

21

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

FOURTEENTH LOK SABHA

MINISTRY OF OVERSEAS INDIAN AFFAIRS

**DEMANDS FOR GRANTS
(2008-2009)**

TWENTY FIRST REPORT



**LOK SABHA SECRETARIAT
NEW DELHI**

April, 2008/Chaitra, 1930(Saka)

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STANDING COMMITTEE ON
EXTERNAL AFFAIRS
(2007-2008)

(FOURTEENTH LOK SABHA)

MINISTRY OF OVERSEAS INDIAN AFFAIRS

DEMANDS FOR GRANTS
(2008-2009)

Presented to Lok Sabha on 16.04.2008
Laid in Rajya Sabha on 15.04.2008



LOK SABHA SECRETARIAT
NEW DELHI

April, 2008/Chaitra, 1930(Saka)

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CONTENTS

	PAGE
COMPOSITION OF THE COMMITTEE (2007-08)	(iii)
INTRODUCTION.....	(v)
REPORT	
I. Implementation of the Committee's Recommendations.....	1
II. Overall Budgetary Allocation	2
A. Budgetary Allocation and Utilisation	2
B. Secretariat General Services	9
C. Capital Section: Construction of PBK	10
III. Schemes/ Programmes of the Ministry	13
A. Overseas Citizenship of India (OCI)	15
B. Know India Programme (KIP)	17
C. Scholarship Scheme for Diaspora Children(SSDC)	19
D. Overseas Workers Resource Centre(OWRC)	22
E. Overseas Indian Facilitation Center (OIFC).....	22
F. Council for Promotion of Overseas Employment (CPOE).....	26
G. Labour Agreements	28
H. Pre-Departure Orientation and Skill Upgradation	31
IV. Other Services	35
A. Legal Assistance to Women Facing Problems in NRI Marriages	35
B. Migration Management	39
C. Assistance to Deported Workers	41
D. Pravasi Bharatiya Divas (PBD)	42
E. Pravasi Bharatiya Samman Awards	43
F. PIO University.....	44
G. Working of POE offices	45
Recommendations/ Observations of the Committee	48

ANNEXURES

- I. Minutes of the sitting of the Committee held on 01.04.2008.....
- II. Minutes of the sitting of the Committee held on 11.04.2008.....

STANDING COMMITTEE ON EXTERNAL AFFAIRS

(2007-2008)

LOK SABHA

Chairman

Dr. Laxminarayan Pandey

MEMBERS

2. Shri Yogi Aditya Nath
3. Prof. S.P. Singh Baghel
4. Shri A.V. Bellarmin
5. Shri Narayan Chandra Borkataky
6. Shri Sukhdev Singh Dhindsa
7. Shri P.C.Gaddigoudar
8. Shri Syed Shahnawaz Hussain
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13. Dr. Sebastian Paul
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16. Shri Damodar Barku Shingada
17. Shri M. Shivanna
18. Shri Vanlalzawma
19. Shri Madhu Goud Yashki
20. Vacant @
21. Vacant #

RAJYA SABHA

22. Smt. Jaya Bachchan
23. Shri Mukhtar Abbas Naqvi
24. Dr. Mahendra Prasad
25. Shri Arjun Kumar Sengupta
26. Dr. Karan Singh
27. Dr. (Smt.) Kapila Vatsyayan
28. Vacant *
29. Vacant *
30. Vacant *
31. Vacant

SECRETARIAT

1. Shri A. Louis Martin - Joint Secretary
2. Shri T.K. Mukherjee - Director
3. Shri P.V.L.N. Murthy - Deputy Secretary
4. Shri Lalkithang - Under Secretary
5. Shri K.C. Pandey - Committee Officer

@ Change of Nomination of Shri Suresh Prabhakar Prabhu to Committee on Finance w.e.f. 24.3.2008
Resignation of Shri P.A. Sangma, MP(LS) w.e.f. 20.3.2008 vide notification no. 21/3/2008/T dated 24th March, 2008.

* Retirement of Shri S.M. Laljan Basha, Dr. Ram Prakash and Smt. Prema Cariappa w.e.f. 9.4.2008

INTRODUCTION

I, the Chairman of the Standing Committee on External Affairs, having been authorised by the Committee to present the Report on their behalf, present this Twenty First Report of the Standing Committee on External Affairs (2007-08) on Demands for Grants (2008-09) of the Ministry of Overseas Indian Affairs.

2. The Committee took oral evidence of the representatives of the Ministry of Overseas Indian Affairs on 1st April, 2008.

3. The Committee considered and adopted this report at their sitting held on 11th April, 2008. Minutes of the sittings held on 1st and 11th April, 2008 are given in Annexure I and II to the Report.

4. The Committee wish to express their thanks to the Ministry of Overseas Indian Affairs for placing before them the material and information which they wanted in connection with examination of the Demands for Grants (2008-09). They also wish to thank in particular the representatives of the Ministry of Overseas Indian Affairs who gave evidence and placed their considered views before the Committee.

NEW DELHI
11 April, 2008
22 Chaitra, 1930(Saka)

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

PART - I
BACKGROUND ANALYSIS

I - IMPLEMENTATION OF THE COMMITTEE'S RECOMMENDATIONS

The 16th Report of the Standing Committee on External Affairs on "Demands for Grants- 2007-2008 of the Ministry of Overseas Indian Affairs" was presented to the Lok Sabha on 26th April, 2007. The Report contained 12 recommendations/ observations.

1.2 In compliance of the Direction 73-A of the Directions by the Speaker, the Minister of Overseas Indian Affairs made a statement in the House on 21st November, 2007 giving the status of the implementation of various recommendations/ observations made by the Committee in their 16th Report. An analysis of the Minister's statement showed that the Government has accepted all the 12 recommendations. Out of these, 1 recommendation (No. 10) was implemented and 2 recommendations (Nos. 5 and 8) were to be implemented by the Government. 9 recommendations (Nos. 1, 2, 3, 4, 6, 7, 9, 11 and 12) were under process of implementation.

1.3 On the basis of Action Taken Replies received from the Ministry of Overseas Indian Affairs on the above-mentioned Report, the Committee presented their 19th Report (Action Taken Report) to Parliament on 20th November, 2007. The Committee in their 19th Report have commented on the Action Taken Replies furnished by the Ministry in respect of recommendations Nos. 2, 4, 5, 6 and 11 contained in the 16th Report. The final replies are awaited from the Ministry, which will be laid in Parliament.

II - OVERALL BUDGETARY PROPOSALS

A. Budgetary Allocation and Utilization

The Ministry of Overseas Indian Affairs established in September 2004, comprises the erstwhile Emigration Division of the Ministry of Labour and Employment and the NRI division of the Ministry of External Affairs, which now functions as the Diaspora division. The objective behind setting up the Ministry was to create a single point interface with the Overseas Indians including Persons of Indian Origin and to give them mainstream attention. The Ministry is organized into four functional service divisions: Diaspora Services, Financial Services, Emigration Services, and Social Services. The Ministry also have the office of Protector General of Emigrants (PGE) and eight field offices of Protectors of Emigrants. The Budget of the MOIA is primarily Non-Plan in nature.

2.2 The Demands for Grants of the Ministry Of Overseas Indians Affairs (Demand No. 68) for the year 2008-2009 is as under:

(Rs. in crore)

Section	Revenue	Capital	Total
Charged	-	-	-
Voted	55	10	65
Total	55	10	65

2.3 The total budgetary allocation of the MOIA in 2007-2008 was Rs.50 crore which was reduced to Rs.40 crore at RE stage. The Proposed allocation of Rs.65 crore for 2008-09 is an enhancement of Rs.25 crore over the Revised Estimate of 2007-08.

2.4 The budget of the Ministry are under three major Heads of Accounts. Two are in the Revenue Account covering expenditure of Secretariat Services and Programme activities and one in the Capital Account covering Outlay on Public Works. When asked as to why scheme wise details of allocations are not shown in the Detailed Demands For Grants under the Major Head 2061-“Other Schemes”, where a provision of Rs. 31.75 crore has been made. The Secretary, MOIA

responded during evidence by saying that it has to be read with the Outcome Budget, where each scheme is shown in detail. This is the format of the presentation of the Budget.

2.5 Budget allocation and actual utilization by the Ministry during the last 3 years are as follows:

(Rs. in crore)

Year	BE	RE	Actuals	Shortfall in utilization Of BE
2005-06	35.00	19.10	17.46	17.54 (50%)
2006-07	38.00	26.00	22.00	16.00 (42%)
2007-08	50.00	40.00	39.23	10.77 (21%)
2008-09	65.00	--	--	--

It may be observed from the above table that during the last 3 budget years the Ministry has not been able to fully utilize their budgetary allocations. During 2006-2007, the allocation of Rs. 38 crore made at BE stage, was reduced to Rs. 26 crore at RE stage against which the actual utilization was only Rs. 22 crore. The actual utilization in 2007-2008 is likely to be much lesser than the original allocation. On being asked about the reasons for shortfall in utilization of budgeted allocation during 2006-2007 and 2007-2008, the Ministry replied as under:

“The shortfall in utilization of budgeted allocation during 2006-2007 was mainly in the following Heads:

- (i) 2061.00.104.01 - International Conferences /Meetings
- (ii) 2061.00.106.01 – Entertainment of Dignitaries
- (iii) 2061.00.800.03 – Other Schemes
- (iv) 4059.60.051.18 – Pravasi Bharatiya Kendra

The shortfall of expenditure in the first two Heads was because no International Conference was organized by the Ministry during this period and the amount allocated for Entertainment of Dignitaries was not much utilized. There was shortfall in the projected expenditure for ‘Other Schemes’ as formulation of the Schemes could be finalized only in the last quarter. Many of the Schemes which were to be implemented in

partnership with the State Governments could not be implemented in time, resulting in non utilization of funds under this Head. The funds earmarked for construction of Pravasi Bharatiya Kendra could not be utilized due to the fact that Ministry of Urban Development had issued the sanction for allotment of land for the proposed Kendra only in March, 2006 and thereafter, it was proposed to appoint a Consultant to prepare a Detailed Project Report (DPR) in 2006-2007. However, this could not be achieved as adequate number of Expressions of Interest (EOI) were not received from Consultancy Firms dealing with construction in response to the RFP floated by the Ministry, resulting in non utilization of the funds under this Head.

During Financial Year 2007-2008, the Ministry had taken up three major Schemes, viz 'Pre-departure Orientation and Skill Upgradation for Emigrant Workers', 'Legal and Financial Assistance to Women Deserted by their NRI Spouses' and 'Scholarship Schemes for Diaspora Children' for approval of the Committee on Non-Plan Expenditure (CNE). The recommendations of the CNE on the first two Schemes were received in January, 2008 only. The 'Pre-departure Orientation and Skill Upgradation for Emigrant Workers Scheme' was referred back to the Ministry of Finance for seeking approval of Finance Minister since the total cost exceeded Rs. 50 crores. FM's approval has not been received, so far. Hence, the allocation made for the Schemes could not be utilized leading to shortfall in expenditure. There has also been savings under the Minor Head 'International Conferences/Meetings' as the Ministry has organized no such Conference during the current Financial Year.

Due to increased sponsorships for organizing PBD, there is also reduction in expenditure for organizing this annual Flagship event of the Ministry. In the Capital Section, the Funds allocated for construction of Pravasi Bharatiya Kendra could not be utilized since the NBCC has been appointed as Consultant only in December, 2007. Construction work of the Kendra can commence after the DPR is prepared by the Consultant and

necessary approvals obtained. Similarly, there is non- utilization of funds allocated for 'Construction/Purchase of Buildings for PGE/POEs' as no suitable buildings have been identified in the States for use of the POE offices.”

2.6 During the course of evidence on Demands For Grants of the Ministry for the year 2008-09, the Secretary, MOIA, also submitted that:

“...The Ministry is relatively a young Ministry. As the hon. Committee is aware, we have had three full budget years, starting from 2005 till 2008. In these three years, we have tried to build the necessary infrastructure, get the required staff and formulate the programmes and schemes. Despite some constraints, the Ministry has been able to devote its energy and attention on the implementation of specific programmes to fulfil its mandate.....

.....During the financial year, 2007-08, against the BE of Rs.50 crore and RE of Rs.40 crore, we have incurred an expenditure of about Rs.39 crore. This is subject of course to the final accounts. There has been a shortfall and this shortfall in performance is primarily in the Capital Account where we had to surrender about Rs.9 crore which was earmarked for the construction of the Pravasi Bharatiya Kendra and for upgradation of the offices of the Protectors of Emigrants. This amount could not be utilised owing to several procedural and practical issues.....”

2.7 He further stated:

“.....I must confess that there are three factors which have affected the implementation of schemes in the past. One is the Ministry does not have a field level implementation agency and has to depend on the Indian Missions for the activities abroad and the State Governments and other agencies for activities domestically. The second problem has been some delay in the approval of schemes where inter-ministerial consultation is involved. The third problem was staff shortages and there have been quite a few vacancies. But inspite of these constraints, we have made reasonably satisfactory progress.....”

2.8 Explaining further he added:

“It is true that due to many factors, some of which were not in Ministry’s control, the Ministry was not able to utilize the budgetary allocation fully during the first three years of its existence. The BEs were initially made with a lot of optimism, but delays did occur and as I explained earlier, one of the main factors was the need to function in close coordination with several other Ministries and agencies. We are in the process of building up strong partnerships with other Ministries, State Governments and other appropriate agencies for implementation of various activities.

I have seen that the Ministry in the past has greatly benefited from the advice, observations and recommendations of the hon. Committee. I would like to assure you that it will be our endeavour to perform the tasks expected of us in the best possible manner and utilize the budgetary resources allocated to us to the full extent.”

2.9 On being asked as to if the increased allocation of Rs. 65 crore during BE 2007-2008 is based on actual requirement and what are the new programmes/schemes for which the increased allocation is required, the Ministry in its written reply has submitted as follows:

“During FY 2008-2009, the Ministry intends to expand the scope and coverage of many of the Schemes like ‘Skill Upgradation & Pre-departure Orientation of Emigrant Workers’ implemented through the Ministry of Micro Small & Medium Enterprises (MSME) and the State Governments. It is also proposed to enlarge the coverage of the Awareness Campaign undertaken by the Ministry through Electronic and Print Media with the aim to educate the general public about the Legal Immigration Process, precautions to be taken against illegal practices by fraudulent Recruiting Agencies and the need for vigilance while entering into NRI marriages. The expenditure for these Schemes are met from the Budget Head ‘Other Schemes’. The Ministry also intends to expand the activities of Overseas Indian Facilitation Centre (OIFC), Overseas Workers Resource Centre (OWRC), Council for Promotion of Overseas Employment (CPOE),

operationalizing the Overseas Indian Centres at Dubai, Washington and Kuala Lumpur with a view to achieve the mandate of the Ministry.”

2.10 The Committee pointed out that during the successive financial years 2006-07, 2007-08, the Ministry had been making provisions in the budget for International Conferences/Meetings, however, during both the financial years there has been a shortfall in expenditure on this account. The Committee desired to know, whether these provisions were made in the budget in anticipation or without any firm proposals in hand for holding such Conferences/Meetings, the Ministry in a written reply submitted:

“The BE for 2006-07 under the minor Head “international conferences/meetings” was Rs. 2 crore which was reduced to Rs 1 crore during RE stage against which the actual expenditure was Rs. 4.9 lakh. During 2007-08 the BE was Rs. 30 lakh which was reduced to Rs. 10 lakh at the RE stage. However, the expenditure has been about Rs. 23 lakh. As such, the expenditure has exceeded the RE allocation under this minor Head during 2007-08. Under the minor Head “entertainment of dignitaries” during 2006-07 the BE was Rs. 1 crore which was reduced to Rs. 10 lakh at the RE stage. The actual expenditure was Rs. 4.70 lakh. During 2007-08 the BE was Rs. 25 lakh which was reduced to Rs. 20 lakh at the RE stage. The total expenditure has been Rs. 8.90 lakh. During 2007-08 the aggregate expenditure under the two minor Heads has exceeded the RE allocation and is about 60% of the BE allocation. It may be added that some of the international conferences/meetings that were anticipated did not materialize during 2007-08 (e.g. the Joint Committee Meeting with UAE and visit of Malaysian Minister and Bahraini Minister). Needless to say that the budgetary provisions were based on anticipated international conferences/meetings. “

2.11 When further enquired if the money that has been allocated for the major schemes like pre-departure orientation and skill upgradation for emigrant workers, legal and financial assistance to women deserted by their NRI spouses and scholarship schemes for diaspora children, was without formulating these

schemes and when were these schemes sent for approval of the Committee on Non-Plan Expenditure and Ministry of Finance seeking approval. The Ministry in their reply submitted as under:

“(a) The scheme to provide legal and financial assistance to women was submitted to the CNE on 30th July, 2007.

(b) The scheme on Scholarship Programme for Diaspora Children (SPDC) was submitted to CNE on 1st August, 2007 which was returned with some queries on 30th August, 2007. The proposal was re-submitted to the CNE on 5th October, 2007 with replies to the queries. The CNE returned the proposal on 18th October, 2007 with certain directives including that the Scheme should be based strictly on income criteria and with a query whether the charges of Ed.CIL were fixed or likely to change in future. While the Ministry has already introduced the income criteria for the forthcoming SPDC-2008 Examination as per the directive of CNE, the query is being sorted out with Ed.CIL. With the recent enhancement in the delegated financial power, it may not be necessary to send the proposal to CNE again.

2.12 The proposal on the Scheme ‘Pre-departure Orientation and Skill Upgradation of Emigrant Workers’, was under consideration of the Internal Finance Division (IFD) before referring to the Committee on Non-plan Expenditure (CNE) on 01.08.2007.

2.13 The Committee on Non-plan Expenditure (CNE) under the chairmanship of Secretary (Expenditure) approved the proposal at its Meeting held on 26.11.2007. However, since the overall financial implications of the Scheme for the 5 year period was above Rs. 50 crore, the case was referred back to Ministry of Finance on 31.12.2007 for seeking approval of the Finance Minister in terms of the Delegation of Financial Powers Rules (DFPR). Ministry of Finance had raised certain objections and the approval of FM is still awaited.”

B. Secretariat General Services

2.14 The Committee observed from the Establishment Strength shown in the Demands for Grants document that as many as 40 posts are still lying vacant. When asked about the reasons for these vacancies and efforts made to fill them up during the preceding year.

The Ministry in their written reply informed as under:

“There is no separate cadre of the Ministry of Overseas Indian Affairs and the Cadre Controlling Authority is the Ministry of Home Affairs for the secretariat staff, who had been requested to provide personnel. Some posts encadred in the MEA are vacant. The MEA has shown inability to provide personnel. Two posts lying vacant are to be filled by the Deptt. of Official Languages. They have been requested to fill up the posts. For the POE offices, the posts are filled up by calling the applications on Sectt. basis and applications have been called.

Details of the vacant posts and action taken to fill up the vacant posts are given below:

Post	No. vacant	Reason of vacancy	Action taken to fill up the vacancy
Principal Private Secretary	1	MEA cadre post.	MEA has conveyed its inability.
Accountant	2	Vacant since creation (June 2005). Post meant for P&AO office.	Pr. CCA has taken action to fill up the posts.
Assistant	7	Promotion of incumbents.	MHA/MEA the Cadre Controlling Authority has been requested to provide Assistants.
Personal Assistant	2	-	-do-
Hindi Translator	2	-	Deptt. of Official Language has been requested.
Steno Grade 'D'	6	-	MHA has been requested to provide.
UDC/LDC	12	-	It is a dying cadre. Proposal has been sent to the Ministry

			of Finance for converting these posts to Assistants.
Peon	3	-	Action will be taken up to fill up the posts.

POE offices

Protector of Emigrants (SO level)	1	Vacancy has been circulated.	DPC has been held.
Steno Grade 'D'	1	-	Vacancy has been circulated.
UDC/LDC	3	-	.-do-

It may be seen that the vacancies are at the level of the support staff. Outsourced staff has currently been deployed against these vacancies to ensure work does not suffer.”

2.15 The Secretary, MOIA stated during evidence as under:

“...this is a small Ministry which does not have its own officers at senior levels. Officers are taken on deputation at senior levels and in fact the lower staff in our Ministry is provided by the Ministry of Home Affairs because we are attached to the Home Ministry for getting lower staff. We do not have officers and staff of our own....”

C. Capital Section: Construction of Pravasi Bhartiya Kendra(PBK)

2.16 According to the Annual Report of the Ministry (2003-2004) it was 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.

2.17 The Ministry in a written submission 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.


2.18 An outlay of Rs. 8 crore has been made this year for the construction of PBK. As per the Outcome Budget (2008-2009), National Building Construction Corporation (NBCC) has been selected as partner and MoU has been signed for constructing PBK. The proposals are stated to be at the planning stage and will be implemented after finalization of the Detailed Project Report.

2.19 On being asked as to when the Detailed Project Report/ implementation plan for time bound completion of the proposed project has been prepared and whether the Project has suffered any time and cost overruns due to time-lag between preparation of initial cost estimates and commencement of work, the Ministry replied as under:

“NBCC has been appointed as the Consultant and Project Manager for the PBK. As per the Agreement signed with the NBCC (on 18th December, 2007) NBCC shall carry out the project on turnkey basis from its concept to completion. The concept design of the Kendra has already been approved and NBCC is already in the process of preparing detailed municipal drawings. To complete the building on a time bound basis, a schedule for completion of related activities has also been chalked out. According to the schedule, municipal drawings will be ready by the 1st week of April, 2008 for submission to the statutory authorities (viz: NDMC; Urban Arts Commission, Fire Service etc.) for clearance and necessary clearance from these bodies is likely to be obtained within a maximum period six months (by 2nd week of October’08). Thereafter, based on the suggestions, if any, given by the local authorities, detailed working drawing will be finalized by the NBCC (by 1st week of December, 2008). Simultaneously, NBCC will appoint contractor(s) for execution of the project. Detailed Project Report (DPR) will be ready by November, 2008. It will be the endeavor of the Ministry that the building should be ready

before the commencement of the ensuing Commonwealth Games in October, 2010.

2.20 During the course of evidence, the Secretary, MOIA, also submitted that: “I would quickly inform that for the Pravasi Bharatiya Kendra, for which the amount was provided, there were processes of selection of consultants, which took time. This selection was limited to the public sector. Consulting companies, primarily HUDCO and NBCC and that took more time than envisaged with lengthy negotiations regarding the rates, etc. But I am happy to say that NBCC has been selected as consultants at eight per cent consultancy fee. The Plan has been approved. We have a time-bound programme for the implementation of the Kendra and it is expected to be completed before the close of 2010.

.....In fact the architectural drawings are being prepared and we expect the detailed estimates in the next one-week.  In we take about six months, which is the critical period that will be for the approval by the municipal bodies, the Urban Art Commission and various other regulatory authorities. So, subject to quick approvals, in fact, we might even be able to cut short the time required for Kendra.”

III - SCHEMES/ PROGRAMMES OF THE MINISTRY

3.1 The allocation of funds towards the schemes and other activities of the Ministry as per the outlay and physical targets for 2007-2008, achievement upto 31.12.2007 and outlay proposed for 2008-2009 as provided in the outcome budget is:

(Rs. in crore)

Sl. No	Name of Scheme/ Programme	Outlay in 2007-2008	Outlay proposed in 2008-2009	Physical targets during 2007-2008	Achievements upto 31.12.2007
1.	Overseas Citizenship of India (OCI)	1.75	2.00	1.5 lakh cards	1.98 lakh cards
2.	Knowledge India Programme (KIP)	0.65	1.00	3 programmes	2 programmes
3.	Scholarship Scheme for Diaspora Children (SSDC)	2.10	2.50	100 scholarships	81 scholarships
4.	Awareness campaign/ media plan	9.80	9.00	(i)10 video spots, (ii)10 audio spots, (iii)Sustained media campaign for 3 months	(i)10 video spots, (ii) Audio spots have been released on regional AIR channels, (iii) Campaign on print yet to begin
5.	Overseas Indian Facilitation Centre (OIFC)	0.30	0.25	To establish one center at NCR of Delhi	The center has been established in partnership with CII
6	Overseas Workers Resource Centre (OWRC)	0.20	0.20	Establish one 12x7 multilingual helpline	12x7 helpline functioning in 7 languages estd.
7	E-Governance	1.93	1.50	Automation	6 PoE offices have

	in Emigration			/ computerization of 6 PoE offices	been computerized
8	Pre-departure orientation and skill upgradation for Emigrant workers	3.00	9.25	Training of 1382 workers	1382 workers trained through Ministry of Micro, Small and Medium Enterprises (MSME).
9	Council for Promotion of Overseas Employment (CPOE)	0.20	1.50	Establishment of CPOE.	Yet to be estd.
10	Legal and Financial assistance to Indian women facing problems in NRI marriages	0.50	3.00	537 cases	The Scheme to be implemented during the 11 th Plan period.
11	Pravasi Bharatiya Divas (PBD)	5.50	6.00	Organize annual event	1 PBD organized in January 2008
12	Pravasi Bharatiya Kendra (PBK)	0.25	8.00	Signing of MoU with partner for constructing PBK.	NBCC has been selected as partner and MoU has been signed.
13	Construction/ Purchase of Building for Protector General of Emigrants (PGE)/ Protector of Emigrants (PoEs)	1.00	2.00	Modernization of 6 PoE offices	Modernization of 6 PoE offices carried out to facilitate the automation process.

A. Overseas Citizenship of India (OCI)

3.2 The allocation made towards Overseas Citizenship of India (OCI) scheme has been raised from Rs. 1.75 crore in 2007-2008 to Rs. 2 crore in 2008-2009. On being asked to furnish the reason for the increase in allocation towards this scheme during the current Financial Year, the Ministry in their written reply submitted as under:

“The increase in allocation proposed for the OCI Scheme during the current Financial year is due to the following reasons:

- (a) The number of OCI documents issued during the latter part of FY 2007-2008 have shown an increasing trend.
- (b) Eight Indian Missions/Posts abroad who process large number of OCI documents have been authorised to engage one local clerks each for four months from February, 2008 to clear pending OCI work.”

3.3 When asked if any revenue has been generated through this scheme during the previous years, the Ministry has submitted as under:

“The fee for issuance of OCI documents is US\$ 275/- (Indian Rs. 12,650/-) for those who do not hold PIO Card and it is US\$ 25/- (Indian Rupees 1150/-) for a PIO card holder. As on 25 March, 2008, 228980 OCI documents have been issued. The fee collected is credited to the account of Ministry of Home Affairs.”

3.4 On being asked about the estimated number of Registered Overseas Citizens eligible to apply for OCI cards and benefits the Ministry propose to extend to registered OCIs apart from the existing ones, the Ministry submitted as under:

“As per data available with the Ministry there are approximately 12 millions Persons of Indian origin (non-NRI) living abroad. The number of them who are eligible for issue of OCI card, in terms of eligibility conditions specified under Article 7(A) of Citizenship Act, 1955, is not known.

The following benefits are proposed to be extended to registered OCIs, subject to concurrence being received from concerned Ministries/Departments/organizations/agencies, etc.

- (i) To practice in India as:
 - (a) Doctors, Dentists, Nurses and Pharmacists
 - (b) Architects
 - (c) Chartered Accountants
 - (d) Advocates
- (ii) To take the AIPMT (All India Pre-Medical Test) for admission in medical courses in India.
- (iii) Parity with Non-Resident Indians (NRIs) in fees charged by educational institutions in India.
- (iv) Parity with Non-Resident Indians (NRIs) in pursuing the teaching profession in government aided educational institutions except in Central/State Government educational institutions, on contract basis subject to the rules and bye-laws governing the particular institution.
- (v) Parity with NRIs with matter of entrance fee charged for visiting national monuments.”

3.5 When asked about the details of expenditure incurred on this scheme since it became operational, the Ministry furnished the data as under:

“The Ministry has incurred the following expenditure till February, 2008 since the operationalization of the OCI Scheme:

Sl.No.	Details of Expenditure	Amount (in Rs.)
01	Initial purchase and installation of hardware for Special OCI Cell	10,48,960
02	Charges for printing of OCI cards/visa stickers from December 2005 to February 2008	1,57,41,636
03	Courier charges from February 2006 to February 2008	58,45,672
	Total	2,26,36,268

B. Know India Programme (KIP)

3.6 The allocation for Know India Programme (KIP) has been raised from Rs. 65 lakhs in 2007-2008 to Rs. 1 crore in 2008-2009. According to the Outcome Budget of the Ministry only 2 KIP could be arranged as against the target of three during 2007-2008. On being asked about the reasons for shortfall in performance in this regard and for enhancing allocation during this year, the Ministry in a written reply submitted as under:

“The KIP is conducted in partnership with a State. Around 30-35 participants take part in each of these Programmes, which is held for duration of approximately three weeks. Partner State Governments are expected to take care of boarding/lodging and transport arrangements in their territory. During 2007-2008, while Goa (7th KIP) and Tamil Nadu (8th KIP) readily accepted to be partner States, responses received from two other States were conditional. While one State contacted for the purpose was not willing to host more than 20 participants and only for a week, another State wanted this Ministry to take care of a portion of the expenditure on boarding/lodging and provide transport and hold it before the beginning of the tourist season. This led to delay in processing the matter and left little time to host one more KIP during 2007-08.

The Confederation of Indian Industry (CII) was, for the first time, involved in organization of the KIPs during 2007-2008, on a non-profit basis. Nehru Yuva Kendra Sangathan (NYKS) assisted this Ministry in organizing the rural segment of the Programmes. The quality of accommodation provided to participants has been upgraded in view of complaints received earlier on this account. Participants are now accommodated in Delhi in budget hotels on twin sharing basis for the Delhi segment of the programme. There has been an increase in air fares also. Expenses to be incurred on each KIP has gone up and it is estimated that it would be around Rs. 33/- lakhs per KIP during 2008-09.”

3.7 When asked as to how are the participants for this programme selected and whether the entire expenditure on the participants are borne by the Ministry, the Ministry further informed as under:

“The participants in the age group 18-26 years are selected from countries having 10,000 or more persons of Indian Origin. The applicants should be linked to India through parentage, should have an abiding interest in India. The candidates should either be studying in the under graduate level or should already have completed under graduation. They should be able to converse in English.

The prospective participants apply to the Indian Missions/Posts in their country, in response to advertisements seeking nominations for the Programme.

The selection is made by this Ministry on the basis of the profile of the applicant, recommendations made by the Heads of Mission/Post and the aim to have a fair mix of candidates from various countries. It has been decided that the number of participants in each KIP from a given country having only one Indian Diplomatic Mission may be kept at one. In countries having Indian Consular Posts also, the number should not normally exceed the total number of Indian Missions and Posts located in that country. [If besides a Diplomatic Mission, there are four Indian Consulates in a country, the total number of slots for that country may not exceed 1+ 4 i.e. 5]. Any increase in the number would be considered only against slots that have remained unfilled after considering requests from other Missions/Posts.

The participants are provided with full hospitality and are reimbursed one-way economy class airfare from their respective country to India. So far, the State Governments have met expenditure on boarding, lodging, local travel when the participants were in the respective States.”

3.8 On being asked as to why the programmes under KIP scheme are not planned in advance with the partner states.

The Ministry informed as under:

“The Know India Programme is still an evolving programme which is constantly being improved on the basis of experiences gathered from earlier programmes. A process by which partner States are identified and the programmes finalised well in advance is being put in place to ensure that 3 KIPs are held every year.

It may also be stated that (i) State Governments take their own time to respond and that too after regular follow up, and that (ii) Some of them do not show interest in such programmes.”

C. Scholarship Scheme for Diaspora Children (SSDC)

3.9 According to the Outcome Budget the Ministry provides 100 scholarships to undergraduate courses under the Scholarship Scheme for Diaspora Children (SSDC) to partially fund the tuition and hostel fees each year from 2006-2007. Rs. 2.10 crore was allocated in 2007-2008, which has been increased, to Rs. 2.50 crore in 2008-2009. It is, however, observed that only 81 scholarships were given during 2007-2008 and only 69 scholarships given during 2006-2007.

3.10 On being asked about the reasons that necessitated the increase in allocation this year despite not having been able to fully utilize all the 100 scholarships during the last two years, the Ministry has submitted as under:

“The scholarships under SPDC are awarded to PIOs/NRIs based on a merit list prepared by Educational Consultants India Limited (Ed.CIL), after conducting an entrance examination for the eligible applicants. Each year 100 scholarships are offered. In fact, in 2007-2008, 113 candidates were declared eligible as 14 candidates had the same marks at rank No. 100. During 2006-07 also, the number of candidates selected were 100. However, it is a fact that the candidates also apply to other institutes simultaneously for admission and opt for the one more suitable to them. Consequently it has been the experience of the last two years that not all the candidates accept the scholarship. The Ministry, therefore, proposes

to prepare a reserve list from the ensuing academic year with a view to ensure that the number of scholarships being availed is higher.

The SPDC commenced in 2006 with US\$1,800/- per annum of scholarship. This was found to be insufficient and the students were facing hardships. It was, therefore, decided to increase the scholarship to US\$3,600/- per annum from 2007-2008. This applies to students of 2006-2007 batch also.

The budget estimate for 2008-09 includes scholarships to be granted to SPDC-2008 students, besides to those from SPDC-2006 and SPDC-2007.”

3.11 The Ministry has also informed the Committee that:

“During 2006-2007, 145 applications were received out of which 118 appeared for the examination. During 2007-2008, 344 applications were received and 323 appeared for the examination. The scheme is publicized by our Missions/Posts abroad through their websites and amongst Indian Associations. The Programme is also publicized on the websites of this Ministry and Ed.CIL. All the Missions/Posts have been specifically requested this year to also publicise the Scheme in ethnic magazines/Newspapers. During 2006-2007 the exams were conducted in 14 countries viz. Bahrain, Fiji, Guyana, Indonesia, Kenya, Kuwait, Oman, Qatar, Saudi Arabia, South Africa, Tanzania, UAE, Nigeria and India. During 2007-2008, the exams were conducted in 16 countries viz. Bahrain, Fiji, Indonesia, Kenya, Kuwait, Malaysia, Mauritius, Oman, Qatar, Saudi Arabia, South Africa, Tanzania, Thailand, UAE, Nigeria and India. 7 students have dropped out from the 2006-2007 batch. The total number of students in this batch is now 60. 4 of the students were not promoted by their respective Institutions to the 2nd year. 2 students dropped out due to personal reasons. One student who was admitted in MNIT-Bhopal did not avail of the scholarship.”

3.12 During the evidence of the Ministry, the Secretary, MOIA, has submitted that:

“For the scholarship, as you are aware, the number is 100 scholarships to be awarded every year. Last year, 113 candidates were declared as eligible because many candidates got the same level of marks but what happens is that all these candidates do not take up the courses. They shift to other institutions and they move abroad. So, in many of these cases, they do not avail of scholarship even if they are selected. So, this year based on this experience, we propose to have a longer wait list so that we are able to utilise the scholarship amount fully. Apart from that one major change which we propose to introduce now is that for the year 2008-09, we propose to make the selections very early which is by September-October of the current year so that the students are selected six months in advance. So, the persons who are abroad especially PIO children could get enough time for getting admission to the Indian Universities and plan well in advance. With that exercise, we should be able to get PIO children also to come to study in India.”

3.13 The Committee pointed out that Indian Council for Cultural Relations (ICCR) also gives a number of scholarships and also have examinations and desired to know whether Ministry are coordinating with the Ministry of Human Resource Development (HRD) and ICCR, which are having their own scholarship programmes. The Secretary, MOIA in this regard submitted that:

“.....On the issue about scholarships, this is done in coordination with the Ministry of HRD, because the selection has been entrusted to an agency under the Ministry of HRD, which is the Educational Consultants Limited, Ed.CIL. On the aspect of scholarship, we do not have any coordination with the ICCR. On various other matters, we do coordinate with the ICCR. But in respect of scholarships, there is no coordination. Probably it may not be necessary because the clientele would be different because we are offering scholarships to the children of PIOs to study in India.”

3.14 When pointed out that ICCR also does the same and gives a lot of scholarships to them, the Secretary, MOIA responded as under:

“They give scholarships elsewhere also. But we will definitely consider this point.”

D. Overseas Workers Resource Centre (OWRC)

3.15 An allocation of Rs. 20 lakhs was made in 2007-08 towards establishing the Overseas Workers Resource Centre (OWRC) and the allocation made for this Centre in BE 2008-2009 is also Rs. 20 lakhs. When asked to elaborate the reasons for the same, the Ministry replied as under:

“As regards, the Overseas Workers Resource Centre (OWRC), the Centre has been set up through outsourcing. In terms of the Agreement between the Ministry and the Agency manning the Centre, the Ministry would meet the expenditure on account of Manpower, Infrastructure and Operational Cost of the Helpline. There would be no marked increase in the expenditure for running the Centre in the next few years.”

3.16 The Centre was established on January 2008 with 12x7 helpline functioning in 7 languages. On being asked about the number of complaints registered, responded and monitored by OWRC since January 2008 and the number of such grievances redressed and followed up, the Ministry submitted as under:

“The number of grievances registered since January, 2008 at the OWRC is 157. Out of this, 140 grievances have already been resolved. 17 grievances are pending for want of information from the embassies and other offices which will be replied soon. It is informed that the number of pending complaints are monitored and followed by the Ministry on daily basis.”

E. Overseas Indian Facilitation Centre (OIFC)

3.17 The Ministry launched the Overseas Indian Facilitation Centre (OIFC), a not for profit trust, in partnership with the CII, to serve as a ‘one stop shop’ for all

investment and business related services for potential overseas Indian investors. According to the Outcome Budget, the allocation for OIFC has been reduced to Rs. 25 lakh in 2008-09 from Rs. 30 lakh. When asked the reasons for the same, the Ministry replied as under:

“The Ministry has set up an Overseas Indian Facilitation Centre (OIFC) as a not-for-profit Trust in partnership with the Confederation of Indian Industry (CII). As per the Memorandum of Agreement signed between the Ministry and the CII, the Ministry will extend Financial Assistance for running the Centre for the first three years and thereafter the OIFC would become self sufficient through the income earned for the advisory and Consular services provided by the Centre to the Overseas Indian Community. The sharing of expenditure between MOIA and CII is as under:

Year	MOIA	CII	Remarks
First	Rs. 30 lakhs	Rs. 30 lakhs	Total operational cost for the first year is Rs. 60 lakhs
Second	30% of the recurring cost limited to Rs. 25 lakhs	70% of the recurring cost	Part of the cost will be met from the Revenue generated by the Trust
Third	10% of the recurring cost limited to Rs. 20 lakhs	90% of the recurring cost	-do-
Fourth	No cost	100%	Revenue generated by the Trust will meet the full operational cost

In view of the above, the expenditure on the part of the Ministry will be limited to the first three only and will also decrease in the three years.”

3.18 During PBD 2008, OIFC organized a market place in which many one-on-one meeting and presentations were reported to have been organized. On being asked about the outcome of the meeting/ presentation organized by OIFC during PBD 2008, the Ministry has replied as under:

“Market place of PBD 2008 was an unique platform created by OIFC for the visiting delegates for face to face meetings with the knowledge

partners in sectors such as Real Estate; Finance & Taxation advice, Education, Health, NGOs etc. Among the sectors, most sought after by the delegates were Real Estate and Education, followed by Wealth Management and Tax/FDI. A number of queries are also raised on Philanthropy, Tourism and Business-to-Business networking. Majority of the delegates listed Real Estate as the preferred area of investment. For business to customer services, delegates preferred investment in financial instruments, real estate, contribution to charitable causes etc.

3.19 In order to gather information about the experience of visiting delegates with the market place as well as about their expectation of services, a survey was also conducted during the market place. The important recommendations of the survey are as under:

- i) OIFC market place should become a standard feature of the future PBD and should be expanded in its scope, coverage and depth.
- ii) OIFC market place should focus on various sectors. In the run up of the market place, small but effective Special Interest Group (SIG) can be created to focus exclusively at specific sector and garner support for it from all quarters to present the specific investment related proposal during OIFC. OIFC can use its unique public-private partnership to give creative thrust to the efforts of the Govt. of India and Industry in accelerating the pace of various initiatives taken by the Government in social sector.
- iii) A pre-event publicity platform can be created about three months in advance to attract better participation from OIs.
- iv) To ensure that problems faced by OIs are handled expeditiously, OIFC can consider nominating trusted trouble-shooters in respective areas based on their interest.

As an initial idea of establishing OIFC was very successful and achieved its objectives.“

3.20 On being asked about the achievement of the OIFC in promoting investment in India by Overseas Indians and if it has succeeded in getting

overseas Indians investment in the infrastructure and social sectors in any Indian states, the Ministry replied as under:

“OIFC, in terms of replying queries and disseminating information related to the investment, have achieved its objective. The real investment coming to India will be known in due course of time.”

3.21 During the evidence, the Secretary, MOIA, has further informed:

“...We have established the Overseas Indian Facilitation Centre in partnership with the CII to function as one-stop-shop for Indian investors to provide information and assistance on investment and business matters. This is fully functional and will expand its services substantially during the current financial year. They have already published two documents – one compendium on investment policy and a handbook for overseas Indian investors....”

3.22 On the question of the system of monitoring devised to quantify the investments made by NRIs as a result of efforts made by the OIFC, the Ministry in a post evidence reply stated as under:

“The Department of Industrial Policy & Promotion (DIPP) is the Nodal Ministry on policy matters relating to Foreign Direct Investments, including investments from Non-Resident Indians. Under the liberal and transparent policy initiated by the Government, most of the Sectoral investments are under the automatic route. As such, specific data on investments by Overseas Indians is not maintained either by the DIPP or by the Reserve Bank of India. The role of Overseas Indian Facilitation Centre (OIFC) set up by the Ministry of Overseas Indian Affairs is to facilitate dissemination of information for potential investments by Overseas Indians. By disseminating investment related information, the OIFC would be facilitating potential investors to invest in India. However, since the Overseas Indians can channelise their investments other than through the OIFC, it would not be possible to quantify the outcome from the Scheme. The OIFC is maintaining a record of all investment related queries received from Non-Resident Indians. However, it is not possible to

ascertain as to whether they have made any investments in the country and maintain data in this regard.”

F. Council for Promotion of Overseas Employment (CPOE)

3.23 An allocation of Rs. 20 lakhs was made for establishing the Council for Promotion of Overseas Employment (CPOE) in 2007-2008. The Council, however, is yet to be established, but the allocation has been increased to Rs. 1.50 crore in BE 2008-2009. On being asked about the reason for shortfall in performance and the reason for steep increase in the allocation made this year, the Ministry replied as under:

“The allocation of Rs 20 lakh for establishing the Council for Promotion of Overseas Employment (CPOE) in 2007-08 could not be utilized because the CPOE has not yet been established. A proposal is under submission to the Cabinet Secretariat for approval of the Cabinet to change the composition of the Governing Council of the CPOE. The CPOE will be formally constituted thereafter. The CPOE is likely to be established in the early part of 2008-09. Once the CPOE is established it would require a sum of Rs. 1.50 crore per annum for smoothly discharging its functions. Therefore, an allocation of Rs. 1.50 crore has been proposed in the BE 2008-09.”

3.24 During evidence, the Secretary, MOIA, has also submitted that:

“The Cabinet has approved the setting up of an Overseas Employment Promotion Council which will serve as a strategic think-tank on migration matters and prepare market-oriented strategies to enable the Indian workers to benefit from the job opportunities overseas. This will be made operational very soon.”

3.25 The Secretary, MOIA, further informed that...

“..... the Ministry considers the promotion of overseas employment as one of its core functions and a key area in which the Ministry must concentrate. The structure was initially conceived and approved. One change which we are now proposing to make is about who should be the

Chairman of the Council. Originally, the proposal was that the Minister should be the Chairman of the Council and the Secretary to be the Vice-Chairman. That was approved by the Cabinet. But, subsequently, it was felt that there could be issues relating to Office of Profit or some dispute could be raised by somebody. So, it was felt that it need not be the Minister. Then, there was a feeling that there should be a full-time Chairman who should be a retired Secretary to Government with experience in emigration matters. But then, it was felt that having a separate, full-time organisation which is de-linked from the Ministry may not help the purpose. So, the present proposal is that the Secretary of the Ministry should be the Chairman of the Council so that there is an organic linkage with the Ministry.”

3.26 When the Committee suggested whether it would be desirable to have a distinguished non-official Chairman rather than Secretary of the Ministry, MOIA Secretary stated:

“The promotion of employment abroad is one of the key functions which the Ministry has to take up. I am not going into the data. But our country will have the maximum youth power in the coming years. We will get the opportunity to develop as a major supplier of employees to the rest of the world. So, we will have to capitalise on this opportunity that we have. Since that is a major function of the Ministry, to start with, at least, it is better that it is started in-house. Again it is at arms length. But definitely once we develop, there is a possibility that we could have a full-time Chairman. But, at this stage, it is probably felt not necessary. It is something for the future which one could always look at.”

The Ministry in a written reply also submitted that:

“Another Cabinet Note seeking approval of the Cabinet to further revise the composition of the Governing Council of CPOE was forwarded to the Cabinet Secretariat on 7.3.2008. The Cabinet approval is awaited.”

G. Labour Agreements

3.27 According to the Annual Report (2007-2008), India presently has labour agreements with Jordan, Qatar, UAE and Kuwait, and negotiations for MoUs are on with Saudi Arabia, Oman, Bahrain, Malaysia and Yemen. The Ministry also proposes to sign MoUs with countries of the Central and Eastern Europe and Asia, Poland, South Korea and labour receiving countries in Europe and south East Asia.

3.28 The Committee desired to know about the status of Indian labourers working in countries with which India has labour agreement vis-à-vis those working in countries where there is no such agreement and the time frame fixed for signing the proposed MoUs with the above-mentioned countries, the Ministry replied as under:

“No empirical study has so far been conducted to illustrate the change in the condition of the Indian workers as a result of signing of the bilateral labour MOUs. The Ministry has signed MOUs with UAE and Kuwait recently. The process for signing similar MOUs with other labour receiving countries is in progress. At an appropriate stage an empirical study to assess the impact of the MOUs can be undertaken. However, it can well be argued that due to the formal commitment of the Government of the receiving country and due to the mechanism of the Joint Working Group the condition of the Indian workers is bound to improve through greater responsiveness and expeditious resolution of bilateral labour issues.

An endeavor will be made to sign MOUs with Malaysia, Bahrain and Oman during 2008-09. Efforts will also be made to initiate the negotiations with Yemen, Brunei and Saudi Arabia during 2008-09. These MOUs are aimed at protection and welfare of Indian workers in the existing destination base. The MOUs with the countries in the Central and Eastern Europe and South East Asia are aimed at expansion of the destination base. Due to the nature of the process, no time frame can be laid down for

signing of MOUs with these countries. However, efforts will be made to initiate negotiations at the earliest.”

3.29 The second annual conference of the Heads of the Indian Missions in the major labour receiving countries was held in New Delhi during September 2007. Representatives of the State Government of Kerala, Andhra Pradesh and Punjab and representatives of Ministry of External Affairs and Home Affairs were also present. The objective of the conference was to provide an opportunity to the Indian Missions in various labour receiving countries to share their experience in dealing with labour issues amongst themselves and with the Central Government. The recommendations of the conference intend to serve as useful inputs for corrective action.

3.30 The Committee desired to know the major issues that have emerged in common as a result of this conference, the recommendations of the Conference that were considered as useful inputs for corrective action and the extent to which this conference helped the Government in finding ways to deal with labour issues, the Ministry in a written reply stated as under:

“During the Conference there was a consensus on the need for special measures for protection of women emigrants (helpline, shelters for run away workers, counselling and legal assistance), multi-media awareness campaign to educate potential emigrants about the risks involved in irregular migration and the precautions to be taken while emigrating, pre-departure orientation of emigrants through the skill upgradation programme, signing bilateral MoUs with major labour receiving countries, developing model contracts to lay down standard terms and conditions of employment through bilateral discussions, minimum wage for female household service workers and security deposit by the employer in case of direct recruitment.

The Ministry intends to conduct the conference of the Heads of Indian Missions in the major ECR countries on a regular basis to discuss the problems of the Indian emigrants in these countries and the ways to resolve them. In that context, the conference in Delhi in September 2007

helped the Government in getting useful feedback and inputs. This feedback is being channelized into various policy initiatives that the Ministry is taking. It has been decided that the minimum wage for female household service workers would be fixed by the Indian Missions concerned within a range of 300-350 US dollars, which would come into effect from June 2008. The security deposit for directly recruiting individual workers from India has been made compulsory. A model contract in respect of Kuwait has been finalized through bilateral discussions. Instructions have been issued to all Indian Missions to submit proposals to the Ministry for setting up of help-lines, shelters for runaway workers and to hire the services of legal experts to provide to legal assistance to the needy Indian workers.”

3.31 During evidence, the Secretary, further informed:

“.....On the emigration side, a MoU on Labour Employment and Manpower Development was signed with Kuwait in April 2007 and an additional Protocol was signed with Qatar in November 2007. These MoUs provide for strengthening of cooperation in the employment of Indians in Kuwait and Qatar. These set out the parameters for the welfare and protection of these workers and most importantly they provide for Joint Working Groups for dispute resolution and address the concerns of workers in the informal sector who are not covered by the labour laws of those countries.”

3.32 The Committee pointed out that for quite a number of years, the Annual Report of the Ministry indicates that an endeavour will be made to sign MoUs with Malaysia, Bahrain and Oman and other Gulf countries. It also states that efforts will be made to initiate negotiations at the earliest. The Committee asked as to when will the real efforts be made to initiate negotiations and put diplomatic pressures, the Ministry in their post evidence reply stated as under:

“The Ministry has made substantial progress in the implementation of its plan to enter into bilateral MoUs with the major receiving countries. Since 1988 no bilateral MOU was signed for protection and welfare of Indian emigrants with any receiving country for 18 years. MOIA signed an MOU

with UAE in December 2006 and with Kuwait in April 2007. In November 2007 we have signed an Additional Protocol with Qatar to supplement the 1985 agreement for protection and welfare of our workers. The MOU with Malaysia has been finalized and approval of the Cabinet has been obtained. The Malaysian Minister for Human Resources has been invited to India for signing the MOU. One round of negotiations has already been held with Oman. We have invited the Omani delegation for the second round of negotiations in India. We will utilize the forum of India-Oman Strategic Consultative Initiative Meeting scheduled in April 2008 in India to pursue this matter further for expeditious finalization of the MoU. The Bahraini Labour Minister is visiting India on the invitation of the Minister of Overseas Indian Affairs during 25-27 April 2008 with a delegation to negotiate the proposed MOU. As such, the efforts being made by the Ministry in this direction are not only real but also bearing fruit.”

H. Pre-Departure Orientation and Skill Upgradation Programme

3.33 A vast majority of migrants to the Middle East, including Gulf countries, are semi-skilled and unskilled workers. In order to upgrade the skill level of Indian emigrants at par with the overseas market requirement, the pre-departure training-cum-orientation programme was launched on a pilot basis in five states during 2006-2007 and Rs. 4 crore was earmarked for the purpose. An outlay of Rs. 3 crore was allocated during 2007-2008 that has been raised to Rs. 9.25 crore during 2008-2009.

3.34 Asked to furnish the reasons for increasing the allocation from Rs. 3 crore in 2007-2008 to Rs. 9.25 crore in 2008-2009 and the assessment made if any to understand the impact of the training programme, the Ministry in a written reply submitted:

“The Scheme Skill Upgradation & Pre-departure Orientation for Emigrant Workers was started by the Ministry as a pilot project during 2006-2007, in partnership with certain State Governments. The Scheme was continued during the FY 2007-2008 and it is proposed to implement the Scheme

through Ministry of Micro, Small and Medium Enterprises (MSME). The Ministry had proposed to run the Scheme with a 5 year perspective during the Plan period 2007-08 to 2011-12, with a total financial implication of Rs. 88 crores for training 1,60,000 persons during this period. The proposal which was submitted to the Committee on Non-Plan Expenditure (CNE) envisaged a higher allocation during FY 2008-2009. However, due to delays in getting the Scheme approved, the Outlay has been proposed as Rs. 9.25 crores during FY 2008-2009.

Since the Scheme is now being implemented through the Ministry of Micro, Small and Medium Enterprises (MSME), the feedback from that Ministry would be taken into account for assessing the impact of the Programme.”

3.35 The Committee desired to know about the pattern of funds released to the participating States during 2007-2008, state-wise and the kind of training imparted to the workers, the Ministry in a written reply stated as under:


“An amount of Rs. 2.40 crores was released to the Ministry of Micro, Small & Medium Enterprises (MSME) who has been associated for implementation of the Scheme during 2007-08.

Skill upgradation programme in the trades of Welder, Technicians, Electricians, Plumber, Machinist, Turner, Fitter, CNC Operations, Fibre Optics, Quality Control, Carpentry etc. have been conducted in seven MSME Institutions located at Ludhiana (Punjab), Mumbai (Maharashtra), Hyderabad (Andhra Pradesh), Agra (Uttar Pradesh), Ramnagar (Uttarakhand), Jalandhar (Punjab) and Guwahati (Assam). Nearly 1400 candidates in 74 batches in various batch sizes are under going training for duration of 2 weeks – 1 year during 2007-08, commencing from September 2007.”

3.36 Asked if there is any proposal to extend the training programme in other States as well and the number of workers that are trained so far, the Ministry stated as under:

“Depending on the success of the training programme, the Scheme will be extended to other States, in the coming Financial Year. As on 31.03.2008, 12,074 emigrant workers have been trained under the Skill Orientation cum Training Programme of Ministry of Overseas Indian Affairs.”

3.37 During evidence, the Secretary, further informed:

“A scheme for skill development is one of the most ambitious schemes that the Ministry has designed. It is something which the Ministry has to implement properly so that we make use of the employment market that is available abroad. The scheme was under implementation at the beginning of the year, but based on the experience that was derived from the implementation, it was felt that the scheme had to be redesigned. One, it was felt that the initial per capita allocation was inadequate and secondly, it was felt that for the implementation of the scheme, one must have more agencies than the State Governments. Initially the idea was that the State Governments would be fully used for the implementation of the scheme. But it was felt that it was necessary to have more agencies to implement the scheme and accordingly, we have entered into a partnership with the Ministry of Medium, Small and Micro Industries of the Government of India, which has field centres and seven such centres have been identified for the implementation of the scheme. 

Once the scheme was re-designed with a higher level of financial support, it had to have the formal approval of the Finance Ministry. The magnitude of the scheme has now risen to Rs.89 crore over a period of five years. Therefore, it had to be approved by the Committee on Non-Plan Expenditure and it needed the formal approval of the Finance Ministry also. This process, unfortunately, is taking time and the formal approval has not yet really come. So, the scheme is being implemented as it was originally designed. So we are now pursuing with the Finance Ministry for speedy approval of the revised scheme so that there could be more effective implementation.”

3.38 On the question of organizing the programme in a better way, the Secretary, has stated as follows:

“.....Actually, these courses vary in duration about two weeks to six months. In fact, various institutions have been identified and various programmes have been identified. Some of these are fibre optics technicians, quality system and meteorology, machinist, turner and fitter etc. This is one type of programme which is done at one particular institution. But we do have a variety of programme including programmes for house maids. In all these programmes there is also a component of communication skills, essentials of basic knowledge of English and Arabic. But then often what happens is that the real emigrants get very little time to undergo a programme like this. So this is primarily targeted at those persons who are desirous of going in the medium term and that is the type of clientele that we get for these training programmes.”

IV - OTHER SERVICES

A. Legal Assistance to Woman facing problems in NRI Marriages

4.1 The allocation made for legal and financial assistance to Indian woman facing problems in NRI marriages has also increased to Rs. 3.00 crore in BE 2008-2009 from Rs. 50 lakhs in 2007-2008 RE. The Committee desired to know the reasons for this six-fold increase in allocation for this scheme and the number of cases where the Ministry rendered assistance during 2007-2008 against the 537 cases targeted, the Ministry in their written reply furnished as under:

“The scheme to provide legal and financial assistance to Indian women deserted by their overseas Indian spouses was launched by the Ministry of Overseas Indian Affairs in February 2007. The Ministry submitted a detailed proposal for approval of the Committee on Non-Plan Expenditure (CNE), Department of Expenditure, Ministry of Finance to incur an expenditure of Rs. 31.70 Crore over a period of 5 years from 2007-2008 to 2011-12 under the scheme. The proposal was approved by CNE with the following conditions:

- i) Selection of committed NGOs/Overseas Indian Organizations being carefully done by laying down objectives guidelines for their identification and selection;
- ii) MOIA should be clearly involved in the selection process of the NGO and not leave it to the Indian Missions abroad;
- iii) The selected NGOs should pursue the case after GOI assistance is stopped;
- iv) MOIA should devise an appropriate Management Information System (MIS), which would help the Ministry to monitor the outcomes from this scheme and facilitate correctives to be applied where necessary.

4.2 The approval of CNE could be obtained only towards the fag end of December, 2007. Revised guidelines have accordingly been worked out and issued to concerned Indian Missions/Posts towards the end of

February 2008. In the absence of CNE approval, our Missions/Posts abroad were not authorized to make any expenditure under the Scheme. The B.E. for the Scheme for 2007-08 was Rs. 3.00 Crore. It was brought down to Rs. 50 lakhs at the R.E. stage.

4.3 The Ministry had kept a budget of Rs.3.00 crore for FY 2007-08 under the scheme to meet initial cost and incidental charges for documentation and filing of the case by the Indian Women’s Organizations/ Indian Community Associations/NGOs on the woman’s behalf. The assistance in this regard is up to US \$1,000.00 per case. The number of cases that could be covered under this amount would also depend upon the prevalent rate of exchange. There is no mechanism to know exactly how many women will take legal recourse to solve their problems in a given year.

4.4 The budget under the scheme has been reduced to Rs.50.00 lakhs and a sanction for it was issued on 4th March, 2008. The amount of Rs. 50.00 lakhs was placed at the disposal of Indian Missions in USA, UK, Canada, Australia, New Zealand, UAE, Qatar, Kuwait and Bahrain.

The details of assistance provided by the Indian Missions under the scheme during CFY are yet to be received.”

4.5 The Ministry was also asked to furnish the details of funds provided to each Indian Missions during the last two years and their utilization.

The Ministry replied as under:

“Allocation of budget to Indian Missions/Posts under the scheme to provide legal/financial assistance to victims of NRI marriages during the year 2006-2007 and 2007-2008 are as follows:


S.N.	Indian Mission/Post	Allocation of budget during 2006-2007 (Rs. in lakhs)	Utilization	Allocation of Budget during 2007-2008 (Rs. in lakhs)	Utilization *
1	U.S.A	40		15	
2	U.K.	40		08	
3	Canada	40		08	

4	Australia	40	Rs. 4.60 lakhs	08	
5	New Zealand	8		03	
6	Dubai (UAE)	8		02	
7	Kuwait	8		02	
8	Qatar	8		02	
9	Bahrain	8		02	
Total		Rs. 2.00 Crores		Rs. 50.00 lakhs	

* Sanction issued on 4th March, 2008. Utilization report is awaited”

4.6 During the course of evidence the Committee desired to know the reasons for non utilization of funds during last year.

The Secretary, MOIA stated:

“The scheme was approved only in January. Since the approval was so badly delayed, it was not possible to utilise the funds. For the scheme, we have placed some money at the disposal of the Missions. Now, we will have to go out further giving more publicity to the scheme because it is dependent on demands, on people knowing about it, and on the NGOs working on it. So, we will have to have a more aggressive campaign to make the scheme more visible so that more people get the benefit.” 

4.7 On the issue of the number of applications received from women for legal assistance by Missions till 4th March, 2008, and the action taken thereon, the representative of the Ministry stated as under:

“As the Secretary has said earlier, we got approval from the Finance Ministry in January only. The Finance Ministry had imposed certain conditions with the approval. They wanted us to have some proper reporting system to be adopted and for the appointment of NGOs also, they wanted the Ministry itself to be involved. Earlier, it was proposed that the Heads of Missions should be able to approve the NGOs which could be involved in such cases. We had some 225 cases. We referred the

matter to our concerned Missions for initiating some action. One thing is that under this scheme for providing legal and financial assistance to the distressed women, the amount provided to the NGO is a maximum of US \$1000. Some of the Missions have appointed NGOs. For example, from Washington, we got the report that they have filed 3 cases in the month of March this year. We are in the process of appointing NGOs from other countries also. Despite all our efforts, we have not been able to appoint anyone in US because our Missions there have made all efforts, but so far no NGO has come forward to assist the distressed Indian women.”

4.8 The number of requests received for providing legal assistance by the Indian Missions since the scheme started, year wise and the quantum of assistance provided so far alongwith the number of beneficiaries, the Ministry furnished the information as under:

(i)

Year	Name of the Mission/Posts	No. of request received
2006-07	Australia	10
	Canada	10
2007-08	Canada	14
	USA	35

Quantum of assistance provided so far along with the number of beneficiaries;

Year	Amount spent	No. of beneficiaries*	Name of the mission
2006-07	Rs. 4.58 lakhs	10	HCL, Canberra
2007-08	Rs. 40,000	01	CGI, San Francisco
	Rs. 80,000	02	EOI, Washington

(ii) The Mission/Posts have informed that they have given wide publicity about the scheme through website, ethnic newspapers, and Indian Associations & Mission publications.

(Information from the Missions/Posts at Abu Dhabi, Doha, Kuwait, HCI, London, CGI, Melbourne, Dubai and Birmingham is awaited).

4.9 On being asked as to whether the Ministry has brought out the guidance booklet on marriages to overseas Indians in all regional languages and what steps are being taken in this direction, the Ministry informed:

“Guidance booklet on Marriages to overseas Indians in Hindi, Punjabi and Telugu have been finalized and are under print.”

B. Migration Management

4.10 The provisions of the Emigration Act, 1983 govern emigration from India. The Emigration Act, 1983 provides for a regulatory framework in respect of emigration of Indian workers for overseas employment on contractual basis and seeks to safeguard their interests and ensure their welfare. The Act makes it mandatory for registration of all Recruiting Agents with the Protector General of Emigrants, Ministry of Overseas Indian Affairs before they can conduct the business of recruitment for overseas employment.

4.11 During the evidence on Examination of the Subject “Issues Relating to Overseas Indian Affairs” (14th Report), the representative of the MOIA had stated:

“...The Emigration Act, 1983 was not amended for some time. The Ministry has proposed an amendment to this Act, which is quite comprehensive and it would try to ensure and protect workers’ interest. There are a number of welfare measures for the workers. We have received the comments from all the departments now and we are finalizing the Cabinet note. We intend to introduce this amendment during the coming winter session. I am sure that if this Act goes through, it will be a great achievement. Our target is 31st March, 2007.”

4.12 Asked the reasons for delay in amending the Act, the Ministry submitted:

“The current proposal for amending the Emigration Act 1983 was conceived in February 2005 and the process of drafting the amendments in March 2006. The inter-ministerial consultations took about a year. Thereafter, the proposal was submitted in February 2007 to the Ministry of Law & Justice along with a Cabinet Note for their vetting. Due to difference of opinion between the two Ministries on some of the provisions proposed in the amendments (such as appointment of Ombudsman and creation of an Inspectorate of Prosecution) the matter got delayed. Eventually, a Cabinet Note was forwarded to the Cabinet Secretariat on 28.1.2008 seeking approval of the Cabinet to amend the Act. The matter was listed in the agenda for the Cabinet Meeting scheduled on 7.2.2008. However, as per the advice of the PMO the Cabinet Note was withdrawn. The proposal is now being re-examined with a view to strengthen the regulation of Recruiting Agents. The matter will be placed before the Cabinet after being vetted by the Ministry of Law & Justice.

4.13 The Ministry in their Action Taken Replies furnished to the Committee during August 2007, stated that the process of inter-ministerial consultations had been completed and a note for Cabinet was being submitted shortly.

4.14 Asked as to when the Cabinet approved the proposed amendments to the Emigration Act, 1983 and the current status of the proposed amendments, the Ministry in their written reply submitted as under:

“A proposal for approval of the Cabinet for amending the Emigration Act 1983 was forwarded to the Cabinet Secretariat in January 2008. However, the proposal was subsequently withdrawn in order to consider some more changes in the Emigration Act with a view to strengthen the regulation of Recruiting Agents.

The proposal is now being re-examined in consultation with the Ministry of Law & Justice. Efforts are being made to finalize the proposal expeditiously. The matter will be placed before the Cabinet thereafter.”

4.15 During the evidence, the Secretary, further added:

“As far as amendment to the Act is concerned, I am sorry to say that it has taken so long because the basic amendments were ready some time back but there were a few issues on which there had to be further discussions particularly with the Law Ministry. To be specific, there were issues regarding the setting up of grievances redressal mechanism in the form of ombudsman. There was an issue regarding setting up of a welfare fund. Whether this has to be done statutorily or not, took some more time than it should have taken. In the process, the amendments got delayed. Now, we have reached some consensus in these matters. The amendments are ready. These are with the Law Ministry for a final touch and it should be possible to bring it in the next session of Parliament”

C. Assistance to Deported Workers

4.16 Many emigrant workers are stated to be living illegally in the Gulf countries. The Government of UAE had in 2007 announced general amnesty scheme calling upon those workers who were illegally in UAE to either leave the country or amend their residential status. About 70,000 Indian expatriates who were staying illegally benefited and have either left the country or regularized their status with proper documents. Ministry of Overseas Indian Affairs also ensured the smooth deportation of the workers in consultation with Ministry of Home Affairs, Ministry of Civil Aviation and State Governments.

4.17 On being asked the number of workers who were repatriated from UAE under the amnesty scheme and help/assistance extended to the workers after deportation by the Ministry, the Ministry informed:

“As per the information furnished by EOI, Abu-Dhabi, about 90,000 persons availed the benefit of the general amnesty scheme declared by the Govt. of UAE during the year 2007.

The Indian Mission officials visit the deportation centers, regularly issuing emergency certificates or travel documents in required cases after confirming the nationality and identity of the Indian deportees. The

Ministry of Overseas Indian Affairs, in coordination with the Ministry of External Affairs, Ministry of Home Affairs, Ministry of Civil Aviation and State Governments, closely monitors the deportation of the Indian workers from the foreign country to India.”

4.18 During the course of evidence, the Committee desired to know the assistance Ministry provides to the deported workers after deportation to India. The Secretary stated:

“Sir, on the question of assistance to people who are deported, I am sorry that the reply has not been that specific in relation to the further assistance that is given. What is done now is that in coordination with the mission the deportation exercise as such is facilitated and coordinated.... We have no scheme for assistance after they come back.”

D. Pravasi Bharatiya Divas (PBD)

4.19 The outlay for PBD celebration during BE 2007-2008 was Rs. 6 crore which was reduced to 5.5 crore at RE stage and the outlay remained at Rs. 6 crore for the current year too.

4.20 According to the Outcome Budget (2007-2008) the net outflow from the budget is being reduced through increased sponsorship. Asked why the budget outlay for PBD has again been increased from Rs. 5.5 crore in RE 2007-2008 to Rs. 6 crore in 2008-2009 and the actual expenditure incurred during 2007 and 2008 vis-à-vis the quantum of sponsorship/ revenue generated, the Ministry in their written reply submitted as under:

“It is submitted that Budget outlay for organizing PBD is Rs.6.0 crore at the BE stage since last three financial years. The budget outlay for PBD reduced to Rs.5.5 crore at the RE stage in 2007-08 is due to non-receipt of few bills by the organizer of PBD. .

The total expenditure incurred on PBD 2007 was Rs.5.21 crore whereas Ministry had generated revenue of Rs.3.84 crore for PBD 2007. Therefore, the net outflow from PBD 2007 was Rs.1.37 crore. The actual

expenditure for organizing PBD 2008 will be available after 31st March, 2008. However, it is informed that the Finance Committee, constituted for PBD 2008, has approved the Budget of Rs.5.24 crore for organizing the PBD 2008, as a minimum of revenue of Rs.4.05 crore with an estimated outflow of Rs.1.19 crore. However, efforts are being made to reduce the outflow to Rs.1 crore.”

E. Pravasi Bharatiya Samman Award

4.21 According to the Ministry, it has constituted a Committee on 24th January, 2007, chaired by the Secretary with representatives from the Ministry of External Affairs and Ministry of Home Affairs to revise the scheme and make the selection process for Pravasi Bharatiya Samman Award more broad based, objective and transparent. It was informed that the Committee have had two meetings and the third meeting was due to be held in 2007 after which the Committee was to present its report and make recommendations for re-examining various aspects of the selection process, the Ministry submitted:

“The third meeting of the Committee was held on 24th April 2007.

The Committee presented its report on 15th May, 2007, after its fourth meeting held on that date. A comparative chart given below shows changes made in the criterion for selection of the awardees:



Eligibility Conditions that existed earlier	Changes notified on 24th September, 2007
The Award shall be conferred on a Non-Resident Indian (NRI), Person of Indian Origin (PIO) or a NRI/PIO organization/institution, who, besides achieving great eminence in his/her own field, has made outstanding contributions towards fostering better understanding abroad of India and its civilization and/or has extended his/her support	The Award shall be conferred on a Non-Resident Indian (NRI), Person of Indian Origin (PIO) or a NRI/PIO organization/institution who has made <ul style="list-style-type: none"> • significant contribution towards better understanding abroad of India and support to India’s causes and concerns in a tangible way; • significant contribution for the welfare of diaspora; • notable contribution in philanthropic and charitable work and for social and humanitarian causes in India and abroad; • significant contribution in building closer links between Indian and its diaspora in the economic,

<p>to India's causes and concerns and has advanced her interests internationally and/or who has made significant contribution or service to the Indian Diaspora.</p>	<p>cultural and scientific fields;</p> <ul style="list-style-type: none"> • Eminence in one's field for outstanding work which has enhanced India's prestige in the country of residence <p>Or</p> <p>Has achieved outstanding eminence in his skills which has enhanced India's prestige in that country (for non-professional workers)</p>
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The Committee's mandate was to review the existing guidelines/notification and recommend revised guidelines in order to make the process of selection of awardees broad-based, objective and transparent. The job of the Committee was over after presenting the report.


F. PIO University

4.22 During the course of evidence, the Committee raised the matter of establishment of PIO University and desired to know whether the Ministry consider taking the Pravasi Bhartiya University out of Delhi, the Secretary, stated as under:

“Regarding the issue of location of PIO University, it is a private university as you are aware. And the selection of private partner for the setting up of this university is nearing completion.

There was a final shortlist of three made by the Finalisation Committee. There is an order of ranking. The first one, which was ranked highest, they have proposed locating the university in Bangalore; the others one in Mumbai and Kerala. So, there was no proposal for Delhi at all.”

4.23 The Secretary, further informed:

“On the location of the university, it may kindly be noted that this is a private venture. As per the scheme itself, it was envisaged that the promoter should locate the university at a place of his choice provided, of course, the place is approved by the Government also.” 

G. Working of POE Offices

4.24 During the course of evidence, the Committee raised the matter of working of the POE offices in the country and drawn the attention of the Ministry towards the irregularities and corruption in POE offices and desired to know as to why different procedure are being adopted by the POEs of Chennai, Cochin and Trivandrum for granting emigration clearance as against the rest of the POE offices in India which are granting emigration clearance on the basis of demand letters. The Secretary during the evidence responded as under:

“I will have the matter looked into. We will find an immediate solution. There is no direction from the Ministry. There is a uniform policy as far as the Ministry is concerned. Definitely, we will find out as to why that difference is there.”

4.25 On the question of corruption in POE offices due to officers taken on deputation from other Ministries and Recruiting Agents, the Secretary, during the evidence responded as under:

“.....About the functioning of the PoE officers, as has been mentioned by the hon. Member, there was a case in Chandigarh recently where the PoE and his officers were taken into custody by the CBI. There have been quite a few CBI cases relating to PoE officers in Chandigarh earlier also. There were cases in Thiruvananthapuram, Delhi, and Hyderabad. There have been cases in all these places. We are looking at systemic changes that would help improve the situation. We are looking at various options. We have not finalized anything. Various options are being examined to see that such a nexus is no longer there. On the suggestion that persons should be from this Ministry, while it is a good suggestion but it has practical problems because this is a small Ministry which does not have its own officers at senior levels. Officers are taken on deputation at senior

levels and in fact the lower staff in our Ministry is provided by the Ministry of Home Affairs because we are attached to the Home Ministry for getting lower staff. We do not have officers and staff of our own and definitely we will consider this suggestion while we work out a re-structuring of the POE officers. About corruption if there are specific cases, no sympathy is called for. We have to take action.”

4.26 He further added:

“...the POEs have to go by the Emigration Act which recognises only recruiting agencies. Service agencies are not recognised and they are not to be encouraged. Touts and middlemen in the name of service agents cannot be tolerated.”

4.27 During the course of evidence, the Committee desired to know the present status of the action taken in respect of the 29 complaints against Recruiting Agents relating to serious matter of offences referred to the 19th Report of the Committee, the Secretary responded as under:

“All these complaints are inquired into in detail. I have the numbers. In 2007, we had 98 complaints of which 51 have been inquired and finalised. Licences were cancelled in five of these cases; licences were suspended in seven of these cases; four cases have been referred to Vigilance Section for further inquiry.....We will send you a detailed note in respect of these cases.”

4.28 Recently some newspapers reported that a section of Indian workers in the U.S. alleged that they have endured ‘slave like’ working conditions in the labour camp of a major shipping and marine fabrication company in the U.S. after their recruiters ‘deceived’ them. The newspapers report goes on to state that over 600 Indian workers, 85% of them hailing from Kerala, had paid the recruiters Rs. 10 lakhs each in 2006 for permanent resident status and jobs in the U.S. However, the workers found that they have been issued H2B ‘guest workers’ visas, with validity of 10 months. When asked the number of the Indian workers employed by the U.S. shipping and marine fabrication company, the recruiting

agencies involved and the action taken or proposed to be taken against the recruiters, the Ministry has submitted in a written reply as under:

“As reported by the Consulate general of India, Houston, in order to meet the labour shortage after the Hurricane Katrina which affected Louisiana and part of Mississippi in 2005, M/s Signal International, a marine fabrication company with Headquarters at Pascagoula, Mississippi and yards at Orange/Port Arthur, Texas, recruited, with the permission of the US Department of Labour, about 590 Indian skilled workers and brought to Mississippi/Texas in December 2006 on guest worker visa (H2B visa programme).

M/s Dewan Consultants, 708, Sagar Tech Plaza, Andheri Kurla Road, Sakinaka Junction, Andheri East, Mumbai-72, a recruiting agent registered under the Emigration Act, 1983, is the recruiter in this case. As per report, the company, M/s Signal International, was planning to recruit more workers from India through another registered recruiting agent, M/s S.Mansur and Company, Mumbai.

The operation of the licenses of both the recruiting agents have been suspended with effect from 10th March, 2008. The Foreign Employer, M/s Signal International, has been put under Prior Approval Category. Further legal action against them is under consideration.

There is no report of repatriation as yet. Updates from the Embassy of India in USA is awaited.”

PART-II

RECOMMENDATIONS/OBSERVATIONS OF THE COMMITTEE

1. The Committee find that there has been huge shortfall in utilization of budgetary allocation of the Ministry of Overseas Indian Affairs year after year. Though the percentage of shortfall in budgetary utilization has come down considerably over the years, the fact that the shortfall was to the extent of 21% in 2007-08 indicates that budgetary planning in the MOIA needs to be further improved. The under utilization of funds is attributed to lack of planning and proper formulation of the schemes, absence of field level implementation agency and dependence on Indian Missions for activities abroad and State Governments and other agencies domestically. The Committee hope that necessary action will be taken to improve budgetary planning and control in MOIA.

2. The Committee observe that though nearly 50 per cent (Rs. 31.75 crore) of the total allocation for the current year 2008-09 has been provided under Major Head 2061 – “Other Schemes”, the Detailed Demands for Grants of MOIA which is required to provide all details, have not provided details of the ‘Other Schemes’. The Committee are not convinced of MOIA Secretary’s plea that the Detailed Demands for Grants is to be read with the Outcome Budget where each scheme has been shown in detail. A break-up of the estimates relating to each programme/ organization wherever the amount involved is not less than Rs. 10 lakh and the actual expenditure during the previous year is required to be shown in the Detailed Demands for Grants. The Committee desire the MOIA to present in future all details in the Demands for Grants in terms of the guidelines of the Ministry of Finance.

3. The Committee regret to observe that even three years after the creation of this Ministry, it still does not have its own officers at senior levels who are taken on deputation and for lower staff they have to depend

on the Ministry of Home Affairs. The Committee also feel that there is shortage of manpower which is evident from the fact that as against the sanctioned strength of 195 persons, the Ministry is having only 153 persons as on 31 March 2008. It is obvious that it would be difficult for the Ministry to execute various schemes/ programmes undertaken by them. The Committee desire that the vacancies in the Ministry should be filled up expeditiously.

4. The Committee regret to note that though a decision to establish Pravasi Bharatiya Kendra (PBK) had been taken four years ago in the year 2004, not much headway has been made on this project so far. Plot for the project was acquired only in May 2006. Subsequently, the Ministry initiated action for inviting proposals for appointing consultants, constitution of Consultancy Evaluation Committee (CEC) etc. After the completion of requisite formalities, an agreement with NBCC was signed on 18.12.2007. However, construction on the project has not yet commenced. The Committee express their concern over the slow pace of progress of the project and recommend that the concerted efforts be made to adhere to time bound programme prepared for its implementation and completion of the project by the end of the year 2010 as assured by the Secretary during the evidence. The Committee urge that there should be no further delay in this regard and would like to know further details regarding activities and functions of the proposed Kendra.

5. The allocation for Know India Programme (KIP) has been raised from Rs. 65 lakh in 2007-08 to Rs. 1 cr. in 2008-09. However, according to Outcome Budget, only two Know India Programmes could be arranged against target of three such programmes. Know India Programmes are conducted in partnership with States and partner State Governments are expected to take care of the logistics and transport in their states. The Committee observe that inadequate planning with partner States left little

time to host the third Know India Programme. Regrettably, even after passage of three years, the Ministry is claiming that Know India Programme is still an evolving programme. The Committee expect the MOIA to plan in advance, in consultation with partner states and other stakeholders, to ensure successful conduct of Know India Programme in future.

6. The Committee observe that only 81 scholarships were given during 2007-08 as against 100 slots of scholarship under the Scholarship Scheme for Diaspora Children (SSDC). The MOIA has, however, proposed to prepare a reserve list from the ensuing session to ensure that higher number of scholarships are availed. Further, it is observed that scholarships are also offered by ICCR and other bodies. The Committee, therefore, recommend MOIA to take a holistic and coordinated approach in implementing the programme in consultation with all concerned.

7. The Committee observe that the Ministry launched the Overseas Indian Facilitation Centre (OIFC), a not-for-profit trust in partnership with CII to serve as a “one stop shop” for all investment and business related services for potential overseas Indian investors. During PBD, 2008, OIFC organized market place in which many one-on-one meetings and presentations were reported to have been organized. The Committee feel that the outcome of the efforts made by OIFC can only be judged if the quantum of real investment flowing into the country is known. According to the Ministry, specific data on investments by overseas Indians is not maintained either by the Department of Industrial Policy and Promotion (DIPP) which is the Nodal Agency on policy matters relating to foreign direct investments or by the Reserve Bank of India. The Committee would like the MOIA to attempt an appropriate Management Information System to monitor the outcome of the efforts made under the scheme by keeping the

profile of NRIs who are in touch with OIFC and matching that with the list of overseas investors.

8. The Cabinet has reportedly approved setting up of Overseas Employment Promotion Council to serve as a strategic think tank on migration matters and prepare market oriented strategies to enable the Indian workers to benefit from the job opportunities overseas. The present proposal is stated to be that Secretary of the Ministry will be the Chairman of the Council, so that there is an organic link with the Ministry. The Committee suggest that once the Council starts functioning with full fledged activities, the desirability of having a distinguished non-official as the Chairman of the Council should be considered.

9. The Committee appreciate the initiative taken by MOIA in implementation of its plan to enter into bilateral MOUs with major labour receiving countries after almost 18 years. The Ministry has signed an MOU with UAE and Kuwait in 2006-07, it has also signed an Additional Protocol with Qatar to supplement the 1985 agreement for protection and welfare of our workers. The MOU with Malaysia has reportedly been finalized and approved by the Cabinet and one round of negotiation has already been held with Oman. Efforts are also reportedly being made to initiate negotiations with Yemen, Brunei and Saudi Arabia during 2008-09. The Committee hope that the MOIA will simultaneously strive to enter into such agreements with other major labour receiving countries.

10. The Pre-departure Orientation and Skill Upgradation Scheme which has been re-designed is reportedly awaiting formal approval by the Finance Ministry. The Committee desire that the matter should be taken up with the Ministry of Finance for speedy clearance of the scheme and MOIA should ensure its expeditious implementation.

11. The Committee regret to note that the bill to amend the Emigration Act, 1983 though conceived in February 2005, is yet to be introduced in Parliament. The Committee have been repeatedly emphasizing in their successive Reports, the urgent need to amend the Emigration Act. The Committee regret to note that the amendment bill which is intended to ensure and protect the interest of migrant workers has suffered such a delay. The Committee desire that there should be no further delay and expect that as assured by the Secretary, MOIA, the amendment Bill will be introduced in Parliament in the next session.

12. The Committee understand that the essential requirements for emigration clearance are not uniformly being implemented as per the provisions of Emigration Act by all Protector of Emigrants (POEs) especially by the POE office, Mumbai. POEs are reportedly entertaining Service Agents on behalf of Recruiting Agents (RAs). This differential interpretation of procedures provides scope for corruption in POEs and a nexus between RAs and POEs. The Committee desire MOIA to take urgent and effective steps to stem the rot creeping into the system. They also desire that clear directions be issued to POEs for uniform application of provisions of Emigration Act.

13. The Committee in their Sixteenth Report on Demands for Grants of the Ministry for the year 2007-08 had recommended that there should be a mechanism for taking effective preventive measures and other steps to check corruption in the emigration offices and to improve the emigration process while making it more transparent. The MOIA in their Action Taken Replies had informed that the posts of POE at Delhi, Mumbai & Chennai had been upgraded to the level of Deputy Secretary/ Director while those at Thiruvananthapuram and Hyderabad had been upgraded to the level of Under Secretary in order to ensure better supervision, control and greater accountability. However, it appears that the posts in the remaining POE

offices have not been upgraded so far. The recent case of CBI raid in the office of POE, Chandigarh has brought out the rampant corruption in the emigration office. The Committee desire that the posts in the remaining offices of POE may also be considered for upgradation to an appropriate level to check such cases of corruption. The Committee would like to be informed of the action taken in this regard.

NEW DELHI
11 April, 2008

22 Chaitra, 1930(Saka)

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

**MINUTES OF THE TENTH SITTING OF THE STANDING
COMMITTEE ON EXTERNAL AFFAIRS
HELD ON 1st April, 2008**

The Committee sat from 1130 hrs. to 1300 hrs. in Room No. 62, Parliament House.

Present

Dr. Laxminarayan Pandey – Chairman

Members

Lok Sabha

2. Shri Yogi Aditya Nath
3. Shri Narayan Chandra Borkataky
4. Shri S.K. Kharventhan
5. Shri Somabhai G. Patel
6. Dr. Sebastian Paul
7. Dr. (Col.) Dhani Ram Shandil
8. Shri Vanlalzawma

Rajya Sabha

9. Smt Prema Cariappa
10. Dr. Ram Prakash
11. Dr. Mahendra Prasad
12. Dr. Karan Singh

Secretariat

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

Representatives of Ministry of Overseas Indian Affairs

- | | | |
|----|----------------------|---|
| 1. | Shri K. Mohandas | - Secretary |
| 2. | Shri N. Bala Baskar | - Addl. Secretary & FA |
| 3. | Shri G. Gurucharan | - Joint Secretary (FS) |
| 4. | Shri J. Panda | - Protector General of
Emigrants (PGE) |
| 5 | Shri D.N. Srivastava | - Joint Secretary (DS) |
| 6. | Shri Arun Chatterjee | - Director (Finance) |

2. At the outset, the Chairman welcomed the Members of the Committee and the representatives of the Ministry of Overseas Indian Affairs to the sitting of the Committee. The Chairman then drew attention of the witnesses to Direction 55(I) of the Directions by the Speaker, Lok Sabha.

3. The Committee then took evidence of the representatives of the Ministry of Overseas Indian Affairs in connection with examination of the Demands for Grants of the Ministry of Overseas Indian Affairs for the year 2008-2009.

4. A verbatim record of the proceedings has been kept.

The Committee then adjourned.

**MINUTES OF THE THIRTEENTH SITTING OF THE STANDING
COMMITTEE ON EXTERNAL AFFAIRS HELD
ON 11TH APRIL, 2008**

The Committee sat from 1500 hrs. to 1600 hrs. in Committee Room No. 53, Parliament House.

PRESENT

Dr. Laxminarayan Pandey – Chairman

MEMBERS

Lok Sabha

2. Prof. S.P. Singh Baghel
3. Shri Narayan Chandra Borkataky
4. Shri Sukhdev Singh Dhindsa
5. Shri Somabhai G. Patel
6. Shri Madhu Goud Yashki

Rajya Sabha

7. Shri Mukhtar Abbas Naqvi
8. Shri Arjun Kumar Sengupta
9. Dr. Karan Singh

Secretariat

1. Shri A. Louis Martin - Joint Secretary
2. Shri T.K. Mukherjee - Director
3. Shri P.V.L.N. Murthy - Deputy Secretary

2. At the outset, the Chairman welcomed Members to the sitting of the Committee.

3. XXXX XXXX XXXX XXXX XXXX

4. The Committee then took up for consideration the draft Report on Demands for Grants of the Ministry of Overseas Indian Affairs for the year 2008-2009. The Committee adopted the same, subject to the following additions/modifications:

- (i) In Recommendation No. 3, the following sentence to be deleted:
“.....The Committee, therefore urge that MOIA should have its own cadre.....”
- (ii) In Recommendation No.4, the following sentence to be added at the end:
“....and would like to know further details regarding activities and functions of the proposed Kendra”
- (iii) In Recommendation No. 5, the word “.....improper planning.....” should be substituted with the word “.....inadequate planning.....”
- (iv) In Recommendation No. 6, the following sentence to be deleted:
“.....The shortfall in utilization is attributed to candidates opting the one which is more suitable to them and non-acceptance of offer by all candidates.....”
- (v) In Recommendation No. 13, the following line to be deleted:
“.....The Committee also suggest PoEs should be from the cadre of MOIA so that the Ministry can have effective control over PoEs.....”

5. The Committee then authorized the Chairman to finalize the Report after factual verification from the concerned Ministry and present the same to Parliament.

The Committee then adjourned.