No. of complaints
1.	Diversion of workers to another country	2
2.	Providing of different nature of job than promised	1
3.	Overcharging the emigrants/ cheating	17
4.	Non-payment of salary	7
5.	Repatriation sought by emigrants	4
6.	Non-deployment	11
7.	Payment of less salary	5
8.	Grievances of emigrants reported by the Embassy	2
9.	Breach of contract	3
10.	Seeking emigration clearance on forged visa/Recruitment without authorization and attestation	6

11.	Overcharging/breach of contract	1
12.	Poor living conditions/ non-availability of proper facilities/Facing of other problems by the workers	5
13.	Confusing advertisement by the Agent	7
14.	Sending workers for blacklisted company	4
15.	Handing over Registration Certificate to third party	3
16.	Shifting of office without prior approval	8

[MOIA OM No. H-11013/9/2007-Parl. Dated 07.08.2007]

Comments of the Committee

(Please see Paragraph No. 9 of Chapter-I of the Report)

Recommendation No. 5

Admittedly, there is an urgent need to convert the Emigration Act, 1983 into an effective instrument for prevention of irregular migration. The Committee are at a loss to understand why the bill for amending Emigration Act, 1983 to address the present day concerns in emigration management has not been introduced even one year after the Committee made a recommendation to this effect in their 10th Report (14th Lok Sabha). The Committee urge that the amendment Bill should be introduced in parliament without further loss of time.

Reply of the Government

The process of inter-ministerial consultations has been completed. A Note for Cabinet is being submitted to the Cabinet shortly.

[MOIA OM No. H-11013/9/2007-Parl. Dated 07.08.2007]

Comments of the Committee

(Please see Paragraph No. 12 of Chapter-I of the Report)

Recommendation No. 6

The Committee are glad to note that the pilot project for automation of Protector of Emigrants (PoEs) office, Delhi is almost operational which would usher in greater transparency, efficiency and accountability in the emigration process. The Committee desire that after gaining experience from the pilot project, automation of the other PoE offices should be taken up in a time bound manner with a view to realizing the merits of e-governance.

Reply of the Government

The automation of the office of PoE, Delhi became operational with effect from May 3, 2007. This has made the emigration process much easier and transparent. The computerization of the rest of 7 offices is being taken up in a time bound manner and is expected to be completed shortly.

[MOIA OM No. H-11013/9/2007-Parl. Dated 07.08.2007]

(Please see Paragraph No. 15 of Chapter-I of the Report)

Recommendation No. 7

Another programme embarked on pilot basis by the Ministry was Pre-departure orientation and skill up-gradation programme for emigrant workers which was reportedly well received in five States (Tamil Nadu, Andhra Pradesh, Punjab, Kerala and Karnataka) where the programme was experimented on cost sharing basis in 2006-07. The Committee are of the view that adequacy of the programme in terms of inputs, duration and accrual of benefits needs to be assessed and the programme restructured, if need be, on the basis of outcome of such an assessment. The Committee feel that such an exercise will give sound basis for extending the programme to other States.

Reply of the Government

Based on the inputs received from the Five States and other knowledge partners, the Ministry is in the process of suitable revising the scheme in terms of training inputs, duration and expected results. Under the revised programme,

ministry has signed a Memorandum of Understanding (MoU) with the Ministry of Micro, Small and Medium Enterprises. Similar MoUs will be signed with three apex business chambers (CII, FICCI and ASSOCHAM) and reputed Non-Governmental Organisations for implementing pre-departure orientation and skill upgradation schemes through their training institutes. The revised scheme is expected to cover most of the States. The duration of the training will range from two weeks to six months.

The State Governments of Kerala, Tamil Nadu, Andhra Pradesh, Karnataka and Punjab which were released financial assistance during the year 2006-07 under the scheme 'Pre-departure orientation and skill up-gradation programme for emigrant workers' are being persuaded to implement the scheme constantly. The progress of implementation of the Scheme was reviewed in a meeting which was attended by the representatives of the State Governments of Karnataka, Andhra Pradesh, Kerala and Punjab. They are of the view that this being a new programme and also since the funds were released at a late stage during the year 2006-07, the funds could not be utilized so far. It was impressed upon all State Governments to take steps to make the people aware of the scheme through wide publicity, consider involving NGOs and other institutions in the implementation of the scheme and implement the scheme at the earliest and furnish the utilization certificates.

[MOIA OM No. H-11013/9/2007-Parl. Dated 07.08.2007]

Recommendation No. 9

One of the appreciable measures initiated by the Ministry is pursuing bilateral agreements or MoUs with all major labour receiving countries aimed at promotion of overseas employment of Indian workers and their protection and welfare. The Ministry has recently signed an MoU with the UAE and have initiated the process with five other countries – Malaysia, Saudi Arabia, Kuwait, Oman and Bahrain. The Committee have no doubt that these bilateral labour agreements will go a long way in ameliorating the problems of Indian workers

abroad. The Committee hope that the Ministry will simultaneously strive to enter into such agreements with other major labour receiving countries.

Reply of the Government

The MoU with Kuwait has been signed recently in April, 2007. The first meeting of the Joint Committee under the bilateral MoU between India and UAE was held in Dubai in May, 2007. The Additional Protocol to the existing Labour Agreement with Qatar has been finalized and approval of the Cabinet obtained. The Protocol will be formally signed shortly. MoU with Malaysia has been finalized and initialed on 28th June 2007. The approval of Cabinet is being obtained for signing it. A counter-draft has been received from Oman. Bilateral Negotiations will be held shortly. MoUs are being pursued with Bahrain & Yemen also. With Jordan we have an agreement which was signed in 1988. We have sent a draft for signing a fresh MoU to address present day issues. Efforts are being made to persuade Saudi Arabia too for negotiating on MoU. An MoU with Poland is in its initial stages of discussion.

[MOIA OM No. H-11013/9/2007-Parl. Dated 07.08.2007]

Recommendation No. 10

The plight of Indian women deserted or divorced by their overseas Indian spouses is a matter of concern to the Committee. The Committee observe that a scheme has been introduced recently to extend financial assistance for obtaining legal and counseling services through Indian Missions abroad. The scheme reportedly envisages payment of \$1,000 merely for documentation and no payment is envisaged by way of fees to advocates. The Committee feel that this scheme should be extended to Indian women who are deserted by their spouses abroad.

Reply of the Government

Under the provisions of the scheme to provide legal and counseling assistance through Indian Missions abroad a woman holding Indian passport

whether domiciled in India or abroad is eligible to avail benefit of the scheme in case of desertion or divorce by her overseas Indian spouse. The desertion of the Indian woman whether in India or abroad is immaterial for the purpose of extending assistance under the scheme.

[MOIA OM No. H-11013/9/2007-Parl. Dated 07.08.2007]

Recommendation No. 11

The Committee note that the Cabinet has given in-principle approval to the setting up of a University which will have 50% students from abroad and 50% from India. The modalities of setting up the University are yet to be firmed up and notified. Needless to point out that the University will be first of its kind. All efforts should, therefore, be made to ensure that it is a University of excellence with international academic standards and world-class environment. The Committee desire that a detail note regarding this university should be placed before the Committee for discussion before finalization of the proposal.

Reply of the Government

The High Level Committee on Indian Diaspora, appointed by the Government in 2000 had visited various countries with large concentration of Indian Diaspora. The Committee, in its Report submitted in 2001, had recommended, among other things, the necessity of setting up of new Universities and professional institutions offering courses of international standards in Management, Information Technology, Media, Agricultural Research, Medicine, Food processing, etc. for the benefit of overseas Indians. The Ministry of Overseas Indian Affairs was created in September, 2004. The mandate of the Ministry includes 'new initiatives for interaction by Overseas Indians with India in the field of education' among other things. The Ministry therefore endeavours to promote India as a competitive destination for the benefit of Overseas Indian students.

2. Hon'ble Prime Minister had initially announced setting up of an exclusive University for the PIOs during his meeting with the Indian community in Malaysia

in December, 2005. This subject was also discussed at the Pravasi Bharatiya Divas (PBD) 2006 at Hyderabad. At PBD '07 in New Delhi, PM once again announced that the proposal for establishing a University for Persons of Indian Origin is under active consideration of the Government. The Global Organization for Persons of Indian Origin (GOPIO) had also represented for setting up an exclusive University for PIOs. Overseas Indians have voiced a demand for an exclusive University for PIOs in successive PBDs. The subject was further discussed at the GOPIO Session during PBD '07.

3. Overseas Indians look forward to their country of origin for meeting the higher educational needs of their children. Government has created 15% supernumerary seats for foreign nationals/Persons of Indian origin/children of Indian workers in the Gulf countries in higher and technical educational institutions in India. For medical courses 15% intake of the total regular seats are available in private unaided medical/dental colleges under the management quota. These seats are scattered in a large number of institutions throughout the country. Besides, some of them are not institutions of excellence sought by NRIs/PIOs. Further, the higher educational institutions of excellence like IITs, IIMs, etc., much sought after by Indian students, are always full with local intake leaving no scope for any provision for overseas Indian students. In developed countries like USA and UK, higher education is expensive. An exclusive PIO/NRI University in India will cater to the needs of the PIOs/NRIs in sought after disciplines as well as impart educational standards at par with the best Universities in the world in one campus.

4. Keeping in view the above, the Ministry submitted a proposal to establish a PIO/NRI University within the Special Educational Zone (SEZ) in the Special Economic Zone (SEZ), to be set up by overseas Indian Trusts or Registered Societies with credibility in the field of education and having the requisite finances. In its meeting held on 22nd March, 2007, the Cabinet approved the proposal with the direction that the policy be modified to allow the University to be located in any suitable place in the country by ensuring requisite flexibility in

the choice of educational disciplines and courses offered. The broad guidelines for the University, as approved by the Government, will be as follows:

- (i) The University will be located in any suitable place in the country.
- (ii) The University will be set up by Overseas Indian Trusts or Societies with credibility and experience in the field of education under the overall supervision of the Ministry of Overseas Indian Affairs.
- (iii) The institution will be duly registered as a Society under the Societies Registration Act 1860 (XXI of 1860) or as a Trust with Trustees being appointed and vested with legal powers and duties and would have the status of “Deemed University” under Section 3 of the UGC Act.
- (iv) Revenue surplus generated by the University will not be repatriated but ploughed back into the institution for further development.
- (v) 50% seats shall be reserved for PIO/NRI students and 50% for resident Indian students. The existing government policy on reservation shall apply on the 50% reserved seats for resident Indian students.
- (vi) While the resident Indian students will be allowed to pay for their educational expenses in Indian currency, the PIO/NRI students will pay in foreign currency for receiving education in the University. Indian students will pay fees at par with that of IITs for technical education, AIIMS for medical education, IIMs for management courses, etc.
- (vii) The University shall offer courses in the areas Medical Sciences, Dental, Engineering and Technology, Information Technology, Business Administration and Management, Bio-technology and Bio-Informatics etc. However, specialisation such as Human Molecular Biology and Genetics Programme, Graduate Programme in Genetic Counselling, Modern Molecular Genetics, etc. are also proposed to be included in the curriculum of the University as emerging areas. However, the University will have flexibility in the choice of educational disciplines and courses offered.
- (viii) Full autonomy will be granted to the PIO/NRI University in curriculum design, appointment/selection of personnel, faculty, admission procedure, etc. The University will also enjoy full

autonomy in financial matters and fees for PIO/NRI students, intake of PIO/NRI students, etc.

- (ix) The University will conform to the standards set by the regulatory bodies like UGC, AICTE, MCI, etc. as a minimum benchmark. However, the institution has the option to benchmark itself to the best international standards.
- (x) Indian Missions will carry out usual security checks while granting visa to prospective students as well as faculty/teaching staff to be recruited from abroad from among the PIO/NRI community as per existing visa regime. Credentials of the Society/Trust, which applies to set up the University, will be initially verified by the Indian Mission. The application will be forwarded through the Mission to the Ministry.
- (xi) Prior approval of FCRA will be obtained by the Society/Trust setting up the University. The procedure of foreign research grants and Chairs to the PIO/NRI University will be subject to the same norms and procedures applicable in the case of similar grants being received by Universities elsewhere in India, namely the grant/funds for chairs should come only through bodies approved for the purpose (like UGC, CSIR, etc.) and be amenable to prior security clearance as well.
- (xii) The University will be bound to apply for and register all patents (products or process) resulting from research undertaken at the PIO/NRI University with the patent authorities in India.
- (xiii) Scientific research projects undertaken at the PIO/NRI University will be subject to prior Ministry of Home Affairs (MHA) clearance (apart from any other prior approvals they may require) in projects in the restricted category as specified by MHA.
- (xiv) The selected party will arrange the land required for setting up the University and approach the BOA as per the provisions in the SEZ Act and Rules for developing the land and setting up of the university, if set up in the SEZ.
- (xv) A Screening Committee consisting of representatives of Ministries of Overseas Indian Affairs, Commerce, External Affairs, Finance, Human Resource Development, Health & Family Welfare, Home Affairs and academics will be set up for scrutinizing the applications submitted by Societies/Trusts desiring to set up the University.

- (xvi) An Advisory Board will be set up with representatives from Ministries of Overseas Indian Affairs, MEA, HRD, Health & Family, UGC, AIU, AICTE, IMC, Dental Council of India, Nursing Council of India & Pharmacy Council of India and Academics. The Advisory Board will be headed by an Academic person. The Board will evaluate the academic and infrastructure standards and their adherence to the norms set by UGC, AICTE, MCI and other statutory bodies as required under the UGC for granting the status of “Deemed University” to the proposed institution. The Board will recommend to the Ministry of HRD and UGC for granting the status of “Deemed University” de-novo to the institution.
- (xvii) The University will adhere to the norms and procedures of Medical Council of India, Dental Council of India, Indian Nursing Council and Pharmacy Council of India in instituting courses in Medical, Dental, Pharmacy and Nursing courses and for recognition of such degrees granted by the University, under their respective Acts and Regulations.

5. An advertisement has been published in newspapers in India and abroad (through Indian Missions in countries with large overseas Indian population) inviting “Expression of Interest” for empanelment and short-listing of overseas Indian Trusts/Societies for setting up the University, from overseas Indian educational Societies/Trusts. The advertisement and the guidelines for the University have also been placed on the Ministry’s website. The last date for receipt of the advertisements in the Ministry is 12th August, 2007. The proposals received will be examined by the Screening Committee and the selected proposal will be placed before the Cabinet.

[MOIA OM No. H-11013/9/2007-Parl. Dated 07.08.2007]

Comments of the Committee

(Please see Paragraph No. 17 of Chapter-I of the Report)

Recommendation No. 12

The Committee find there has been considerable progress in implementing some of the major recommendations of the Pravasi Bharatiya Divas held in January 2007. These include establishment of PIO University,

establishment of Overseas Indian Facilitation Centre and implementation of pilot projects in Andhra Pradesh and Bihar for extending the primary health care in pursuance of an MoU signed between the MOIA and Association of American physicians of Indian origin. The Committee desire that other major recommendations of PBD such as establishment of institutional mechanism to enable NRI community to become a knowledge partner in India's Development, designing of appropriate financial instruments and products to promote overseas Indian investments, etc. be given expeditious consideration for appropriate action.

Reply of the Government

Recommendations of the Committee are noted for appropriate action in consultation with the concerned Organisation/Department.

[MOIA OM No. H-11013/9/2007-Parl. Dated 7.08.2007]

CHAPTER III

RECOMMENDATIONS/ OBSERVATIONS WHICH THE COMMITTEE
DO NOT DESIRE TO PURSUE IN VIEW OF
THE GOVERNMENT REPLIES

- NIL -

CHAPTER IV

RECOMMENDATIONS/ OBSERVATIONS IN RESPECT OF WHICH
REPLIES OF GOVERNMENT HAVE NOT BEEN ACCEPTED
BY THE COMMITTEE AND REQUIRE REITERATION

- NIL -

CHAPTER V

RECOMMENDATIONS/ OBSERVATIONS IN RESPECT OF WHICH FINAL REPLIES OF THE GOVERNMENT ARE STILL AWAITED

Recommendation No. 8

The Committee would like to know whether any feedback was received/obtained from the intended beneficiaries of the Social Security Agreement (SSA) with Belgium in November, 2006 and would like to be apprised of the same. The Committee hope that such a feedback will help the Ministry to arrive at appropriate decision on the question of signing similar agreements with other countries.

Reply of the Government

Social Security Agreement (SSA) was signed with Belgium on 3rd November, 2006. Further negotiations are scheduled in November, 2007 on finalizing administrative arrangements to be made by both the parties for implementing the agreement. Thereafter the agreement will come into force. The feedback will be obtained after the implementation of the SSA.

[MOIA OM No. H-11013/9/2007-Parl. Dated 07.08.2007]

NEW DELHI
12 November , 2007
21 Kartika, 1929(Saka)

DR. LAXMINARAYAN PANDEY,
Chairman,
Standing Committee on External Affairs

Appendix-I

MINUTES OF THE FIFTH SITTING OF THE STANDING COMMITTEE ON EXTERNAL AFFAIRS HELD ON 7TH NOVEMBER, 2007

The Committee sat from 1500 hrs. to 1600 hrs. in Committee Room 'D', Parliament House Annexe, New Delhi

PRESENT

Dr. Laxminarayan Pandey – Chairman

MEMBERS LOK SABHA

2. Prof. S.P. Singh Baghel
3. Shri A.V. Bellarmin
4. Shri Sukhdev Singh Dhindsa
5. Shri P.C. Gaddigoudar
6. Shri S.K. Kharventhan
7. Shri Mukeem Mohammad
8. Shri Somabhai G. Patel
9. Dr. Sebastian Paul
10. Shri Suresh Prabhakar Prabhu
11. Shri P.A. Sangma
12. Dr. (Col.) Dhani Ram Shandil
13. Shri M. Shivanna
14. Shri Vanlalzawma

RAJYA SABHA

15. Shri S.M. Laljan Basha
16. Smt. Prema Cariappa
17. Dr. Ram Prakash
18. Dr. Mahendra Prasad
19. Shri Arjun Kumar Sengupta
20. Dr. Karan Singh
21. Dr. (Smt.) Kapila Vatsyayan

SECRETARIAT

1. Shri T.K. Mukherjee - Director
2. Shri P.V.L.N. Murthy - Deputy Secretary
3. Shri Lalkithang - Under Secretary

2. XXX XXX XXX XXX XXX

3. Thereafter, the Committee took up the following draft Reports for consideration and adopted the same:-

i) XXX XXX XXX XXX XXX

ii) XXX XXX XXX XXX XXX

iii) Draft Report on Action Taken by the Government on the recommendations contained in the 16th Report (14th Lok Sabha) of the Committee on Demands for Grants of the Ministry of Overseas Indian Affairs for the year 2007-2008.

4. The Committee then authorized the Chairman to finalise the Action Taken Reports and present the same to both Houses of Parliament.

The Committee then adjourned.

XXX Minutes in respect of other matters kept separately.

Appendix -II

(Vide Para 4 of Introduction of Report)

**ANALYSIS OF ACTION TAKEN BY GOVERNMENT ON THE
SIXTEENTH REPORT OF THE STANDING COMMITTEE
ON EXTERNAL AFFAIRS (14TH LOK SABHA)**

I. Total Number of Recommendations	12
(xviii) Recommendations/Observations which have been accepted by the Government.	
Recommendation Nos. 1, 2, 3, 4, 5, 6, 7, 9, 10, 11 and 12	
	Total-11 Percentage: 91.67%
(ii) Recommendations/Observations which the Committee do not desire to pursue in view of the Government replies.	
Recommendation Nos. NIL	
	Total-NIL Percentage:0%
(v) Recommendations/Observations in respect of which replies of Government have not been accepted by the Committee and require reiteration.	
Recommendation Nos. NIL	
	Total-NIL Percentage: 0%
(vi) Recommendations/Observations in respect of which final replies of Government are still awaited.	
Recommendation Nos. 8	
	Total-01 Percentage: 8.33%