

03

**STANDING COMMITTEE
ON EXTERNAL AFFAIRS**

(2014-2015)

SIXTEENTH LOK SABHA

MINISTRY OF OVERSEAS INDIAN AFFAIRS

**DEMANDS FOR GRANTS
(2014-2015)**

THIRD REPORT



**LOK SABHA SECRETARIAT
NEW DELHI**

DECEMBER, 2014/AGRAHAYANA, 1936 (Saka)

THIRD REPORT

**STANDING COMMITTEE ON
EXTERNAL AFFAIRS
(2014-2015)**

(SIXTEENTH LOK SABHA)

MINISTRY OF OVERSEAS INDIAN AFFAIRS

**DEMANDS FOR GRANTS
(2014-2015)**

**Presented to Lok Sabha on 22nd December, 2014
Laid in Rajya Sabha on 22nd December, 2014**



**LOK SABHA SECRETARIAT
NEW DELHI**

December, 2014/Agrahayana, 1936 (Saka)

COEA NO. 115

Price : Rs.

© 2014 By LOK SABHA SECRATARIAT

**Published under Rule 382 of the Rules of Procedure and Conduct of Business in Lok Sabha
(Fourteenth Edition) and Printed by _____**

CONTENTS

	Page
COMPOSITION OF THE COMMITTEE (2014-2015).....	(ii)
INTRODUCTION.....	(iii)

REPORT

I.	Background Analysis Implementation of Recommendations contained in the Nineteenth Report (15 th Lok Sabha) on Demands For Grants (2013-14) of the Ministry of Overseas Indian Affairs	1
II.	Introductory	2
III.	Overall Analysis of Demands for Grants of the Ministry of Overseas Indian Affairs for the year 2014-15	3
	A. Overall Budgetary proposals and allocation	3
	B. Revenue And Capital Section	8
	C. External Affairs – Major Head -2061	12
	D. Capital Outlay on Public Works – Major Head - 4059	14
IV.	Assessment of Schemes/Programmes of the Ministry of Overseas Indian Affairs	20
	A. Overseas Citizenship of India (OCI) Scheme	20
	B. Mahatma Gandhi Pravasi Suraksha Yojna (MGPSY)	23
	C. Know India Programme (Internship Programme for Diaspora Youth)	25
	D. Scholarship Programme for Diaspora Children (SPDC)	27
	E. Overseas Indian Facilitation Centre (OIFC)	30
	F. India Center for Migration (ICM)	33
	G. The Swarnapravas Yojana	36
V.	Miscellaneous	
	A. Legislative Reforms	40
	B. Human Resource Mobility Partnerships (HRMPs)	44

APPENDICES

I.	Minutes of the sitting of the Committee held on 8 th October, 2014	48
II.	Minutes of the sitting of the Committee held on 16 th December, 2014	50

INTRODUCTION

I, the Chairperson of the Standing Committee on External Affairs having been authorized by the Committee to present the Report on their behalf, present this Third Report of the Standing Committee on External Affairs (2014-15) on Demands for Grants of the Ministry of Overseas Indian Affairs for the year 2014-15.

2. The Committee heard the views of the representatives of the Ministry of Overseas Indian Affairs at their fourth sitting held on 8th October, 2014.

3. The Committee wish to express their gratitude to the officers of the Ministry of Overseas Indian Affairs for placing the material and information that the Committee desired and also appearing before the Committee for placing their considered views before them in connection with the examination of Demands for Grants of the Ministry for the year 2014-15.

4. The Report was considered and adopted by the Committee at their sitting held on 16th December, 2014.

5. The Minutes of the sittings of the Committee held on 8th October, 2014 and 16th December, 2014 are given in Appendix-I and II to the Report.

6. For facility of reference, the observations/recommendations of the Committee have been printed in bold letters in the Report.

NEW DELHI
19th December, 2014
28 Agrahayana, 1936 (Saka)

Dr. Shashi Tharoor,
Chairperson,
Standing Committee on External Affairs

CHAPTER- I

BACKGROUND ANALYSIS

IMPLEMENTATION OF THE RECOMENDATIONS CONTAINED IN THE NINETEENTH REPORT (15TH LOK SABHA) ON DEMANDS FOR GRANTS (2013-14) OF THE MINISTRY OF OVERSEAS INDIAN AFFAIRS

The 19th Report of the Standing Committee on External Affairs on Demands for Grants of the Ministry of Overseas Indian Affairs for the year 2013-14 was presented to the Lok Sabha on 26th April, 2013 and laid in the Rajya Sabha on the same day. The Report contained 16 recommendations/observations.

1.2 The Action Taken Replies on the Recommendations contained in the 19th Report (15th Lok Sabha) have been received from the Ministry and the Action Taken Report on the same has been prepared.

1.3 On the basis of Action Taken Replies received from the Ministry of Overseas Indian Affairs on the 19th Report, the Committee presented their 24th Report (Action Taken Report) to the Parliament on 20th February, 2014. The Committee in their 24th Report have commented on the action taken replies furnished by the Ministry in respect of recommendation Nos. 1,2,3,4,5,8,9,10,11,12,13,14 and 15 contained in the 19th Report. The final replies have also been received and have been laid in Parliament.

CHAPTER - II

INTRODUCTORY

The Ministry of Overseas Indian Affairs (MOIA) aspires to be a one-stop address for Overseas Indians. Established in May, 2004 as the 'Ministry of Non-Resident Indians Affairs', it was renamed as the 'Ministry of Overseas Indian Affairs' (MOIA) in September, 2004. The Emigration Division of the Ministry of Labour and Employment was attached to the new Ministry in December 2004 and now functions as the Emigration Services Division which also has within it the Protectorate General of Emigrants (PGE). The erstwhile NRI Division of the Ministry of External Affairs now functions as the Diaspora Division in the Ministry.

2.2 India's engagement with its overseas community has been mainstreamed with the establishment of Ministry of Overseas Indian Affairs (MOIA). This is the nodal Ministry for all matters relating to Overseas Indians, comprising Persons of Indian Origin (PIO), Non-Resident Indians (NRIs) and Overseas Citizens of India (OCI). Its Mission is to establish a robust and vibrant institutional framework to facilitate and support mutually beneficial networks with and among Overseas Indians to maximise the development impact for India and enable Overseas Indians to invest in and benefit from the opportunities in India.

In accomplishing this mission, the Ministry is guided by four key policy imperatives:

- (i) Offer customised solutions to meet the varied expectations of the Overseas Indian Community.
- (ii) To bring a strategic dimension to India's engagement with its Diaspora.
- (iii) Tap the investible diasporic community in terms of knowledge and resources in diversified economic, social and cultural areas.
- (iv) Anchor diasporic initiatives in the States.

CHAPTER –III

REPORT

OVERALL ANALYSIS OF DEMANDS FOR GRANTS OF THE MINISTRY OF OVERSEAS INDIAN AFFAIRS FOR THE YEAR 2014-15

A. Overall Budgetary proposals and allocation

The Ministry of Overseas Indian Affairs was established in September, 2004 as a nodal Ministry for all matters relating to Overseas Indians. The Demands for Grants of the Ministry for the year 2014-15 were laid on the table of Lok Sabha on 6th August, 2014 and in Rajya Sabha on 7th August, 2014. The Budget of the Ministry has traditionally been on the non-plan side and till 2013-14 the Ministry did not have any plan allocation from the Planning Commission. In the year, 2014-15 an amount of Rs. 20.00 crore has been provided under the Plan Head for the scheme – Swarnapravas Yojana.

3.2 The demands *vis-à-vis* allocation of funds made and the actual utilization by the Ministry of Overseas Indian Affairs has been discussed in detail in the succeeding paragraphs:-

3.3 The BE for the year 2014-15 for Ministry is Rs. 148.98 crore. The actual allocation made in BE 2014-15 against each Head is as under:-

(Rs. In Crore)		
	Major Head	Allocation
2052	Secretariat-General Services	40.36 crore
2061	External Affairs	93.62 crore
4059	Capital Outlay on Public Works	15.00 crore
	Total	148.98 crore

3.4 The following table shows the overall budgetary allocation made for the Ministry during the last five years along with RE for the respective years, actuals and utilization in terms of percentage of RE:-

(Rs. in Crore)				
Year	BE	RE	Actual	Shortfall in utilization (over BE)
2009-2010	80	60	56.23	23.77
2010-2011	81	73	67.87	13.13
2011-2012	81	81	77.49	3.51

2012-2013	114.77	85	82.91	31.86
2013-2014	115.79	97.22	84.78	31.01
2014-15	148.98	-	-	-

3.5 It may be observed from the above table that during the last several years, the Budget Estimates of the Ministry is continuously being revised downwards and at RE stage the actual utilization has been even lower than the Revised Estimates. Despite repeated recommendations by the Committee, there is no improvement and once again, the BE of Rs. 115.79 crore has been reduced to Rs. 97.22 crore during the year 2013-14 and out of this, the actual spending was only Rs. 84.78 crore during the year.

3.6 When the Ministry was asked to justify the reasons for continuous downward revision of allocation at RE stage, it submitted in a written reply as under:

“During the discussions held for RE allocations the utilizations of budgetary fund was low, therefore the RE was revised and reduced. As PBD and RPBD are held in the later part of the year, their expenditure is not reflected in the initial months and thereby reflecting the overall low expenditure. As it is annual phenomenon, we see a continuous downward revision at the RE stage.”

3.7 Further, submitting the reasons on the issue of such regular failure in utilization of funds by the Ministry despite the repeated recommendations and direction of the Committee to improve the trend, the Ministry submitted as under:

“The utilization of the Ministry has been low due to some other reasons. The important ones are delay in roll-out of e-Migrate Project, not holding of International Conferences/meetings as planned in advance. The non-utilization is also due to savings on account of less number of visits of foreign dignitaries.”

3.8 While going in to the details of fund utilization during each quarter of the last three years, the Ministry submitted the following details:-

Financial Year 2011-12

	Q1	Q2	Q3	Q4
BE	JUN	SEPT	DEC	MAR
81	10.42	18.28	10.89	37.86

Financial Year 2012-13

	Q1	Q2	Q3	Q4
BE	JUN	SEPT	DEC	MAR
114.77	10.94	14.87	24.18	32.78

Financial Year 2013-14

	Q1	Q2	Q3	Q4
BE	JUN	SEPT	DEC	MAR
115.79	17.64	18.91	20.11	28.12

3.9 When the Committee specifically asked about the reasons for such an uneven fund utilization, the Ministry submitted the following details:

"The flagship event of the Ministry viz. Pravasi Bharatiya Divas is organized in the last quarter of every year. The expenditure is booked after the event. The bills for the activities which are outsourced are received late. Also, expenditure on Awareness and media Campaign are generally booked by the DAVP in the last quarter. Apart from this, under Scholarship Scheme for Diaspora Children (SPDC) the expenditure is booked in the last quarter. Booking of expenditure incurred by the Ministry of External Affairs is also received late. Hence, utilization of the allocation is a little more in the last quarter of the year."

3.10 In the same context, when asked about the steps taken by the Ministry to avoid major allocation in last quarter of the year and also for not getting desired results out of the efforts made by the Ministry for an even utilization of major allocation in the last quarter of the year, despite the repeated recommendations and directions of the Committee to improve the same, the Ministry submitted as under:-

"We have started releasing the scholarship amount to Educational Consultants India Limited (Edcil) in the first quarter of the year, so that scholarship is made available to the institutions in time. Also for MOIA office, the rent etc. that are cumulatively paid at the end of the year, are now paid quarterly. Similarly, money for PBK has been released in time. It is now our effort to regularly review and ensure timely release."

3.11 During the evidence, the Secretary, MOIA further clarified the Ministry's position on this issue as under:-

"We really agree with the concerns raised in the questionnaire about less expenditure every year. I totally agree that the RE has always been less than the BE. The main reason is that our main events take place after half year. Even the Regional Pravasi Bhartiya Divas and the Main Pravasi Bhartiya Divas consume a lot of our funds. The Regional one happens in October-November and the main one happens only in January. So, the expenditure goes in the last quarter. Because of the Finance Ministry's dictates and the mandates, they reduce our RE in every stage and they say that we have to manage within this amount. We are constrained even if we want to

spend in the last two quarters some more amount, we cannot do so. This has happened in 2013-14 also. I joined on 1st December and then I realised that I was very constrained even if I wanted to speed up some of the works, I could not because the total ceiling was fixed for managing our expenditure. It is true that even some shortfall has been there in that amount. One thing I would like to add here. There has been constant endeavour of our Ministry that we should not postpone every expenditure to the last quarter though our main programmes exist in last quarter. This will be clear from the figures. As against the BE, the fourth quarter expenditure has constantly improved. Like in the 2011-12, we had about 46 per cent, in 2012-13, we had 28 per cent and in 2013-14 we had only 24 per cent of expenditure of the BE. This is declining and this is a good trend. But I am not saying that it is hundred per cent to the satisfaction of ourselves. We have to improve upon it also"

3.12 When asked about the details of demands made by MOIA during Budget meetings 2014-15 with the Ministry of Finance, and the head-wise actual allocation of funds made by them, the Ministry furnished the following details:-

"Ministry of Finance had indicated a figure Rs. 128 crore as the ceiling for the budget and we had to accommodate all our non-plan demands within this ceiling. Additional Rs. 20 crore was allocated for the Plan Scheme. So, there was no difference in the item wise demand and the actual budget allocations."

3.13 On being asked whether the Ministry had sought fund for any new Project/Scheme, the Ministry clarified in a written reply as under:

"Ministry had sought fund for the New Plan Scheme of MOIA – Swarnapravas Yojana from Planning Commission. The Commission agreed to give plan allocation of Rs. 20 crore for this scheme for 2014-15 which has been provided in the budget."

3.14 In response to further query of the Committee whether the proposed outlay of 148.98 crore earmarked for the year 2014-15 is sufficient for achieving the goals set by the Ministry, the MOIA submitted as under:

"The outlay of Rs. 148.98 crore made in the current financial year does not appear to be adequate. Additional funds of Rs 27 crore (approx.) for completion of Pravasi Bhartiya Kendra had been sought."

3.15 When asked about specific initiatives that the Ministry proposes to take to improve its spending mechanism and maintain even distribution of expenditure during each quarter of the year for ensuring optimal utilization of the Budget for the year 2014-15, the Ministry assured as under:

"The Ministry will try to utilize full and appropriate utilization of budget earmarked for the year 2014-15 by closely monitoring the progress of the schemes and incurring of the expenditure."

3.16 The Committee observe that the allocation made to the Ministry at BE stage for the year 2013-14 was Rs. 115.79 crore which was reduced to Rs. 97.22 crore at RE stage and the final utilization was only Rs. 84.78 crore. This shows that the Ministry of Overseas Indian Affairs has once again failed in containing the trend of shortfall in utilization of allocation during 2013-14. The Committee are not convinced by the justification given by the Ministry that revision and reduction of Budget towards lower side at RE stage has been on account of the fact that expenditure on mass events like Pravasi Bhartiya Divas (PBD) and Regional Pravasi Bhartiya Divas (RPBD) are incurred only in the second half of the year and the actual utilization in the first two quarters has been less. Surprisingly, the Committee note that the fund is not deducted under these heads during all these years but reduction is being done under other heads. Similarly, the Committee also note that the actual expenditure is also less than the Revised Estimates. The Committee, however, find that after their continuous persuasion, the Ministry has taken some initiatives like timely release of Scholarship amount and money for Pravasi Bhartiya Kendra (PBK) and quarterly payment of rent etc. with a view to improve their quarterly expenditure. The Committee, therefore, earnestly desire that the Ministry should regularly review and ensure timely release of funds for different purposes during 2014-15. The Committee also reiterate that Ministry should resort to judicious internal allocation of funds quarterly and strictly monitor expenditure accordingly during each quarter, particularly when its funds are

being reduced at RE stage on the basis of lower expenditure in the first two quarters of the financial year. The Committee are also of a strong opinion that without improving their current utilization pattern at each stage, the Ministry may not be able to obtain more funds at RE stage as per their requirements for various schemes/programmes.

(Recommendation No. 1)

B. Revenue and Capital Section

3.17 The details of the Budget Allocation made under Revenue and Capital Section in BE 2012-13, RE 2012-13, BE 2013-14, RE 2013-14 and BE 2014-15 are as under:-

(Rs. in crore)

	BE 2012-13	RE 2012-13	BE 2013-14	RE 2013-14	BE 2014-15
Revenue Section	94.77	75.00	95.79	77.22	113.98 (Non-Plan) 20.00 (Plan)
Capital Section	20.00	10.00	20.00	20.00	15.00
Total	114.77	85	115.79	97.22	148.98

3.18 The allocation under the Revenue Section has been made to meet the expenditure to be incurred on Secretariat-General Services and External Affairs. Similarly, the allocation under the Capital Section has been made on account of construction of the Pravasi Bhartiya Kendra (PBK), which would be a centre to commemorate the achievements of the Indian Diaspora.

3.19 When asked about the justification for upward revision in BE 2014-15 for the year 2014-15, the Ministry in its reply has stated:-

“The main increase is due to the likely expenses on e-migrate project (about Rs. 8 crore) which is likely to go online from October, 2014 and payments become due. The other contributory item is Advertising & Publicity (Rs. 2 crore)”

B.(i) e-Migrate Project

3.20 The Ministry is implementing a comprehensive e-governance project on migration. E-Migrate project is designed for facilitating emigration of ECR category emigrants going to notified countries for employment purpose. The Project will help in making the recruitment of workers

hassle free process and curtail malpractices adopted by Recruiting Agents and employers. The e-Migrate Project aims to transform emigration into a simple, transparent, orderly and humane process. The Project is aimed at improving the quality of services to emigrant workers and help reduce, to a great extent, corruption, malpractices and irregular migration and thereby facilitate legal and orderly migration.

3.21 When asked about the reasons for very poor expenditure on the project resulting into large amount of fund going unspent under this head and the item-wise details of allocation and the actual expenditure made in the FY 2013-14, the Ministry in its reply has stated:-

“There is no separate head for eMigrate and the allocation are included in Sub Head – Information Technology (Office Expenses) under Major Head 2052 Secretariat – General Services. Expenditure in respect of eMigrate in the FY 2013-14 was Rs. 0.43 crore. The low expenditure in the project was due to the fact that actual payment to the implementing agency starts only after the 'Go Live' of the project which could not be achieved in 2013-14.”

3.22 On being asked about the reasons for the delay and the lessons learnt by the Ministry in implementing the scheme, the Ministry in their reply has stated:-

“The project got delayed because of various coordination issues, for example - integration with the Bureau of Immigration and validation of passport data from MEA Passport data base. There were also issues regarding getting permission at different airports to establish kiosks and also the provisioning for primary and secondary links for data transfer. Coordination issues should have been given priority right from the very beginning and instead of progressing step by step, these should have been taken up parallelly.”

3.23 When being asked about the latest progress being made in the project, the Ministry in their written reply stated as under:

"eMigrate project is already online and is fully operational. Ministry started online operationalization at PoE Delhi office from 26th May 2014. Later during June-September 2014 the project has been made operational at all 9 remaining PoE offices across India. As on date all 10 POE offices are providing emigration clearances through online eMigrate system. eMigrate allows online submission of documents required for grant of EC such as Contract, Power of Attorney, Copy of the passport, visa, permission for interview of candidates, application for emigration clearance and according of emigration clearance."

3.24. The Secretary, Ministry of Overseas Indian Affairs elaborated during the evidence as follows:

"The e-migrate project is now on the threshold of actual inauguration. But it has already been implemented in all the ten POE offices. Mumbai is our biggest POE office. It is at the last stage of implementation at Mumbai. We will finish it by 15th of this month and we will have official go live of this project. So, we have shed the old method of giving emigration clearance. We have resorted to e-migrate project where on line clearances are given and even on-line validation of passports are being done. It is astonishing to know that we are getting some of the passports, as not the valid passports, which we were really passing on earlier. This is a good development."

3.25 In response to specific query by the Committee about the performance of the project and the changes to be made in the scheme on the basis of implementation of project, the Ministry submitted the following details in a post-evidence reply:

"e-Migrate has been made operational in all POE offices and PGE Division. Project is expected to be launched formally shortly. To accommodate the user feedback, the operational phase is inserted in the program implementation schedule and roll out is done in a gradual manner by choosing POE offices in sequential manner instead of making the project operational for all POE offices at one go.

Most recently, the project is made operational in POE Office Mumbai from 25th September 2014 onwards. Suggestions from Recruiting Agents and POE officials are being received at the moment and being considered based on the merit. Since the e-Migrate roll out is at Pilot stage, changes are carried out as and when required.

Program is proposed to be made operational for Indian Mission for allowing foreign employers to apply to the Indian Mission for attestation.

3.26 The Committee are surprised to note that the e-Migrate Project has been considerably delayed due to lack of coordination/integration with the other related agencies and delay in data transfer. The Ministry was not even able to spend the allocation made for this project at BE stage. The project could not reach the 'Go live' level and the Ministry could only spend Rs.0.43 crore during 2013-14. During 2014-15 under the IT head, a sum of Rs. 12.83 crore has been allocated and out of this

approximately Rs. 8.00 crore are to be spent on the project which is sufficient for making payments to the implementing agency. The Committee feel relieved to learn that after a long delay the project has come to a threshold level and all 10 PoE offices are providing emigration clearance through online e-Migrate system. The Committee realize that since the e-Migrate rollout is at pilot stage, a large number of changes may be required on the basis of feedback received from recruiting agencies and PoE Offices. All these changes should be attended to without any delay and the programme should be made operational also for Indian Missions to allow foreign employers to apply to the Indian Missions for attestation on priority basis.

(Recommendation No. 2)

C EXTERNAL AFFAIRS – MAJOR HEAD-2061

3.27 The Schemes undertaken by the Ministry are mainly from 2061 External Affairs (Major Head) 00.800 – Other expenditure (Minor Head), 03 – Other Schemes (Sub-Head). Expenditure incurred on the International Conferences and other expenditure is included under the major head of ‘External Affairs’. Budgetary provision in BE under this Head for 2013-14 was Rs. 66.88 crore which was subsequently reduced to Rs. 49.15 crore at RE stage. But an allocation of Rs. 93.62 crore has been made in BE 2014-15.

3.28 When the Committee desired to know the reasons for the quantum jump in the budgetary allocation for the year 2014-15 along with the reasons for lower utilization of funds during the year 2013-14, the Ministry stated as under:

“Two flagship item of the Ministry namely Centenary celebration of Pravasi Bharatiya Divas in 2015 (an additionality of Rs. 5 crore) and introduction of Swarnapravas Yojana (Rs. 20 crore) have necessitated the hike in budget allocation by Rs. 25 crore from previous year. The other contributory items to budget hike are Media Awareness Campaign on illegal and safe migration.

C. (i) International Conferences/Meetings

3.29 The objective of this sub-head is to provide for expenditure on international conferences on international Migration and destination countries. Rs. 1.00 crore has been allocated for 'International Conferences/Meetings' for the year 2014-2015. During the year 2013-14, BE was also Rs. 1.00 crore which was revised to Rs. 60 lakh at RE stage.

3.30 On being asked about the details of the meetings and conferences organized under this head during the year 2013-14 and the expenditure made in each case, the Ministry replied as under:-

"Employers Conference was organized at Dubai on 27-29 October, 2013, wherein representatives of various State Governments and their concerned Agencies dealing with NRI Affairs participated. An expenditure of Rs. 60.00 lakh was sanctioned. The objective is to have an opportunity to interact with NRIs and Foreign Employers to discuss employment related issues."

3.31 When the Ministry was specifically asked about the reasons for reduction in allocation at RE stage during 2013-14 and the justification for keeping the same allocation for organising conferences/meetings during the year 2014-15, the Ministry replied as under:-

"Reduction at RE stage is based on actual utilisation. BE for 2014-15 has been kept in the same level keeping in view the possible international conference."

3.32 When asked whether the Ministry has made any objective review of the amount spent on such meetings/conferences in the light of outcome of such meetings/conferences held in the past, the Ministry stated as under:

"No specific study has been conducted. However, these conferences/ meetings have proved beneficial for the diaspora engagement."

3.33 The Committee observe that the amount of Rs. 1.00 crore was allocated to the Ministry during the year 2013-14 under the sub-head 'International Conferences/Meetings', but only an amount Rs. 60.00 lakhs was spent by the Ministry in organizing only one conference during the year 2013-14 and Rs. 11.00 lakhs for entertainment/hospitality purposes. The Committee are also surprised to note that the Ministry does not feel the need

for advance planning of Conferences/Meetings or for analyzing the outcome by conducting any specific study to justify the amount spent vis-à-vis the objectives achieved by organizing such programmes. This shows that there is a lack of foresight and sensitivity on the part of the Ministry in understanding the dynamics of migration with a view to facilitating policy formulation in this regard. The Committee, therefore, strongly recommend that the Ministry should draw up a full schedule of all the Seminars/Conferences to be organized during a financial year along with the proposed expenditure well in advance, keeping in view the defined objectives and the international situation. The Committee also desire that the Ministry should regularly review follow ups of such deliberations to ensure that the expenditure on each Seminar/Conference is justified.

(Recommendation No. 3)

D. Capital Outlay on Public Works- Major Head – 4059

3.34 The allocation under this Head is for construction of the Pravasi Bhartiya Kendra (PBK) which would be a Centre to commemorate the achievements of the Indian Diaspora. Capital outlay on Public Works at BE for 2013-14 under this head was Rs. 20.00 crore which was left unchanged at the RE stage. The BE for 2014-15 has been reduced to Rs. 15.00 crore. The entire amount has been allocated for construction of PBK.

D (i). Pravasi Bhartiya Kendra (PBK)

3.35 To commemorate the evolution and achievements of the Indian Diaspora, Pravasi Bhartiya Kendra (PBK) is being established at Chanakyapuri, New Delhi at an estimated cost of Rs. 94 crore. The National Building Construction Company (NBCC) has been appointed turnkey Consultant and Project Manager. The work of the Pravasi Bhartiya Kendra started on 1st May, 2011 and is still running behind its completion target.

3.36 When asked about the reasons for a reduced allocation of Rs. 15.00 crore for 2014-15 when an amount of Rs. 26.47 crore is required to be released to M/s NBCC and other agencies involved in the project, the Ministry has replied as under:-

“The Ministry has awarded the contract for construction of civil work of PBK to National Building Construction Company (NBCC). The progress of construction work involved clearances from various agencies and availability of funds. The Ministry has been reviewing the progress of the work at Secretary, MOIA level. The availability of funds during 2013-14 was a major constraint. Upon announcement by the Hon’ble Prime Minister on 8th January, 2014 during Pravasi Bhartiya Divas, 2014 that the PBK would be completed and become functional this year, a proposal for allocation of Rs. 25 crore was sent to Ministry of Finance. The Hon’ble Minister and Secretary had also written to Ministry of Finance in this regard. However, the additional allocation was not agreed to. In BE 2014-15, an amount of Rs. 15 crore has been allocated. The Ministry is taking up the matter for allocation of additional funds so as to enable completion of the project”.

3.37 Elaborating further about the initiatives being taken to get allocation of desired funds for the project, the Ministry informed as under:

“An amount of Rs. 15 crore has been allocated in the BE 2014-15. Out of this, an amount of Rs. 10 crore has already been released. Proposal for release of Rs. 5 crore is under process. With a view to complete the project at the earliest, the Ministry has submitted supplementary demand for allocation of Rs. 21.27 crore at RE stage.”

3.38 The Committee further enquired about the current status of the construction of the project and the Ministry stated as follows:

“The work is in the final stages and after release of funds by the Ministry; the project is likely to be completed within 3-4 months”.

3.39 When asked about the details of the actual expenditure made so far and the efforts made to expedite the project, the Ministry stated as follows:

" While an amount of Rs. 68.64 crore has been released by the Ministry so far towards the construction work by NBCC, the actual expenditure made so far by NBCC is noted to be Rs.77.21 crore (upto 31st August). Apart from this, an amount of Rs. 68.68 lakhs has been released to IIT Kharagpur as consultation fee for carrying out 3rd party inspection of quality control in the construction of Pravasi Bharatiya Kendra (PBK). As already stated, the project is being reviewed at Secretary, MOIA level and regularly inspected by IIT Kharagpur. Paucity of funds is the main reason for the project not being completed. As such, there is no question of under utilization of Budget."

3.40 The Ministry has further submitted through a written reply:-

"The inadequacy of allocation of funds will affect the completion of Pravasi Bhartiya Kendra. The work is being held up for want of funds for which NBCC has been requesting the Ministry repeatedly. It has been desired that the PBK, complete in all respects, be dedicated to the nation by the Hon'ble Prime Minister during the PBD, 2015 to be held on 7-9 January, 2015. As per the approved estimation, the required amount for completion of PBK is Rs. 26.27 crore out of which Rs. 5 crore is available from the total budgetary allocation for 2014-15. Therefore, it is proposed to raise the remaining required amount of Rs. 21.27 crore through First Batch of Demand for Supplementary Grants and revised RE or Revised Estimate 2014-15. With less allocation during the year 2014-15, the schemes that will be most affected are those having major allocations. However, in the event of less allocation, reappropriation of fund will be necessary after re-prioritization of the schemes are made by this Ministry"

3.41 When specifically asked about proposal of construction of PBKs in the States and the Policy and role of Centre and State, the Ministry submitted the following facts in their reply:

"Pravasi Bharatiya Bhawan is a proposed scheme in the states that would be a platform for the Diaspora belonging to the states on the lines of Pravasi Bharatiya Kendra in New Delhi. The scheme envisages that state governments would provide 1000 sqm. land free of cost and set up a society to administer the day to day affairs. The responsibility of operation and maintenance of the PBBs would be with the state governments. MOIA would provide a one-time grant. Based on the examination of the scheme, proposal is under preparation for obtaining necessary approvals."

3.42 The Committee observe that the project for construction of Pravasi Bhartiya Kendra in New Delhi has been delayed inordinately and is still running behind the last announced target date of completion in all respects before the celebration of PBD 2015. The Committee have been informed that the paucity of funds is the main reason for the project not being completed and it may be completed within 3-4 months after release of funds of Rs. 26.27 crore by the Finance Ministry. The Committee, however, note that after announcement by the former Hon'ble Prime Minister during PBD 2014 on January 8th 2014, that the PBK would be completed and become functional during 2015, the Ministry had made a proposal to the Ministry of Finance for Rs. 25.00 crore during 2013-14 but it was not agreed to . The

Committee, however, have a serious doubt about the sincerity with which the Ministry pursued the project because they find that the Ministry's demand for the project at BE 2014-15 was Rs. 4 crore only against which the Ministry of Finance had made an allocation of Rs. 15 crore at BE 2014-15. It is only at RE stage, the Ministry intends to submit a Demand of Rs. 21.27 crore. The Committee, therefore, strongly urge that the Ministry should make sincere efforts for obtaining the requisite funds and completing the project timely as per the commitment made by Hon'ble Prime Minister before NRIs. The Committee should be apprised of the efforts made by the Ministry in this regard and the outcome thereof. The Committee also hope that the Government would come out with a time-bound programme regarding setting up of Pravasi Bhartiya Bhawans in the States on the lines of PBK in New Delhi. They however, desire that the project should be attractive to the States with a scope for continuous coordination with the Centre and not merely in the form of one time grant only.

(Recommendation No. 4)

D (ii). Construction and Purchase of PoE Offices

3.43 The PGE is the Statutory Authority under the Emigration Act and is responsible for the welfare and protection of the emigrant workers. He also oversees the ten field offices of the Protector of Emigrants (PoEs) situated at Delhi, Mumbai, Chennai, Thiruvananthapuram, Cochin, Hyderabad, Chandigarh, Kolkata, Jaipur and Rae Bareilly. In their Twenty Fourth Report, the Committee had taken note of the fact that a number of POE offices were still being run from rented premises and had urged the Ministry to renew efforts to procure their own land/buildings.

3.44 On being further enquired about the reasons for not allocating even a single Rupee under the subject head construction/purchase of building for PGE/PoEs also during the year 2014-15 and as to how the Ministry proposes to complete the PoE offices across the country, the Ministry in its

written reply stated as under:-

“The Ministry was making concerted effort to procure land for setting up of POE Offices in the States where POE Offices are located. However, no positive response has been received from the concerned State Governments. In view of this budget allocation could not be made for construction/purchase of land/building for POE Offices. POE Offices at Rae Bareilly and Guwahati were to be set up during 2013-14. POE Office at Rae Bareilly had been set up on 15th May, 2013 in a private building with modern amenities/equipments. The Govt. of Uttar Pradesh/district Administration were requested to provide Govt. Building or land to set up POE Office at Rae Bareilly but they were not in a position to provide. As such, the Office was required to be set up in a private building. As regards the setting up of POE Office at Guwahati, the Ministry wrote D.O. letters dated, 5th March, 2012, 18th May, 2012, 24th July, 2012, 10th September, 2013 and 10th June, 2014 to Chief Secretary, Government of Assam to provide space for setting up of POE Office at Guwahati. But till date, no response has been received from the Govt. of Assam. During the last financial year the POE offices of Mumbai and Kolkata had been modernized as per the recommendation of this Committee. POE, Thiruvananthapuram has also been shifted on 10.2.2014 to a State Government building with modern office amenities.”

3.45 On being asked about the ongoing efforts being made by the Ministry to shift the existing POE offices, and to establish new POE offices in various cities, the Ministry stated that:

"The Ministry has constantly been making efforts for getting office space for the POE Offices in Government owned building with minimum rental outgo. Regarding Rae Bareilly, the Secretary, MOIA has requested vide letter dated 18/2/2014, to Chief Secretary, UP to identify and arrange at least 2000 sq.ft of office space in the Government building at a convenient location in Rae Bareilly. In respect of Cochin, it has been found that there is an office space of 2000 sq. ft. on the ground floor of the RPO building at Panampilly Nagar, Cochin. The Ministry, has, accordingly written a letter on 5th June, 2014, to Ministry of Urban Development requesting them to allot this area for the POE office, Cochin in the premises where RPO, Cochin is located. Reply from them is awaited. Office space of about 2000 sq.ft in the office of RPO, Hyderabad has also been identified. The matter has been taken up with the RPO, Hyderabad. Formal response from the RPO, Hyderabad is awaited. In case of suitable land being made available at any point of time during the year 2014-15, required funds will be sought by way of submission of Revised Estimates."

3.46 The Committee note that in the name of making efforts, the Ministry has been writing letters to the State Governments or Ministry of Urban Development requesting them

to provide suitable space for setting up of new PoEs Office at Rae Bareilly and Guwahati or for shifting of PoE offices at Cochin and Hyderabad, but with no results. They have only been able to shift the PoE Office, Thiruvananthpuram to a State Government Building and some work has been undertaken to modernize the PoE Offices at Mumbai and Kolkata. Therefore, under these circumstances the Committee do not approve the reasoning given by the Ministry wherein they have argued that, in view of no positive response from the State Governments, no allocation has been made at BE stage for PoE Offices and if the need arose then the funds would be obtained through submission of Revised Estimates. In the Committee's view, such an approach by the Ministry defeats the very purpose of the budgetary exercise. If the proposals of establishment and shifting of PoE Offices are in progress, they can materialize at any point of time and then it might not be feasible for funds to be arranged immediately. In case the necessary building or land could not be arranged, the allocated funds could be surrendered. The Committee would, therefore, recommend that the Ministry should take more concerted efforts to obtain space for the PoE Offices by taking it at the highest levels and simultaneously obtain requisite allocation at RE stage, which may be spent in remaining months of the financial year. Moreover, they should also make provision for sufficient funds in the Budgetary exercise for the next financial year for this purpose and apprise the Committee about the progress made in this regard.

(Recommendation No. 5)

CHAPTER - IV

ASSESSMENT OF SCHEMES/PROGRAMMES OF THE MINISTRY OF OVERSEAS INDIAN AFFAIRS

The Ministry of Overseas Indian Affairs has launched various policies, programmes and schemes that seek to meet the varied expectations and needs of the diverse Overseas Indian Community as under:-

A. Overseas Citizenship of India (OCI) Scheme

4.1 The Scheme provides for registration as Overseas Citizens of India (OCI) of all Persons of Indian Origin (PIOs) who were citizens of India on or after 26 January, 1950 or were eligible to become citizens of India on 26 January, 1950 and who are citizens of other countries, except Pakistan and Bangladesh. An allocation of Rs. 2.85 crore has been made in BE 2014-15 which is slightly more than the allocation of Rs. 2.38 crore made for the year 2013-14.

4.2 As per the Ministry, since start of OCI scheme from 01.12.2005 till 19.09.2014, a total of 16,14,517 cards have been issued to the OCI applicants. MOIA receives data of only those applicants who have been granted the registration by the Ministry of Home Affairs. As such, the number of applications rejected is not known to this Ministry. However, the Ministry has maintained that it is up to date on issuing cards of those whose cases have been cleared by the Ministry of Home Affairs.

4.3 On being asked about the proposal to merge Overseas Citizen of India and Persons of Indian Origin cards the Secretary, Ministry of Overseas Indian Affairs submitted as under:

"....this decision was taken earlier at the highest level but it is still not implemented. The reason is that these two provisions of OCI and PIO cards exist in the Citizenship Act. So, the Citizenship Act needs to be amended to merge two cards and provide same facilities to our people. That Bill was introduced and was passed by the Rajya Sabha but it lapsed in the earlier Lok Sabha. It will again be introduced in the Parliament and for that, the Cabinet note has been prepared. This is being handled by the Ministry of Home Affairs. We are only providing the OCI cards but the legal aspect is being taken care of by the Ministry of Home Affairs as they are dealing with the Citizenship Act.

4.4 The Secretary further elucidated on the differences between the two cards:

"Regarding the advantages which the PIO card holders will have if the two cards get merged, a PIO card holder is eligible only for 15 years visa whereas OCI card holder is entitled for a life time visa. This is the major difference. PIO card holder has to go to the local police station to register after 180 days which an OCI card holder need not do. Once these are merged, the same facility as OCI card will be given to the PIO card. The OCI card holder will also get benefited in one respect. There is a provision that the spouse of a OCI card holder does not automatically become the OCI card holder whereas this facility is available for the PIO card holder. If a person is a PIO card holder, then his or her spouse will become the PIO beneficiary. So, there was a demand for both these things. Once they are merged, all these facilities will be provided to the new card holders. By doing this, we expect that most of the problems will be solved."

4.5 On being asked whether the Ministry has explored any new possibility of developing a methodology for collection of database on Indian Diaspora, the Ministry stated that:

" It has not been found feasible to compile exact database of the entire Indian Diaspora residing outside India due to the political sensitiveness of the country concerned and the People of Indian Origin(PIOs), who are citizens of that country, themselves. The number of PIOs is based on the estimate made by the Indian Missions, and sufficient as inputs for policy issues. Some Indian Missions/ Posts were requested to inform about the possibility of commissioning studies/surveys to get a comparatively more exact number of diaspora population. The Missions did not find this suggestion acceptable because of political and other sensitivities involved particularly in GCC countries and stated that their source of data is primarily the official agencies in their host countries. "

4.6 On being asked about the details of the methodology followed by other prominent countries to collect information on their Diaspora, the Ministry stated:

"The Chinese and the Irish are the other diaspora comparable to Indian diaspora. The Ministry has tried to get details of their methods of collection of data regarding their overseas population. Enquiries at the Chinese Embassy did not yield results. However from a research study it has been learnt that in the case of China, the job is primarily carried out by the Overseas Chinese Affairs Office of the State Council, Government of China, that handles affairs of Chinese settled overseas. This office is the nodal authority for collating all statistics concerning overseas Chinese –this job is carried out in close tandem with the Chinese Embassies in different countries. In the case of Irish diaspora, the figures cover the nearest possible definition of diaspora that have some

connection to Ireland and is based on census returns and other research on heritage and ethnicity rather than citizenship. Our methods seem to be as good, if not better, as being pursued by these Diaspora."

4.7 The Committee note the initiative being taken by the Government to merge the Overseas Citizen of India (OCI) and Persons of Indian Origin (PIO) cards as they are of the view that it will lead to simplification of procedures and avoid unnecessary duplication of efforts and resources. The Committee trust that the Bill for making the necessary amendments in the Citizenship Act would be introduced in the Parliament without any further loss of time.

Further, the Committee are of the opinion that any commendable intervention and planning from the side of the Government for the welfare of Overseas Indians could only begin with the availability of a credible database containing information regarding their numbers, profiles and status across various countries. The Committee would, therefore, once again urge the Ministry to take all possible initiatives in a planned way to collate all statistical data concerning Overseas Indians, in close tandem with Indian Missions/Embassies in all countries hosting an Indian population, through a similar or modified methodology to that being applied by other countries having a large diaspora. In the Committee's view, collecting the database is essential and the issues related to political and other sensitivities involved in some countries should be dealt with through diplomatic channels.

(Recommendation No.6)

B. Mahatma Gandhi Pravasi Suraksha Yojna (MGPSY)

4.8 Mahatma Gandhi Pravasi Suraksha Yojana (MGPSY) is a specially designed social security scheme for the unskilled and semi-skilled Overseas Indian Workers with ECR passports working in ECR countries. The scheme was initially launched in India by the Ministry of Overseas Indian Affairs on 1st May, 2012 and it was subsequently launched in UAE on 28th October, 2013. The scheme is presently available for workers to subscribe across India and UAE.

4.9 The scheme aims to provide old age pension and life insurance to ECR category workers in ECR countries. An allocation of Rs. 4.00 crore has been made for this scheme in BE 2014-15 which is less than the allocation of Rs. 7.00 crore made under this scheme during 2013-14.

4.10 When asked about the reasons for downgrading the allocation under the scheme, the Ministry has stated as under:-

“MGPSY is a voluntarily scheme. Based on the subscription last year allocation has been reduced. The contribution payable by MOIA is small, therefore, additional funds may not be required. An expenditure of around Rs. 1.70 crore has been made under the scheme during the year 2013-14.”

4.11 Against the objective of enrolling 10,000 workers, the Ministry has been able to register only 383 workers under the MGPSY during the year 2013-14. On being asked about the reasons for such a lacklustre performance, the Ministry stated that:

"During FY 2013-14, newspaper advertisement was released on 9th January 2014 during PBD 2014. During FY 2014-15, a 2-week publicity campaign was carried out on the Television Media from 15th Aug 2014 till 28th Aug 2014. The advertisements were released on all major channels in Hindi, Malayalam, Tamil, Telugu, Bengali, and Punjabi languages, as per the approved Media Plan. The scheme is voluntary. It is yet to pick up."

4.12 The Secretary, Ministry of Overseas Indian Affairs submitted during evidence:

"I totally agree with you when you mentioned MGPSY. It is a very good scheme but somehow it has not picked up. The reasons for this are, this is to be managed in the Gulf countries mainly. There, the laws are very strict. The central banks do not allow any agency to have banking operations. Even our banks cannot do banking and cannot transmit funds under this scheme. All such regulations have created a lot of problems. We have sorted out this issue with the UAE. There some agency has started

work and we are getting some applications. But then the problem again is to contact the labourer. We have sanctioned about eighty camps to be organised in these countries. Even organisation of camps is a problem in some countries, like Saudi Arabia and Qatar. In Kuwait also we are not able to organise. These are the practical problems. The same view has been expressed by our hon. Minister also that if it is not working, is there a need to continue with this. As you have rightly suggested, we are considering and examining whether we should close this down. So, we ourselves are examining whether we should continue with this or we should close it down because if it is not starting even after our efforts, then there is no point in just carrying on with this scheme."

4.13 The Committee note that the Mahatma Gandhi Pravasi Suraksha Yojna (MGPSY) was launched in May 2012 and is already available for workers to subscribe across India and UAE. But the Ministry has not been able to achieve the targets despite making several efforts and only 383 workers against a target of 10,000 could be registered under the Scheme during 2013-14. The Ministry seems to have lost hope and to have reduced the allocation for this scheme from 7 crore during 2013-14 to 4 crore for 2014-15. The Committee, however, do not find any valid reason for failure of this scheme which was specially designed for welfare of Indian workers.

The Committee are convinced about the noble objectives of Mahatma Gandhi Pravasi Surkasha Yojna (MGPSY), a social security scheme for the unskilled and semi-skilled Overseas Indian Workers with ECR Passports, in order to help them to save for their return and resettlement in India, save for their pension and obtain complementary life insurance cover during the period of Overseas employment. The Committee assume that before launching the scheme, the Ministry must have studied the likely legal hurdles, particularly in the Gulf countries and that it is unlikely that the situation has changed significantly

thereafter. In the Committee's view, the failure of the Scheme must have been on account of lack of adequate publicity amongst workers to convince them about the benefits, particularly in the uncertain conditions in the Gulf countries.

The Committee, therefore, desire that before considering winding up of this scheme, the Ministry should conduct a publicity campaign vigorously in all Indian languages and organize more camps to educate and convince the workers to associate themselves with the scheme. To overcome the strict laws in some ECR countries, they should adopt alternative ways to reach the workers, including through the e-Migrate project. In the Committee's view any consideration of closing such an important and welfare oriented scheme should be concluded only after exhausting all possible ways of making the scheme successful.

(Recommendation No. 7)

C. Know India Programme (internship programme for Diaspora Youth)

4.14 The objective of the Ministry's Know India Programme is to help familiarize Indian Diaspora youth, in the age group of 18-26 years, with developments and achievements made by the country and bringing them closer to the land of their ancestors. KIP provides a unique forum for students and young professionals of Indian origin to visit India, share their views, expectations and experiences and to bond closely with contemporary India. The Ministry has conducted 27 editions of KIPs so far and a total of 827 overseas Indian youth have participated in these programmes.

4.15 The allocation for Know India Programme (KIP) is Rs. 4.50 crore in BE 2014-2015 which is 0.50 crore more than the BE 2013-14 for this programme. As against the RE of Rs. 2.10 crore, the actual utilization was Rs. 2.20 crore during the year 2013-14.

4.16 When asked to provide the details of the allocation and utilization of fund, quarter-wise under the KIP during 2013-14, the Ministry stated:

"During 2013-14 there was an allocation of Rs.2.10 crore in the RE Stage. The quarterly expenditure during 2013-14 is stated below:

1 st Quarter:	Rs. 0.01
2 nd Quarter	Rs.0.00
3 rd Quarter	Rs.0.14 Crore
4 th Quarter	Rs.2.05 crore

Looking to the popularity of the programme it was thought that more programmes will be organised, and higher projection has been made."

4.17 When specifically asked about the steps taken to implement the recommendations of Confederation of Indian Industries (CII) on the Report 'Impact Assessment Study of Know India Programme', the Ministry submitted as under:-

"Based on the recommendations of CII on Pre-Arrival, registration, arrival and departure assistance, programme scheduling, infrastructure and programme content, this Ministry has taken steps to improve the KIP programme. For example, it had been recommended that participants may be informed in advance, that they should be given more time to enjoy the destination, improve accommodation facilities during field visits, provide toilet facilities there, etc."

4.18 When asked whether the Ministry is satisfied with the response generated with the KIP and the details of the initiatives taken to take the feedback from the participants of the programme, the Ministry stated that:

"Yes, the Ministry is now satisfied with response generated to the KIP. During the year 2013-14, for each of the Know India Programme(KIP) a large number of applications were received from willing PIO students. During last year 127 participants took part in four KIPs which is an all time high. Feedback from participants is obtained at the discussion held with HMOIA/MoS at the end of every KIP and improvements made in the programme accordingly. Due to timely announcements of the programme and campaigns through Indian Missions/Posts we have ensured larger number of participation from the major Diaspora countries than before."

4.19 The Committee observe that the Ministry has started an internship programme for diaspora youth with the objective of bringing the young Overseas Indians closer and to bond them with contemporary India. During the year 2013-14, four editions of the Know India

Programme (KIP) were held, in which 127 participants took part. The Ministry proposes to organize 4 more programmes during the year 2014-15 for which a Budget of Rs. 4.5 crore has been allocated. The Committee, however, observe that no separate allocation has been made for another programme called the Study India Programme (SIP) which was started with academic focus including academic contents, cultural contents and visits. The Ministry has not clarified whether the contents of SIP have been merged with KIP or not. The Committee, therefore, desire that the programme may be further reviewed and modified as necessary to make it comprehensive, more attractive and broad based by incorporating the contents of Study India Programme also so that more and more participants from all parts of the world and of diverse backgrounds are attracted to participate in the Know India programme. The Committee also desire that all recommendations of CII in this regard should be considered and implemented and a status report should be submitted to the Committee.

(Recommendation No. 8)

D. Scholarship Programme for Diaspora Children (SPDC)

4.20 A scheme called ‘Scholarship Programme for Diaspora Children (SPDC)’ was launched in the academic year 2006-07. Under the scheme 100 scholarships up to US\$ 4000 per annum are granted to PIO and NRI students for undergraduate courses in Engineering/Technology, Humanities/Liberal Arts, Commerce, Management, Journalism, Hotel Management, Agriculture/Animal Husbandry, etc.

4.21 As per the Outcome Budget 2014-15, Rs. 8.56 crore has been allocated as compared to Rs. 7.60 crore in BE 2013-14.

4.22 When asked about the justification for upward revision of the allocation for BE 2014-15 and any proposal to enhance the number of the Scholarships, the Ministry stated in their written reply as under:-

“The upward revision of allocation for BE 2014-15 is justified as RE for 2013-14 was not enough to meet the total expenditure. BE for 2013-14 was Rs 7.60 crore, RE was Rs 8.83 crore and the expenditure was Rs 8.81 crore. In principle the Ministry has decided to increase the number of scholarships from 100 to 200 and scholarship amount from \$4000 to \$5000, subject to a limit of 75% Institutional Economic Cost (IEC), whichever is lesser. The proposal has been processed and was sent to MHRD for their concurrence, and they agreed to it. However, as per their advice, ICCR and MEA have been requested to give their views on the proposal to increase the number of scholarships and amount. The matter will be processed further after receiving their comments.

4.23 On being further asked about the criteria for selection along with the details of the admission procedure under SPDC, the Ministry replied as under:-

“A committee is constituted for selection of candidates by the Ministry. Last year the committee consisted of Director (DS) MOIA, Deputy Secretary, HRD, Under Secretary (DS), MOIA, DGM Project Ed.CIL and Project Manager, SPDC, Ed.CIL. The Ministry has not got any complaints or feedback about any reduction in the quality of the students due to the doing away of the Entrance Examination.

The criteria for selection are the aggregate marks obtained in the qualifying exam (+2 or equivalent). In case of a tie, marks in English would be first considered. In case of further tie, the older student is preferred to the younger. Candidates must secure at least 60% aggregate marks or equivalent grades in their qualifying examination.

The details of the applications received for SPDC scholarship since 2009-10 are given below:

Sl. No.	Year	No. of applications
1	2009-10	432
2	2010-11	225
3	2011-12	191
4	2012-13	212
5	2013-14	199
6	2014-15	190

Applications were received from Australia, Bahrain, Kenya, France, Kuwait, Indonesia, Malaysia, Mauritius, Netherland, Oman. Qatar, Saudi Arabia, Sri Lanka, Suriname, Tanzania, UAE, UK and USA. However, the major response for SPDC Scholarship is received from Sri Lanka, Saudi Arabia, UAE, Malaysia,

Bahrain, Kuwait, USA, Oman and Qatar. Presently the candidates applying for scholarship under SPDC scheme don't have to appear in any entrance examination conducted by various institutes / universities since the students are given admission through EdCIL India Ltd. the nodal agency appointed for the implementation of SPDC scheme. EdCIL has MoUs with over 215 institutes where the students get admissions in the supernumerary quota allotted for PIOs/NRIs subject to the availability of seats. However, if any student wishes to study at any NIT he /she will have to clear the entrance examination. "

4.24 The Committee on the one hand note that under the Scholarship Programme for Diaspora Children (SPDC) the Ministry in principle has decided to increase the number of scholarships from 100 to 200 and scholarship amount from \$ 4000 to \$ 5000 but on the other hand there is a steady decline in the number of applications from the Diaspora children since 2009-10. For 2014-15 only 190 applications have been received from the Diaspora children. Moreover, it also creates doubts about the seriousness of the Ministry as the Ministry has not enhanced the budget for the Scheme, rather only Rs. 8.56 crore has been allocated for 2014-15 as against the RE of Rs. 8.83 crore for 2013-14. The Committee are, therefore, of the opinion that first of all it should analyze the reasons for the steady decline in the number of applications for scholarships offered under this scheme, including the standing and accreditation of the institutions and the type of courses offered to the students under the scheme. The Committee once again urge the Ministry to expand the reach of the programme and include only the best institutions for admissions under the Scheme if it really intends that the students selected for such scholarships become brand ambassadors for India and its educational institutions and represent India globally as a sought-after educational hub. The Committee also recommend that the Ministry should also seek enhanced allocation for the

increased number and amount of scholarship at the Revised Estimates stage.

(Recommendation No.9)

E. Overseas Indian Facilitation Centre (OIFC)

4.25 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). The Centre is a 'one-stop shop' and seeks to serve the interests of the Overseas Indian community and has the mandate to cover two broad areas viz: Investment Facilitation and Knowledge Networking.

4.26 According to the Outcome Budget of 2014-15 an allocation of sum of Rs. 4.50 crore has been made during BE 2014-15 which is less than the allocation of Rs. 7.00 crore made during the BE 2013-14. The actuals for 2013-14 are Rs. 3.18 crore.

4.27 In response to specific query for lower utilization of the funds allocated for OIFC, the Ministry submitted the following through a written reply:-

"The lower utilization of funds is because of savings due to change in service providers. Some of the targets like domestic meets in various States could not be achieved fully. A comprehensive effort is being made to rationalize expenses and effect cost savings."

4.28 On being further asked about the details of the tangible outcomes of OIFC, the Ministry replied as under:-

"The tangible outcomes of OIFC, as approved under the Result Framework Document (RFD) are appended below:

Success Indicator	Unit	Actual Value for FY 12/13	Actual Value for FY 13/14	Target Value for FY 14/15	Target Value for FY 15/16
Number of Economic Engagement Meets in India	No.	2 (3)	2	3	4
Number of participants in India Meets	No.	700	1000	1000	1200
Holding two Economic Engagement Meets abroad	Date	31/1 2/20 12	31/1 2/20 13	31/01 /2015	03/0 3/20 16
Number of participants	No.	300	762	500	600
Number of Overseas Indians who expressed interest in State level projects promoted by OIFC	No.	-	-	50	150

(WEF 2014-15)- New Activity					
Number of new registrations on OIFC business networking portal	No.	4200	4600	4000	5500
Publications of studies/reports/surveys to facilitate diaspora investment	No.	2	4	3	5

So far as the amount of overseas investments are concerned, it is submitted that these are processed and approved by the Department of Industrial Policy and Promotion and Foreign Investment Promotion Board. The role of OIFC is to facilitate this investment from overseas Indians providing them the requisite information on various related subject like investment climate in India, FDI policy and norms, concerned agencies involved in approval process, taxation laws information availability and future plans. This is done by organizing engagement meets in India and overseas as well as by maintaining a portal which provides all this information through a network of State Partners, knowledge partners etc. Currently, OIFC has 14 State partners and 7 knowledge partners."

4.29 When asked about the specific plans or targets to attract or encourage investment in India by the Overseas Indians, the Ministry submitted the following written reply:-

"Following activities are taken up:

(a) Diaspora Engagement Meets and Business Forum:

- OIFC provides opportunities of face-to-face connect between Global Indians, senior representatives of the Government and Indian industry experts. This is done through Diaspora Engagement Meets and Market Place forum. These are held in various regions around the world wherever there is a large concentration of Indian diaspora population. The Meets are held with the objective of: Showcasing the potential business opportunities in India and, providing a platform for business facilitation in India.
- 8662 Overseas investors engaged with India through 30 Diaspora Engagement Meets conducted in Africa, Asia, Caribbean, Europe, Middle East, North America and South East Asia (organised during 2007-2014).
- This year two Overseas Engagement Meets were planned – in Bahrain and in London. A lot of interest was generated by strong presentations by industry & government at the recently concluded Overseas Diaspora Engagement Meet in Bahrain on 6th September 2014.
- The second Diaspora Engagement Meet of OIFC for 2014 is now scheduled during the Regional Pravasi Bharatiya Divas on 16th October 2014 in London (UK).
- In addition, OIFC will be organizing the 9th OIFC Market Place at the 13th Pravasi Bharatiya Divas (PBD), scheduled from 7-9 January, 2015. The 3-day Forum will consist of a series of pre-scheduled appointments for one-to-one B2B meetings with numerous networking opportunities to do business and exchange ideas.

(b) OIFC Webinars Series – OIFC has started conducting online interactions with the Overseas Indians and its partners through Webinar series which focus on specific issues of interest to overseas Indians. These Webinars are held on a regular basis. The Webinars have received an overwhelming response.

(c) Promotion of Projects:

OIFC provides information about credible mid-sized projects for inward investments where overseas Indians could invest. As of now, 249 projects that OIFC has received from various State governments & organizations are uploaded in the OIFC website.

Assam, Bihar, Gujarat, Haryana, Jharkhand, Karnataka, Kerala, Odisha, Maharashtra, Punjab, Rajasthan and Tamil Nadu are State Partners of OIFC. States of Telangana and Uttar Pradesh joined hands in 2014-15."

4.30 When asked about the details of the survey commissioned to understand expectations of Overseas Indians, the Ministry has submitted as under:-

"OIFC appointed ICRA Management Consulting Services Limited (IMaCS) to conduct a survey-based study of the Indian Diaspora in several countries. The study pointed to an increased demand for information based services, handholding and grievance forums. Majority of respondents have difficulty in understanding policy guidelines, taxation rules and repatriation formalities. Based on the findings of the survey, Secretary, MOIA, in May 2014 wrote to 47 Indian diplomatic missions to link OIFC website to the missions website. 24 Indian missions have already done so. In 2014-15, increase in awareness of OIFC services has been undertaken for Bahrain and United Kingdom. OIFC has recently launched a new service – the OIFC Webinar series to help Indian diaspora to understand policy guidelines, taxation norms and capital repatriation rules. Three webinars have already been organized in this year and the webinars attracted 1812 interests across the world. OIFC's monthly e-newsletter has been revamped to disseminate information which is of interest to the Indian Diaspora. In 2014, OIFC has prepared 6 publications to support Overseas Indians to expand their economic engagement with India. OIFC has added State Bank of India and Jones Lang Laselle as its Knowledge Partner."

4.31 The Committee are aware that the Overseas Indian Facilitation Centre (OIFC), a public private partnership of Ministry of Overseas Indian Affairs (MOIA) and Confederation of Indian Industry (CII), has been established at Gurgaon with the objective of facilitating and connecting India with the Indian Diaspora by promoting

overseas Indian investment in India and facilitating business-to-business partnership between Indian businesses and Indians residing overseas. The Committee also find that OIFC has also taken steps to identify the expectations of Overseas Indians and their difficulties in understanding policy guidelines, taxation rules and repatriation formalities and their increased demand for information based services, handholding and grievance forum.

The Committee, however, feel that a lot has to be done to fulfill their expectations and that the Ministry should dedicatedly work towards the deficit areas as pointed out in the findings of the study made in this regard. The Committee would like to be apprised about the impact and outcome of the efforts made by OIFC in the matter.

(Recommendation No.10)

F. India Center for Migration (ICM)

4.32 Indian Council of Overseas Employment has been renamed as India Center for Migration. In a rapidly globalizing world characterized by competition amongst the labour sending countries for optimizing benefits from international labour migration, there is a need to bring a strategic dimension to the process of emigration of Indians in search of employment and to forge partnerships that will best serve India as a supplier of skilled and trained manpower and meet the expectations of the Overseas Indian Workers (OIW) as a significant constituency across the world.

4.33 An allocation of Rs. 4.00 crore has been made in the Budget 2014-15 which is lower against BE of Rs. 5.00 crore in 2013-14. The Ministry has failed to spend a single rupee during the last year.

4.34 In response to the query of the Committee about the details of the programmes launched by ICM for skill development and skill up gradation and its objectives, the Ministry submitted the following details:-

“ICM has launched the Skill Development for Potential Migrants from the North-Eastern States of India in 2011. The two-year project aimed at facilitating the employability of the youth from the North- Eastern states of India for potential overseas employment. This was to be achieved through creation of training infrastructure for imparting training to the local marginalized population of the North-Eastern states of India. The project targeted to train 10200 youth in three sectors- hospitality, healthcare and education through the Vocational Training Centers (VTC) and by embedding skill training modules in existing university courses. International Vocational Qualifications (IVQs), that is, syllabus for training is to be developed under the project and certification that is recognized across the globe is to be given to the trainees. Certification partners include City & Guilds and Edexcel (Pearson Group) of UK. The project is underway in all 8 North-Eastern States. ICM has been successful in developing three specific IVQs for Hospitality, establishing Skill Training & Certification Resource Centre (STCRC), training of youth from North-Eastern states, and providing necessary counseling to the youth. A total of 1443 youth have been trained under the project. The number of persons trained is low. Difficulties in implementation are being examined. There were no provisions for the workshops in the project. However several meetings with State Governments and implementing agencies were conducted in the project. ICM also contributed to writing the Detailed Project Report (DPR), Feasibility Report (FR) and the EFC Note for the Ministry’s Plan Scheme on Skill Development – the Swarn Pravas Yojana. Planning Commission has approved the Scheme. ICM has completed the Phase I of the Labour Market Assessment in 6 EU Countries with a view to understand the potential opportunities for potential migrants from India and identify necessary pre-requisites for them to benefit from the same. Currently, LMA in 12 more countries, including those from EU, Gulf and South East Asia is being conducted. When completed these studies would provide details on the demographic and economic scenario, outline of the labour market situation with reference to sectors indicating opportunities and occupations thereof. This then will be compared against India’s skill surplus and potential. Moreover, the studies will also provide information on requirement of educational qualifications/mutual recognition including country-specific requirements for migrants from India. Finally, the LMA studies will also provide details on immigration policy of the destination countries.”

4.35 When further asked as to why no sum has been actually spent under the head so far, the Ministry stated in its written reply as under:-

“There was a balance available from previous years grants. Hence no allotments were made in 2013-14. The Centre in the FY 2013-14 has made an expenditure of Rs. 1.63

crore. As the Center planned to take up new activities in for 2013-14 like doing a study on foreign remittances to India, commissioning research papers, doing capacity building trainings etc a provision of Rs 4 crore was kept.

4.36 The Secretary, Ministry of Overseas Indian Affairs made following submission regarding the future programmes of ICM:

"We have recently decided to develop our ICM, which is a think tank, as a centre of excellence for research and training. For this we have prepared a project report and we are taking this through our internal process of approvals. This is really upgrading this institute which is actually the need of the hour because there are a lot of migration issues which we are unable to really sort out. So, we have to develop this capacity within the Ministry and we are trying to do that."

4.37. The Committee take note that the Indian Centre for Migration (ICM), New Delhi is the think tank of the Ministry regarding emerging opportunities in the international labour markets and for projecting India as a supplier of skilled, trained and qualified workers. The Committee, however, find that the skill development project for potential migrants from North Eastern States was launched in 2011 with an objective of providing vocational training to 10,200 youth in hospitality, healthcare and education sectors. But only 1,443 youths have been trained so far under the project. They have also failed to spend the funds allocated for the ICM. The Committee are of an opinion that in the current scenario of emerging trends in labour migration, the Centre is positioned to play a pivotal role in shaping and defining India's migration flows. The need of the hour is to sufficiently augment the capacity of the Centre and therefore the Committee would desire that all the ongoing studies should be completed and expedited in a time bound manner along with the planning and implementation of the recommendations made in these reports. The Committee may

accordingly be informed about the initiatives taken to achieve the targets set for training the youth under the programmes launched by the Centre. (Recommendation No.11)

G. The Swarnapravas Yojana

4.38 The Swarnapravas Yojana is the first scheme of the Ministry which is entirely on the Plan side and it is a scheme for skill development for overseas employment to be launched in the Twelfth Five Year Plan.

4.39 As per the Ministry, the scheme broadly aims to position India as a preferred source country for skilled and trained workers in select sectors, diversify destination-country base and enhance employability of Indian youth abroad. For the Twelfth Five year plan the total project cost envisaged is Rs. 137.00 crore. A new budget head for the scheme has been opened and allocation of Rs. 20.00 crore has been made for the year 2014-15.

4.40 When asked about the full details of the scheme alongwith the aims and objectives and the expenditure envisioned, the Ministry stated that:

"It is a Scheme for skill development for overseas employment to be launched in the 12th Five Year Plan (2012-17). The Plan scheme will adhere to the broad objectives of skill development in India, as envisioned by the National Skill Development Policy, 2009 as MOIA has been identified to train 5 million people by 2022 under this policy.

For the 12th Five year Plan the total project cost envisaged is Rs137 crore. A new budget head for the scheme has been opened. A budgetary allocation for 2014-15 is Rs. 20 crore.

The key objectives of the scheme are as under:

- Position India as a preferred source country for skilled and trained workers in select sectors that face skill shortages in the international labour market, and in which India enjoys competitive advantage.
- Diversify destination-country base with focus on geographies/countries that will experience significant labour supply gaps & skill shortages and are of strategic interest to India.
- Enhance employability of Indian Youth abroad and move them up the wage-chain by providing training and certification which will be internationally recognized.

The summary for 12th Five Year Plan (in Rs.crore) is as follows:

Total outlay for 12th Five Year Plan – Rs.137 crore. Year-wise outlay as approved by Expenditure Finance Committee (EFC) are as follows:

(Rs. in crore)

YEAR	2013-14	2014-15	2015-16	2016-17	Total
Outlay	20.75	30.25	40.25	45.75	137

- The Planning Commission gave a outlay of Rs.20 crore for the first time for year 2014-15.
- The Scheme will be implemented in partnership with the State Governments, State Governments Skill development agencies, National Skill Development Corporation (NSDC), India Centre for Migration (ICM), Ministry of Labour and Employment and POE offices.
- Target set under the scheme for five years is 2.08 lakh person to be trained.

4.41 The Secretary, Ministry of Overseas Indian Affairs during the course of the evidence, provided following details of the Scheme:

"There is a skill development scheme for the immigrants. The basic purpose of this scheme is that even today most of the workers, about 15 per cent, are totally unskilled. A lot of domestic workers are going. I am talking of the workers of different kinds. They may be labours or persons to work in the farm houses. They definitely need some kind of training. There are also a large number of workers who go as semi-skilled ones. They are also under upgradation so that they can move up the ladder, their skills are enhanced and their earnings are also enhanced. They can compete with any international standard workers. We not only provide them training but also they are given international certification for that person so that his certification is recognised in that country. That is what we have done. This scheme was being thought of in 2011. Somehow it did not get approved. Finally, the EFC approved it in 2013-14. There was no outlay given by the Planning Commission. The Planning Commission did not approve it. Finally it got approved only at the fag end of 2013-14 and that too because of my personal effort because I had worked in the Planning Commission earlier. I knew the Member there. I personally went to him and got it approved. I think this year the Planning Commission gave Rs.20 crore to start with. I am thankful to the Planning Commission for this but it has delayed the scheme too much. This is the first year of the scheme. We have already planned many things to introduce this scheme this year but everything is at the formulation stage. We will implement it. We have a target of about 10,000 persons to be trained this year. We will do that. So, we have earmarked this Rs.20 crore of the plan funds in this year's budget."

4.42 As per the Ministry, the Scheme will be implemented under the supervision of the MOIA through a Project Management Unit (PMU). The scheme will be monitored by MOIA through

PMU for overall internal quality of training, timeliness, financial regularity and overall scheme outcomes. All necessary approvals have been obtained. The PMU is being established with senior executive and team members. So far no expenditure has been incurred. However, the amount of Rs. 20 crore allocated under the scheme will be fully utilized as the scheme will be launched soon.

4.43 When asked about the details of the progress made in the implementation of the project so far, the Ministry submitted as under:

"The project targeted to train 10200 youth in three sectors- hospitality, healthcare and education, and this is done through two models – the Vocational Training Centers (VTC) and the Embedded Model. The skill development under this project is done through by developing International Vocational Qualifications (IVQs) and providing certification that is recognized across the globe. The certification partners include City & Guilds and Edexcel (Pearson Group) of UK.

The project is underway in all the 8 North-Eastern States. Indian Centre for Migration has been successful in developing three specific IVQs for Hospitality, establishing Skill Training & Certification Resource Centre (STCRC), training of youth from North-Eastern states, and providing necessary counseling to the youth in placement. The total budget for the Project is Rs. 9 crore. An amount of Rs. 1.57 crore was released to IOM under the aegis of the Skill Development for Potential Migrants from the North-Eastern States of India project, and subsequent release of tranches are yet to be made. The Ministry gives grant to ICM for implementation of the project."

4.44 The Committee observe that the Ministry has been given an outlay of Rs. 20 crore by the Planning Commission for the ambitious Swarnapravas Yojna for skill development of Indian youth. The Outlay for this scheme for 12th Five Year Plan is Rs. 137 crore and during the 5 years 2.08 lakh youth are to be trained under the scheme. The Committee, therefore, would impress upon the Ministry to take up the project with required seriousness, spend the allocation every year in a prudent way by setting desired targets and achieve those targets so that there is no underutilization of the allocated funds or failure in achieving the targets under the scheme.

The Committee would also recommend that the Project Monitoring Unit (PMU) should be suitably empowered to look into various aspects of implementation of this Project. The Committee would further like to be apprised about the specific projects undertaken, the targets set for the youths to be trained during the year 2014-15 and the initiatives taken to achieve the targets under the Scheme. The Committee also desire that there should be a mechanism for regular review to assess the effectiveness of the skills in fulfilling identified needs of the labour importing countries. The Committee further desire that while identifying the centres for imparting such training, preference should be given to the economically backward districts in various States across the country.

(Recommendation No.12)

CHAPTER - V

MISCELLANEOUS

A. Legislative Reforms

According to the Ministry, there is a need to redefine the scope of regulation, redesign the emigration process by setting standards and defining the roles and responsibilities of key stakeholders in the emigration process with the objective of making emigration an orderly economic process. There is need to modernize the legislative framework as in the Emigration Act, 1983 and the Emigration Rules that governs emigration of Indians for overseas employment. It will facilitate legal migration, preventing irregular migration and empowerment of emigrants.

5.2 It was with this objective that the Draft Emigration Management Bill was prepared in 2009 which was to replace the existing Emigration Act, 1983. The Ministry has furnished the following details relating to the Bill:

- (a) The objective of the proposed new Bill is to transform emigration into simple, transparent, efficient and humane economic process, facilitate legal migration, prevent illegal migration / human smuggling, enable ethical recruitment practices, and enhance protection and welfare. In view of the recent attack on Indian students abroad, managing student mobility is also included in the new Bill.
- (b) Under the new bill an Emigration Management Authority (EMA) is proposed to be created replacing the existing PGE system. The Authority will have members selected by a high level selection committee.
- (c) Under the new Bill, all the recruiting agencies (RAs) will be regulated and registration of the agencies will be made automatic subject to fulfillment of minimum criteria. There shall be a transition period of 12 months for the existing RAs.
- (d) Specific duties of RAs, performance standards, periodical ratings, performance audit and de-registration are important features of the new Bill.
- (e) The employers would be regulated in respect of certain notified countries only, their accreditation, online job approval, security deposit for direct recruitment and de-accreditation in case of any violation or malpractice. In case of non-notified countries there would not be any regulation but blacklisting of employers will be done in case of malpractices.
- (f) Under the new bill, all the emigrants going for employment and students would be registered without any ECR/ECNR distinction. In direct recruitment cases FE/PE will register the emigrant in case of notified countries, while emigrant will register himself in case of non-notified countries. RA will register the emigrants recruited by him for

notified as well as non-notified countries. Registration will not be allowed in case of de-accredited / blacklisted FE or de-registered or suspended RA.

- (g) Human smuggling, exploitation of emigrants is being criminalized with stringent penalties for offences.
- (h) Management of student mobility is also proposed to be done through regulation of enrolment agencies as done in case of recruiting agencies, registration of students, pre-departure orientation, provision for offences and penalties and bilateral cooperation etc.

5.3 On being asked about the reasons for the delays in the proposed legislation, the Ministry stated that:

"Draft Emigration Management Bill was prepared in 2009 which was to replace the existing Emigration Act, 1983. The draft Bill had been approved by HMOIA in July, 2009. After an Inter-Ministerial consultation on the proposed new bill in July, 2009, a draft Cabinet Note in respect of Bill was sent to Ministry of Law. Ministry of Law gave their concurrence to the proposal in November, 2009. The proposal was concurred to by the Legislative Department in March 2010. The Cabinet Note was returned by the Cabinet Secretariat for further Inter-Ministerial consultations. After a COS meeting in August 2010, an Inter-Ministerial meeting was held by Secretary, MOIA. The matter was then referred to the Legislative Department. They observed that the changes made did not involve any legal consequences. In July 2012 another Inter-Ministerial meeting was held. The matter was further considered in COS meeting in January 2014. Due to further consultations required it is difficult to give a clear timeline. However, Ministry is doing its utmost to finalise the Bill and get the Cabinet approval at the earliest."

5.4 On being asked about the latest progress in the Bill, the Ministry submitted that:

"The Emigration Management Bill has been sent to the Cabinet Secretariat and replies to observations were also furnished. The Committee of Secretaries in its January, 2014 meeting asked for further consultations to resolve the issues raised by different Ministries which is in process."

5.5 During the evidence the Secretary, Ministry of Overseas Indian Affairs submitted that:

"The next initiative is the Emigration Management Bill. This is a new Bill that was proposed to be brought before the Parliament but it could not be brought because of diverse inter-Ministerial views. In January this year the Cabinet Secretary had taken a meeting wherein some of the issues surfaced. Then it was said that we have to first resolve those and then only it could go to the Cabinet. So, that is under that process. But based on the experience of the Ministry so far and based on the problems faced by people, the Bill takes into account the various

solutions for those problems and gives a new dimension to the whole subject of emigration services. It is not yet fully developed but it is under the process of consultation."

5.6 When asked about the key differences between the provisions of existing Emigration Act, 1983 and proposed Emigration Management Bill, 2013, the Ministry stated that:

The key differences between the provisions of existing Emigration Act, 1983 and the proposed Emigration Management Bill, 2013 are as under:

- (i) **Long Title:** The long title captures the legislative intent to provide for registration, functions, duties and rating of recruiting agencies and compulsory accreditation of employers, to streamline management of migration from India, establishment of Emigration Management Authority, protection and welfare of emigrants, punishment for human smuggling and emigration offences and for matters connected therewith or incidental thereto.
- (ii) **Human Smuggling (Chapter II, Clause 3 to 6 of the Bill) :** In the Emigration Act 1983, as it exists, "human smuggling" is not defined as such. Under the proposed Bill, Human Smuggling has been defined as "assisting, facilitating or making arrangements for a person to enter illegally into another country with the full knowledge that such entry is illegal, in order to gain financial or other material benefit". Clauses 3 to 5 of the Bill specifically prohibit such illegal migration.
- (iii) **Registration, duties and functions of recruiting agencies (Chapter-III):** Replaces the existing Chapter III of the 1983 Act. The new features provided under this chapter are duties and functions of recruiting agencies (Clause 10), rating of recruiting agencies (Clause 11) and monitoring of recruiting agencies (Clause 13).
- (iv) **Accreditation of employers (Chapter IV) :** The ECR category of workers are poor and illiterate, and, therefore, susceptible to being mistreated by their employers. To address this issue, the proposed bill seeks to put in place a system of accreditation of the employers for certain countries (to be notified by the Government) where emigrants are at particularly high risk of exploitation or abuse. However, accreditation will be required only for those employers recruiting emigrants holding passport that requires emigration check, unless exempted by Central Government for any country or class/classes of employers.
- (v) **Registration, protection and welfare of emigrants (Chapter V):** Replaces existing Chapter V. The ECR category of emigrant who intends to emigrate for overseas employment, shall before his departure from India, register with the Emigration Management Authority {Clause 21(1)}. The non-ECR emigrant of workers will have to give intimation of his departure for

overseas employment to the Authority {Clause 21(2)}. The new features are clauses that provide for entering into treaties or agreements with foreign countries for the purpose of facilitation for emigration, establishing a welfare fund and making insurance schemes for protection and welfare of emigrants {Clause 22(1)}.

- (vi) **Migration of students from India (Chapter VI & VII):** In the recent past, there have several instances of attacks etc. on Indian students abroad. Presently, students or their whereabouts are not tracked, making it difficult to reach out to them, or plan for their welfare and protection. To address these issues, two new single clause chapters are added in the Bill. While Clause 24 (Chapter VI) provides for registration of “enrolment agencies” with the Authority, Clause 25 (Chapter VII) provides for intimation by students before their departure with the Authority.
- (vii) **Emigration Management Authority (Chapter VIII):** Replaces existing Chapter III of the Emigration Act, 1983. The existing institutional framework of Protector General of Emigrants assisted by the Protectors of Emigrants in the field is proposed to be replaced by a new statutory regulatory authority called the Emigration Management Authority (EMA). It will be an autonomous institution headed by a Chairman and will consist of two full-time and one part-time Member to be selected by a high level Selection Committee headed by the Cabinet Secretary. The functions and duties of the Authority have been laid down in Clause 37 of the Bill. Thus the regulatory function is being separated, and made independent (Chapter VII, Clause 26 to 44 of the Bill).
- (viii) **Offences and Penalties: (Chapter X):** Replaces Chapter VII of the existing Emigration Act, 1983. The Bill provides that whoever contravenes any of the sections 3 to 5, shall be punishable with imprisonment for a term which shall be not be less than two years, but which may extend to five years and fine, which shall not be less than ten thousand rupees but which may extend to one lakh rupees. The present Act provides for a punishment of maximum 1 year imprisonment and Rs.2000/- fine. Where the offence is in relation to a woman or a child, such punishment of imprisonment shall not be less than five years and the fine shall not be less than one lakh rupees (Clause 46 of the Bill). In the existing Emigration Act, 1983, there is no such provision. Thus, the penal provisions have been enhanced, especially in case of offences relating to women and children."

5.7 The Committee welcome the initiative taken by the Ministry to overhaul the basic architecture of emigration in the country by bringing a new legislation in the form of Draft Emigration Management Bill. The Committee are of the opinion that such a

change was long overdue as there have been significant transformations in the processes and dynamics of emigration in the recent past. The Committee hope that the new legislation would encapsulate these positive trends in emigration and would simultaneously cover up various loopholes in the existing regulatory framework. The Committee, therefore, urge the Ministry to expedite the consultation process related to the proposed Bill in the overall interest of the potential migrants and to introduce it in Parliament for consideration at the earliest.

(Recommendation No.13)

B. Human Resource Mobility Partnerships (HRMPs)

5.8 India's strength in terms of her young and highly skilled work force is widely acknowledged. This strength can be leveraged by countries of destination to meet their labour and skills shortages. Labour mobility is the only long term solution for sustaining global growth rate in the face of factors like demographic asymmetry and globalization of economies. A Human Resources Mobility Partnership can lay down an effective framework for bilateral cooperation for maximizing benefits from labour mobility and minimizing its risks. In this context, the Ministry is taking steps to build Human Resources Mobility Partnerships (HRMPs) with the key countries of destination in the European Union.

5.9 When asked as to how these Human Resources Mobility Partnership are going to assist migrant workers, the Ministry replied as under:

"Human Resource Mobility Partnership will assist migrant workers in legal migration to destination country. It will facilitate movement of students, academicians, scholars, professionals to pursue their goal in foreign country in reciprocal basis with the citizens of that country in India. It will also help them in getting visa, work permit and opportunity to stay abroad on equal footing."

5.10 When asked about the current status of the Labour Mobility Partnership Agreements with various countries, the Ministry stated that:

"The negotiation on Memorandum of Understanding (MoU) on Labour Mobility Partnership (LMP) with the Netherlands has been concluded but it is awaiting PMO clearance. The 3rd round of negotiation on MoU on LMPA with France was concluded in 2012. During 4th round of negotiation held on 7th February, 2013, differences arose on short stay, multiple-entry visas, authorized stay and work of young Indian professionals, residence permit to the family members of Indian professionals on reciprocal basis in the bilateral MoU cropped up. To resolve the issue an Inter-ministerial meeting was held on 17th July, 2014. The concerned Ministries/Departments have been asked to furnish their views in details on the issues mentioned above by 24th October, 2014. After three rounds of discussions on High Level Dialogue on Migration and Mobility (HLDMM) held in July, 2012 with European Union (EU), EU proposed a new draft for Common Agenda on Migration and Mobility (Camm). Ministry of External Affairs, Department of Industrial Policy and Promotion (DIPP) proposed an Inter-Ministerial meeting to evaluate the benefits of proposed Camm with EU. The meeting was held on 21st February, 2014 in which it was decided that a fresh counter-draft will be proposed by MOIA to EU keeping in view the interest of India at the forefront. The counter-draft has been prepared and sent to the concerned Ministries/Departments for their comments by 14th November, 2014 before it is presented to EU for further negotiations. It being an international Memorandum of Understanding (MoU) discussed with various sovereign countries on diverse issues like visas; Mobility of professionals, scholars, academicians, students, their short stay on reciprocal basis etc. it is not possible to give a firm timeline for conclusion of these MoUs. These Partnerships will facilitate in legal migration by removing undue barriers and securing labour Market access to Indian citizens; combating and preventing all forms of irregular migration; enhancing the protection and welfare of Indian migrants; and engaging in bilateral and multilateral cooperation for improving the management of international migration etc."

5.11 When asked about the reasons for delay in implementation and operationalization of these Partnerships, the Ministry stated that:

"The reasons for delay in implementation and operationalization of MoUs on Labour Mobility Partnership are the text proposed by the other side for conclusion of the partnership is often unbalanced and lopsided. Some of the issues proposed by the other side like readmission of return migrants; denial of short stay permit and Visas to students/academicians on reciprocal basis in the garb of their national legislation; issue of human trafficking in the agenda of migration and mobility etc. are some of the provisions and procedures that are not acceptable to the Government of India. In order to resolve such issues on reciprocal basis that is acceptable to both the sides and the time taken in these efforts, the implementation and operationalization of MoU on LMP gets delayed."

5.12 During the evidence, the Secretary, Ministry of Overseas Indian Affairs submitted that:

".....We have entered into an agreement only with Denmark in this regard. The problem with that came when we tried to enter into an agreement with other countries like Netherlands, etc. The view expressed by the MEA was that this type of agreement may not really help and the people of Indian origin, if they do not have passport and even if they look like Indians, those will be thrust upon us. This is the view expressed by the MEA. Their view was that we should further negotiate. They should try to loosen their visa rules, etc. So, we are at that stage. There has not been any consensus on this so far. Therefore, we have not been able to move further. We are taking this issue to the inter-Ministerial meetings. The issue of Netherlands and European Union has come up in the inter-Ministerial meetings twice. For Netherlands, even a Cabinet note was circulated. But it was sent back to us saying that you need to further resolve the issues. So, we are at the stage. We hope that the issue will be resolved in near future and we will be able to enter into agreement with some more countries."

5.13 The Committee understand that the Ministry as part of its mandate has taken up Labour Mobility Partnership Agreements with various prominent labour-importing countries in a phased manner. The Ministry is also taking steps to build the Human Resource Mobility Partnerships (HRMPs) with key countries of destination in the European Union. Such a mobility partnership has already been signed with Denmark, whereas negotiation with the Netherlands is complete. Besides, negotiation with France and European Union is going on. The Committee, however, are not satisfied with the pace of negotiations and progress made in this regard and are concerned about the delays in inter-Ministerial consultations. The Committee, therefore, desire that the negotiations with countries concerned should be initiated afresh at the highest level in order to facilitate their early conclusion. Inter-Ministerial discussions should also be expedited and all the concerned Ministries should be taken into confidence before entering into agreement with each country.

(Recommendation No.14)

NEW DELHI
19th December, 2014
28 Agrahayana, 1936 (Saka)

Dr. Shashi Tharoor,
Chairperson,
Standing Committee on External Affairs

MINUTES OF THE FOURTH SITTING OF THE STANDING COMMITTEE ON
EXTERNAL AFFAIRS (2014-15) HELD ON 08th OCTOBER, 2014

The Committee sat on Wednesday, 08th October, 2014 from 1430 hrs. to 1615 hrs. in Committee Room 'C', Parliament House Annexe, New Delhi.

PRESENT

Dr. Shashi Tharoor – Chairperson

Members

Lok Sabha

1. Md. Salim
2. Shri Vijay Sampla
3. Dr. Mamta Sanghamita
4. Shri Ram Swaroop Sharma
5. Shri Sharad Tripathi

Rajya Sabha

6. Shri Shri H.K. Dua
7. Shri Chunibhai Kanjibhai Gohel
8. Shri Murli Deora
9. Dr. Karan Singh

Secretariat

- | | | | |
|----|---------------------|---|---------------------|
| 1. | Dr. Ram Raj Rai | - | Director |
| 2. | Smt. Rita Jaiikhani | - | Additional Director |

List of Representatives of the Ministry of Overseas Indian Affairs

- | | | | |
|----|---------------------------|---|----------------------|
| 1. | Shri Prem Narain | - | Secretary |
| 2. | Shri T.K. Manoj Kumar | - | Joint Secretary (DS) |
| 3. | Shri Roulkhumlien Buhiril | - | PGE |
| 4. | Ms. Sutapa Majumdar | - | Economic Advisor |
| 5. | Shri Shah Nawaj Alam | - | Director (EP) |
| 6. | Shri P. Anand Kumar | - | Director (ES) |
| 7. | Shri Noyal Thomas | - | Director(DS) |

List of Representatives of the Ministry of Overseas Indian Affairs

1. Shri Binoy Kumar - AS (FA)
2. Shri Anurag Srivastava - Director(Fin)

2. At the outset, the Chairperson welcomed the Members of the Committee and the representatives of the Ministry of Overseas Indian Affairs to the sitting of the Committee. The Chairperson then drew attention of the witnesses to the confidential nature of the meeting.

3. After a brief introduction, the Committee 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 2014-15. The main points which came for detailed discussion included Plan and non-plan component of Budget, inability of the Ministry to fully utilize the Budget, various schemes and programmes of the Ministry, merger of PIO and OCI cards, Labour Mobility partnerships, issues related to NRI marriages, Immigration Management Bill, Swarna Pravasi Yojana etc. The Committee desired that the Ministry may furnish written replies to the various points raised by the Members during discussion.

The committee then adjourned.

A verbatim record of the proceedings has been kept.

**MINUTES OF THE NINTH SITTING OF THE STANDING COMMITTEE ON
EXTERNAL AFFAIRS (2014-15) HELD ON 16th DECEMBER, 2014**

The Committee sat on Tuesday, 16th December, 2014 from 1500 hrs. to 1610 hrs. in Committee Room 'C', Parliament House Annexe, New Delhi.

PRESENT

Dr. Shashi Tharoor – Chairperson

Members

Lok Sabha

2. Shri Ranjit Singh Brahmputra
3. Shri Arka Keshari Deo
4. Shrimati Rakshatai Khadse
5. Shri Feroze Varun Gandhi
6. Dr. Mamta Sanghamita
7. Shrimati Supriya Sule
8. Shri Sharad Tripathi
9. Shri Shivkumar Udasi

Rajya Sabha

10. Shri H.K. Dua
11. Shri Chunibhai Kanjibhai Gohel
12. Shri Ram Kumar Kashyap
13. Dr. Karan Singh
14. Shri D. P. Tripathi

Secretariat

- | | | | |
|----|---------------------|---|---------------------|
| 1. | Shri Cyril John | - | Joint Secretary |
| 2. | Dr. Ram Raj Rai | - | Director |
| 3. | Smt. Rita Jaiikhani | - | Additional Director |

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

3. The Committee took up for consideration the draft Report on Demands for Grants of the Ministry of Overseas Indian Affairs for the year 2014-15. The Chairperson invited the Members to offer their suggestions, if any, for incorporation in the draft Report. The Members suggested some minor modifications. The Committee adopted the draft Report with these minor modifications.

4. *** *** *** *** ***

5. The Committee then authorized the Chairperson to finalize both the Reports incorporating the suggestions made by the Members and present the same to the Parliament.

The Committee then adjourned.