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**STANDING COMMITTEE
ON EXTERNAL AFFAIRS
(2004-2005)**

FOURTEENTH LOK SABHA

MINISTRY OF NON-RESIDENT INDIANS AFFAIRS

**DEMANDS FOR GRANTS
2004-2005**

SECOND REPORT



**LOK SABHA SECRETARIAT
NEW DELHI**

August, 2004/Bhadrapada, 1926 (Saka)

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Presented to Lok Sabha on 25.8.2004
Laid in Rajya Sabha on 25.8.2004



LOK SABHA SECRETARIAT
NEW DELHI

August, 2004/Bhadrapada, 1926 (Saka)

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**COMPOSITION OF THE STANDING COMMITTEE ON
EXTERNAL AFFAIRS (2004-2005)**

Dr. Laxminarayan Pandey - **Chairman**

MEMBERS

LOK SABHA

2. Shri Omar Abdullah
3. Shri Yogi Aditya Nath
4. Prof. S.P. Singh Baghel
5. Shri Narayan Chandra Borkatakya
6. Shri P.C.Gaddigouda
7. Shri Vinod Khanna
8. Shri S.K. Kharventhan
9. Shri Narendra Kushwaha
10. Shri Nikhil Kumar
11. Shri Dinsha Patel
12. Shri Somabhai Patel
13. Dr. Sebastian Paul
14. Smt. Ranjit Ranjan
15. Shri P .A. Sangma
16. Dr. (Col) Dhani Ram Shandil
17. Shri Saleem Iqbal Shervani
18. Shri Damodar Barku Shingada
19. Shri Madhu Goud Yashki
20. Shri Suresh Prabhu
21. Vacant*

MEMBERS

RAJYA SABHA

22. Shri P. K. Maheshwari
23. Smt. Prema Cariappa
24. Dr. Karan Singh
25. Shri Jana Krishnamurthy K.
26. Shri Arun Shourie
27. Smt. S.G. Indira
28. Smt. Jaya Bachchan
29. Shri S.M. Laljan Basha
30. Shri Fali S. Nariman
31. Dr. Mahendra Prasad

SECRETARIAT

Shri John Joseph	-	Additional Secretary
Shri S.K. Sharma	-	Joint Secretary
Shri U.S.Saxena	-	Director
Shri Shiv Kumar	-	Under Secretary
Dr.(Smt.) Sagarika Dash	-	Committee Officer

*

Shri Atal Bihari Vajpayee ceased to be a Member of the Committee consequent upon his resignation w.e.f. 13.8.2004

INTRODUCTION

I, the Chairman, Standing Committee on External Affairs having been authorised by the Committee to submit the report on their behalf, present this Second Report (14th Lok Sabha) on Demands for Grants of the Ministry of Non-Resident Indians Affairs for the year 2004-2005.

2. The Standing Committee on External Affairs was constituted on 5th August, 2004. One of the functions of the Standing Committee as laid down in Rule 331E of the Rules of Procedure and Conduct of Business in Lok Sabha is to consider the Demands for Grants of the concerned Ministries/Departments and make a report on the same to both the Houses. The Report shall not suggest anything of the nature of cut motions.

3. The Committee (2004-2005) took evidence of the representatives of the Ministry of External Affairs on 10th August, 2004. The Committee wish to express their thanks to the officers of the Ministry of External Affairs for placing before the Committee the material and information which they desired in connection with the examination of the Demands for Grants of the Ministry for 2004-2005 and for tendering evidence before the Committee.

4. The Committee (2004-2005) considered and adopted the report at their sitting held on 23rd August, 2004.

5. The Committee place on record their appreciation for the valuable assistance rendered to them by the officials of the Lok Sabha Secretariat attached to the Committee.

6. For facility of reference and convenience, the observations and recommendations of the Committee have been printed in thick type in the body of the Report and have also been reproduced in consolidated form in Appendix III of the Report.

NEW DELHI
23rd August, 2004
Bhadrapada 1, 1926(Saka)

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

REPORT

A. INTRODUCTORY

The Ministry of Non-Resident Indians Affairs have been created vide notification dated 27th May, 2004 (Doc. CD-160/2004), issued by the Hon'ble President of India under clause (3) of Article 77 of the Constitution regarding amendment to the Government of India (Allocation of Business) Rules, 1961.

2. As per the Government of India (Allocation of Business) Rules, 1961, the Ministry have been assigned the following functions:-

“Relations with Overseas Indians excluding entries specifically allotted to other departments.”

B. BACKGROUND AND OBJECTIVES

3. A High Level Committee on the Indian Diaspora was appointed by Government of India vide its order dated 18 August, 2000 to look into the affairs of Indian Diaspora. This High Level Committee submitted its report to the Prime Minister on 8th January, 2002. After making an in-depth study of the characteristics and aspirations of the Indian Diaspora, comprising of both NRIs and PIOs, this Committee had made several recommendations for forging a mutually beneficial relationship with the Diaspora, for facilitating their interaction with India and their participation in India's economic development. The Committee noted that the single refrain from the cross-section of the Indian Diaspora was to create a mechanism that obviates the requirement of reference to a multiplicity of organizations and departments, whenever NRIs and PIOs looked to India for interaction.

4. The High Level Committee in its recommendations suggested formation of an organization on the lines of the Planning Commission to look after the affairs of the Overseas Indians. The Hon'ble Prime Minister has, however, decided to have a full-fledged Ministry to look after the affairs of the Overseas Indians. The emphasis given by the new Government on forging relations with Overseas Indians was amply reflected in Para 53 of the Presidential Address before the Joint Session of the Parliament on the 7th June, 2004:

“Indians abroad have not only been successful in many walks of life, but have also been a source of inspiration for their brethren back home. The new Ministry of Non-Resident Indians Affairs, which reflects our recognition of their values, will tap their potential for contributing to our economic growth.”

5. Earlier that the matters relating to non-resident Indians Affairs were being dealt with by the Ministry of External affairs and, now, in view of the fact that a new Ministry of Non-Resident Indians Affairs had been created, the Committee desired to know as to what was the present status as obtaining in the new Ministry about jurisdiction of this Ministry and also the manner in which this Ministry planned to work in co-ordination with the Ministry of External Affairs and other Ministries with regard to the matters relating to the non-resident Indians.

6. To this, the Ministry in a written submission informed the Committee that a meeting of the Committee of Secretaries was held on June 29, 2004 to discuss the allocation of subjects to the Ministry of Non-Resident Indians Affairs. It was decided that all policy issues relating to Overseas Indians Affairs should be allocated to the Ministry of Non-Resident Indians Affairs. Later on the Ministry informed the Committee that the Group of Ministers met on 6th August, 2004 and decided that the following subjects may be allocated to the Ministry of NRI Affairs:

Direct Non-Resident Indians/Persons of Indian Origin investment admission of NRI/PIO students in various educational, technical and cultural institutes in India, scholarship to NRI/PIO students for study in

India under different schemes, general policy regarding the employment assistance to Persons of Indian Origin coming from various countries, organisation of Pravasi Bharatiya Divas, matters relating to Pravasi Bharatiya Samman Awards, Pravasi Bharatiya Kendra, guidance, cooperation and coordination with the State Governments on matters relating to Overseas Indians, External Publicity relating to Overseas Indians Affairs, representation in Indian Council for Cultural Relations, Representation in the Foreign Investment Promotion Board and Foreign Investment Implementation Authority, matters relating to overseas Indian Volunteers Programmes in India and all other matters relating to Overseas Indians excluding entries specifically allotted to other Departments.

7. The powers in respect of certain subjects, however, are to be exercised by the Ministry of Non-Resident Indians Affairs in consultation with other Ministries such as Home, External Affairs, Finance, Commerce and Labour and Employment. These are: Single point window for matters relating to (i) PIO Card Scheme and dual Citizenship issues (ii) FCRA matters of NGOs of Overseas Indians, Non-Resident Indian and PIO contributions to Government and Parental Organisations, all matters relating to development, operation and maintenance of Special Economic Zones for Overseas Indians, policies and administration regarding vocational and Technical training of skilled and semi-skilled workers keeping in view the demand of Indian workers overseas and External Publicity relating to Overseas Indian Affairs.

8. Some of the unresolved issues in respect of allocation of subjects to the Ministry of Non-Resident Indians Affairs and to be discussed further by the Group of Ministers are: Foreign Investment Promotion Board for Overseas Indians, all emigration under the Emigration Act, 1983 (31 of 1983) from India to overseas countries and the return of emigrants, setting up and Administration of Centres for Overseas Indian Affairs in countries having major concentration of Overseas Indians and development of marketing and communication strategies to ensure strong links between Overseas Indian community and India and develop a classified data-base of Overseas Indians.

No time frame has been suggested for implementation of the above decisions.

9. During the course of evidence, the Committee desired to have the latest update in regard to the position as obtaining in respect of the organisational set up and functioning of the Ministry of the Non-Resident Indians Affairs. Upon this, the Foreign Secretary informed the Committee as under:

"I will give you the latest updates on this. A meeting of the Cabinet Secretary was held with the various Ministries. Some of the functions which involved this Ministry, for example, the Ministry of Labour on the aspect of, for example, protection of emigrants going abroad, the question of explicit promotion, how do we target the NRIs for investing in India. So at that particular meeting, various comments were asked from different Ministries about these functions being taken away by these Ministries. A number of opinions were expressed at that meeting as a result of which the Prime Minister appointed a group of Ministers under the chairmanship of Shri Pranab Mukherjee. That meeting took place two days ago. Various Ministers gave their viewpoints as a results of which certain recommendations were made concerning the new Ministry. But, there were differences of opinion on a number of areas which were supposed to be allocated to the new Ministry. On those areas of differences of opinion, Cabinet Secretary has been asked to take another meeting and try to come out with agreed recommendations."

10. The Committee express their satisfaction over the emphasis given by the Government on forging relations with Overseas Indians by taking serious note of the recommendations of this Committee with regard to Indian Diaspora made in their earlier reports. Time and again, the Committee had strongly recommended for strict implementation of the recommendations made by the High Level Committee on Indian Diaspora. The Committee sincerely hope that the creation of the new Ministry will lead to greater interaction with the NRIs/PIOs and, now, their problems and concerns will be addressed in a more effective and meaningful way.

(Recommendation No. 1)

11. Now that an exclusive Ministry of Non-Resident Indians Affairs have been created, obviously they should gear themselves fully towards helping to take care of the problems and affairs of the non-resident Indians and Persons of Indian Origin. However, it is observed that though the Ministry

were created on 27th May, 2004, three precious months have gone by and the allocation of work for the Ministry is yet to be decided. Other aspects such as organisational set-up and staffing of the Ministry are still pending, awaiting the allocation of work. The Government have informed that a Group of Ministers is in the process of making recommendations to the Prime Minister regarding the allocation of work to the Ministry of NRI Affairs but no time frame has been suggested for implementation of the recommendations. The Committee recommend that at least the basic infrastructure, essentially required, for the working of a full-fledged Ministry should be in place at the earliest, so that the functional set-up of the Ministry can be established and the uncertainty and ambivalence with regard to the working of this Ministry ends without any further loss of time.

(Recommendation No.2)

C. BUDGETARY PROPOSALS

(Rupees in Crore)

Budgetary Projection	
Head of Appropriation	BE (2004-2005)
Revenue Section	Total
Major Head	
Secretariat General Services "2052"	4.80
External Affairs "2061"	1.20
Total Revenue Section	6.00
Capital Section	
Capital outlay on public works "4059"	1.00
Total Capital Section	1.00
Grand Total	7.00

12. According to the Ministry a tentative provision of Rs. 4.80 crore had been made to cater to the establishment expenditure. When asked whether this amount was sufficient enough, the Ministry informed the Committee that this amount had been provided to cater to the establishment expenditure and functional staff to begin with and additional allocation for the Ministry would be sought in the first batch of Supplementary Grants itself.

13. To another question as to when the functional set-up of the Ministry was likely to be established and whether any target date has been fixed for the purpose, the Ministry informed the Committee that although no target date has been fixed, the functional set-up of the Ministry was likely to be established within 3 months.

14. The Committee were informed that a provision of Rs. 1.20 crore under the Head 2061: External Affairs has been made to cater to the expenditure likely to be incurred on holding the multilateral International Conferences/meetings in India and the expenditure on entertainment on NRIs related events which may be held in India, expenditure on projects and schemes which the new Ministry may undertake during the course of the year. In this background, the Ministry were requested to state whether these events will be different from celebration of “Pravasi Bharatiya Divas” for which a separate fund already stands allocated in BE 2004-2005 of MEA and also to give a brief description of events which the new Ministry proposed/envisaged to undertake during the current financial year.

15. To this, the Ministry replied that this provision had been made on a tentative basis since the allocation of the work to the new Ministry had not yet been finalized. The events which the new Ministry proposed to undertake would be finalized after the allocation of work to the Ministry and these events will be different from celebration of “Pravasi Bharatiya Divas”.

16. The Committee note that Rs. 4.80 crore has been allocated against establishment expenditure, Rs. 1.20 crore for holding the multilateral International Conferences/meetings and expenditure on entertainment of NRI’s related events which may be held in India and Rs. 1.00 crore has been allocated under other charges. All these allocations can be properly utilised only after the finalisation of work allocation by the Group of Ministers, which is still awaited. The Committee are of the view that at this

point of time, sufficient fund is required only for establishment of the Ministry and allocation of funds for other than establishment expenditure should have been made at a later stage i.e. at the RE stage. Therefore, priority should now be given to the establishment expenditure in order to have the organisational set-up of the Ministry in place as early as possible. The Committee also desire that the budgetary allocation of this Ministry be augmented substantially in due course so as to enable them to carry on their activities.

(Recommendation No. 3)

17. Similarly, a provision of Rs. 1.00 crore has been made in the BE of the Ministry of Non-Resident Indians Affairs under the Head: 2061-16.00.50 Other Charges. When asked to give details of item-wise expenditure going to be funded under this Head, the Ministry stated that being a new Ministry the schemes will be finalized after the allocation of work.

18. A budgetary allocation of Rs. 6.00 crore in BE 2004-2005 has been made in the Demands for Grants of the Ministry of External Affairs. In this context, the Ministry of Non-Resident Indians Affairs were asked to explain in consultation with the Ministry of External Affairs the reasons for allocation of Rs. 6.00 crore in BE 2004-2005 for the celebration of 'Pravasi Bharatiya Divas', in the Demands for Grants of the Ministry of External Affairs while a separate Ministry of Non-Resident Indians affairs with its separate Demands for Grants for the year 2004-2005 was already in place. The Committee categorically desired to know as to why this amount had not been allocated to the Ministry of Non-Resident Indians Affairs and whether the celebration of Pravasi Bharatiya Divas in the current year was not proposed to be organized by the Ministry of Non-Resident Indians Affairs, the Ministry informed the Committee as under:

19. As per the Government of India (Allocation of Business) Rules, 1961, the Ministry of Non-Resident Indians Affairs has been assigned the following functions:-

“1. Relations with Overseas Indians excluding entries specifically allotted to other departments. Correspondingly the erstwhile entry no. 40 under Ministry of External Affairs has been deleted.”

20. The Ministry of Non-Resident Indians Affairs are of the view that after deletion of entry no. 40 under Ministry of External Affairs, there is no specific entry under the Government of India (Allocation of Business) Rules, 1961, which justifies the organization of events relating to Overseas Indians by the Ministry of External Affairs. Accordingly, the budget allocation of Pravasi Bharatiya Divas should have been logically transferred from the Ministry of External Affairs to the Ministry of Non-Resident Indians Affairs. Non-transfer of budget allocation is likely to adversely affect the preparation of Pravasi Bharatiya Divas, which is now being organized by the Ministry of NRI Affairs. The transfer of allocation of Pravasi Bharatiya Divas would also be sought in the first batch of Supplementary Grants itself.

21. The Committee are surprised to note that a budgetary allocation of Rs. 6.00 crore in BE 2004-2005 has been made in the Demands for Grants of the Ministry of External Affairs for the celebration of Pravasi Bharatiya Divas. The Committee note in particular that after deletion of entry No. 40 under Ministry of External Affairs, there is no specific entry under the Government of India (Allocation & Business) Rules 1961, which justifies the organisation of events relating to the Overseas Indians by the Ministry of External Affairs. Accordingly, the budgetary allocation of “Pravasi Bharatiya Divas” should have been transferred from the Ministry of External Affairs to the Ministry of Non-Resident Indians Affairs. The non-transfer of this allocation is likely to adversely affect the preparations for “Pravasi Bharatiya Divas”, which is now going to be organised by the

Ministry of Non-Resident Indians Affairs. The Committee recommend that the aforesaid allocated fund should be transferred suitably to the Ministry of Non-Resident Indians Affairs within a given time frame say at the Revised Estimate stage to avoid any constraints/problems for the celebration of Pravasi Bharatiya Divas, in January 2005. The Committee hope that a clear division of work between the two Ministries, in particular relating to NRI affairs, should be made at the earliest – leaving no scope for confusion and overlapping in respect of their functioning in future.

(Recommendation No. 4)

D. CAPITAL OUTLAY ON PUBLIC WORKS

22. The Ministry of External Affairs in their Annual Report 2003-2004 have mentioned that it had been decided to establish a Pravasi Bharatiya Kendra, as an autonomous institution, to promote multi-dimensional Welfare of the Indian diaspora. The then Prime Minister also announced the decision to allot a plot of land and a grant of Rs. 25 crore for the purpose.

23. In this context, the Ministry of Non-Resident Indians Affairs were requested to furnish a status report in regard to the announcements regarding allotment of land and grant of Rs. 25.00 crore also elaborate as to when and where this Pravasi Bharatiya Kendra was going to be established.

24. To this, the Ministry in a written submission have informed the Committee that the Ministry of Urban Development and Poverty Alleviation had allocated Plot No. 15-A and 15-B measuring 5858 sq. mtrs. at Chanakyapuri, New Delhi to Ministry of External Affairs(MEA) for construction of Pravasi Bhartiya Bhawan at a premium of Rs. 31,83,400/-. MEA had identified plot no. 15-D, measuring 3068 sq. mtrs., adjoining the plot already allocated to MEA and have requested Ministry of Urban Development and Poverty Alleviation for allocating this additional piece of land for the Pravasi Bharatiya Kendra. With the allocation of this additional land, the plot size would go up to 8926 sq. mtrs. (5858 + 3068 sq. mtrs.) and this would serve the purpose of establishing the Pravasi Bharatiya Kendra.

25. To a query as to whether the Ministry propose to construct two separate buildings. i.e. Pravasi Bharatiya Bhawan and Pravasi Bharatiya Kendra and also as to what kind of activities are planned by the Ministry in these buildings and the purpose which these buildings are going to serve, as far as non-resident Indians matters are concerned, the Ministry submitted as under:

- “(i) The Ministry propose to construct one building only for the Pravasi Bharatiya Kendra.*
- (ii) The proposal to establish a Pravasi Bharatiya Kendra has been conceptualized by the High Level Committee on Indian Diaspora to provide a suitable place to commemorate the trials and tribulations, as well as the subsequent evolution and achievements of the diverse Indian Diaspora. The aims and objects of the proposed Kendra would be:*

It would symbolize our recognition that the common aspirations of all members of the Diaspora is to maintain their cultural identity and civilizational ethos.

It would be an ideal forum to facilitate harnessing extraordinary talent pool among 20 million strong Indian Diaspora for accelerating our development process

The proposed Kendra would have permanent exhibition illustrating the history of the Diaspora in various parts of the world.

The Kendra would also provide facilities for comparative study of major Diasporas.

The Kendra would provide facilities for cultural interaction among Diaspora artistes and facilitate interaction with eminent Indian artistes.

The Kendra would also suggest ways and means to redress the grievances of NRIs/PIOs.

The presence of Diaspora is an important factor in our bilateral relationship with the countries of their settlement. The Kendra would provide informal channels of communication, which would help in promoting understanding of issues of vital concern to India.”

26. In the Demands for Grants of the Ministry under the major Head 4059: Capital Outlay on Public Works Rs. 1.00 crore has been allocated. According to the Ministry, the provision was primarily for the acquisition/construction of the 'Pravasi Bharatiya Kendra' and provision in current financial year was for the acquisition of land.

27. When asked as to whether the amount allocated for acquisition of land for the construction of Pravasi Bharatiya Kendra was in addition to the grant which Prime Minister announced earlier for this purpose, the Ministry replied Prime Minister had announced during Pravasi Bharatiya Divas 2004 that the Government has decided to set up a Pravasi Bharatiya Kendra in New Delhi, for which the Government will provide a suitable plot of land and a seed grant of Rs. 25 crore. Hence the amount allocated for acquisition of land for the construction of Pravasi Bharatiya Kendra is in addition to the grant of Rs. 25 crore which Prime Minister announced for this purpose.

28. Replying to a related question as to whether the Ministry were in a position to cope up with the pressure which could mount in the wake of acquisition/construction projects-without proper arrangements so far made for the functioning of the Ministry, the Ministry again informed that only after the allocation of work to the Ministry, the staffing etc. of the Ministry would be finalized. The work for setting up the Kendra would progress after setting up of the Ministry.

29. The Committee note with satisfaction that the amount allocated for acquisition of land for construction of Pravasi Bharatiya Kendra is in addition to the grant of Rs. 25.00 crore which Prime Minister announced for this purpose. The Ministry of Urban Development and Poverty Alleviation had already allocated Plot No. 15 A&B measuring 5858 sq. mtrs, at Chanakyapuri, New Delhi to the Ministry of External Affairs for the construction of Pravasi Bharatiya Kendra at a premium of Rs. 31,83,400/-. Further, the Ministry of External Affairs had also identified Plot No. 15 D,

measuring 3068 sq. mtrs. adjoining the plot already allocated to the Ministry of External Affairs and have requested to Ministry of Urban Development and Poverty Alleviation for allocating this additional piece of land for the Pravasi Bharatiya Kendra. It means that sufficient fund is already available to the Ministry and an additional plot is required for the construction of Pravasi Bharatiya Kendra. Work relating to taking possession of the plot and activities in the Kendra after its functional set-up should be undertaken by the Ministry on top priority. The Committee understand that the plots which are allocated to the Ministry of External Affairs for the construction of Pravasi Bharatiya Kendra belong to this Ministry and once the Non-Resident Indians Affairs Ministry become functional, these will have to be transferred to the Ministry of Non-Resident Indians Affairs. Some paper work naturally may have to be undertaken in this regard. The Committee, therefore, desire that, in the meanwhile, all the necessary formalities should be completed – so that the required set-up in the Ministry of Non-Resident Indians Affairs is in place at the earliest for starting the construction work for the Kendra. Taking a lesson from the Videsh Bhawan project of the Ministry of External Affairs, all precautions should be taken in respect of the construction project of Pravasi Bharatiya Kendra, so that, it does not get delayed. Accordingly, the Committee recommend the Ministry of Non-Resident Indians Affairs to prepare a time schedule for the construction of this building and ensure its completion within time.

(Recommendation No. 5)

E. PROJECTS AND SCHEMES

30. The Committee desired to know as to what was the priority list of projects and schemes which the new Ministry may undertake during the course of year.

To this, the Ministry informed that:

“The Ministry would be organizing the third Pravasi Bharatiya Divas in January 2005 in Mumbai in collaboration with FICCI. The other projects and schemes would be finalized after the allocation of work to the Ministry.”

31. In the Annual Report (2003-2004), the Ministry of External Affairs had stated that a website www.stio.nic.in was launched jointly with the Department of Science and Technology for interactive exchanges with the Scientists and Technologists of Indian origin, with a view to assist them in their endeavour to play a role in the national development. When asked as to the salient features of this website, the Ministry responded as under:

"S&T Professionals of Indian Diaspora - Website" is Ministry of Science & Technology (Department of Science & Technology - DST) platform and is an integral part of the overall Indian Diaspora initiative of Government of India. The exact address of the website is stio.nic.in. The website was created to provide customized means to the scientific and technical community of Indian origin (whether Resident/NRI/PIO) residing abroad to register into a prescribed data grid and seeking their expression of interest of working with Indian community for enhancing the scientific/social/economic temperament and status of citizens of India. The website provides data-grid for registering for a new visitor to the site and information for existing/new schemes of interaction between scientific community abroad and India."

32. To a pointed query as to in what way the launching of this website was going to contribute/help the Scientists and Technologists of Indian Origin in their endeavour to play a role in the national development, the Ministry submitted:

"This Website is aimed at capturing willingness and harnessing contributions of Scientists and Technologists of Indian Origin (STIOs) abroad in:

Human Resources & Research Capacity Development - Augmenting collaboration for strengthening Indian education, research and human resource capabilities in frontier areas of basic sciences & cutting edge technologies;

Technology Entrepreneurship - Enhancing India's competence in technology entrepreneurship, utilization of venture financing and mentoring younger generation for creating wealth from knowledge;

India in international mega-science - Catalyzing participation of Indian scientists and institutions in major international mega-science projects and in programs of major advanced research facilities abroad:

India as Global R&D Platform - Promoting India as a Global R&D Platform and the preferred R&D outsourcing destination;

Alma Mater relationship - connecting alumni abroad with their alma mater for purposeful and sustainable relationships;

The website intends to catalyse registered STIOs interface with Indian academia, research, laboratories, industry & enterprises. The STIOs offers of collaboration will be periodically screened and uploaded for browsing by Indian peers/institutions. Also, information on specific S&T institutions, schemes, programs & opportunities in India that may be of interest to STIOs will be made available on the website. This website will thus facilitate follow-up action on networked joint proposals.”

33. When asked as to how many visitors have visited this site as on date and whether any list of visitors has been prepared, the Ministry in a written submission have stated as under:

“494 visitors have visited this website. A list of visitors has been prepared. The visitors are from Kuwait, Australia, Bahrain, Belgium, Brazil, Canada, China, Czech Republic, Denmark, Finland, France, Germany, Guyana, Hong Kong, India, Italy, Indonesia, Ireland, Israel, Japan, Malaysia, Netherlands, Nepal, New Zealand, Oman, Papua New Guinea, Russia, Singapore, Saudi Arabia, South Korea, South Africa, Spain, Sweden, Switzerland, Taiwan, Trinidad and Tobago, United Arab Emirates, USA, UK and Zambia. The website is maintained and updated by Department of Science and Technology.”

34. The website intends to catalyse registered STIOs interface with Indian academia, research, laboratories, industry & enterprises. The STIOs offers of collaboration will be periodically screened and uploaded for browsing by Indian peers/institutions.

35. Upon this, the Ministry were asked as to whether any offers of collaboration of STIOs have been received so far.

To this, the Ministry replied as under:

“Offers of collaboration have been received in the fields of Microbial Process Development, Pharmaceutical Manufacturing, Biotechnology, Rubber Technology, Process redesign/Integration/Reengineering, Solid State Physics, Solar Thermal Technology, Plant Systems/ Molecular breeding of crops, Polymer Science, Quality Management system, Architecture and Dental Materials Research.”

36. The Committee appreciate the association and coordination of the Government with the Ministry of Science & Technology in launching a website “stio.nic.in” for interactive exchanges with the Scientists and Technologists of Indian Origin with a view to assisting them in their endeavour to play a role in the national development. The Committee note that information on specific S&T institutions, schemes, programs & opportunities in India that may be of interest to STIOs will be made available on the website and this website will facilitate follow-up action on networked joint proposals. The launching of this website has created some interest among the STIOs. The Committee would, therefore, suggest that vigorous efforts for intensive publicity of this website should be made among the Scientific and Technical Community of Indian Origin and steps should be taken to keep up the interest (whether Resident/NRIs/PIOs) – residing abroad.

(Recommendation No. 6)

37. In the Annual Report (2003-2004) the Committee note that a national seminar on the Private International Law was organized in 2003, jointly with Indian Society for International Law to discuss various matters concerning marriage, divorce, alimony, child custody, inheritance etc., which have a bearing on matrimonial alliance of NRIs and PIOs in India. Difficulties being faced by NRI/PIO ex-serviceman abroad in receiving pensions from India were discussed with Ministry of Defence and appropriate steps were taken to obviate the difficulties.

38. On being asked to furnish the details and outcome of this seminar, and the nature/kind of difficulties being faced by NRIs/PIOs, ex-servicemen abroad in receiving pensions from India, The Ministry have stated that the Ministry of External Affairs and The Indian Society of International Law (ISIL) had organized a National Seminar on the “Private International Law problems of NRIs and the

Hague Conventions” on 6th and 7th of December 2003. The National Seminar was attended by scholars and experts from various universities, senior lawyers who are familiar with private international law, Judges, who have handled such cases, officials of Ministry of External Affairs, former and present Law Commission members and officials etc. Hon’ble Mr. Justice S. Rajendra Babu, Supreme Court of India inaugurated the National Seminar and Shri J. C. Sharma, Secretary, Ministry of External Affairs delivered the keynote address. Prof. A. Jayagovind, Director, National Law School of India University, Bangalore, Hon’ble Mr. Justice Vikramjit Sen, High Court of Delhi, Dr. S.C. Jain, Former Secretary, Ministry of Law and Justice, Shri T. K. Vishwanathan, Secretary, Legislative Department, Ministry of Law and Justice presided over various sessions of the seminar.

39. The Ministry also submitted that the ISIL in its report on the Seminar and subsequent studies has suggested that suitable legislation be enacted to alleviate the problems of the wives and families of NRIs. The report also suggested that Government of India need to give urgent consideration to embracing the Hague Convention on the Service abroad of Judicial and Extra-Judicial Documents in Civil or Commercial Matters, 1965.

40. As per the reply furnished by the Ministry, the ISIL in its report on the Seminar and subsequent studies has suggested that suitable legislation be enacted to alleviate the problems of the wives and families of NRIs. The report also suggested that Government of India need to give urgent consideration to embracing the Hague Convention on the Service abroad of Judicial and Extra-Judicial Documents in Civil or Commercial Matters, 1965.

41. In this context, the Committee enquired to know whether any legislation has been enacted to alleviate the problems of the wives and families of NRIs, whether the Ministry are planning to take up the matter with the Ministry of Law in this regard and what specific efforts are being made by the Ministry at their level

to give consideration to embracing the Hague Convention on the Service abroad of Judicial and /Extra-Judicial Documents in Civil or Commercial Matters, 1965.

The Ministry in their written submission stated as under:

“No legislation has been enacted yet but this Ministry will take up the matter with the Ministry of Law. The Ministry is proposing to seek Cabinet approval for becoming a party to Hague Convention Abolishing the Requirement of Legalisation for Foreign Public Documents and the matter is at an advanced stage. We have become a party to the Hague Convention on Protection of Children and Cooperation in respect of Inter-country Adoption. We are seeking the views of the Law Ministry on the Hague Convention on the Taking of Evidence Abroad in Civil or Commercial Matters. Other Ministries and Departments are being consulted on Hague Convention on the Civil Aspects of International Child Abduction.

(ii) We are consulting the Ministry of Law and have sought their concurrence to become party to the Hague Convention on the Service Abroad of Judicial and Extra-Judicial Documents in Civil or Commercial Matters, 1965.”

42. The Ministry have accepted that many NRIs/PIOs ex-servicemen have complained of the difficulties faced by them in getting their pensions on account of complex procedural requirements, which cause inordinate delays sometimes running into months and years.

43. On being enquired by the Committee about steps initiated to overcome these difficulties, the Ministry have stated that the Reserve Bank of India vide their circular issued in July 1997 have stated that the concerned NRIs are now eligible to remit the relevant funds including pension held in their NRO account or to credit the same to NRE/FCNR account after ensuring that Income Tax has been paid as per the provisions of Income Tax Act and a No Objection/Tax Clearance certificate has been produced from the Income Tax Authorities. These provisions have been extended to Defence Pensioners vide Ministry of Defense's letter issued in September 2001.

44. The Ministry have stated that the ISIL in its Report on the seminar and subsequent studies have suggested for a suitable legislation to alleviate the problems regarding pensions of the spouses and families of non-resident Indians. The Report also suggested that Government of India need to give urgent consideration to embracing the Hague Convention, 1965 on the service abroad of judicial and extra-judicial documents in civil or commercial matters. The Committee are of the view that embracing the Hague Convention, 1965 in its letter and spirit should not pose much of a difficulty for the Government of India and the implementation of ISIL suggestion will certainly go in favour of our own people. Hence, the Ministry in coordination with the Ministry of Law should ensure that such a legislation is enacted and implemented at the earliest. The Committee recommend that no efforts should be spared to protect the interests of non-resident Indians. As the Reserve Bank of India has eased the regulations regarding the pensions, etc., Departments like Income Tax may also be persuaded to cooperate in issuing no objection/tax clearance certificates to minimise the problems of non-resident Indians as it was being done in the case of Defence Pensioners. Now that the Ministry of Non-Resident Indians Affairs have been created to look after the affairs of non-resident Indians, they should play a prominent role to obviate such problems being faced by spouses and families of the non-resident Indians.

(Recommendation No. 7)

45. The Committee note from the Annual Report (2003-2004) submitted by the Ministry that in response to the long standing demands of the Indian Diaspora to strengthen emotional and cultural bonds with India and in pursuance of the Prime Minister's assurance at the Pravasi Bharatiya Divas 2003, the Ministry of External Affairs, in coordination with the Ministry of Home Affairs, secured passage of the Citizenship (Amendment) Bill 2003 in December 2003, which has since been enacted to grant Dual Citizenship to the Persons of Indian Origin (PIOs) in 16 specified countries, whose legal systems are compatible with

the concepts of the Dual Citizenship and which have a large concentration of the Indian Diaspora.

46. On being enquired by the Committee about the 16 countries, the PIOs of which are being considered for Dual Citizenship and efforts which are being made by the Ministry to include PIOs of more countries for grant of Dual Citizenship to make this provision a more inclusive one, the Ministry have submitted that the 16 countries, the PIOs of which countries are being considered for Dual Citizenship are:

Australia, Canada, Finland, France, Greece, Ireland, Israel, Italy, Netherlands, New Zealand, Portugal, Republic of Cyprus, Sweden, Switzerland, United Kingdom and United States of America and there is a provision in the Citizenship (Amendment) Act, 2003 for inclusion of other countries at a subsequent stage. The Ministry considers proposals received from our Missions abroad for Dual Citizenship as and when such requests are received.

47. In reply to a question regarding the grant of Dual Citizenship to NRIs and PIOs, the Ministry had stated that there is a provision in the Citizenship (Amendment) Act, 2003 for inclusion of other countries at a subsequent stage. The Ministry consider proposals received from Missions abroad for Dual Citizenship as and when such requests are received.

48. In this context, the Committee desired to know as to whether any proposals for Dual Citizenship from our Missions abroad excluding those sixteen countries have been received and also as to what was the present status of such proposals, if any.

To this, the Ministry replied:

- “(i) *Proposals for Dual Citizenship have been received from our Missions in Seychelles and Norway.*
- (ii) *Some clarifications on the proposals have been sought from the above Missions.”*

49. On the issue of Dual Citizenship, the Foreign Secretary further informed the Committee during evidence as under:

“As far as the issue of dual citizenship is concerned, this also is the subject of the Ministry of Home Affairs. They still have to notify the rules and regulations that are required for implementing this. We understand that, may be in a few months’ time, the legal framework of the rules and regulations will be adopted. Our role in that case will be to issue the Passport if anybody applies to us. If a US citizen applies to us for an Indian Passport, and if he falls under this category, we will render the Passport service to him.”

50. Again from the Annual Report 2003-2004, the Committee note that to promote welfare of the Overseas Indian Workers, the Ministry of External Affairs coordinated efforts with the Ministry of Labour in launching of the Pravasi Bharatiya Bima Yojana, applicable to all Indian emigrant workers in December 2003. On being asked whether the Pravasi Bharatiya Bima Yojana has already been launched, how are the Indian Emigrant Workers going to be benefitted from such a Bima Yojana and what has been the response of Overseas Indian Workers to this Yojana, the Ministry have replied that the Pravasi Bharatiya Bima Yojana was launched on December 25, 2003 and the Bima Yojana is mandatory for all Indian emigrants with Emigration Clearance Required (ECR) endorsement on their passports. It provides a minimum insurance cover of Rs. 200,000 in the event of death or permanent disability; cost of transportation of the dead body with an attendant, in case of death abroad; provision of air passage in case of non-acceptance by the employer or pre-mature termination; medical cover of a minimum of Rs. 50,000 in case of accident or sickness; provision of maternity benefits with a minimum cover of Rs. 20,000 for women emigrants; and assistance in case of certain unforeseen contingencies at an easily affordable fee. The Ministry also stated that the Overseas Indian Workers have welcomed the Bima Yojana.

51. The Committee welcome the efforts of the Ministry of External Affairs and Ministry of Home Affairs for securing the passage of the Citizenship(Amendment) Bill, 2003 – which has since been enacted for

granting dual citizenship to the Persons of Indian Origin in 16 specified countries so far – in response to the long-standing demands of the Indian Diaspora to strengthen emotional and cultural bonds with India. The Committee express the hope that rules in this regard will be finalised and notified without any further delay. The Committee also appreciate the coordinated efforts of the Ministry of External Affairs with the Ministry of Labour in launching the Pravasi Bharatiya Bima Yojana and also hope that with the launching of this Yojana, problems of Indian Emigrant workers will be minimised and their grievances would be mitigated. The Committee expect that the Ministry of Non-Resident Indians Affairs would live upto the expectations of the NRIs/PIOs and Indian Emigrant Workers, safeguard their interests effectively in the near future – for which the same have come into existence and rightly fulfill the vision and mission of our forefathers, who believed in the spirit of “Vasudhaiva Kutumbakam” (the people of the whole earth are our family).

(Recommendation No. 8)

NEW DELHI
23rd August, 2004
Bhadrapada 1, 1926(Saka)

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