

30

**COMMITTEE ON
GOVERNMENT ASSURANCES
(2015-2016)**

SIXTEENTH LOK SABHA

THIRTIETH REPORT

**REVIEW OF PENDING ASSURANCES
PERTAINING TO THE MINISTRY OF
EXTERNAL AFFAIRS**

Presented to Lok Sabha on 16 March, 2016



सत्यमेव जयते

**LOK SABHA SECRETARIAT
NEW DELHI**

March, 2016/Phalguna, 1937 (Saka)

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COMPOSITION OF THE COMMITTEE ON GOVERNMENT ASSURANCES*
(2014 - 2015)

Dr. Ramesh Pokhriyal "Nishank" — *Chairperson*

MEMBERS

2. Shri Rajendra Agrawal
3. Shri E. Ahamed
4. Shri Anto Antony
5. Prof. (Dr.) Sugata Bose
6. Shri Naranbhai Bhikhabhai Kachhadiya
7. Shri Bahadur Singh Koli
8. Shri Prahlad Singh Patel
9. Shri A.T. Nana Patil
10. Shri C.R. Patil
11. Shri Sunil Kumar Singh
12. Shri Tasleemuddin
13. Shri K.C. Venugopal
14. Shri S.R. Vijayakumar
15. Shri Tariq Anwar**

SECRETARIAT

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| 1. Shri R.S. Kambo | — | <i>Joint Secretary</i> |
| 2. Shri U.B.S. Negi | — | <i>Director</i> |
| 3. Shri T.S. Rangarajan | — | <i>Additional Director</i> |
| 4. Shri Kulvinder Singh | — | <i>Committee Officer</i> |

* The Committee was constituted *w.e.f.* 01 September, 2014 *vide* Para No. 633 of Lok Sabha Bulletin Part-II dated 02 September, 2014.

** Nominated to the Committee *vide* Para No.1281 of Lok Sabha Bulletin Part-II dated 05 February, 2015.

COMPOSITION OF THE COMMITTEE ON GOVERNMENT ASSURANCES*
(2015-2016)

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SECRETARIAT

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| 1. Shri R.S. Kambo | — | <i>Joint Secretary</i> |
| 2. Shri S.C. Chaudhary | — | <i>Director</i> |
| 3. Shri T.S. Rangarajan | — | <i>Additional Director</i> |
| 4. Shri S.L. Singh | — | <i>Deputy Secretary</i> |

*The Committee has been re-constituted *w.e.f.* 01 September, 2015 *vide* Para No. 2348 of Lok Sabha Bulletin Part-II dated 31 August, 2015.

INTRODUCTION

I, the Chairperson of the Committee on Government Assurances, having been authorized by the Committee to submit the Report on their behalf, present this Thirtieth Report of the Committee on Government Assurances.

2. The Committee (2015-2016) at their sittings held on 21 July, 2015 and 31 August, 2015 took oral evidence of the representatives of the Ministry of External Affairs regarding pending Assurances upto the 3rd Session of 16th Lok Sabha.

3. At their sitting held on 15 March, 2016 the Committee (2015-2016) considered and adopted their Thirtieth Report.

4. The Minutes of the aforesaid sittings of the Committee form part of this report.

5. For facility of reference and convenience, the Observations and Recommendations of the Committee have been printed in bold letters in the Report.

NEW DELHI;
15 March, 2016
25 Phalguna, 1937 (Saka)

DR. RAMESH POKHRIYAL "NISHANK"
Chairperson,
Committee on Government Assurances.

REPORT

I. Introductory

1. The Committee on Government Assurances scrutinizes the Assurances, promises, undertakings etc., given by the Ministers from time to time on the floor of the House and report the extent to which such Assurances, promises, undertakings have been implemented. Once an Assurance has been given on the floor of the House, the same is required to be implemented within a period of three months. The Ministries/Departments of Government of India are under obligation to seek extension of time required beyond the prescribed period for fulfilment of the Assurance. Where a Ministry/Department are unable to implement an Assurance, that Ministry/Department are bound to request the Committee for dropping it. The Committee consider such requests and approve dropping, in case, they are convinced that grounds cited are justified. The Committee also examine whether the implementation of Assurances has taken place within the minimum time necessary for the purpose and the extent to which the Assurances have been implemented.

2. The Committee on Government Assurances (2009-10) took a policy decision to call the representatives of the various Ministries/Departments of the Government of India, in a phased manner, to review the pending Assurances, examine the reasons for pendency and analyze operation of the system prescribed in the Ministries/Departments for dealing with Assurances. The Committee also decided to consider the quality of Assurances implemented by the Government.

3. The Committee on Government Assurances (2014-15) decided to follow the well established and time tested procedure of calling the representatives of the Ministries/Departments of Government of India, in a phased manner and review the pending Assurances. The Committee took a step further and decided to call the representatives of the Ministry of Parliamentary Affairs also as all the Assurances are implemented through them.

4. In pursuance of the *ibid* decision, the Committee on Government Assurances (2014-2015) invited representatives of the Ministry of External Affairs and the representatives of the Ministry of Parliamentary Affairs to render clarifications with respect to delay in implementation of the Assurances given during the period from the Third Session of 13th Lok Sabha to the Third Session of 16th Lok Sabha.

The Committee examined the following 19 Assurances at their sittings held on 21 July, 2015 and 31 August, 2015:—

Sl.No.	SQ/USQ No. dated	Subject
1	2	3
1.	USQ 5739 dated 03.05.2000	Abolition of Torture (Appendix - I)
2.	SQ 721 dated 17.05.2000 (Supplementary by Dr. M.V.V.S Murthi, M.P.)	New Department to deal with NRIs and PIOs (Appendix - II)
3.	SQ 721 dated 17.05.2000 (Supplementary by Sh. Balbir Singh, M.P.)	New Department to deal with NRIs and PIOs (Appendix - III)
4.	Calling Attention raised by (Sh. Ramesh Chennithala, M.P.) dated 11.12.2002	Problems being faced by Indians Working in Gulf countries (Appendix - IV)
5.	USQ2553 dated 22.07.2009	Indian Assistance to Vietnam (Appendix - V)
6.	USQ3214 dated 09.12.2009	Irregularities in ICCR (Appendix - VI)
7.	Statement made by the Minister of External Affairs dated 25.02.2010	Attacks on Indians in Australia (Appendix - VII)
8.	Calling Attention raised by (Sh. T.R. Baalu, M.P.) dated 25.08.2010	Rehabilitation of Sri Lankan Tamil Internally Displaced Persons (IDPs) (Appendix - VIII)
9.	USQ312 dated 10.11.2010	E-Passport (Appendix - IX)
10.	USQ2590 dated 17.08.2011	Impact of Turmoil in Gulf (Appendix - X)
11.	USQ3657 dated 24.08.2011	Illegal sale of Indian Passports (Appendix - XI)
12.	USQ4228 dated 02.05.2014	Purchase of Sub-Standard Gifts (Appendix - XII)
13.	USQ2343 dated 05.02.2014	Domestic Help for Diplomats (Appendix - XIII)

1	2	3
14.	USQ3379 dated 12.02.2014	Policy for Domestic help of Diplomats (Appendix - XIV)
15.	USQ814 dated 16.07.2014	Imphal and Mandalay Bus Service (Appendix - XV)
16.	USQ1917 dated 23.07.2014	Extradition of Kim Davy (Appendix - XVI)
17.	USQ2781 dated 30.07.2014	Recruitment of Diplomats (Appendix - XVII)
18.	USQ4998 dated 13.08.2014	Gas Pipelines with BRICS (Appendix - XVIII)
19.	USQ468 dated 26.11.2014	Visa on Arrival (Appendix - XIX)

5. The Extracts from Manual of Practice and Procedure in the Government of India, Ministry of Parliamentary Affairs laying guidelines on the definition of an Assurance, the time limit for its fulfilment, dropping/deletion and extension, the procedure for fulfilment etc., besides maintenance of Register of Assurances and periodical reviews to minimize delays in implementation of the Assurances are reproduced at Appendix-XX.

6. During oral evidence, the Committee drew the attention of the representatives of the Ministry to the long pendency in the fulfilment of the 19 Assurances and enquired about the system of reviewing the pending Assurances in the Ministry. The Foreign Secretary replied that the pending Assurances were reviewed from time to time by the Heads of Divisions in the Ministry since these were connected with some policies or implementation of ongoing policies. He further stated that he himself reviewed the situation and there were many reasons for the delay in fulfilment of the Assurances. In many cases, the fulfilment of Assurances is beyond the control of the Ministry of External Affairs and in many other cases, some other Ministries/Departments are also involved which caused the delay.

Observations/Recommendations

7. The Committee note that out of 19 pending Assurances pertaining to the Ministry of External Affairs, the Assurance mentioned at Sl. No. 1 is pending for more than 15 years since May 2000 while another Assurance at Sl. No. 11 is pending for more than 4 years since August 2011. Further, 2 Assurances at Sl. Nos. 15 and 16 are pending for more than 1 year since July 2014. The Committee also find that 2 Assurances at Sl. Nos. 2 and 3 could be fulfilled after a delay of more than 15 years. Another 13 Assurances mentioned at Sl. Nos. 4 to 10, 12 to 14 and 17 to 19 were fulfilled after a delay ranging from more than 14 years to 9 months. The inordinate delay in fulfilment of the Assurances clearly indicates

lackadaisical attitude of the Ministry in undertaking proper follow up action once an Assurance has been made. The review of the pending Assurances also reveals that the existing mechanism put in place by the Ministry for fulfilling the Assurances especially those involving other Ministries/Departments is far from effective. The Committee are perturbed at the extent of pendency and inordinate delay in fulfilment of the Assurances by the Ministry because of which the utility and relevance of the Assurance are lost. The Committee, therefore, recommend that the existing mechanism/systems in the Ministry should be overhauled and streamlined with a view to avoiding delay in fulfilment of Assurances particularly the pending Assurances. The Committee also observe that lack of coordination between the Ministry of External Affairs and the Ministry of Parliamentary Affairs, the nodal Ministry is one of the major reasons behind delays in the fulfilment of certain Assurances. The Committee, therefore, desire that the Ministry of External Affairs should adopt a pro-active approach and enhance the level of coordination with other Ministries/Departments concerned including the Ministry of Parliamentary Affairs for early/timely implementation of all the pending Assurances as well as the Assurances to be made in future. In view of the practical difficulties being faced in the fulfilment of Assurances involving other Ministries/Departments, the Committee would like to caution the Ministry to be extremely careful while giving such Assurances.

II. Review of Pending Assurances pertaining to the Ministry of External Affairs

A. Abolition of Torture

8. In reply to USQ No. 5739 dated 03 May, 2000 regarding Abolition of Torture it was stated that India signed the UN Convention Against Torture and other cruel, inhuman degrading treatment or punishment on October 14, 1997. India has, however, not yet ratified the Convention because the need to bring it in conformity with the provisions of the Convention is under process. In this context, an Assurance was given that as soon as this process is complete and the necessary amendment of legislation, if found necessary, enacted, the Government would be in a position to ratify the Convention.

9. In their part Implementation Report, the Ministry of External Affairs stated as under:—

“After a lot of deliberations on the issue, a draft Bill namely, the Prevention of Torture Bill, 2010 was prepared by Ministry of Home Affairs to bring the legislation in conformity with the provisions of the Convention. The Bill was introduced in the Lok Sabha on 26.04.2010 and passed by the Lok Sabha on 06.05.2010. When the Bill was taken up for consideration in the Rajya Sabha, it was referred to the Select Committee of Rajya Sabha for its examination. The Committee examined the matter and recommended for enactment of the legislation with certain addition and modifications in the Bill.”

10. As reasons for the delay, the Ministry of External Affairs apprised the Committee as under:—

“The key issue regarding ratification of UN Convention. Against Torture has been the requirement of aligning our domestic laws with the provisions of the Convention. After intensive discussions involving various Ministries/ Department of Government of India, it was decided in January, 2008 to have a separate 'stand-alone legislation' to give effect to the provisions of the Convention. As noted in the adjoining column, this 'stand-alone legislation' has since been introduced in the Parliament.”

11. Subsequently, in their Status Note, the Ministry of External Affairs submitted as under:—

“Since the nodal Ministry for this subject in MHA, we had repeatedly requested them to accept transfer of this Assurance but they have declined to do so. Pending amendment of required legislation by MHA, we have been periodically seeking extension of time from CGA for responding to the Assurance.

Action on part of MEA for the ratification of this Convention cannot be completed till the completion of action involving national legislation which is being coordinated by MHA (nodal Ministry) and had last sought extension of time on the fulfilment of this Assurance till December 21, 2014 with EAM's approval. *Vide* our E-mails dated 24.06.2015 and 14.07.2015, we have sought an updated status from MHA on the Assurance. Further extension of time is being sought.

Ministry of Home Affairs (MHA) *vide* their communication dated February 02, 2015 has stated that most of the States were of the opinion that adequate provision already exist in the IPC and CrPC to deal with such issues and there is no need for a separate enactment and they suggested suitable amendment of certain sections in IPC or insertion of new sections to deal with the issue more effectively. In the meantime, the Ministry of Parliamentary Affairs *vide* its O.M. No. F.79(I)/2014-leg.I dt. 21.05.2015 intimated that the Prevention of Torture Bill, 2010, which was passed by the House of People but pending in the House of States has lapsed on the dissolution of the 15th Lok Sabha on 18.05.2014.

MHA has now decided not to enact a standalone Bill on the subject of Prevention of Torture and instead has proposed to bring suitable amendments in the existing sections of the IPC/CrPC for strengthening the provisions relating to the offence of torture by the public servants. MHA has indicated that a Draft Cabinet Note, containing amongst other things the proposal to amend relevant Sections *e.g.* Sections 330 and 331 of the IPC pertaining to torture, has been sent by MHA to the Legislative Department, Ministry of Law and Justice, for drawing up the draft Amendment Bill. The draft Amendment Bill is awaited from the Legislative Department as per MHA.”

12. When the Committee enquired during the course of evidence about the reasons for delay in implementing the Assurance, the Foreign Secretary deposed that fulfilling this Assurance would require changes in Indian Penal Code and Criminal Procedure Code which is not done by the Ministry of External Affairs but by the Ministry of Home Affairs.

13. He further elaborated the matter as under:—

“The issue was that in 1997, we had signed the UN convention against Torture and as a consequence of that, we had to amend our own law in order to be in a position to ratify the Convention. Initially the idea was to have a stand alone Bill which would address the subject of prevention of torture. But then the Ministry of Home Affairs decided that instead of having a stand-alone Bill it would bring about suitable amendments in existing sections of IPC and CrPC to strengthen the provisions against public torture by public servants. So, they have told us that a draft Cabinet Note has been sent by MHA to the Legislative Department, Ministry of Law and Justice for drawing up a draft Amendment Bill. The draft Amendment Bill is awaited from the Legislative Department as per the information that we have from MHA.”

14. When the Committee sought response of the Ministry of Home Affairs in this regard, a representative of the Ministry of Home Affairs submitted as under:—

“Sir, actually, I am not aware of this subject. Actually, I was called for another question which is relating to the Home Ministry regarding some fake passports. So, I am not fully aware of this subject.”

15. In this context, a representative of the Ministry of Law and Justice stated that they had prepared a draft bill but it required some clarifications. The Bill would be ready after a meeting with the officials of the Ministry of Home Affairs.

16. Explaining the problems faced in the fulfilment of the Assurance, the Foreign Secretary further deposed as under:—

“This is somewhat an unusual case because actually the nodal Ministry for this is MHA. But because the matter pertains to the international convention, the Assurance was deemed as having been taken by the MEA. I am not shirking responsibility but I will point out to you the problem which has arisen as a result. For example, we had to go through a process where MHA took the opinion of the States. MEA cannot take that process even if we want to speed it up. It is not something that we are in a position to do. So, to some extent here the misalignment between the Ministry which is actually dealing with the issue and the Ministry against whose name the Assurance has been admitted is partly responsible for that delay. Having said that, I completely accept the hon. Member's point that if after 15 years, an Assurance is pending, it does not reflect well on the Government and on my Ministry. I readily admit that point. I think, the solution is today for all of us to find ways of now moving on this quickly.”

17. When the Committee pointed out the need for better coordination amongst the Ministries concerned, the Foreign Secretary agreed that a joint decision on how to proceed in the matter was needed. He assured that he would speak to the Home Secretary for an urgent meeting in this regard.

Observations/Recommendations

18. The Committee are perturbed to note that an important Assurance pertaining to 'Abolition of Torture' has been pending for implementation for more than 15 years since May, 2000. A major reason for the delay has been the reported refusal of the nodal Ministry, the Ministry of Home Affairs to accept transfer of this Assurance which is highly deplorable. While explaining the reasons for non-implementation of the Assurance for such a long period of time, the Ministry of External Affairs stated that the key issue regarding ratification of UN Convention against Torture has been the requirement of aligning the country's domestic laws with the provisions of the Convention. After intensive discussion involving various Ministries/Departments of Government of India, it was decided in January, 2008 to have a separate stand alone legislation to give effort to the provisions of the Convention. The Committee, however, find that a draft bill in this regard, namely, the Prevention of Torture Bill, 2010 was introduced in the Lok Sabha only on 26 April, 2010, about 10 years after the Assurance was made. Even though the bill was passed by the Lok Sabha, it was pending in the Rajya Sabha. Subsequently, the Bill was lapsed on the dissolution of the 15th Lok Sabha. The Committee have been informed that the Ministry of Home Affairs has instead proposed to bring suitable amendments in the existing sections of the IPC and CrPC for strengthening the provisions relating to the offence of torture by the public servants. Consequently, a Draft Cabinet Note containing amongst other things the proposal to amend relevant Sections *e.g.* Sections 330 and 331 of the IPC pertaining to torture has been sent by the Ministry of Home Affairs to the Legislative Department, Ministry of Law and justice for drawing the draft Amendment Bill which is awaited. However, during evidence, the representative of the Ministry of Home Affairs insisted that he was not aware of this matter. Interestingly, the representative of the Legislative Department submitted that they have prepared the draft Bill and the same would be ready after some clarifications by the Ministry of Home Affairs. The entire sequence of events clearly indicate glaring lack of seriousness and coordination amongst the Ministers of External Affairs, Home Affairs and the Legislative Department as well as utter disregard for the Assurance given on the floor of the House by the Ministry of Home Affairs. The Committee feel that 15 years is too long a period to be wasted when the country earnestly needed to honour the universal human rights norms so as to enhance its prestige, image and status abroad as an emerging world power. The committee, therefore, desire that responsibility should be fixed on all the officials concerned especially in the nodal Ministry of Home Affairs for not taking prompt action to implement the Assurance resulting in a delay of more than 15 years. Since there is no place for organised torture in the modern civilised world and the country needs to occupy an exalted position in the changing world order by ratifying the UN Convention, the Committee recommend that the matter

be taken to its logical end by amending the relevant status and assurance implemented.

B. Illegal Sale of Indian Passports

USQ No. 3657 dated 24.08.2011 regarding Illegal Sale of Indian Passports

19. In reply to the above USQ No. 3657, an Assurance was given that the authorities concerned have initiated the process to investigate the cases of illegal sale of Indian Passports in the United States of America in order to approach the culprits. (Appendix-XI).

20. In their Status Note, the Ministry of External Affairs stated as under:—

“A number of passports of travellers coming from the USA were seized by the FRRO/SHO at the Indian Airports and were sent to this Ministry for verification of their genuineness. These passports were sent to ISP Nashik for forensic verification which confirmed the passports to be fake/forged on various counts. The MEA reported the matter to the MHA, with the request to conduct an investigation. Subsequently a 3-member team from the Delhi Police visited the USA in August, 2011 for conducting investigation. This Ministry continued to pursue the case with MHA seeking the outcome of the investigations.

The MHA *vide* their letters dated 16.09.2013 and 21.03.2014 informed that the report was received from Delhi Police stating that the Forensic Science Laboratory (FSL) Report/result of the exhibits collected from the Indian Embassy, Washington, had been received. Investigation of all the cases were completed and chargesheets were prepared. While the main agent Shri Amandeep Singh @ Navdeep Singh has expired, charge-sheets of 8 cases have already been filed before the Hon'ble Court and in the remaining cases, chargesheets will be filed shortly. The United States Police have also registered a case under relevant sections of violations which shall be finalized by them as per the US laws.

In view of above detailed information from MHA and the fact that out Assurance mentions about "concerned authorities have initiated the process to investigate the matter, in order to apprehend the culprits", the Hon'ble Committee on Government Assurances were requested to drop this Assurance and exclude the same from the list of pending Assurances *vide* O.M. No. VIII/125/6/2011 dated 16.09.2014, 02.02.2015 and 22.05.2015."

21. During oral evidence, the Foreign Secretary, deposed in this regard as under:—

“Chargesheet has been filed in the hon. Court of Shri Ajay Garg, ACMM, Patiala House Courts in the matter relating to the FIRs involved in this case; and further sanction under section 15 of passport Act from competent authorities has been obtained in this case and the same has also been filed in the case. There is a pending trial in the court, and the next date of hearing is

fixed for 3/10/2015. So, the case has now reached the court. Since the Assurance given was to initiate the process to investigate and the process of investigation is completed, we are requesting, Sir, that the Assurance is deemed as implemented. We will be sending an implementation report in due course."

22. When the Committee enquired whether Implementation Report in this regard has been furnished the Foreign Secretary replied in the negative as they would need to furnish the Report with the latest update.

Observations/Recommendations

23. The Committee note that an Assurance given in reply to USQ No. 3657 dated 24.08.2011 that the authorities concerned have initiated the process to investigate the cases of illegal sale of Indian Passports in the United States of America in order to apprehend the culprits has been implemented and the cases have now reached the court after due investigation. However, the process of the implementation of the Assurance could not be completed as the Ministry of External Affairs have not yet furnished the Implementation Report. The Committee desire that the Ministry should furnish the requisite Implementation Report and complete the process of the implementation of the Assurance without further delay. The Committee would also like the Ministry to pursue the cases for their logical conclusion.

C. Imphal and Mandalay Bus Service

USQ No. 814 dated 16.07.2014 regarding Imphal and Mandalay Bus Service (Annexure XV)

24. In reply to the above USQ, an Assurance was given that provisions of the MoU on the Imphal and Mandalay Bus Service and a draft protocol on operational modalities were being discussed with the Myanmar side.

25. The Ministry of External Affairs in their Status Note stated as under:—

“Myanmar side had requested a joint technical survey to finalise the route alignment. The joint survey was conducted in January, 2015 and our report has been sent to Myanmar side suggesting early signing of the MoU and start of the Bus Service. Myanmar response is awaited. Extension of time has been sought for 6 months on 30th June 2015.”

26. During evidence, the Foreign Secretary elaborated that for starting the cross border bus service, agreement with Myanmar is required on certain details like points of halt, administrative authority, authorised operators, customers, immigrations, visa, ticketing, security etc. and negotiations on these issues are going on. He further stated that after finalising MoU in this regard, suggestions for some change in passport conditions have been received from Myanmar. While the Indian authorities want visa on arrival or implied visa for passengers, the Myanmar authorities are insisting on valid passport and visa for the passengers. Citing that implementation of this Assurance would take more time, he pleaded for extension of time for fulfilling the Assurance.

Observations/Recommendations

27. The Committee note that an Assurance was given in reply to USQ No. 814 dated 16.07.2014 that provisions of the MoU on Imphal-Mandalay bus service and a draft Protocol on operations modalities were being discussed with the Myanmar side. The Committee are happy that substantial progress has been accomplished in this regard and further negotiations are being held on certain critical details like projects of halt, administrative authority, authorised operators, customs, immigrations, visa, ticketing, security, etc. for arriving at a formal agreement for launching the proposed bus service. The Committee feel that Imphal-Mandalay bus service would go a long way in the implementation of the country's geo-politically strategic 'Look East' and 'Act East' Policies with special focus on bettering the age old socio-economic ties between the people of this country and the South East Asian countries including the people of Indian origin settled in the region. It will also enhance the country's reach and influence in the region and create more markets for Indian goods thereby increasing bilateral trade and commerce which will immensely contribute to India's economic growth. The Committee, therefore, urge the Ministry to step up the efforts being made to reach an agreement with Myanmar for this proposed bus service in such a way that maximum interest of the country particularly that of the North-Eastern States is protected and the Assurance is fulfilled at the earliest.

D. Extradition of Kim Davy

USQ No. 1917 dated 23.07.2014 regarding Extradition of Kim Davy (Annexure XVI)

28. In reply to the above Question, an Assurance was given that the proposal for extradition of Kim Davy, the prime accused in the Purulia Arms Drop case was under examination of the Ministry of Home Affairs. Subsequently, the Ministry of External Affairs sought extension of time upto 05.12.2015 since the issue was still under consideration.

29. During oral evidence, the Foreign Secretary explained in this regard, as under:—

“Kim Davy, a Denmark National was the main accused in the Purulia Arms Dropping case, 1995 and this country's request for his extradition was not accepted by the Danish Judicial System. This case was in the High Court. He gave order against his extradition in his city court. He said that here we could not assure him whether the process would be right, whether the prison conditions would be right. This went to High Court as appeal. The High Court also did not accept that he should be extradited. Then we wanted the Danish Government to take the matter to the Supreme Court but the Danish Government decided not to go to the Supreme Court. So, they would not take part in the appeal process. Because of this, the relations between the two countries has been affected. In the recent years, the relations have frozen to a large extent. After much discussion, it has been agreed that if we make a new

request for his extradition, the Danish Government will examine it and if the extradition request is right, they are open to going to the Supreme Court, they will look into the matter with new extradition request. The Ministry of Home Affairs has prepared a new extradition request. We forwarded it to our Embassy in Denmark. The Embassy is seeking legal opinion there as to whether this extradition request is right as per Danish law. This will take some time. After checking this, we will file it. We will give it to them and the Danish Government will see whether it can be filed or not. This matter is beyond our control and even in this we want some time so that legal vetting of the new extradition request is completed and then we will come back to you as per the decision taken by the Danish Government."

Observations/Recommendations

30. The Committee are concerned that the Assurance regarding extradition of Mr. Kim Davy, the prime accused in the infamous Purulia Arms Drop Case, 1995 is yet to be fulfilled even after a lapse of about one and half year. In this regard, the Committee have been informed that the initial request for his extradition was not accepted by the Danish judicial system. The Committee wonder as to why both the Ministry of Home Affairs and the Ministry of External Affairs would be so naive and ignorant of Danish laws resulting in wastage of time and money and failure to book the culprit. What is a matter of more serious concern is that both the Ministries have failed to learn from this failure and act with alacrity in the subsequent efforts to extradite the notorious criminal and fulfil the Assurance. This sends a wrong signal to all concerned. Even after a lapse of about one and half year of giving the Assurance, only a new extradition request could be prepared and its admissibility as per the Danish Law is not sure. This is not acceptable to the Committee as both the Ministries ought to have ensured the correctness and validity of the extradition request atleast in the second attempt. The Committee feel that the services of Indian Missions abroad should have been better utilized, wherever such cases crop up so as to avoid undue delay in extradition of criminals but the Ministry of External Affairs miserably failed in this regard. The Committee would like both the Ministries to work with better coordination and speed up the efforts being made to engage with the Danish Government so that the prime accused is extradited and the Assurance is implemented at the earliest.

III. Implementation Reports

31. As per the Statements of the Ministry of Parliamentary Affairs, Implementation Reports in respect of the Assurances given in reply to the following SQs/USQs have sine been laid on the Table of the House on the dates as mentioned against each.

S.No. 2	SQ No. 721 dated 17.05.2000 (Supplementary by Dr. M.V.V.S. Murthi, M.P.)	09.12.2015
S.No. 3	SQ No. 721 dated 17.05.2000 (Supplementary by Sh. Balbir Singh, M.P.)	09.12.2015

S.No. 4	Calling Attention dated 11.12.2002 raised by Sh. Ramesh Chennithala, M.P.	05.08.2015
S.No. 5	USQ No. 2553 dated 22.07.2009	05.08.2015
S.No. 6	USQ No. 3214 dated 09.12.2009	09.12.2015
S. No. 7	Statement made by Minister of External Affairs dated 25.02.2010	09.12.2015
S.No. 8	Calling Attention dated 25.08.2010 raised by Sh. T.R. Baalu, M.P.	09.12.2015
S.No. 9	USQ No. 312 dated 10.11.2010	09.12.2015
S.No. 10	USQ No. 2590 dated 17.08.2011	09.12.2015
S.No. 12	USQ No. 4228 dated 02.05.2012	09.12.2015
S.No. 13	USQ No. 2343 dated 05.02.2014	09.12.2015
S.No. 14	USQ No. 3379 dated 12.02.2014	09.12.2015
S.No. 17	USQ No. 2781 dated 30.07.2014	09.12.2015
S.No. 18	USQ No. 4998 dated 13.08.2014	09.12.2015
S.No. 19	USQ No. 468 dated 26.11.2014	09.12.2015

NEW DELHI;
15 March, 2016
25 Phalguna, 1937 (Saka)

DR. RAMESH POKHRIYAL "NISHANK"
Chairperson,
Committee on Government Assurances.

APPENDIX I
GOVERNMENT OF INDIA
MINISTRY OF EXTERNAL AFFAIRS
LOK SABHA UNSTARRED QUESTION NO. 5739
ANSWERED ON 03.05.2000

Abolition of Torture

5739. SHRI SIMRANJIT SINGH MANN: Will the Minister of EXTERNAL AFFAIRS be pleased to state:

- (a) whether the Government propose to sign and ratify the UN Convention Against Torture;
- (b) if so, the details thereof; and
- (c) if not, the reasons therefor?

ANSWER

THE MINISTER OF STATE FOR EXTERNAL AFFAIRS (SHRI AJIT KUMAR PANJA): (a), (b) & (c) India signed the UN Convention Against Torture and other cruel, inhuman degrading treatment or punishment on October 14, 1997. India has, however, not yet ratified the Convention because the need to amend our legislation to bring it in conformity with the provisions of the Convention is under examination. As soon as this process is complete and the necessary amendment of legislation, if found necessary, enacted, the Government will be in a position to ratify the Convention.

APPENDIX II

GOVERNMENT OF INDIA

MINISTRY OF EXTERNAL AFFAIRS

LOK SABHA STARRED QUESTION NO. 721

ANSWERED ON 17.05.2000

New Department to Deal with NRIs and PIOs

*721. SHRI M.V.V.S. MURTHI:

SHRI RAM MOHAN GADDE:

Will the Minister of EXTERNAL AFFAIRS be pleased to state:

- (a) whether a new Department is being set up in his Ministry to deal exclusively with the problems of NRIs and Persons of Indian Origin (PIOs);
- (b) if so, the details thereof;
- (c) the objectives behind setting up this Department;
- (d) the other recommendations made by the committee constituted on the subject;
- (e) the reaction of the Government thereon; and
- (f) the time by which the Department is likely to become operational?

ANSWER

THE MINISTER OF EXTERNAL AFFAIRS (SHRI JASWANT SINGH): (a) & (b) The Office of the Chief Commissioner (Non-Resident Indians) has been transferred from the jurisdiction of the Ministry of Finance to the Ministry of External Affairs. This new arrangement would deal with all issues relating to Non-Resident Indians, as well as people of Indian Origin.

(c) This new department would formulate appropriate policies for deepening linkages with all NRIs and overseas Indians, for encouraging their participation in the development of the country in various fields including investments, education, culture, science and technology etc. It would also act as an inter-face between the organisations and associations of overseas Indians abroad and the Government of India. It would be the coordinator of activities of other Ministries and Organisations dealing with subjects of interest to overseas Indians.

(d) The Government did not constitute any Committee specifically for this issue.

(e) Does not arise.

(f) An Additional Secretary rank Officer has already assumed charge in the Ministry of External Affairs.

SHRI M.V.V.S. MURTHI (Visakhapatnam): Mr. Speaker, Sir, transferring the Office of the Chief Commissioner (Non-Resident) from the jurisdiction of the Ministry of Finance to the Ministry of External Affairs is really a welcome step. They have rightly done it. There are a lot of opportunities now in India particularly after the liberalisation of the policies. There are about 15 million People of Indian Origin who are residing in 48 countries. Several countries are looking at our country for technology transfer and also for technical personnel particularly, in the field of Information Technology. The advanced countries like Germany and Japan are also looking at our country for various services.

Sir, I would like to know from the hon. Minister whether the Government is contemplating to set up a study Group consisting of Indian Professors, Professors from other countries, and people of Indian Origin who are coming to India to have interface and study with each other so that there could be a greater involvement of the NRIs and PIOs could be made which would be useful to our country.

SHRI JASWANT SINGH: Sir, the Government has taken a number of steps. As the hon. Member perhaps knows, recently there was an international Conference which was supported by the Ministry of External Affairs. This Conference was organised by the *Antarrashtriya Sahyog Parishad*. It was held on 12th and 13th of February in Delhi. Amongst recommendations of this Conference, there was also a recommendation relating to greater exchange of educational institutions, professors, etc. It is a valuable suggestion and the Ministry will pay due regard to it.

SHRI M.V.V.S. MURTHI (Visakhapatnam): Our country is still infested with poverty and illiteracy though some people have advanced in scientific and technological matters. There are people like Dr. Amartya Sen, Professor Bhagwati, Professor Raja Reddy and others who are very well known globally. Their services are also required to be utilised in our country.

Sir, 25-30 years back, people had migrated to other countries. The second generation people have already started migrating to other countries. They are working there. They have knows roots but now they are losing their roots in India. I would like to know whether the Ministry is thinking of allowing dual citizenship so that the second generation people could come to our country and help rebuilding our country to a greater extent. The dual citizenship is available in other countries. So, it is not that our country is the first country which will be allowing dual citizenship.

Investments can also come in a greater way to our country. I would like to have a specific answer from the hon. Minister.

SHRI JASWANT SINGH: The specific question relating to the grant of dual citizenship has been under examination of the Government for a considerable length of time. There are various aspects of dual citizenship that need to be carefully examined before any definite steps in this regard can be taken. As the hon. Member knows, a step in that direction has already been taken by the issuance of the card which facilitates travel, entry and other benefits. That is the first step. The grant of dual citizenship will have to be fully examined before it can be implemented.

SHRI M.V.V.S. MURTHI (Visakhapatnam): We want it to be expedited.

SHRI JASWANT SINGH: Yes, we will expedite it.

SHRI KIRIT SOMAIYA (Mumbai North East): I would like to know whether the Government is planning to announce any special package for tax benefits or for information technology transfer to India? Is there any special proposal for the NRIs and PIOs just like the Resurgent India Bond?

SHRI JASWANT SINGH: I am sure, the hon. Member knows that the phrase 'Non Resident Indian' is in itself really a tax-based phrase. It is defined by the length of stay in India and from that follows a number of consequential tax benefits. Periodically, whenever the Government has felt the need to announce a special scheme—for example, Resurgent India Bond—the Government definitely takes a step in that direction. But, on the aspect of Non Resident Indians, at the present moment, other than the tax benefits that are already attendant upon that category, no additional tax benefits are being planned.

SHRIMATI KRISHNA BOSE (Jadavpur): My question relates to the previous one that my colleague asked here. The External Affairs Minister has said that the question of dual citizenship is under consideration. I must tell you that, as has been pointed out so many times, the NRI presence is very strong all over the world. They have welcomed the PIO card. It has facilitated their taking visa and some other things. But it is not enough. They feel that they better had a shared identity with us, which the card does not give them. So, a dual nationality would give them what they really want. It looks that we have some reservation about it. All our neighbouring countries have it. Bangladesh has it and Pakistan has it. In this era of globalisation, the mother belongs to one nation, the father belongs to another and the children belong to a third. So, it has already become a universal issue.

May I know what is the reservation which is holding us back and why are we saying for a long time that this is under consideration? Is there anything which is holding us back?

SHRI JASWANT SINGH: I must yet again make a distinction that Non Resident Indians, as the phrase itself suggests, are actually Indian citizens. They are holders of Indian Passports. They travel to and fro India on the basis of that citizenship.

SHRIMATI KRISHNA BOSE (Jadavpur): What about the second generation?

SHRI JASWANT SINGH: Then you will not be a Non Resident Indian. What the hon. Member is referring to is the People of Indian Origin. So far as the PIOs are concerned and the grant of dual citizenship is concerned, the aspect of grant of dual citizenship has been under examination of the Government. There are various aspects of it. It will separately have the hon. Member fully briefed on what are those various aspects and what are under the detailed consideration of the Government.

SHRI BALBIR SINGH (Jalandhar): While I fully support the idea of dual citizenship, I also commend the scheme of issuance of cards of PIOs. As the hon. Minister knows, there are a lot of Punjabis settled in Canada, America and England. Whenever we go there or they come here, they always protest that the fee charged for issuance of these cards is very exorbitant. Will the hon. Minister consider to have a look at this and decrease the fee? This is a genuine difficulty of these people.

SHRI JASWANT SINGH: Yes, certainly the Ministry is aware of this particular difficulty. The fee charged for the obtaining of PIO cards is something that the Government needs to look at again and if possible bring it down. It is something that the Ministry of External Affairs has to organise and manage in consultation with the Ministry of Home Affairs. The Government is seized of this particular complaint and we are attending to it.

SHRI K. MALAISAMY (Ramanathapuram): From the reply of the hon. Minister, it is seen that after the transfer of the Chief Commissioner, NRI, to the External Affairs Ministry from the Finance, they are doing some jobs like deepening linkage and interface transaction, etc. What had been this Commissionerate doing when they were in the Finance Ministry? Have they not done anything of this nature when they were there?

I am given to understand that the NRIs and the PIOs in the Asian countries, particularly in Singapore and Malaysia, find it extremely difficult and the Indian Embassies there are not at all helpful to them. They are taking a negative attitude towards them. Has any complaint come to the notice of the External Affairs Minister in this regard?

I need a specific answer for these two questions.

SHRI JASWANT SINGH: I will try to be as specific as I can be. Yet again, I have to make a distinction between the Non Resident Indians and the People of Indian Origin. Non Resident Indians are Indian citizens and they hold Indian Passports. In their case, the question of difficulties in regard to travel to and fro India because of any Consulate deficiencies in our Missions abroad simply does not arise. So far as People of Indian Origin are concerned, whenever we receive any particular complaint about the difficulty faced by any citizen of any country in regard to travel to India, the Ministry deals with it expeditiously.

It is correct that the Commissioner has only recently been transferred to the Ministry of External Affairs from the Ministry of Finance in the reorganisation of the entire aspect of dealing with Non Resident Indians and the People of Indian Origin. At the moment, however, he continues to hold the charge of India Investment Centre. As the hon. Member knows, earlier there was an establishment called India

Investment Centre which still continues to operate. It is really meant to promote investment into India and that was functioning under the aegis of the Ministry of Finance. There are a number of other Ministries that also come into play. It is not simply the Ministry of External Affairs that operates this. Therefore, for greater efficiency, this Commissioner is now a part of the Ministry of External Affairs. The question of India Investment Centre is yet to be resolved. The Cabinet Secretary is seized of it. Earlier, I have explained to the hon. Member the functions that the India Investment Centre performed.

SHRI A.P. JITHENDER REDDY (Mahabub Nagar): The Non-Resident Indians are contributing a lot of our country. There are many Government officials and other people who are going to other countries for funds. But when the Indians come back to our country, they are treated as Non-Required Indians.

MR. SPEAKER: You are giving a new abbreviation.

SHRI A.P. JITHENDER REDDY (Mahabub Nagar): When they go inside any office, they never get attention. These people come on one month's leave and by the time, they really approach an officer and lay their problems, one month is passed. So, I request the hon. Minister, through the hon. Speaker, that some sort of an identity card should be given to such people so that their problems are immediately attended to in all segments of our Government Departments.

SHRI JASWANT SINGH: Here again, the hon. Minister has asked about the Non-Resident Indians. They require no additional card of identification as such. They are Indians and I am ready to accept the other part of his observation that when they come back home on a short tenure or leave, they face administrative difficulties when it comes to their interface with the administration. This is an overall deficiency. We are mindful of this deficiency. Indeed, those of us who live here are often victims of that deficiency. But this is not something specific to the Ministry of External Affairs alone. The Government is mindful of this point.

श्री राम दास आठवले (पंढरपुर): अध्यक्ष महोदय, मैं आपके माध्यम से मंत्री जी से जानना चाहता हूँ कि नॉन-रेज़िडेंट इंडियन्स की कुल संख्या क्या है और सबसे ज्यादा संख्या किस देश में है?

अध्यक्ष महोदय, मैं लंदन से ब्रिटिश एअरवेज़ से आया हूँ। मेरे लगेज़ का 20 किलोग्राम वेट ज्यादा होने की वजह से मुझसे 390 डॉलर यानी 22 हजार रुपया ज्यादा लिया गया है। मैं विदेश मंत्री से चाहता हूँ कि वे ब्रिटिश एअरवेज़ को रेट कम करने के लिये लिखें और मुझसे जो 22 हजार रुपया ज्यादा लिया गया है। वह मुझे वापस मिलना चाहिये। यदि ब्रिटिश एअरवेज़ वापस नहीं देती है तो केन्द्र सरकार को मुझे 22 हजार रुपया देना चाहिये।

MR. SPEAKER: There is no supplementary.

APPENDIX III

GOVERNMENT OF INDIA

MINISTRY OF EXTERNAL AFFAIRS

LOK SABHA STARRED QUESTION NO. 721

ANSWERED ON 17.05.2000

New Department to Deal With NRIs and PIOs

*721. SHRI M.V.V.S. MURTHI:
SHRI RAM MOHAN GADDE:

Will the Minister of EXTERNAL AFFAIRS be pleased to state:

- (a) whether a new Department is being set up in his Ministry to deal exclusively with the problems of NRIs and Persons of Indian Origin (PIOs);
- (b) if so, the details thereof;
- (c) the objectives behind setting up this Department;
- (d) the other recommendations made by the committee constituted on the subject;
- (e) the reaction of the Government thereon; and
- (f) the time by which the Department is likely to become operational?

ANSWER

THE MINISTER OF EXTERNAL AFFAIRS (SHRI JASWANT SINGH): (a) & (b) The Office of the Chief Commissioner (Non-Resident Indians) has been transferred from the jurisdiction of the Ministry of Finance to the Ministry of External Affairs. This new arrangement would deal with all issues relating to Non-Resident Indians, as well as people of Indian Origin.

(c) This new department would formulate appropriate policies for deepening linkages with all NRIs and overseas Indians, for encouraging their participation in the development of the country in various fields including investments, education, culture, science and technology etc. It would also act as an inter-face between the organisations and associations of overseas Indians abroad and the Government of India. It would be the coordinator of activities of other Ministries and Organisations dealing with subjects of interest to overseas Indians.

(d) The Government did not constitute any Committee specifically for this issue.

(e) Does not arise.

(f) An Additional Secretary rank Officer has already assumed charge in the Ministry of External Affairs.

SHRI M.V.V.S. MURTHI (Visakhapatnam): Mr. Speaker, Sir, transferring the Office of the Chief Commissioner (Non-Resident Indians) from the jurisdiction of the Ministry of Finance to the Ministry of External Affairs is really a welcome step. They have rightly done it. There are a lot of opportunities now in India particularly after the liberalisation of the policies. There are about 15 million people of Indian Origin who are residing in 48 countries. Several countries are looking at our country for technology transfer and also for technical personnel particularly, in the field of Information Technology. The advanced countries like Germany and Japan are also looking at our country for various services.

Sir, I would like to know from the hon. Ministry whether the Government is contemplating to set up a Study Group consisting of Indian Professors, Professors from other countries, and people of Indian Origin who are coming to India to have interface and study with each other so that there could be a greater involvement of the NRIs and PIOs could be made which would be useful to our country.

SHRI JASWANT SINGH: Sir, the Government has taken a number of steps. As the hon. Member perhaps knows, recently there was an international Conference which was supported by the Ministry of External Affairs. This Conference was organised by the *Antarrashtriya Sahyog Parishad*. It was held on 12th and 13th of February in Delhi. Amongst recommendations of this Conference, there was also a recommendation relating to greater exchange of educational institutions, professors, etc. It is a valuable suggestion and the Ministry will pay due regard to it.

SHRI M.V.V.S. MURTHI (Visakhapatnam): Our country is still infested with poverty and illiteracy though some people have advanced in scientific and technological matters. There are people like Dr. Amartya Sen, Professor Bhagwati, Professor Raja Reddy and others who are very well known globally. Their services are also required to be utilised in our country.

Sir, 25-30 years back, people had migrated to other countries. The second generation people have already started migrating to other countries. They are working there. They have known roots but now they are losing their roots in India. I would like to know whether the Ministry is thinking of allowing dual citizenship so that the second generation people could come to our country and help rebuilding our country to a greater extent. The dual citizenship is available in other countries. So, it is not that our country is the first country which will be allowing dual citizenship.

Investments can also come in a greater way to our country. I would like to have a specific answer from the hon. Minister.

SHRI JASWANT SINGH: The specific question relating to the grant of dual citizenship has been under examination of the Government for a considerable length of time. There are various aspects of dual citizenship that need to be carefully examined before any definite steps in this regard can be taken. As the hon. Member knows, a step in that direction has already been taken by the issuance of the card which facilitates travel, entry and other benefits. That is the first step. The grant of dual citizenship will have to be fully examined before it can be implemented.

SHRI M.V.V.S. MURTHI (Visakhapatnam): We want it to be expedited.

SHRI JASWANT SINGH: Yes, we will expedite it.

SHRI KIRIT SOMAIYA (Mumbai North East): I would like to know whether the Government is planning to announce any special package for tax benefits or for information technology transfer to India? Is there any special proposal for the NRIs and PIOs just like the Resurgent India Bond?

SHRI JASWANT SINGH: I am sure, the hon. Member knows that the phrase 'Non Resident Indian' is in itself—really a tax-based phrase. It is defined by the length of stay in India and from that follows a number of consequential tax benefits. Periodically, whenever the Government has felt the need to announce a special scheme—for example, resurgent India Bond—the Government definitely takes a step in that direction. But, on the aspect of Non Resident Indians, at the present moment, other than the tax benefits that are already attendant upon that category, no additional tax benefits are being planned.

SHRIMATI KRISHNA BOSE (Jadavpur): My question relates to the previous one that my colleague asked here. The External Affairs Minister has said that the question of dual citizenship is under consideration. I must tell you that, as has been pointed out so many times, the NRI presence is very strong all over the world. They have welcomed the PIO card. It has facilitated their taking visa and some other things. But it is not enough. They feel that they better had a shared identity with us, which the card does not give them. So, a dual nationality would give them what they really want. It looks that we have some reservation about it. All our neighbouring countries have it. Bangladesh has it and Pakistan has it. In this era of globalisation, the mother belongs to one nation, the father belongs to another and the children belong to a third. So, it has already become a universal issue.

May I know what is the reservation which is holding us back and why are we saying for a long time that this is under consideration? Is there anything which is holding us back?

SHRI JASWANT SINGH: I must yet again make a distinction that Non Resident Indians, as the phrase itself suggests, are actually Indian citizens. They are holders of Indian Passports. They travel to and from India on the basis of that citizenship.

SHRIMATI KRISHNA BOSE (Jadavpur): What about the second generation?

SHRI JASWANT SINGH: Then you will not be a Non Resident Indian. What the hon. Member is referring to is the People of Indian Origin. So far as the PIOs are concerned and the grant of dual citizenship is concerned, the aspect of grant of dual citizenship has been under examination of the Government. There are various aspects of it. I will separately have the hon. Member fully briefed on what are those various aspects and what are under the detailed consideration of the Government.

SHRI BALBIR SINGH (Jalandhar): While I fully support the idea of dual citizenship, I also commend the scheme of issuance of cards to PIOs. As the hon. Minister knows, there are a lot of Punjabis settled in Canada, America and England. Whenever we go there or they come here, they always protest that the fee charged for issuance of these cards is very exorbitant. Will the hon. Minister consider to have a look at this and decrease the fee? This is a genuine difficulty of these people.

SHRI JASWANT SINGH: Yes, certainly the Ministry is aware of this particular difficulty. The fee charged for the obtaining of PIO cards is something that the Government needs to look at again and if possible bring it down. It is something that the Ministry of External Affairs has to organise and manage in consultation with the Ministry of Home Affairs. The Government is seized of this particular complaint and we are attending to it.

SHRI K. MALAISAMY (Ramanathapuram): From the reply of the hon. Minister, it is seen that after the transfer of the Chief Commissioner, NRI, to the External Affairs Ministry from the Finance, they are doing some jobs like deepening linkages and interface transaction, etc. What had been this Commissionerate doing when they were in the Finance Ministry? Have they not done anything of this nature when they were there?

I am given to understand that the NRIs and the PIOs in the Asian countries, particularly in Singapore and Malaysia, find it extremely difficult and the Indian Embassies there are a not at all helpful to them. They are taking a negative attitude towards them. Has any complaint come to the notice of the External Affairs Minister in this regard?

I need a specific answer for these two questions.

SHRI JASWANT SINGH: I will try to be as specific as I can be. Yet again, I have to make a distinction between the Non Resident Indians and the People of Indian Origin. Non Resident Indians are Indian citizens and they hold Indian Passports. In their case, the question of difficulties in regard to travel to and fro India because of any Consulate deficiencies in our Missions abroad simply does not arise. So far as People of Indian Origin are concerned, whenever we receive any particular complaint about the difficulty faced by any citizen of any country in regard to travel to India, the Ministry deals with it expeditiously.

It is correct that the Commissioner has only recently been transferred to the Ministry of External Affairs from the Ministry of Finance in the reorganisation of the entire aspect of dealing with Non Resident Indians and the People of Indian Origin.

At the moment, however, he continues to hold the charge of India Investment Centre. As the hon. Member knows, earlier there was an establishment called India Investment Centre which still continues to operate. It is really meant to promote investment into India and that was functioning under the aegis of the Ministry of Finance. There are a number of other Ministries that also come into play. It is not simply the Ministry of External Affairs that operates this. Therefore, for greater efficiency, this Commissioner is now a part of the Ministry of External Affairs. The question of India Investment Centre is yet to be resolved. The Cabinet Secretary is seized of it. Earlier, I have explained to the hon. Member the functions that the India Investment Centre performed.

SHRI A.P. JITHENDER REDDY (Mahabubnagar): The Non-Resident Indians are contributing a lot to our country. There are many Government officials and other people who are going to other countries for funds. But when the Indians come back to our country, they are treated as Non-Required Indians. When they go inside any office, they never get attention. These people come on one month's leave and by the time, they really approach an officer and lay their problems, one month is passed. So, I request the hon. Minister, through the hon. Speaker, that some sort of an identity card should be given to such people so that their problems are immediately attended to in all segments of our Government Departments.

SHRI JASWANT SINGH: Here again, the hon. Member has asked about the Non-Resident Indians. They require no additional card of identification as such. They are Indians and I am ready to accept the other part of his observation that when they come back home on a short tenure or leave, they face administrative difficulties when it comes to their interface with the administration. This is an overall deficiency. We are mindful of this deficiency. Indeed, those of us who live here are often victims of that deficiency. But this is not something specific to the Ministry of External Affairs alone. The Government is mindful of this point.

श्री राम दास आठवले (पंढरपुर): अध्यक्ष महोदय, मैं आपके माध्यम से मंत्री जी से जानना चाहता हूँ कि नॉन-रेजिडेंट इंडियन्स की कुल संख्या क्या है और सबसे ज्यादा संख्या किस देश में है?

अध्यक्ष महोदय, मैं लंदन से ब्रिटिश एअरवेज से आया हूँ। मेरे लगेज का 20 किलोग्राम वेट ज्यादा होने की वजह से मुझसे 390 डॉलर यानी 22 हजार रुपया ज्यादा लिया गया है। मैं विदेश मंत्री से चाहता हूँ कि वे ब्रिटिश एअरवेज को रेट कम करने के लिये लिखें और मुझसे जो 22 हजार रुपया ज्यादा लिया गया है, वह मुझे वापस मिलना चाहिये। यदि ब्रिटिश एअरवेज वापस नहीं देती है तो केन्द्र सरकार को मुझे 22 हजार रुपया देना चाहिये।

MR. SPEAKER: There is no supplementary.

APPENDIX IV
CALLING ATTENTION

Problems being faced by Indians working in Gulf countries

1213 hours

SHRI RAMESH CHENNITHALA (Mavelikara): Sir, I call the attention of the Minister of External Affairs to the following matter of urgent public importance and request that he may make a statement thereon:

"The problems being faced by Indians going to and working in Gulf countries and steps taken by the Government in regard thereto."

THE MINISTER OF STATE IN THE MINISTRY OF EXTERNAL AFFAIRS (SHRI DIGVIJAY SINGH): The problems generally faced by the Indian nationals living and working in the Gulf countries, particularly unskilled workers, relate mainly to non-payment of wages, long working hours, ill-treatment, denial of leave, cheating by recruiting agents, non-fulfilment of contractual obligations, poor working and living conditions, death and disability compensation, and transportation of dead bodies back to India. The semi-skilled and unskilled workers also suffer from a feeling of insecurity on account of diminishing demand for unskilled and semi-skilled workers, and declining salary levels. There is also concern regarding rehabilitation and resettlement on their return to India in the event of premature termination of employment. Further, Gulf countries have introduced policies of localization and Arabisation which will affect the demand for Indian labour in the years to come. However, these policies are non-discriminatory and not directed at Indians specifically.

The Government of India has been taking the following measures to safeguard the interest of the intending emigrants as also of the workers who have already emigrated to Gulf and other countries for work.

All Indian Missions in the Gulf countries have full-fledged Labour Wings dealing with these problems.

It is being ensured that recruitment of workers for employment abroad is done only through the registered Recruiting Agents. When cases involving recruitment by illegal agents come to the notice of the Ministry, immediate action is taken to refer the matter to the police authorities for taking action under the provisions of the Emigration Act, 1983.

Employment documents in respect of all workers requiring emigration clearance are properly scrutinised in the offices of the Protector of Emigrants with a view to ensuring that the workers are sent abroad against genuine demands. It is also ensured that unskilled workers are allowed to emigrate only after the papers are attested by the Indian Missions abroad.

Immigration authorities have been advised through the Ministry of Home Affairs, to scrutinise the passports and other documents before allowing workers to emigrate.

As and when cases relating to harassment of workers, non-payment of salary etc. are brought to the notice of the Ministry or, our Embassies abroad, the concerned registered Recruiting Agents are advised to settle the grievances of the workers immediately. In the majority of cases, the registered Recruiting Agents see to it that the grievances of the workers are settled expeditiously. In cases where the agents do not act on the directions of the Protector General of Emigrants, their registration is suspended and further action is taken as required.

Foreign agencies which do not make the payment of salary in accordance with the agreement or fail to provide the basic minimum facilities to the workers, are included in "Prior Approval Category" (PAC) and any further recruitment for these agencies is stopped till such time as fresh positive recommendation is received from the Indian Mission abroad.

As can be seen from the above, the Government is fully cognisant of the problems being faced by Indians going to and working in Gulf countries and that the necessary steps have been taken by the Government in this regard.

SHRI RAMESH CHENNITHALA (Mavelikara): Sir, earlier the labour outflow from India was almost entirely through permanent emigration. In the mid-1970s, the oil boom came which changed the entire complexion of the emigration. The Indian labour—semi-skilled and unskilled—is going in a large number to Gulf countries. Due to the increase in the revenue, the developmental activities have escalated in the Gulf region. If you look at the statistics, for the last five years, emigration for employment from India has come down drastically. In 1997, it was 4.16 lakh and in 2001, it is 2.79 lakh. This shows that a considerable decline in the employment opportunities is being witnessed in this area. The contribution of Indians to convert this desert into heaven is laudable. The mutual cooperation of the two countries have definitely helped in promoting peace, amity, and development in the entire Middle-East.

The UAE Government is going to change the existing labour law from January, 2003. It has been widely reported in all the Malayali dailies in Kerala that unskilled and semi-skilled workers will be losing the job opportunities in Gulf countries. An attempt is being made to give more opportunities of the citizens of UAE and other Gulf countries. This is not only going to affect the unskilled and skilled workers but also the workers who are working at higher posts. This may be for avoiding over-dependence of their citizens on foreign countries. From next year onwards, Oman is going to reserve seven more Departments for the local citizens. The Saudi Arabia Government has already enforced restrictions on giving visas to the Indians. There is a determined effort to enforce restrictions in many areas and more rigorous checks are being employed before granting the visas. Saudi Arabia is one country where very strict laws are being enforced in regard to visa and a very few people of our country are getting visas to this country.

In the light of all these changing laws in UAE and the Middle-East countries, I would like to urge upon the Minister and the Ministry of External Affairs to take

immediate steps to redress the grievances. I would like to know from the hon. Minister whether the Government of India, especially the Ministry of External Affairs, have regular interaction with the Missions abroad as also with the Governments of the Gulf region.

When some of us MPs get an opportunity to go abroad, we see how the Embassies are functioning there. In the case of Gulf Missions, they are dealing with thousands of people of the Indian origin. The Missions abroad are not properly manned and particularly the Labour Department in our Missions remains in death of staff. I would like to know whether the Minister will take adequate steps to give more number of officials for the proper functioning of the Missions, especially in the Gulf countries.

My next question is about creation of a consolidated fund in the Missions in Gulf countries so that the problems of the people of Indian origin can be attended to properly. When many cases are coming up, the Embassies feel helpless. They cannot do anything because they do not have any provision for spending money from their own budget. Will the Government contemplate to have a consolidated fund for helping the people of Indian origin who are suffering for various reasons in the Gulf countries? Will the Prime Minister as the head of the Government and the Minister of External Affairs undertake friendly and goodwill tours or pay frequent visits to these Gulf countries and interact with the rulers of those States so that our trade relations can get a fillip, our bilateral relations can be strengthened and the Indian nationals working there will get more encouragement? It will also give more and more employment opportunities for the people in our country.

Our country is facing huge unemployment problem. Manpower is the only strength that we have. If the manpower restrictions are not removed, it will adversely affect the prospects of our country. So, it is the duty of the Central Government and in particular the duty of the External Affairs Minister to undertake frequent tours and goodwill missions to these Gulf countries, so that he can interact with those rulers and get more opportunities for our people to go abroad.

As regards rehabilitation and resettlement of the people who are coming back from the Gulf countries, this problem has to be attended to more seriously. The Kerala Government has established a department called NORKA with Shri M.M. Hassan as the Minister who has been given the entire charge of looking after the needs of the people who come back from the Gulf countries. Will the Government of India extend all possible help to the NORKA Department of Kerala Government to assist these people for their rehabilitation and resettlement?

Lastly, I would like to urge upon the Minister through you, Sir, that urgent steps should be taken to avoid inordinate delay in issuing of passports and renewing of passports. Cases relating to emigration pending with the Protector-General of Emigrants will have to be disposed of without delay. Will the Government take necessary steps in this regard?

SHRI VARKALA RADHAKRISHNAN (Chirayinkil): At least one member from every family is employed in the Gulf countries in my constituency.

SHRI KODIKUNNIL SURESH (Adoor): So is the case in my constituency.

SHRI SURESH KURUP (Kottayam): The same is true of my constituency also.

SHRI VARKALA RADHAKRISHNAN (Chirayinikil): This shows the magnitude of the problem. The net result is that if a death occurs in a family, the cremation will not take place the same day. It will have to be postponed to the next day or a day after because their relatives will have to come from the Gulf countries. This is the situation in Kerala. By saying all this, I just wanted to impress upon the Minister regarding the magnitude of the problem.

I would like to suggest certain rehabilitation measures that are very urgent. We all know that their number is on the decrease. People have started going in large numbers to US. Now they are being retrenched and their number is being reduced.

So, the major question is rehabilitation. For this purpose, both the State Government and the Central Government should take initiatives. In this respects, it may be worthwhile to mention that the immigration authorities are collecting Rs. 2000 from each and every employee who is proceeding abroad. By a rough estimate, I am given to understand that the amount has reached more than Rs. 1000 crore with the Central Government. This may form a nucleus rehabilitation fund which you may use. With the contribution from the State Government and the Central Government, the amount can be raised so that the people who are retrenched from the Gulf countries may find some betterment or rehabilitation in India.

They are earning foreign exchange. In one way, they are rendering service to the nation and this may be taken with gratitude. So, we should do all that is possible to help these poor workers who are working under unsuitable conditions in the Gulf countries. You may see that their blood is being vaporised while working in those factories. Poor people are working there. It is because of the foreign exchange they thrive on and not because the amount that they pay is big. It is not that. The position is, they are helped by the foreign exchange which they earn. Because of the foreign exchange, they would be earning something and that is being sent to India. Unfortunately, most of them spend their money for building purposes and so on.

The second aspect is, hitherto, the Indian Airlines and Air India were really exploiting these people. Very exorbitant airfares were charged. Only recently, it has come down because other foreign services came into operation and the Indian Airlines and the Air India were forced to reduce their charges. But it has not been reduced to a large extent. Poor people are exploited by the Indian Airlines as well as Air India. So, this point must be taken into consideration.

There is another difficulty with regard to language. Among the Indians who are living there, at least, 75 per cent are Malayalees. As regards the language that is being used there, some staff members should be provided in all the Embassies there who can speak Malayalam as well. There is an apprehension among the Southern workers that they are being discriminated against because of the language difficulty. So, I would request the hon. Minister to see that some Malayalees or Keralites work there as staff members in the Middle-East countries. That will do a lot because poor and skilled people are working there. Some of them do not know even to read

properly and they know only Malayalam. In such cases, they should get proper attention and report.

My next point is about the dead bodies being transported to India. One or two deaths take place in every flight and the dead bodies will be sent to our State. But the difficulty is, the sponsor will turn away. He will not meet the expenses. An immediate intervention by the embassy people can do a lot in this matter. The Indian Airlines does not bring them free of charges. Exorbitant charges are being levied. So, I would request the hon. Minister to make an arrangement so that the dead bodies are brought to India without delay.

Lastly, several poor workers are languishing in jails there due to import difficulties and technicalities or due to some criminal charges against them. They are being dealt with in the Middle-East countries. Until and unless the Embassy people take some prompt measures, they cannot be brought back to India. So, the languishing Malayalees in jails may be taken into consideration, and see that immediate steps are taken to bring them back to India and justice is done to them.

I again request the hon. Minister to be very prompt and active in the Indian embassies of the Middle-East countries, take into consideration that a lot of people are working there earning foreign exchange, do justice by rehabilitation, by bringing dead bodies to India and do all that is possible to help them in very way.

With these words, I conclude.

SHRI K. MURALEEDHARAN (Calicut): Sir, in his reply at para 2(a), the hon. Minister has mentioned,

"All India Missions in the Gulf countries have full-fledged labour wings dealing with these problems."

But actually the problem of female workers who are working in the homes of local people in Gulf countries, is that they are always cheated by their employers. They are not given salaries and they are not allowed to write letters to their own homes. They are not allowed to go outside. Then how can they make a complaint against these local people? That is the main problem being faced by the Indians, especially the ladies in Gulf countries.

Secondly, here you have mentioned about the problems related to your Ministry only. But most of the complaints that we receive, as Shri Varkala Radhakrishnan has mentioned, are regarding the high fares charged by the Air India and the Indian Airlines. We are getting so many complaints regarding high fares charged by the Air India and the Indian Airlines.

Mr. Speaker, as you are aware, most of the Keralites who are going to Gulf countries are from my constituency, Calicut. The airport at Calicut is monopolised by the Indian Airlines and the Air India. The airports at Cochin and Trivandrum are international ones, but the airport at Calicut is not an international one. It has only got International status. So, only the Air India and the Indian Airlines operate flights from Calicut airport. They are charging higher fares from the passengers. I request the hon. Minister to please reduce the fares. I am very much happy that the Civil Aviation Ministry is present here. You please do something to help the Indians in general and Keralites in particular who are working in Gulf countries.

Another important problem is, many applicants are waiting for Kuwait Compensation. That is a major issue, especially in Kerala. They have to fill up new forms prescribed by the United Nations Compensation Commission. I, therefore, request the Government that the United Nations Compensation Commission be asked to extend the period for filling up the applications for claiming Kuwait Compensation. These are some of the points that I wanted to raise. These points are very important. We hope to get a favourable reply from the Government.
... *(Interruptions)*

MR. SPEAKER: Hon, Members, Rule 197 is clear that only those Members who have given notice should be allowed to speak in the House. Some Members have, unfortunately, not given notice. Therefore, I will not be able to allow any Member to speak now. We must go according to the rules.

Yes, Mr. Minister may reply now.

... *(Interruptions)*

MR. SPEAKER: The issue is, no doubt, very important.

... *(Interruptions)*

MR. SPEAKER: Hon. Members, you can raise this issue under any other rule whenever it is possible, but not now.

... *(Interruptions)*

MR. SPEAKER: I would request the hon. Minister to take into consideration all the difficulties raised by the hon. Members.

... *(Interruptions)*

SHRI DIGVIJAY SINGH: Sir, hon. Members may be allowed to raise any new points. There should not be any repetition. ... *(Interruptions)*

MR. SPEAKER: No, I am not permitting any Member to ask questions. Mr. Minister, you please go ahead with your reply.

... *(Interruptions)*

MR. SPEAKER: Members who want to raise this issue would write to the hon. Minister. That should also be considered by the Minister.

... *(Interruptions)*

SHRI A.C. JOS (Trichur); Sir, both the Indian Airlines and the Air India are operating flights to Gulf countries. The Air India was generous enough to bring dead bodies free of charge with one escort, whereas the Indian Airlines which has got the maximum service, is not extending that benefit. As a result, dead bodies are kept there of days together. ... *(Interruptions)*

SHRI DIGVIJAY SINGH: I have got your point. ... *(Interruptions)*

SHRI A.C. JOS (Trichur): The hon. Minister of Civil Aviation is present here. That is why I am saying this.

SHRI KODIKUNNIL SURESH (Adoor): Sir, the UAE Government has banned Indian workers. ... (*Interruptions*)

विदेश मंत्रालय में राज्य मंत्री (श्री दिग्विजय सिंह): सभापति महोदय, जैसा कि रमेश चिन्तिला जी ने अपने ध्यानाकर्षण प्रस्ताव के माध्यम से पूरे सदन और सरकार का ध्यान खींचने का प्रयास किया है और मुझे इस बात की प्रसन्नता है कि जो हमारे वर्कर्स हैं, जो गल्फ एरिया में काम करते हैं, मैं कहना चाहूंगा कि सबसे ज्यादा विदेशी मुद्रा जो इस देश में आती है तो इसी इलाके से आती है। यह बात अलग है कि ये गरीब किस्म के लोग हैं लेकिन इनकी सबसे ज्यादा दौलत इस देश को मिलती है। इसलिए जो हमारा विदेश मंत्रालय है, वह पूरी तरह से उन सारी बातों पर ध्यान रखता है जिनका जिक्र यहां किया गया है। रमेश जी का सबसे पहला सवाल था कि अब गल्फ में हमारे वर्कर्स कम जा रहे हैं और जिस रेगिस्तान को हमने स्वर्ग बनाया, उसमें हमारी भूमिका कम हो रही है। दरअसल जो काम हमें करना था, जो बड़े-बड़े प्रोजेक्ट्स वहां थे, जो जरूरत के सामान बनाने थे, उन कामों को पूरा किया जा रहा है और करीब-करीब वे काम पूरे हो गये हैं। इसीलिए अब यह बात सही है कि वर्कर्स का वहां जाना कम हो रहा है क्योंकि इसमें कोई दो राय नहीं है कि जो काम था, वह पूरा हो चुका है और कुछ मायने में जो मास्टर प्लान था, अगर मैं कहूं कि उसमें 70 से 80 फीसदी काम पूरा हो गया है, तो ऐसा कहना अतिशयोक्ति नहीं होगी। अब इतना कम हो गया है कि आपके लिए चिंता का विषय बन रहा है। दूसरा कारण यह बना है कि आजकल इन दिनों वहां जो अरबायेशन थ्योरी चल पड़ी कि अरब के लोगों को प्राथमिकता दें तो उसमें भी मैं एक बात कहना मुनासिब समझूंगा कि आज भी भारतीयों को पूरे इलाके में प्राथमिकता दी जाती है। अगर किसी देश में यह पूछा जाए कि कहां के लेबर को आप पहले बुलाएंगे तो भारतीय आज भी प्राथमिकता में हैं और आज भी तीन लाख से चार लाख लोग हर साल रोजगार पर रहे हैं। कुल इलाके में 35 लाख के आसपास भारतीय काम कर रहे हैं और विदेश मंत्रालय की जिम्मेदारी है कि उनके हितों का पूरा ख्याल रखे और इस दिशा में जो कुछ बात उठाई गई है, हम उसके बारे में फिर कहना चाहेंगे कि आपकी चिंता थी और राधाकृष्ण जी ने चिंता जताई कि जो हमारे लेबर लोग जो विदेशों में मर जाते हैं, उनको यहां लाने में कठिनाई होती है। यहां एयर इंडिया और इंडियन एयरलाइन्स के मंत्री बैठे हुए हैं। हमने दस से पन्द्रह प्रतिशत तक का एयर इंडिया का भाड़ा घटया है जिससे लोगों को आने में सहूलियत हो। डैड बॉडीज के लाने का इंतजाम जहां एम्पलायर तो करते ही हैं लेकिन असफल होते हैं तो एयर इंडिया और इंडियन एयरलाइन्स दोनों मिलकर बीस किंग्ज वजन के साथ उनकी बॉडी को लाने का काम करती हैं। ... (व्यवधान)

SHRI KODIKUNNIL SURESH (Adoor): Mr. Minister, only the Air India is doing it. The Indian Airlines is not doing it. You may kindly ask your colleague about it. ... (*Interruptions*)

SHRI DIGVIJAY SINGH: I am telling you. You are not aware of the fact. Even the Indian Airlines is doing it. Even if there is some reluctance on their part, the hon. Civil Aviation Minister, who is sitting behind me, will take care of it.

As far as the Government of India is concerned, I would like to say that both the Airlines are liable to bring back the body. I am telling you about it. ... (*Interruptions*)

SHRI SURESH KURUP (Kottayam): Sir, apart from this fact, inordinate delay occurs in bringing back the bodies because of the laws in those countries,

especially in Saudi Arabia. I would like to place it on record that whenever we, the Members of Parliament, write to the External Affairs Ministry, prompt action is being taken. But the common people working in the Gulf countries are not able to approach our Embassies and Missions there. So, our Embassies and Missions should intervene immediately.

श्री दिग्विजय सिंह: बिल्कुल सही बात है। सरकार अपनी तरफ से पूरा प्रयास करती है और बिल्कुल ठीक कहा कि सऊदी अरब में कुछ कानून हैं जिनसे अड़चन आती है लेकिन मैं आपके माध्यम से सदन को बताना चाहूंगा कि भारत सरकार इसके लिए सतत् प्रयास कर रही है कि इस कानून को कैसे ज्यादा से ज्यादा आसान बनाया जाए जिससे डैड बॉडीज को लाने में सहूलियत हो। मुरलीधरन साहब ने मेड सर्वेन्ट्स के बारे में बात कही। ... (व्यवधान)

SHRI E. AHAMED (Manjeri): Sir, I would like to make a point here.

SHRI DIGVIJAY SINGH: I cannot yield all the time to you. Let me complete it. Then I will yield to you.

SHRI E. AHAMED (Manjeri): In a country like Saudi Arabia, more than 1.3 million Indians are working. ... (Interruptions)

SHRI DIGVIJAY SINGH: You are lessening their number. It is 1.4 million people who are working there. Please do not underestimate it.

SHRI E. AHAMED (Manjeri): All right, I say it is 1.5 million people who are working there.

We have only two Missions there, one in Jeddah and another in Riyadh. But in Dama and other places there is no Indian Mission. It is very difficult for Indians living in those places to approach our Missions. So, will the Government open more Indian Missions there? ... (Interruptions)

श्री दिग्विजय सिंह: महोदय, श्री मुरलीधरन जी ने मेड सर्वेन्ट्स के बारे में कहा है, वहां के कानूनों में ऐसा प्रावधान है जिसकी वजह से काफी परेशानी होती है। मैं आपसे इतना कहना चाहूंगा कि जो न्यू रिक्रूटमेंट मेड सर्वेन्ट्स की हो रही है, उसमें भारत सरकार बहुत गम्भीरता से मोनिटरिंग कर रही है। अभी दस हजार मेड सर्वेन्ट्स जो एम्बेसीज़ के माध्यम से रिक्रूट हुए हैं, उनके बारे में हमारे पास कोई कम्प्लेंट नहीं आई है। अगर माननीय सदस्यों को इसकी कोई सूचना मिली हो, तो जरूर हमारे मिशन या मंत्रालय को बताएं, ताकि हमारा मंत्रालय उस पर कार्रवाई कर सके।

श्री रमेश चेन्नितला जी ने एक सवाल उठाते हुए कहा था कि हमारे प्रधान मंत्री, मंत्री या बड़े लोग वहां जाएं, जिससे हमारा तालमेल बना रहे। आप जानते हैं कि भारत की विदेश नीति में अरब देशों का महत्वपूर्ण स्थान है। इमारी विदेश नीति में प्रमुख स्थान है और उसी के हिसाब से हमारी प्राथमिकता रहती है कि हमारे राष्ट्रपति महोदय, प्रधान मंत्री जी या विदेश मंत्री या अन्य दूसरे गण्यमान्य व्यक्ति वहां जाएं और उनके प्रतिनिधि यहां आएं। यह सिलसिला लगातार जारी है और आगे भी जारी रहेगा। श्री राधाकृष्णन जी ने एक सवाल यह भी किया था कि इन देशों में जो मलयाली लोग हैं, उनके लिए एम्बेसीज़ में मलयाली स्टॉफ हो, ताकि उनको बोलचाल में सहूलियत हो। यह अच्छा सुझाव है और मैं इस सुझाव का हमेशा आदर करूंगा तथा इसको ध्यान में रखूंगा।

SHRI E.M. SUDARSANA NATCHIAPPAN (Sivagana): Mr. Speaker, Sir, will the hon. Minister include Tamil-speaking staff also in Indian Missions there because a lot of Tamilians are also living in those countries?

श्री दिग्विजय सिंह: जिन माननीय सदस्य ने सवाल उठाया है, मैं उन्हीं का जवाब दे रहा हूँ। मलयाली, तमिल और उर्दू-सभी अपनी भाषाएं हैं। उन्होंने एक सुझाव दिया है, इस सुझाव का पूरा-पूरा ख्याल रखेंगे।

श्री रमेश चेन्नितला जी ने वैलफेयर फन्ड बनाने के बारे में सवाल उठाया है। मैं बताना चाहता हूँ कि वैलफेयर फन्ड बनाने के लिए भारत सरकार विचार कर रही है। विचार ही नहीं कर रही है, उस पर बहुत गम्भीरता से काम शुरू किया है। हमारे आठ कॉन्सुलर्स वहां हैं। उन्होंने काम्फ्रेंस करके एक प्रस्ताव भेजा है कि किस तरह से वैलफेयर फन्ड बनाया जाए या किस तरह से उनके हितों में काम किया जाए। कैबिनेट के पास वह प्रस्ताव है। जैसे ही वह प्रस्ताव पास होगा, उस फन्ड को बनायेंगे और पूरा-पूरा ख्याल रखेंगे कि भारतीय श्रमिकों के साथ बदइन्तजामी या बेइन्साफी न हो।

SHRI A.C. JOS (Trichur): Mr. Speaker, Sir, the hon. Minister has not said anything about the facilities provided by Indian Airlines. ...(*Interruptions*)

MR. SPEAKER: The issue is over. Please take your seat.

SHRI A.C. JOS (Trichur): Sir, Air India provides facilities to bring back the dead bodies to India, but Indian Airlines is not providing the same. Will the hon. Minister say something on this aspect?

SHRI DIGVIJAY SINGH: Those facilities will be given by Indian Airlines also.

APPENDIX V
GOVERNMENT OF INDIA
MINISTRY OF EXTERNAL AFFAIRS
LOK SABHA UNSTARRED QUESTION NO. 2553
ANSWERED ON 22.07.2009

Indian Assistance to Vietnam

2553. SHRI T.R. BAALU:

Will the Minister of EXTERNAL AFFAIRS be pleased to state:

- (a) whether the Government of India has rendered assistance to Vietnam for revival of agriculture for speedy growth of farm sector;
- (b) if so, the details thereof;
- (c) whether similar proposal is being formulated in respect of affected areas in the northern Sri Lanka; and
- (d) if so, the details thereof?

ANSWER

THE MINISTER OF STATE IN THE MINISTRY OF EXTERNAL AFFAIRS
(SHRIMATI PRENEET KAUR): (a) Yes.

(b) As per the Work Plan for the years 2007-2009 under the Indo-Vietnam MoU for Agricultural Research and Education signed on July 6, 2007, Government of India provides assistance to Vietnam in the following broad areas:

- (i) Animal Husbandry.
- (ii) Plant biotechnology.
- (iii) Fruit trees and Vegetable, Germplasm exchange, improvement and production technologies.
- (iv) Cotton and Rice improvement and production.
- (v) Post harvest technologies and farm mechanization.
- (vi) Enhancement of cooperation and coordination within the relevant international and regional cooperation.
- (vii) Other related areas of interest that are mutually agreed upon by the parties.

Our assistance in agriculture sector has so far been modest, in the form of technical advice and exchange of scientists.

(c) & (d) The Government has earmarked Rs. 500 crores for the relief and rehabilitation of the internally displaced persons in Sri Lanka. With a view to facilitating rehabilitation of IDPS, Government is considering taking up several measures, including in the field of agriculture.

APPENDIX VI

GOVERNMENT OF INDIA

MINISTRY OF EXTERNAL AFFAIRS

LOK SABHA UNSTARRED QUESTION NO. 3214

ANSWERED ON 09.12.2009

Irregularities in ICCR

3214. SHRI MAHESHWAR HAZARI:

Will the Minister of EXTERNAL AFFAIRS be pleased to state:

(a) whether gross irregularities have been committed by the Indian Council for Cultural Relations (ICCR) in sending professionals of various fields abroad;

(b) if so, the details thereof; and

(c) the steps taken/being taken by the Government to make this process transparent and fair?

ANSWER

THE MINISTER OF EXTERNAL AFFAIRS (SHRI S.M. KRISHNA): (a) & (b) The ICCR-sponsored visit of one folk dance group, 'Mehek Punjab Di', in September, 2005 is under investigation by CBI. No other irregularities have come to light subsequently.

(c) A Committee, comprising of experts in different fields of performing arts, has been constituted by the ICCR for the purpose of selecting artists for empanelment with the Council. Other rules and regulations have also been put in place in order to ensure that a wide selection of artists get an opportunity to travel abroad under the aegis of the Council. The only criterion for sending artists/groups abroad is merit. Towards this end, the Council is increasingly involving its Regional Offices for their advice on the caliber of the artists/groups being considered for tours abroad. A similar process is also followed for Professors and teachers deputed abroad to serve on Chairs of Indian Studies in various foreign Universities and in the council's Cultural Centres abroad. In all cases, the process of selection has been made completely transparent and above-board by regularly involving experts and art critics from outside the Council in order to ensure the integrity and reliability of the procedure.

APPENDIX VII

STATEMENT RE: ATTACKS ON INDIANS IN AUSTRALIA—LAID

1212 hours

THE MINISTER OF EXTERNAL AFFAIRS (SHRI S.M. KRISHNA): Madam Speaker, I lay on the Table of the House a statement on "Attacks on Indians in Australia" and the steps being taken by Government of India as well as by the Australian Government in dealing with various issues involved.

2. The attacks on Indian students have been coming to our notice for over two years now, since 2007 when some students were assaulted in Sydney. In 2008 and 2009 also, there were other sporadic instances of assaults on Indian students, including some working as taxi drivers in Melbourne and in Adelaide. However, it is since May, 2009 that there seems to have been a significant increase in the number and frequency of attacks on Indians in Australia. This has coincided with the substantial increase in the number of Indian students studying in Australia over the last three years, with a 141% increase recorded in just two years from 2006 to 2008.

3. The attacks continued in a sporadic manner till May, 2009. On 9 May, a student named Saurabh Sharma was attacked in a train by a gang of 4-5 people. On 23 May, 2009, a young student studying in Melbourne, Sravan Kumar Theerthala was savagely attacked with a screw driver, resulting in serious injuries to his head. On 2nd January, 2010, a student Mr. Nitin Garg was attacked late at night while crossing a park in a Melbourne suburb on his way to work. He later died in the hospital. While there were other cases of assaults on Indian students and taxi drivers in Victoria, New South Wales and Queensland, most of the incidents seem to have been occurring in and around Melbourne. On 14th January, 2010 night there was an incident of arson by fire in Cranbourne Nanaksar Taath Gurudwara in Melbourne. These attacks received extensive coverage in the media in both countries.

4. Each assault was taken up with the Australian authorities, at the State level by the Consulates General and at the state and federal levels by the High Commission of India.

5. The incidents relating to Indian students and nationals in Australia have involved one or more of the following elements: robbery, assault, violence fuelled by alcohol/drugs, juvenile crime and racial abuse. Other contributing factors have been: the financial constraints of the Indian students which have led to them living in poor neighbourhoods, working late hours and travelling in late night public transport, all of which have made them more vulnerable to street crime which has been on the increase in Melbourne, where most of the incidents have taken place.

6. The profile of the attackers in most of these assaults is of youngsters in their teens and early 20s, largely under the influence of drugs or alcohol. The attackers are of mixed ethnicity, including sometimes, other Indians : Some of the attacks have had racial elements.

7. Besides the obvious law and order problem, the other issues which have come to the fore include the commercialisation of the Australian international education industry and laxity in monitoring/enforcing compliance of the regulations by the Australian authorities. The increase in number of students in Vocational Education & Training (VET) sector was linked to the immigration system of Australia which gave priority in the last few years to applicants for Permanent Residency (PR) in certain skills where there are significant shortages. These immigration rules are now in the process of undergoing changes.

8. The matter of the growing number of assaults on Indian students was taken up in May-June, 2009 at the highest level by Prime Minister, Dr. Manmohan Singh with Prime Minister Kevin Rudd and by me with Foreign Minister Stephen Smith.

9. I visited Australia in August, 2009 and conveyed our concerns to Prime Minister Kevin Rudd and Foreign Minister Stephen Smith. In the course of my 4 day visit covering three states, and my several interactions with our students and our community in Australia, I gained a first hand perspective on the issues related to the welfare and well-being of our student and larger community in Australia.

10. In the course of my visit, I announced that the High Commission, the Consulates and the Honorary Consuls would be open on every Friday, from 11 am till 5 pm, for any Indian student to walk in to discuss their problems and grievances.

11. Ministry of External Affairs and the High Commission have also unveiled since 12 June, 2009, on their respective websites, Guidelines for Indian students studying in and wishing to study in Australia with advice, dos and don'ts These Guidelines have been regularly updated.

12. Bilateral working groups have discussed the issues of regulation of education agents, student welfare, vocational education and training, and quality assurance in Delhi in October, 2009 and will meet again soon.

13. During the visit of Prime Minister Mr. Kevin Rudd to India on 12 November, 2009, Prime Minister Dr. Manmohan Singh conveyed the high priority that Government of India attached to the safety, security and well-being of Indian community in Australia. Mr. Rudd reiterated the Australian Government's commitment to taking all possible measures to protect the safety and welfare of all international students including Indian students.

14. Our High Commission in Australia and the Consulates General in Melbourne and Sydney each have a Community Welfare and Student Liaison Officer (CWSLO) who is on call 24/7, and whose mobile number is on our website as our emergency response number. Any problem involving an Indian student or member

of the community is handled by the CWSLO in coordination with the High Commissioner/ Consulate General.

15. In Australia a Task Force headed by the Australian National Security Advisor was set up in the office of Australian Prime Minister, to formulate what they term a 'whole of Government' approach to the issue and liaise with State Governments on the action being taken by them.

16. In Melbourne as well as in Sydney, the police have increased patrolling where incidents had occurred. In Melbourne, police presence was stepped up especially around train stations and high crime neighbourhoods; the number of transit police, including in plain clothes on late night trains taken by students, was increased; the Victoria State Government's Robbery Taskforce was doubled; several offenders were charged. A Community Reference Group for Western Melbourne involving the police and members of the Indian community to facilitate communication on safety issues was established. A hotline was set up for Indian students. Free legal advice and referral for international students was made available at Melbourne. More street lighting and CCTV cameras have been provided in areas that are prone to such attacks.

17. Of the various reports and reviews commissioned by the Australian Government to look into the several problems being faced by the students, two have submitted their reports, and made specific recommendations to improve conditions for international students.

18. There have been 8 Ministerial level visits from Australia to India in 2009. Many of these were focussed on addressing our growing concerns about the safety and well-being of our students.

19. The Australian federal and State Government authorities have taken action in providing relief to Indian students affected due to the sudden closure of certain colleges, in making them aware of their rights and relocating them in other colleges.

20. Following some attacks on Indian taxi drivers last year, the South Australia Government has set up a taxi council to hold regular discussions with taxi drivers, many of whom are students.

21. The Australian Department of Immigration and Citizenship (DIAC) has introduced measures to strengthen checks on student visa applications to stamp out fraud and ensure that students have the financial capacity to live and study in Australia. DIAC has recently announced an overhaul of the general skilled migration rules leading to permanent residency in Australia.

22. The Victorian Government strengthened the Victorian Sentencing Act, 1991 in December, 2009 and is conducting a review of the justice system under a retired Supreme Court judge to address racial crime.

23. As a result of these measures, the number of incidents recorded in these suburbs has decreased. 300 police officers are being added to the Victorian Police

to form a rapid response unit to address continued attacks. Other concrete measures taken by the Victorian Government include the setting up of an International Student Care Service. The service has 24/7 hotline staffed by trained persons, some of whom also speak Hindi. The Centre provides psychological counselling, legal assistance, assistance with any problem with educational institute, employer or landlord or any other authority. It also provides financial assistance to students for temporary accommodation as well as assistance to take care of medical expenses etc.

24. The issue continues to be taken up very strongly with the Australian Government. I spoke to Australian Foreign Minister Stephen Smith on 11 January and expressed my serious concern. I also met Australian FM Stephen Smith in London on the margins of Conference on Afghanistan on 27 January, 2010 and conveyed that these attacks are particularly worrisome as the individuals from the Indian community appeared to be singled out and it was increasingly difficult to accept these attacks as mere opportunistic crimes.

25. The Australian Government has recently set up a high-level Working Group under overall charge of Foreign Minister Stephen Smith to deal with this issue on an urgent basis.

26. India-Australia relations have been expanding rapidly over the last few years. India attaches importance to its relationship with Australia and we are committed to further strengthening and expanding our relations to cover virtually every area of interaction. People to people contacts are at the heart of any relationship. It is estimated that almost half a million Indians (including 97000 Indian students) and people of Indian origin live in Australia today. The older, more established Indian community in Australia consists largely of skilled professionals, such as doctors, accountants, engineers and academicians.

It has traditionally been seen as a model migrant community and lauded for its contribution to the Australian economy, having settled and integrated well, and highly regarded for their industry and skills. The Indian community through its culture and values is contributing in making Australia the vibrant multi-cultural society that it is today. They are a vital bond between our two countries.

27. Let there be no doubt that we take the incidents of assault on our students very seriously indeed. I would like to assure you that the Australian authorities have been fully apprised of the gravity of the situation. As a result, both at the state as well as the federal level, they have taken several measures as outlined above, to improve security and surveillance; it can be honestly said that they are making efforts to meet our concerns. However, as can be seen, the issue consists of several complex factors, all of which are interlinked and need to be dealt with in a concerted and coordinated manner.

28. I assure the House that we will continue to monitor the situation closely and work closely with the Australian authorities to deal with the issues concerned and improve the safety and security of our students in Australia.

APPENDIX VIII

CALLING ATTENTION

Rehabilitation of Sri Lankan Tamil Internally Displaced Persons (IDPs)

MADAM SPEAKER: Calling Attention. Shri T.R. Baalu.

श्री नामा नागेश्वर राव (खम्माम): अध्यक्ष महोदया, मैं अपनी बात रेज़ करना चाहता हूँ। ...
(व्यवधान)

अध्यक्ष महोदया: अभी क्यों रेज़ कर रहे हैं, कॉलिंग-अटेंशन हो जाने दीजिए। अभी आप बैठ जाइये, अभी समय नहीं है इसे उठाने का। आप प्लीज बैठ जाइये।

1205 hours

SHRI T.R. BAALU (SRIPERUMBUDUR): With your kind permission, Madam, I call the attention of the Minister of External Affairs to the following matter of urgent public importance and request that he may make a statement thereon:

"Rehabilitation of Sri Lankan Tamil Internally Displaced Persons (IDPs) and steps taken by the Government in regard thereto."

THE MINISTER OF EXTERNAL AFFAIRS (SHRI S.M. KRISHNA): I rise to respond to the House on the Calling Attention Notice regarding the rehabilitation of Sri Lankan Tamil Internally Displaced Persons and steps taken by the Government in regard thereto.

After the cessation of conflict in Northern Sri Lanka in May, 2009, nearly 3 lakh Internally Displaced Persons (IDPs) emerged out of the conflict zone. They were housed in camps by the Government of Sri Lanka. It is understood that currently, around 30,000-35,000 IDPs remain in these camps. India has constantly held the view that the cessation of the conflict in Sri Lanka in May, 2009 and the 2010 elections provided a historic opportunity to address all outstanding issues in a spirit of understanding and mutual accommodation and to work towards genuine national reconciliation. The expeditious resettlement and rehabilitation of IDPs is integral to that process.

During the recent visit of President Mahindra Rajapaksa to India in June this year, we underlined on the urgent need for the resettlement of remaining IDPs along with speedy rehabilitation, reconstruction and development in the North and the East of Sri Lanka. The President of Sri Lanka indicated that he would endeavour to resettle all remaining IDPs by end-December this year.

I would like to remind the hon. Members that, even before the hostilities concluded, India had been assisting the IDPs inside and outside the conflict zone. Subsequently, India spontaneously stepped forward to assist Sri Lanka in the rehabilitation of the IDPs. Prime Minister immediately announced a package of Rs. 500 crore for Sri Lanka.

In the initial stages, since the immediate focus was on humanitarian assistance, Government supplied 2,50,000 family packs to IDPs provided by the Government of Tamil Nadu. These family packs consisted of a variety of daily-use items including food, clothing and medicine and provided the much-needed succour to the IDPs. We also dispatched an emergency medical hospital to treat the injured IDPs emerging out of the conflict zone. From March to August, 2009, more than 50,000 patients were treated, including those requiring major surgical operations. Our field hospital did exemplary work under very trying conditions. We had also provided medical supplies. Given the challenges arising out of the conflict, Government also arranged for an artificial limb fitment camp, better known as Jaipur Foot, in March-April this year. The team of experts did commendable work to fit artificial limbs and other devices to nearly 1400 beneficiaries.

In addition to the humanitarian assistance, we simultaneously took up assistance to help resettle the IDPs. Seven of our demining teams are now currently working in Sri Lanka. The work of these demining teams has undoubtedly helped speed up the resettlement of the IDPs, particularly in the districts of Vavunia and Mannar where large tracks of land have been made fit for habitation and agricultural and other activities have resumed.

In order to ensure that the IDPs have a roof over their heads, India has supplied more than 7900 tonnes of roofing and shelter material. Our roofing sheets have been distributed in all five districts of the Northern Province and helped thousands of families resettle in their villages. We also supplied 4 lakhs cement bags to be distributed among the resettling IDPs to help them renovate their houses.

Hand in hand with resettlement, we had tried to address the issue of livelihood for those being resettled. A delegation of agricultural experts led by the Indian Council for Agricultural Research visited Sri Lanka last year. We have already supplied 70,000 agriculture starter packs. We have also agreed to supply seeds, tractors and other agricultural implements. The samples of the seeds requested have already been sent to Sri Lanka and are awaiting phyto-sanitary certification. We hope that our timely assistance will help the IDPs in the forthcoming Maha season itself. During the visit of President Rajapaksa, we have agreed to take up the rehabilitation of war widows in Batticaloa in Eastern Sri Lanka with the involvement of Self-Employed Women's Association (SEWA).

As Sri Lanka transitions from the humanitarian to the rehabilitation and reconstruction stage, India has come forward with substantial and generous assistance to help Northern and Eastern Sri Lanka.

During the recent visit of President Rajapaksa to India, we announced a major initiative to support a programme for construction of 50,000 houses. We will soon launch a pilot project of 1000 houses. We have set aside an amount of nearly US\$ 800 million as Lines of Credit for undertaking the reconstruction of railway infrastructure in northern Sri Lanka. Contracts for three of these railways lines have already been signed. Just as the work on the Indian-assisted railway project between Galle and Matara in South Sri Lanka is ahead of schedule, I am confident that these railway projects will also be completed expeditiously.

Developments of human resources in Sri Lanka have always received the priority attention by Government. Apart from the two vocational training centres established earlier at Hatton and Puttalam, Government has decided to assist Sri Lanka in setting up vocational training centres in Northern, Eastern and Central Sri Lanka in tune with their requirements. India would extend assistance for the rehabilitation of Kankesanthurai harbour as well as renovate the Duraiappah stadium and construct a Cultural Centre in Jaffna to revive cultural activities in that city. As a part of our assistance for an integrated development, we would also assist in repairing schools, hospitals and other community facilities in the region. I would also like to add that our traditional assistance to the Indian-origin Tamils in Sri Lanka will not only continue but also be expanded.

I would like to assure this august House that India is doing all it can to assist the Government of Sri Lanka to rehabilitate the Sri Lankan IDPs. The establishment of the Consulate General of India in Jaffna will also help in this process. I have no doubt that our contribution has been crucial in their humanitarian and resettlement efforts and will continue to play a significant role in the future as well for restoring normalcy in the lives of these IDPs in Northern and Eastern Sri Lanka.

SHRI T.R. BAALU (Sriperumbudur): Madam, with great anguish and mental agony I would like to draw the attention of the Government of India, through the august House, about the sad plight of Sri Lankan Tamils.

Madam, this Calling Attention is not only intended to demand from the Government of India to extend more help but also to request the Government to prevail upon the Government of Sri Lanka to see to it that the money sent to them, or any such help that is being extended, is spent properly. The Government of Sri Lanka should be held accountable. The money that has already been sent has not been utilized properly.

The sad plight of the Sri Lankan Tamils living in the Northern and Eastern provinces of Sri Lanka is unheard of in the entire history of the world. The Tamilians living in Northern and Eastern provinces of Sri Lanka have suffered a lot. They were subjected to devastating miseries during the civil war that long lasted for more than

25 years. This arms struggle started because of the large scale discrimination against the Sri Lankan Tamils who were deprived of education and the employment opportunities. The Tamilians living there were considered as the second-rate citizens in their own country.

Madam, Indian Tamils, led by my beloved leader, Dr. Kalaignar Karunanidhi, had been conducting agitations like *dharnas*, Hunger Strikes, *Rail Roko and Road Roko* to draw the attention of the Government of India and the world—but it has not been able to catch the attention of the Sri Lankan administration. He wanted to draw the attention of the United Nations to this effect. He collected one crore signatures which along with a Memorandum were submitted to the Secretary-General of United Nations but all this has not prevailed upon the Sri Lankan administration.

Madam, though the civil war has ended the reasons that led to the war still exist. The poor children of Sri Lankan Tamils are not yet given the right of education or the employment opportunities. Tamil language itself is being considered as the second-rate language. For the information of this House, the Tamilians are being treated as the second-class citizens. They are not bestowed with the normal life. About 52,000 Sri Lankan Tamils are still behind the barbed wire fencing. They are yet to recover from the trauma of war. The state of emergency still exists in Sri Lanka. The security forces of Sri Lanka say that the threat of LTTE still exists. They are saying this to keep surveillance blanket on Sri Lankan Tamils; to keep on deploying the armed personnel in Northern and Eastern provinces of Sri Lanka.

On July 29, 1987, our great and a beloved leader, Shri Rajiv Gandhi, had brought Mr. Jayawardhane to the negotiation table to see that Indo-Sri Lanka Accord is made. What has happened to the Indo-Sri Lanka Accord? We have lost one of the giant and the most beloved leaders of this country who sacrificed his life for the same cause. The Indo-Sri Lanka Accord has not materialised. What has happened to the 13th amendment which the Sri Lankan Parliament had made? It has not been implemented. The political solution has not been achieved. They are fooling and ... (*Not recorded*) not only India but also the other world countries.

In a recent interview, Mr. Rajapaksa has said that there is no hurry to formulate a political solution. If there is a solution at all, it will be home grown. It will be home grown and not according to the Indian wisdom or the world wisdom or the US wisdom but it would be home grown. In the same interview, he has also said that they will take their own time to find a solution and that we cannot ask for an instant solution like instant noodles. This is what he has expressed in an interview. It means he is very much clear. He is not intending to go for a full political solution. The Sri Lankan President is not only ... India but also the whole world.

MADAM SPEAKER: Please expunge that word.

SHRI T.R. BAALU (Sriperumbudur) : India could not prevail upon the Sri Lankan Government to restore normalcy in spite of all their help of Rs. 500 crore

initially and of Rs. 800 million US dollars for the construction of infrastructural facilities in the North-East region. Nothing is happening.

I would like to submit that on 15.4.2010, 1,94,590 persons were resettled which means they came out of the camps but not yet settled. They have not yet gone to their home towns where they want to go. They came out of the barbed wire fencing. On the request of my Leader, Dr. Kalaignar Karunanidhi, Hon. Prime Minister and Madam Soniaji, a delegation visited Sri Lanka, The Indian Government permitted us to go there to have an on the spot study. The Congress MPs and MPs belonging to DMK and VCK of Tamil Nadu went there. We had seen the torn out plastic sheet tents there. They were leaking. Children and old people were lying on the ground and they were subjected to health hazards. Even after that, things have not improved. You said that 30,000 to 35,000 people are there. I do not want to contest the figure but even today more than 52,000 people are stranded there in the barbed wire fencing. I would like to draw the attention of the august House and the Government of India that when we, all the ten Members visited there, we were taken to the camps but not to the 14 camps wherein children aging 10 to 14 years, were kept in duress under the military custody. We were not taken to that particular areas. They say that these young children have been trained by the LTTE. Even if they were trained by LTTE, they should be treated humanly.

They should not be subjected to any coercive methods. The Government of India should supervise that. Now, if there is any real truth in that; if realistically such things are going on, then the Government of India should come forward and see to it that these people are taken care of.

Madam, the Sri Lankan Government shall be prevailed upon by Government of India to have a political solution at least now as per the 13th Amendment. The innocent children kept in duress in military camps should be released immediately. There should be rehabilitation of the IDPs. Around 52,000 people living behind the barbed wire fencing and should be sent back to their destinations. There were around 30,000 Muslims kept separately, in the district of Puttalam during the struggle. They now want to return to their homes. Those people should be sent back to their homes safely and their re-settlement should be done properly. The Government of India should send an Emissary so that he can go and see as to what is happening there and also assess the ground reality and report to the Government of India so that proper action can be taken.

Madam, it is now the monsoon season and there are torrential rains especially in the northern end of Sri Lanka. So, I would like the Government of India to see that these people are settled quickly; settlement means not shifting the people from one camp to another camp. The re-settlement as is being said by the Sri Lankan people is not actually re-settlement in the true sense. People are being shifted from 'x' camp to 'y' camp. The same kind of conditions as prevailed in the 'x' camp is there in the 'y' camp as well.

Madam, I would like to thank the Government of India for having done so much. The pragmatic approach of the Government of India is appreciated. But at the same time the Government of India should prevail upon the Sri Lankan Government to see that normalcy is restored immediately for a better life of Sri Lankan Tamils.

*SHRI A. GANESHAMURTHI (Erode): Madam Speaker, while thanking you for this opportunity I would like to put forth certain points to call the attention of the Government and to know whether the displaced and distressed Sri Lankan Tamils have been sent back to their homeland areas inhabited by them prior to their being put in the makeshift camps within the confines of barbed wires.

Both the Minister and Baalu came out with certain statistical figures. It has been stated that the Sri Lankan Tamils have been sent back from the refugee camps to their traditional areas where they were residing for long, but it is far from truth. The Minister has also come out with a list of help and assistance from our end and information about the fund allocations made, amount spent and rehabilitation measures taken by our Government to Sri Lanka. Our Foreign Minister's statement is like claiming to have tasted sweetness after tasting with the tongue a piece of paper having written on it the word 'sugar'. The fact remains that the displaced Sri Lankan Tamils who were forced to live in the inhuman makeshift camps have not been shifted back to the areas in which they were originally residing and leading their lives.

We get to know of this from the world media. Press freedom has been curtailed and not much is known to the outside world about the real situation prevailing over there in Eelam. Journalists are prevented from going near the camps. Even a team of our MPs who went there were not taken to places beyond a point. The facts about the real situation could not be gathered easily because there is a kind of iron curtain. There is now a world beyond the iron curtain. This is the situation of Tamils in Sri Lanka. NGOs from several parts of the world are spreading information from what they have heard and seen in bits and pieces.

Tamils who are the sons of the soil, Eelam have been made to live like secondary citizens in Sri Lanka. The Sri Lankan Tamils will not have an area of their own to live in. Justice and rehabilitation cannot be expected from Rajapaksa who has stated that there will not be Tamil homeland any more.

MADAM SPEAKER: Please come up with your question.

SHRI A. GANESHAMURTHI (Erode): I am coming to it, Madam. Before that, there is a point to make. I would like to see for yourself as to how they can rehabilitate and how they will restore the lives of Tamils and how they will send them back to their traditional areas where they have been living all along. Tamils are denied of their rights. The Sinhalese Army is occupying the areas where Tamils used to live down the years. Sinhalese people are being settled to live there in the Tamil-dominated areas. I would like to know from the Government what supervisory or monitoring mechanism was evolved to watch the way in which our relief and rehabilitation assistance were spent. We know that they have not been spent on Tamils for whom

*Original in Tamil.

we had sent help. It is gathered that it is being spent on Sinhalese who are being settled in the places from which Tamils have been displaced. I urge upon the Government to understand the ground reality that our rehabilitation measures are not really rehabilitating the Tamils but only the Sinhalese people who are being settled there with the patronage of their Government. So, I urge upon the Government to immediately stop sending the relief materials and extending assistance.

The Government in Sri Lanka has resorted to genocide and is busy in wiping out the Tamil race displacing them from their birth places and traditional areas where they used to live. The Sri Lankan Government doesn't have a mind to help the Tamils to get back their life and livelihood again. There is a Government in Sri Lanka that denies permission even to a UNHCR team to visit those refugee camps. The fact remains that even UN teams are not allowed to ascertain the truth and the ground reality. We need to assess the human rights violations inflicted against the Tamils. At a time when even the UN teams are refused to monitor, how can the Government of India monitor and review the way in which our assistance is spent on the needy, Tamils who continue to remain as Internally Displaced Persons still? What are the efforts you have taken so far to ascertain facts? They are out to see that there is no race as Tamil race in the Sri Lankan soil. They are being systematically wiped to perish once and for all.

The Government there is being charged as Government of war criminals. Even the Government of India has been notified of this, but still our Government is extending assistance which is not really reaching the Tamils. Who do we hesitate to extend assistance to ascertain war crimes and human rights violations there? Our assistance, in fact, will be used against the Tamils and how can we continue to extend assistance? Will the Government of India realize that they have a responsibility to put an end to the elimination of a race in the neighbourhood? What is the yardstick you have with you to measure and ascertain the extent to which the assistance extended by us have been spent by the Sri Lankan Government? Will the Government of India take steps to send a fact finding team along with a Special Emissary to Sri Lanka? I would like to know whether the Government would include the representatives of various political parties, NGOs and human rights organizations.

SHRI P.R. NATARAJAN (Coimbatore) : Madam Speaker, I thank you for the opportunity which you have given to me to draw the attention of the House towards the fate of the Sri Lankan Tamils who are Internally Displaced Persons.

As mentioned in the statement of the hon. Minister, the team of experts did commendable work to fit artificial limbs to nearly 1400 persons and rehabilitation for war widows. Regarding infrastructure, railway work has been undertaken and India would extend assistance for the rehabilitation of Kankesanthurai harbour as well as renovate the Duraiappah Stadium and construct a Cultural Centre, new schools and

hospitals. These are the things which have been assured towards the infrastructure of the Sri Lankans.

I would like to ask a question through you, Madam, to the hon. Minister. A nation is part and parcel of the United Nations Organisation. The UNO has decided to have an inquiry on the war crimes committed by the Sri Lankan Army during the civil war whereas the Sri Lankan Government is not prepared to accept that inquiry. Will the Minister tell the House whether he believes the statement given by the Sri Lankan Government regarding the figures like 35,000 and so on? Do you believe that the figures are correct?

According to us, figures are honestly disclosed by our hon. Member, Shri T.R. Baalu, Even after six months, a team has visited Sri Lanka but they have not disclosed the facts before us. Now, our friend, Shri Baalu, has disclosed some figures honestly. Being second largest ally in the UPA-II, they have given some figures in the august House and I thank Shri Ballu for it.

Before I conclude, Madam, I request the Government through you that a team of Members of Parliament belonging to all political parties should be formed to monitor the rehabilitation work done by the Sri Lankan Government with the monetary help of the Indian Government. We request the hon. Minister through you for a formation of a Delegation consisting of Members of all parties to be sent to Sri Lanka to monitor the rehabilitation work there.

DR. M. THAMBIDURAI (Karur): Madam Speaker, thank you for giving me an opportunity to express my Party's views about the rehabilitation of the Sri Lankan Tamils in Sri Lanka.

Everybody knows that lakhs of Sri Lankan Tamils are suffering there. During and after the civil war, most of the people disposed of their properties and they are suffering a lot. But the Sri Lankan Government is not giving any importance to the rehabilitation of the Sri Lankan Tamils. The human rights organisations, the Red Cross and even the United Nations have not been allowed to see them.

I heard the Minister and I also read his Statement. I am disappointed with his Statement. It looks like a Statement not of a Minister, but of a Governor of Rotary Club, Lions Club, etc.

What exactly we want? This was made clear by my leader Hon. Amma Ms. J. Jayalalithaa when she said that "rights of Tamils living in Sri Lanka should be honoured, their rights should be respected and they should get equal status as that of the Sinhalese majority. The Government should ensure that the Tamils in the Island lead a peaceful life". This is our demand.

Towards this end, our beloved leader Rajiv Gandhi took a lot of efforts. In 1987, Rajiv Gandhi-Jayewardene Accord was signed. What happened to that Accord? What is the Government doing in the regard? Rajiv Gandhi lost his life because of his efforts to settle this Tamil issue.

The present Government must take some initiative to see that this problem is solved. Extending an assistance of Rs. 500 crore would not solve this problem. We have to see that Sri Lankan Tamils get equal rights and we have to see that they are properly settled there. Then only the problem will be solved.

Then, regarding the Army camps, what is now going on there? Now-a-days the Sri Lankan Government is doing it in a different way. In the name of defence, etc. they are occupying the Tamil areas and are setting the army camps there. The Sri Lankan Tamils are opposing that. But the Sri Lankan Government is not at all bothered.

Regarding the Rajiv Gandhi-Jayewardene Accord, they are not doing anything. Rajapaksa is ridiculing that. This is an insult to the Indian Government. Therefore, the Indian Government must become serious about this.

The United Nations' Secretary-General constituted a Tribunal and sent a team to Sri Lanka to see what is happening to the Sri Lankan Tamils and also to inquire into the killings of the innocent Tamils. But the Sinhala forces obstructed that. They have not allowed the Tribunal to go and see them.

Therefore, what I am requesting is that the Government must insist upon the Sri Lankan Government to allow the UN team to go and see what is happening there.

Some kinds of doubts are persisting in our minds and a sort of impression is being created in our minds. For example, the Indian Government gives an impression that it wants to promote bilateral relations with Sri Lanka bypassing the settlement of this issue. It appears that it wants to see this issue die a natural death. This is what I feel. Therefore, we have to see that the interest of Sri Lankan Tamils is safeguarded. That is more important. For that we have to take steps. An impression is being created that India is pursuing a strategy towards Sri Lanka at the cost of Tamils. That is the impression we are getting.

Our hon. Member said that a delegation of Tamil MPs had gone to Sri Lanka. Who were the Members of that so called delegation? Did it include Members from other parties? ...*(Interruptions)*

MADAM SPEAKER: Please let him speak.

...*(Interruptions)*

DR. M. THAMBIDURAI (Karur): You are telling that it was a delegation.

...*(Interruptions)*

MADAM SPEAKER: Nothing will go on record.

(Interruptions) ... (Not recorded)

MADAM SPEAKER: Let us have the Calling Attention.

...*(Interruptions)*

MADAM SPEAKER: Hon. Members, please sit down.

...*(Interruptions)*

DR. M. THAMBIDURAI (Karur): Please listen to me. ...*(Interruptions)* Give me a chance. ...*(Interruptions)* There was no Member from the Opposition parties; there was no journalist; and there was no representative from the human rights organizations in that delegation.

The hon. Prime Minister has not responded to that. ...*(Interruptions)* They never mentioned as to what has happened there and whether any solution was found for this problem. ...*(Interruptions)* The delegation went there. They got some regards and mementoes. That is all. They have not solved any problem. ...*(Interruptions)*

MADAM SPEAKER: Nothing will go on record.

(Interruptions) ...*(Not recorded)*

MADAM SPEAKER: Shri P. Lingam.

...*(Interruptions)*

MADAM SPEAKER: Please take your seat.

...*(Interruptions)*

DR. M. THAMBIDURAI (Karur): India should take into consideration the aspirations of 6-7 crore of Tamil population. It will be counter-productive if we do not respect their hopes and aspirations. Sri Lankan Tamils should not be allowed to die a natural death. India should necessarily take up the matter with the Sri Lanka and find an amicable political solution to the Sri Lankan problems, and to rehabilitate the suffering Tamils living in refugee camps in that Island nation. ...*(Interruptions)*

Madam, as my hon. Leader Hon. Amma J. Jayalalithaa requested, we would request the Government to send a delegation, consisting of all the parties, to see the suffering of the Tamils there and try to remove them. ...*(Interruptions)*

Thank you.

MADAM SPEAKER: Shri P. Lingam.

*SHRI P. LINGAM (Tenkasi): Madam Speaker, in our neighbouring Sri Lanka, Tamils have been rendered as Internally Displaced Persons languishing in refugee camps maintained by their army and I would like to draw the attention of this august House about the plight of Tamils who have been rendered so in their own country as secondary citizens. Through you, I would like to draw the attention of the Government and make certain points.

Violating international norms meant for refugee camps and subjecting the inmates in an inhuman condition ignoring human rights, the Sri Lankan Government has put behind the barbed fences in the open their own Tamil citizens. Through this

*Original in Tamil.

august House, we have apportioned funds and sent to Sri Lanka to carry out relief and rehabilitation measures much required by the hapless Tamils there. We now find that the Minister has come out with a statement mentioning about the works that are going on as stated by the Sri Lankan authorities. It is evident that proper supervising or monitoring or a review has not been carried out by Our Government about the way in which the funds sent from here have been spent to benefit the Tamils there. Through this Call Attention Motion, we would like to know whether true attention is paid to the problems of Sri Lankan Tamils languishing in IDP camps.

When we are pointing out that more than three lakhs of Sri Lankan Tamils are suffering, the Minister himself accepts that more than 35,000 people are yet to be rehabilitated and moved away from the IDP camps which are like concentration camps. I would like to know from the Government whether we can remain mute spectators to the sorry plight of Tamils there when they are made to remain still as displaced persons in their own country even after one year of the end of the war waged by their Government.

Hon. Speaker, our Foreign Policy to help establish peace in the lives of the people of the world, as carved out by Pandit Jawaharlal Nehru must guide us. Through Non-Aligned Movement, we have strived hard for world peace and harmony. When Sri Lankan Tamils are facing hardship and when peace has not been restored in their minds, how can we afford to ignore and how and why our Government seems to remain not bothered about the conditions prevailing there which does not augur well for own political situation in our country? There are people of two races in Sri Lanka and the Tamil race has been deprived of all its rights. When such a thing is going on in our own neighbourhood, in Sri Lanka, I cannot resist a question to ask of this Government as to what is our stand in the international affairs. I urge upon this Government to ensure a political settlement there. ...*(Interruptions)* I also urge upon the Government to send a Delegation consisting of Members from all the parties to visit Sri Lanka and to see the situation prevailing there for themselves. ...*(Interruptions)* At least, Madam Speaker can send a Parliamentary Delegation to see that our funds are spent properly on the Tamils there.

MADAM SPEAKER: Please conclude. Nothing will go on record. *(Interruptions) ... (Not recorded)*

MADAM SPEAKER: Please take your seat. Please conclude. Thank you so much. Please take your seat. ...*(Interruptions)*

MADAM SPEAKER: Please take your seat.

Nothing will go on record. Hon. Minister.

(Interruptions) ... (Not recorded)

MADAM SPEAKER: Nothing is going on record. Please take your seat.

(Interruptions) ... (Not recorded)

MADAM SPEAKER: Nothing is going on record except what the hon. Minister says.

(Interruptions) ... (Not recorded)

MADAM SPEAKER: Please take your seat. Nothing is going on record except what the hon. Minister says. Please sit down. It is not going on record.

(Interruptions) ... (Not recorded)

SHRI S.M. KRISHNA: Madam, Speaker a few concerns, with reference to the well-being of the Tamil Minorities in Sri Lanka, have been expressed by the hon. Members. The Government shares the concern of the hon. Members and it is our endeavour to see that a just and fair settlement of all the outstanding issues between the Sri Lankan Tamils and the Sri Lankan Government will be arrived at so that there is amity, peace and harmony amongst the people of Sri Lanka.

Very recently, President Rajapaksa was in Delhi and the Prime Minister did take up with President Rajapaksa the need for a meaningful devolution package, building further on the 13th Amendment and beyond. We will certainly stay engaged with the Government of Sri Lanka. The Government will continuously monitor the situation there. Shri Baalu mentioned about the figures, the people who are in the camps but the figure, as has been conveyed to us, is around 35,000-40,000.

Then, there are other hon. Members who have given a picture saying that still there are much more than the figures that I have mentioned here. Well, we will continuously monitor whatever is happening on that front. I would like to reiterate that the assistance that is given by India reaches to the beneficiaries. Let us not forget that we are dealing with a friendly Government. Sri Lanka is a friendly country with India with whom we have various generational contacts.

DR. M. THAMBIDURAI (Karur): May I submit one point? ...*(Interruptions)*

THE MINISTER OF EXTERNAL AFFAIRS (SHRI S.M. KRISHNA): Let me complete and then you can speak. ...*(Interruptions)*

MADAM SPEAKER: Please take your seat. Let the Minister reply. Thambidurai Ji, let the Minister reply.

THE MINISTER OF EXTERNAL AFFAIRS (SHRI S.M. KRISHNA): Madam Speaker, I am not yielding*(Interruptions)* Let me complete.

You can certainly, with the permission of the Chair, ask question.

Now, doubts have been expressed whether the beneficiaries have received the aid which has been sent by the Government of India. Well, we are heavily depending upon the International Red Cross and then the United Nations High Commissioner for Refugees to constantly monitor whatever aid that has been given by India to the Sri Lankan Tamils. So, they are closely monitoring the aid that has been given by India to Sri Lanka and then we depend upon them, and then based on

their assessment, which is being given to us periodically, we take it up with the Government of Sri Lanka.

A mention was made that the Government should keep engaged with the Sri Lankan Government. A senior official from the Ministry of External Affairs is visiting Sri Lanka very soon and then, I myself am planning to go to Sri Lanka some time in the course of the end of the month or certainly next month which will certainly give me an opportunity. Perhaps, the senior level officer, who will be going before me to Sri Lanka, would be given an opportunity to find out what exactly the facts are, and then based on those facts, which will come to our notice, and then depending upon whatever information that has been provided to us by the hon. Members in the course of their statements made on the floor of this House, I will certainly take it up with the Government of Sri Lanka.

There was a mention about a delegation of members of Parliament who went to Sri Lanka.

Let me clarify that the Delegation was sent by the political parties—the Congress and the DMK. Nothing prevented the other political parties also from going to Sri Lanka ...*(Interruptions)*. When an occasion comes, you do not offer yourself to go there but you always try to find fault whenever somebody goes to act in order to help the Tamils in Sri Lanka ...*(Interruptions)*. So, as a result of this—my visit there and then the senior official from the External Affairs Ministry visiting Sri Lanka—I do not think the time is ripe for the Parliamentary Delegation to visit Sri Lanka at this point of time ...*(Interruptions)*

MADAM SPEAKER: Now, the House will take up the next item, Item No. 17—Shri P.K. Bansal.

...*(Interruptions)*

SHRI T.R. BAALU (Sriperumbudur): Madam, I want to ask a question ...*(Interruptions)*

MADAM SPEAKER: The hon. Minister has replied to that. You have already asked the question.

...*(Interruptions)*

SHRI T.R. BAALU (Sriperumbudur): All that we wanted is to have a political settlement and the implementation of the 13th Amendment. What is the reaction of the Central Government? I would like to know whether the Government has got any reliable information from the Government of Sri Lanka in this regard ...*(Interruptions)*

SHRI S.M. KRISHNA: Madam, I did point out that the hon. Prime Minister made particular references to the 13th Amendment and beyond when President Rajapaksa visited India. So, the Government of India's stand is that a settlement which is acceptable to the Tamil minorities of Sri Lanka within the ambit of the

13th Amendment and beyond has to be worked out so that peace and tranquility is restored in Sri Lanka ...*(Interruptions)*

MADAM SPEAKER: The House will now take up Item No. 17.

...*(Interruptions)*

MADAM SPEAKER: I gave him a chance because he is the one who has raised it.

...*(Interruptions)*

MADAM SPEAKER: This will go on endlessly. Everyone will ask a question now. You were supposed to ask a question when you were speaking. At that time, you gave a long lecture and did not ask a question.

...*(Interruptions)*

DR. M. THAMBIDURAI (Karur): Madam, my point is this. The hon. Minister himself has stated that the time is not still ripe for the Parliamentary Delegation to visit Sri Lanka ...*(Interruptions)*... It means that still the situation is in a fluid condition and the Tamils are not properly treated and have not properly been rehabilitated ...*(Interruptions)*. In that case, I would like to know when the time is going to be ripe to take an All-Party Delegation to Sri Lanka to see that the Tamils are rehabilitated ...*(Interruptions)*.

MADAM SPEAKER: All right. in future, I suppose you can take care of that during the next visit. Thank you very much.

APPENDIX IX

GOVERNMENT OF INDIA

MINISTRY OF EXTERNAL AFFAIRS

LOK SABHA UNSTARRED QUESTION NO. 312

ANSWERED ON 10.11.2010

e-Passport

312. SHRI K.C. VENUGOPAL:

Will the Minister of EXTERNAL AFFAIRS be pleased to state:

- (a) whether the Government has any plan to introduce e-passport system from current year, on the basis of successful completion of e-passport pilot project;
- (b) if so, the details thereof;
- (c) whether the Government plan to issue e-passport to all applicants, who are applying for passports from next year; and
- (d) if so, the details thereof?

ANSWER

THE MINISTER OF EXTERNAL AFFAIRS (SHRI S.M. KRISHNA): (a) No.

(b) Does not arise.

(c) & (d) Government is evaluating the feasibility of the e-passport project for ordinary category passport.

APPENDIX X

GOVERNMENT OF INDIA

MINISTRY OF EXTERNAL AFFAIRS

LOK SABHA UNSTARRED QUESTION NO. 2590

ANSWERED ON 17.08.2011

IMPACT of Turmoil in Gulf

†2590. PROF. RAM SHANKAR:

Will the Minister of EXTERNAL AFFAIRS be pleased to state:

(a) whether the Government has made any assessment on the impact of the turmoil in the gulf countries on India's interests;

(b) if so, the details thereof; and

(c) the details of the steps taken by the Government for the safety of life and property of Indian nationals in the gulf countries?

ANSWER

THE MINISTER OF STATE IN THE MINISTRY OF EXTERNAL AFFAIRS

(SHRI E. AHAMED): (a) Yes.

(b) India enjoys close relations with the countries of the Gulf region. About 6 million Indians live and work in the Gulf region which is one of our largest trading partners and an important source of oil and gas. There has been no visible impact of recent developments in the region on our bilateral trade including import of oil.

(c) Government of India is closely monitoring the situation in the Gulf region. Ministry of External Affairs is in close contact with governments through our Missions there to ensure the safety and well being of Indian nationals. Ministry of External Affairs had issued travel advisories for our nationals in Bahrain to avoid non-essential travel and to those in Yemen to leave the country. 698 Indian nationals have so far been evacuated from Yemen in view of civil disturbances during last six months. Missions are in close touch with the Indian community through Indian Associations advising them from time to time. 24/7 helplines are also available to our nationals. The Government has constituted an Inter-Ministerial Committee of Secretaries under the Chairmanship of Cabinet Secretary to examine issues relating to repatriation, relief and rehabilitation of Indian nationals affected by the recent

developments in West Asia, Gulf and North Africa regions. State Governments concerned have also been requested to assist the returnees and provide relief where necessary.

APPENDIX XI

GOVERNMENT OF INDIA

MINISTRY OF EXTERNAL AFFAIRS

LOK SABHA UNSTARRED QUESTION NO. 3657

ANSWERED ON 24.08.2011

Illegal Sale of Indian Passports

3657. SHRIMATI SUMITRA MAHAJAN:

Will the Minister of EXTERNAL AFFAIRS be pleased to state:

(a) whether cases of illegal sale of Indian passports have come to light from countries like America;

(b) if so, the details thereof and the number of persons held for their involvement in it; and

(c) the action taken or proposed to be taken in this regard by the Government of India?

ANSWER

THE MINISTER OF STATE IN THE MINISTRY OF EXTERNAL AFFAIRS (SMT. PRENEET KAUR): (a) to (c) A few cases of alleged forgery of Indian passports in the United States of America have been brought to the notice of the Government by the immigration and police authorities in Delhi. The concerned authorities have initiated the process to investigate the matter in order to apprehend the culprits.

APPENDIX XII

GOVERNMENT OF INDIA

MINISTRY OF EXTERNAL AFFAIRS

LOK SABHA UNSTARRED QUESTION NO. 4228

ANSWERED ON 02.05.2012

Purchase of sub-Standard Gifts

4228. SHRI GURUDAS DASGUPTA:
SHRI P. LINGAM:
SHRI NAVEEN JINDAL:

Will the Minister of EXTERNAL AFFAIRS be pleased to state:

(a) whether it is a fact that there had been irregularities in the protocol division of his Ministry involving buying of sub-standard gifts at inflated costs for presenting to foreign dignitaries by the Head of the State, Prime Minister and high-ranking officials;

(b) if so, the details thereof;

(c) whether any inquiry has been conducted into the matter; and

(d) if so, the details and the outcome thereof?

ANSWER

THE MINISTER OF STATE IN THE MINISTRY OF EXTERNAL AFFAIRS (SHRIMATI PRENEET KAUR): (a) & (b) It came to the notice of the Ministry in May 2011 that some of the gifts being procured by the Protocol Division of the Ministry were not of the desired quality and specification.

(c) & (d) A preliminary inquiry was conducted into the matter by the Ministry which could not establish prima facie and involvement or complicity of officials of the Ministry. A detailed investigation into the matter has thereafter been entrusted to the Central Bureau of Investigation (CBI), which is ongoing.

APPENDIX XIII

GOVERNMENT OF INDIA

MINISTRY OF EXTERNAL AFFAIRS

LOK SABHA UNSTARRED QUESTION NO. 2343

ANSWERED ON 05.02.2014

Domestic Help for Diplomats

2343. SHRI RUDRA MADHAB RAY:

Will the Minister of EXTERNAL AFFAIRS be pleased to state:

(a) whether there is any proposal to change the status of domestic assistants like maids helping Indian diplomats posted in foreign countries;

(b) if so, the details thereof; and

(c) the legal, financial and visa status implications of Government hiring domestic assistants on contract?

ANSWER

THE MINISTER OF STATE IN THE MINISTRY OF EXTERNAL AFFAIRS (SHRIMATI PRENEET KAUR): (a) Yes.

(b) & (c) Ministry of External Affairs is considering various policy options with regard to the revision of framework for India-Based Domestic Assistants (IBDAs). Inter-ministerial consultations are currently underway to study implications of the various proposals.

APPENDIX XIV

GOVERNMENT OF INDIA

MINISTRY OF EXTERNAL AFFAIRS

LOK SABHA UNSTARRED QUESTION NO. 3379

ANSWERED ON 12.02.2014

Policy for Domestic Help of Diplomats

3379. SHRID.B. CHANDRE GOWDA:
SHRI S.R. JEYADURAI:

Will the Minister of EXTERNAL AFFAIRS be pleased to state:

- (a) whether there have been reports about alleged underpayment and ill-treatment of Indian employees including domestic helps by Indian diplomats in our missions abroad;
- (b) if so, the details thereof, mission-wise;
- (c) whether there is a proposal to formulate a policy for domestic help; and
- (d) if so, the details thereof and the time likely to be taken to implement this policy?

ANSWER

THE MINISTER OF STATE IN THE MINISTRY OF EXTERNAL AFFAIRS (SHRIMATI PRENEET KAUR): (a) & (b) Government has seen such reports. However, the veracity of such allegations has not been established.

(c) Yes.

(d) Ministry of External Affairs is considering various policy options with regard to India-Based Domestic Assistants. Inter-ministerial consultations are currently underway to study implications of the various proposals.

APPENDIX XV

GOVERNMENT OF INDIA

MINISTRY OF EXTERNAL AFFAIRS

LOK SABHA UNSTARRED QUESTION NO. 814

ANSWERED ON 16.07.2014

Imphal and Mandalay Bus Service

814. SHRI TARIQ ANWAR:

Will the Minister of EXTERNAL AFFAIRS be pleased to state:

(a) whether the Government proposes to launch a weekly cross-border bus service between Imphal in Manipur and Mandalay in Central Myanmar;

(b) if so, the details thereof;

(c) whether the modalities for finalizing the MoU in this regard have been completed;

(d) if so, the details thereof; and

(e) the time by which the said bus service is likely to become fully operational?

ANSWER

THE MINISTER OF STATE IN THE MINISTRY OF EXTERNAL AFFAIRS (GEN. RETD. V.K. SINGH): (a) to (e) Government is engaged in discussions with the Government of Myanmar on starting a cross-border bus service between Imphal in Manipur and Mandalay in Myanmar. In this regard, provisions of the MoU on the bus service and a draft Protocol on operational modalities are being discussed with the Myanmar side.

APPENDIX XVI

GOVERNMENT OF INDIA

MINISTRY OF EXTERNAL AFFAIRS

LOK SABHA UNSTARRED QUESTION NO. 1917

ANSWERED ON 23.07.2014

Extradition of Kimdavy

1917. DR. KIRIT SOMAIYA:

Will the Minister of EXTERNAL AFFAIRS be pleased to state:

(a) whether any fresh proposal has been received by the Government for the extradition of Kim Davy, the prime accused in the Purulia Arms Drop case;

(b) if so, the details thereof;

(c) whether any talks have been held between Denmark and India on this proposal; and

(d) if so, the response of the Danish Government in this regard?

ANSWER

THE MINISTER OF STATE IN THE MINISTRY OF EXTERNAL AFFAIRS (GEN. RETD. V.K. SINGH): (a) & (b) Yes. On 22.4.2014, the then Union Home Minister approved sending a fresh extradition request regarding Kim Davy to the Government of Denmark, Consequently, DIG & Head of Branch, CBI (SCB), Kolkata (West Bengal) has submitted a fresh extradition proposal of Kim Davy to the Ministry of Home Affairs on 24.06.2014. The extradition proposal is under examination of the Ministry of Home Affairs.

(c) & (d) A meeting between the Danish and Indian delegations was held on March 7, 2013 in New Delhi to explain the legal position related to the extradition issue. The Danish delegation informed that the Indian Government may make a fresh attempt if any new facts had arisen in the case apart from those already brought out in the earlier request made in April 2002.

APPENDIX XVII

GOVERNMENT OF INDIA

MINISTRY OF EXTERNAL AFFAIRS

LOK SABHA UNSTARRED QUESTION NO. 2781

ANSWERED ON 30.07.2014

Recruitment of Diplomats

2781. SHRIRAJU SHETTI:

Will the Minister of EXTERNAL AFFAIRS be pleased to state:

(a) the category-wise and country-wise number of Indian ambassadors posted abroad as on date;

(b) the total number of posts of ambassadors lying vacant country-wise and the time since when these posts have been lying vacant and the time by which these posts are likely to be filled;

(c) the total number of ambassadors from the Indian Foreign Service, Indian Administrative Service and those who are not from Government service;

(d) whether the Government is planning to recruit diplomats from the academia and the private sector to work in Indian Embassies abroad and if so, the details thereof; and

(e) whether any guidelines have been prescribed for such recruitment and if so, the details thereof along with the time by when the recruitment process is likely to be initiated?

ANSWER

THE MINISTER OF STATE IN THE MINISTRY OF EXTERNAL AFFAIRS [GEN. (DR.) V.K. SINGH (RETD.)]: (a) As on date, 86 Ambassadors, 28 High Commissioners and 5 Permanent Representatives in the rank of Ambassador are posted in 114 countries abroad. These Ambassadors belong to Grade I, II, III and IV of the Indian Foreign Service, non-career officers and officers from the Interpreter cadre in Ministry of External Affairs.

(b) Eight posts of Ambassadors are lying vacant in the following countries:

- i. Angola—vacant since February, 2014
- ii. Botswana—vacant since June, 2014

- iii. Congo—vacant since April, 2014
- iv. Madagascar—vacant since April, 2014
- v. Mali—vacant since December, 2011
- vi. South Sudan—vacant since July, 2014
- vii. Syria—vacant since December, 2012
- viii. Zimbabwe—vacant since July, 2014

These vacancies are expected to be filled in the next few months. At present, these Missions are being handled by Charge d' Affaires (acting Ambassador).

(c) There are 111 Ambassadors from the Indian Foreign Service, 1 (one) from the Indian Administrative Service. Besides this, there are five non-career Ambassadors.

(d) At present, there is no diplomat from the academia or from the private sector working in Indian embassies abroad.

(e) No.

APPENDIX X VIII

GOVERNMENT OF INDIA

MINISTRY OF EXTERNAL AFFAIRS

LOK SABHA UNSTARRED QUESTION NO. 4998

ANSWERED ON 13.08.2014

Gas Pipeline with BRICS

4998. SHRI SISIR KUMAR ADHIKARI:

Will the Minister of EXTERNAL AFFAIRS be pleased to state:

- (a) whether the Government proposes to set up a giant gas pipeline with the core members of the BRICS country group;
- (b) if so, the details of the said proposal;
- (c) whether this matter came up for discussion during the recently concluded BRICS summit; and
- (d) if so, the response of the member Countries thereto?

ANSWER

THE MINISTER OF STATE IN THE MINISTRY OF EXTERNAL AFFAIRS [GEN. (DR.) V.K. SINGH (RETD.)]: (a) to (d) Russia has circulated a paper which proposes a BRICS Economic Cooperation Strategy which *inter alia* includes a proposal for implementation of projects on energy infrastructure development including oil and gas pipelines. The BRICS Leaders at the recently concluded 6th Summit in Brazil in July, 2014 referred the paper to BRICS sherpas (Senior Officials) for advance discussions.

APPENDIX XIX

GOVERNMENT OF INDIA

MINISTRY OF EXTERNAL AFFAIRS

LOK SABHA UNSTARRED QUESTION NO. 468

ANSWERED ON 26.11.2014

Visa-on-Arrival

468. SHRIDILEEP SINGH BHURIA:

Will the Minister of EXTERNAL AFFAIRS be pleased to state:

(a) the details of countries which have extended the facility of visa-on-arrival to Indian passport holders who visit those countries;

(b) whether any proposal is under consideration of the Government to provide visa-on-arrival facility to foreign tourists who visit India and if so, the details thereof; and

(c) the names of those countries where passports are not required by Indians to visit them?

ANSWER

THE MINISTER OF STATE IN THE MINISTRY OF EXTERNAL AFFAIRS [GEN. (DR.) V.K. SINGH (RETD.)]: (a) Thailand, Cambodia, Hong Kong, Indonesia, Jordan, Maldives, Macau, Timor Leste, Ethiopia, Madagascar, Seychelles, Kenya, Mozambique, Djibouti, Guinea-Bissau, Mauritius, Sao Tome & Principe, Tanzania, Uganda, Burundi, Cape Verde, Comoros, Egypt, Gambia, Togo, Jamaica, El Salvador, Saint Kitts and Nevis, St. Lucia, Bolivia, Guyana, Fiji, Samoa, Nauru, Tuvalu.

Besides the countries mentioned above, Indians can also obtain visa-on-arrival in the following 23 countries subject to them being pre-cleared before arrival in the country. These countries are Albania, Azerbaijan, Cameroon, DR Congo, Eritrea, Gabon, Georgia, Ghana, Iran, Israel, Kazakhstan, Kyrgyzstan, Lebanon, Liberia, Mali, Mongolia, Myanmar, Sierra Leone, Sri Lanka, Suriname, Tajikistan, Turkmenistan and Vietnam.

(b) Nationals of the following 12 countries are already granted visa-on-arrival for a single entry and stay upto 30 days in India when travelling as tourists or visiting family or friends. These are Cambodia, Finland, Indonesia, Japan, Laos, Luxembourg, Myanmar, New Zealand, Philippines, Singapore, South Korea, Vietnam.

In addition to this, the Government is contemplating introduction of 'Tourist Visa-on-Arrival', enabled with 'Electronic Travel Authorisation' for a few more countries where the visitors shall be allowed a single entry and stay upto 30 days in India as tourists or casual visitors. The list of countries is being considered.

(c) Nepal and Bhutan.

APPENDIX XX

(Vide para 5 of the Report)

EXTRACTS FROM MANUAL OF PRACTICE & PROCEDURE IN THE GOVERNMENT OF INDIA, MINISTRY OF PARLIAMENTARY AFFAIRS, NEW DELHI

Definition	<p>8.1 During the course of reply given to a question or a discussion, if a Minister gives an undertaking which involves further action on the part of the Government in reporting back to the House, it is called an 'assurance'. Standard list of such expressions which normally constitute assurances and as approved by the Committees on Government Assurances of the Lok Sabha and the Rajya Sabha, is given at <i>Annexure 3</i>. As assurances are required to be implemented within a specified timelimit, care should be taken by all concerned while drafting replies to the questions to restrict the use of these expressions only to those occasions when it is clearly intended to give an assurance in these terms.</p> <p>8.2 When an assurance is given by a Minister or when the Presiding Officer directs the Government to furnish information to the House, it is extracted by the Ministry of Parliamentary Affairs from the relevant proceedings and communicated to the department concerned normally within 10 working days of the date on which it is given.</p>
Deletion from the list of assurances	<p>8.3.1 If the administrative department has any objection to treating such a statement as an assurance or finds that it would not be in the public interest to fulfil it, it may write to the Lok Sabha/Rajya Sabha Secretariat direct with a copy to the Ministry of Parliamentary Affairs within a week of the receipt of such communication for getting it deleted from the list of assurances. Such action will require prior approval of the Ministry.</p> <p>8.3.2 Departments should make request for dropping of assurances immediately on receipt of statement of assurances from the Ministry of Parliamentary Affairs and only in rare cases where they are fully convinced that the assurances could not be implemented under any circumstances and there is no option left with them but to</p>

	<p>make a request for dropping. Such requests should have the approval of their Minister and this fact should be indicated in their communication containing the request. If such a request is made towards the end of the stipulated period of three months, then it should invariably be accompanied with a request for extension of time. The department should continue to seek extension of time till a decision of the committee on Government Assurances is received by them. Copy of the above communications should be simultaneously endorsed to the Ministry of Parliamentary Affairs.</p>
Time limit for fulfilling and assurance	<p>8.4.1 An assurance given in either House is required to be fulfilled within a period of three months from the date of the assurance. This time limit has to be strictly observed.</p>
Extension of time for fulfilling an assurance	<p>8.4.2 If the department finds that it is not possible to fulfil the assurance within the stipulated period of three months or within the period of extension already granted, it may seek further extension of time direct from the respective Committee on Government Assurances under intimation to the Ministry of Parliamentary Affairs as soon as the need for such extension becomes apparent, indicating the reasons for delay and the probable additional time required. Such a communication should be issued with the approval of the Minister.</p>
Registers of assurances	<p>8.5.1 The particulars of every assurance will be entered by the Parliament Unit of the department concerned in a register as at <i>Annexure 4</i> after which the assurance will be passed on the concerned section.</p> <p>8.5.2 Even ahead of the receipt of communication from the Ministry of Parliamentary Affairs, the section concerned should take prompt action to fulfil such assurances and keep a watch thereon in a register as at <i>Annexure 5</i>.</p> <p>8.5.3 The registers referred to in paras 8.5.1 and 8.5.2 will be maintained separately for the Lok Sabha and the Rajya Sabha assurances, entries therein being made session-wise.</p>
Role of Section Officer and Branch Officer	<p>8.6.1 The Section Officer incharge of the concerned section will:</p> <p>(a) scrutinise the registers once a week;</p> <p>(b) ensure that necessary follow-up action is taken without any delay whatsoever;</p>

(c) submit the register to the branch officer every fortnight if the House concerned is in session and once a month otherwise, drawing his special attention to assurances which are not likely to be implemented within the period of three months; and

(d) review of pending assurances should be undertaken periodically at the highest level in order to minimise the delay in implementing the assurances.

8.6.2 The branch officer will likewise keep his higher officer and Minister informed of the progress made in the implementation of assurances, drawing their special attention to the causes of delay.

Procedure for fulfilment of an assurance **8.7.1** Every effort should be made to fulfil the assurance within the prescribed period. In case only part of the information is available and collection of the remaining information would involve considerable time, an implementation report containing the available information should be supplied to Ministry of Parliamentary Affairs in part scrutinize of the assurance, within the prescribed time limit. However, efforts should continue to be made for expeditious collection of the remaining information for complete implementation of the assurance at the earliest.

8.7.2 Information to be supplied in partial or complete fulfilment of an assurance should be approved by the Minister concerned and 15 copies thereof (bilingual) in the prescribed proforma as at *Annexure 6*, together with its enclosures, along with one each in Hindi and English duly authenticated by the officer forwarding the implementation report, should be sent to the Ministry of Parliamentary Affairs. If, however, the information being furnished is in response to an assurance given in reply to a question etc., asked for by more than one member, an additional copy of the completed proforma (both in Hindi and English) should be furnished in respect of each additional member. A copy of this communication should be endorsed to the Parliament Unit for completing column 7 of its register.

8.7.3 The implementation reports should be sent to the Ministry of the Parliamentary Affairs and not to the Lok Sabha/Rajya Sabha Secretariat. No advance copies of the implementation reports are to be endorsed to the Lok Sabha/Rajya Sabha Secretariat either.

Laying of the implementation report on the Table of the House	8.8 The Ministry of Parliamentary Affairs, after a scrutiny of the implementation report, will arrange to lay it on the Table of the House concerned. A copy of the statement, as laid on the Table, will be forwarded by the Ministry of Parliamentary Affairs to the member as well as the department concerned. The Parliament unit of the department concerned and the concerned section will, on the basis of this statement, make a suitable entry in their registers.
Obligation to lay a paper on the Table of the House <i>vis-a-vis</i> assurance on the same subject	8.9 Where there is an obligation to lay any paper (rule/order/notification, etc.) on the Table of the House and for which an assurance has also been given, it will be laid on the table, in the first instance, in fulfilment of the obligation, independent of the assurance given. After this is done, a report in formal implementation of the assurance indicating the date on which the paper was laid on the Table will be sent to the Ministry of Parliamentary Affairs in the prescribed proforma (<i>Annexure 6</i>) in the manner already described in para 8.7.2.
Committees on Government Assurances LSR 323, 324 RSR 211-A	8.10 Each House of Parliament has a Committee on Government Assurances nominated by the the Speaker/ Chairman. It scrutinized the implementation reports and the time taken in the scrutinized of Government assurances and focusses attention on the delays and other significant aspects, if any, pertaining to them. Instructions issued by the Ministry of Parliamentary Affairs from time to time are to be followed strictly.
Reports of the Committees on Government Assurances	8.11 The department will, in consultation with the Ministry of Parliamentary Affairs, scrutinize the reports of these two committees for remedial action wherever called for.
Effect on assurances on dissolution of the Lok Sabha	8.12 On dissolution of the Lok Sabha, all assurances, promises or undertakings pending implementation are scrutinized by the new Committee on Government assurances for selection of such of them as are of considerable public importance. The Committee then submits a report to the Lok Sabha with a specific recommendation regarding the assurances to be dropped or retained for implementation by the Government.

MINUTES

TWELFTH SITTING

MINUTES OF THE SITTING OF THE COMMITTEE ON GOVERNMENT
ASSURANCES (2014-2015) HELD ON 21.07.2015 IN COMMITTEE
ROOM 'B', PARLIAMENT HOUSE ANNEXE, NEW DELHI.

The Committee sat from 1500 hours to 1815 hours on Tuesday, 21 July, 2015.

PRESENT

Dr. Ramesh Pokhriyal Nishank—*Chairperson*

MEMBERS

2. Shri Rajendra Agrawal
3. Shri E. Ahamed
4. Shri Bahadur Singh Koli
5. Shri Prahlad Singh Patel
6. Shri Sunil Kumar Singh
7. Shri K.C. Venugopal

SECRETARIAT

- | | | |
|-------------------------|---|----------------------------|
| 1. Shri R.S. Kambo | — | <i>Joint Secretary</i> |
| 2. Shri U.B.S. Negi | — | <i>Director</i> |
| 3. Shri T.S. Rangarajan | — | <i>Additional Director</i> |
| 4. Shri Kulvinder Singh | — | <i>Committee Officer</i> |

*** **

Ministry of External Affairs

1. Dr. S. Jaishankar, Foreign Secretary
2. Shri Satish C. Mehta, DG (ICCR)
3. Ms. Monika Kapil Mohta, Joint Secretary (South)
4. Ms. Tarika Roy, Director, (CE)
5. Ms. Suchitra Durai, Joint Secretary (SM & IOR)
6. Shri Muktesh K. Pardeshi, Joint Secretary (PSP & CPO)

7. Shri Arun K. Chatterjee, Joint Secretary (CNV)
8. Shri Jaideep Mazumdar, Joint Secretary (COP)
9. Shri Thanglura Darlong, Joint Secretary (Gulf)
10. Shri P. Kumaran, Joint Secretary (CPV)
11. Shri Sibi George, Joint Secretary (AD)
12. Ms. Sripriya Ranganathan, Joint Secretary (BM)
13. Ms. Nutan Kapoor Mahawar, Joint Secretary (Parl. Coord.)
14. Shri Charan Jeet Singh, Joint Secretary (MER)
15. Shri Puneet Agrawal, Joint Secretary (UNES)
16. Dr. Reeta Vasishth, Additional Secretary [(M/o Law & Justice (Legislative Department)]
17. Shri G.K. Dwivedi, Joint Secretary (F) MHA

Ministry of Parliamentary Affairs

1. Shri A. Manoharan, Deputy Secretary
2. Shri A.B. Acharya, Under Secretary

At the outset, the Chairperson welcomed the Members to the sitting of the Committee and apprised them regarding the day's agenda.

The representative of the Ministry of External Affairs were called to review ten assurances pertaining to them, which may be explained as under:—

(i) **USQ 5739 dated 03.05.2000 regarding Abolition of Torture (Sl.No. 1)**

The Committee were informed that MHA, being the nodal Ministry for the above subject was repeatedly requested to accept transfer of this Assurance but they declined to do so. Action on part of MEA for the ratification of UN Convention against torture and other cruel, inhuman degrading treatment or punishment cannot be completed till the completion of action involving national legislation which is being coordinated by MHA. *Vide* E-mails dated 24.06.2015 and 14.07.2015, an updated status was sought from MHA on the assurance. Further extension of time is being sought. MHA *vide* communication dated February 02, 2015 has stated that most of the States were of the opinion that adequate provisions already exist in the IPC and Cr. PC to deal with such issues and there is no need for a separate enactment and therefore suggested suitable amendment of certain sections IPC or insertion of new sections to deal with the issue more effectively. In the meantime, the Ministry of Parliamentary Affairs intimated that the Prevention of Torture Bill, 2010, which was passed by the House

of People but pending in the House of States, has lapsed on the dissolution of the 15th Lok Sabha on 18.05.2014. MHA has now decided not to enact a stand alone Bill on the subject of Prevention of Torture and instead has proposed to bring suitable amendments in the existing section of the IPC/ CrPC for strengthening the provisions relating to the offence of torture by the public servants. MHA has indicated that a Draft Cabinet Note, containing amongst other things the proposal to amend relevant Sections *e.g.* Sections 330 and 331 of the IPC pertaining to torture, has been sent by MHA to the Legislative Department, Ministry of Law and Justice, for drawing up the draft Amendment Bill. The draft Amendment Bill is awaited from the Legislative Department as per MHA. The Committee therefore desired that the matter be expedited and the pending assurance be implemented in a time bound manner.

(ii) **SQ 721 dated 17.05.2000 regarding New Department to Deal with NRIs & PIOs (Supplementary by Shri M.V.V.S. Murthi, M.P.) (Sl.No. 2).**

As regard to the above assurance the Ministry informed that the notice of the assurance was received from the Ministry of Parliamentary Affairs on 16th July, 2015 by fax on being enquired from the representatives of the Ministry of Parliamentary Affairs, they informed that the above assurance was not in the list of pending assurances maintained by them. The Committee expressed its deep concern and desired to know the reasons for non-communication of the assurance for a period of 15 years. The Committee directed that they be apprised of the reasons for this lapse.

(iii) **SQ 721 dated 17.05.2000 regarding New Department to Deal with NRIs & PIOs (Supplementary by Shri Balbir Singh, M.P.) (Sl.No. 3)**

As regard to the above assurance it was informed that the PIO card fees have been progressively brought down over the years and the PIO scheme has been merged into the OCI card scheme and the Implementation Report is under process for being forwarded to the Ministry of Parliamentary Affairs. The Committee therefore desired that the needful be done expeditiously.

(iv) **Calling Attention dated 11.12.2002 raised by (Shri Ramesh Chinnenthala, M.P.) regarding Problem being faced by Indian Working in Gulf Countries (Sl.No. 4)**

The Committee were informed that the Government of India had established Indian Community Welfare Fund (ICWF) in 18 Missions/Posts on 12.10.2009 and was later extended to another 24 countries on 30.04.2010. On 24.03.2011. The said fund has finally been established in all the Indian Missions/Posts abroad. Accordingly the Implementation Report has been furnished to the Ministry of Parliamentary Affairs on 18.06.2015. The Committee desired that the Implementation Report be laid expeditiously on the Table of the House.

(v) **USQ 2553 dated 22.07.2009 regarding Indian Assistance to Vietnam (Sl.No. 5)**

The Committee were informed that the Implementation Report of the above assurance has been furnished to the Ministry of Parliamentary Affairs and the same will be laid on the Table of the House.

(vi) **USQ 3214 dated 09.12.2009 regarding Irregularities in ICCR (Sl. No. 6)**

The Committee were informed that the case was investigated by CBI who filed the case in court. Further the outcome of the case has not been received by the Indian Council for Cultural Relation (ICCR). The Committee desired that the matter be pursued accordingly.

(vii) **Statement made by the Minister of External Affairs dated 25.02.2010 regarding Attacks on Indians in Australia (Sl. No. 7)**

The Committee were informed that the issue of attacks on Indians in Australia has been taken at the highest level by the Government of India with the Government of Australia. The High Commission and consulates in Australia remain in regular touch with the Australian authorities both at the federal and the State levels. Accordingly the Australian Government has taken action in providing relief to Indian students affected and also made arrangements for having regular discussions with Indians. These steps have proved to be useful in preventing attacks on Indian Nationals. The Committee desired that the pending assurance on the subject be implemented accordingly.

(viii) **Calling Attention raised by (Shri T.R. Baalu, M.P.) dated 25.08.2010 regarding Rehabilitation of Sri Lankan Tamil Internally displaced Persons (IDPs) (Sl.No. 8)**

The Committee were informed that the Government of Sri Lanka has acknowledged that India's constructive engagement and considerable development assistance programme has contributed to reconstruction and development of the Tamil Areas in Sri Lanka. The Committee directed that the implementation of the assurance be forwarded to the Ministry of Parliamentary Affairs at the earliest.

(ix) **USQ 312 dated 20.11.2010 regarding E-Passport (Sl.No. 9)**

The Committee were informed that the assurance relates to evaluating the feasibility of e-passport project for the ordinary category Passport. Initially it was started in diplomatic and official passports. Now the Indian Security Press at Nashik has floated a global tender for supply of 50 million passport clip inlays will start purchasing the e-passport for ordinary passports from April, 2016 and the assurance would be implemented accordingly.

(x) **USQ 2590 dated 17.08.2011 regarding Impact of Turmoil in Gulf (Sl.No. 10)**

The Committee were informed that the Ministry had already requested this Committee on 19.11.2012 for dropping of the above assurance. However, it is yet to be confirmed that the matter has been dropped. The representative of the Ministry request that the assurance may be treated as fulfilled.

The Committee then adjourned.

MINUTES
SIXTEENTH SITTING
COMMITTEE ON GOVERNMENT ASSURANCES
(2014-15)
(SIXTEENTH LOK SABHA)
(31.08.2015)

The Committee sat from 1500 Hrs. to 1630 in Committee Room "C", Parliament House Annexe, New Delhi.

PRESENT

Dr. Ramesh Pokhriyal Nishank — *Chairperson*

MEMBERS

2. Shri Rajendra Agrawal
3. Shri E. Ahamed
4. Shri Bahadur Singh Koli
5. Shri Prahlad Singh Patel
6. Shri Sunil Kumar Singh
7. Shri S.R. Vijaya Kumar
8. Shri Tariq Anwar

SECRETARIAT

- | | | |
|-------------------------|---|---------------------|
| 1. Shri R.S. Kambo | — | Joint Secretary |
| 2. Shri T.S. Rangarajan | — | Additional Director |

WITNESSES

Ministry of External Affairs

1. Dr. S. Jaishankar, Foreign Secretary
2. Shri G.V. Srinivas, Joint Secretary(CE)
3. Shri Muktesh K. Pardeshi, Joint Secretary(PSP & CPO)
4. Shri Arun K. Chatterjee, Joint Secretary(CNV)
5. Shri P. Kumaran, Joint Secretary(CPV)

6. Shri Sibi George, Joint Secretary(AD)
7. Ms. Sripriya Ranganathan, Joint Secretary(BM)
8. Ms. Nutan Kapoor Mahawar, Joint Secretary(Parel. & Coord.)
9. Shri Charan Jeet Singh, Joint Secretary(MER)
10. Shri Madan Singh Bhandari, DCP(P)

Ministry of Home Affairs

Shri Gopala Krishna Dweivedi, Joint Secretary, Foreigners Division

Ministry of Parliamentary Affairs

1. Shri A. Manoharan — Deputy Secretary
2. Shri A.B. Acharya — Under Secretary

2. At the outset, the Chairperson welcomed the representatives of the Ministry of External Affairs to the Sitting of the Committee and apprised them of the agenda stating that the evidence of the representatives of the Ministry of External Affairs held on 21.07.2015 was inconclusive in which the Committee had already discussed 10 assurances out of total 19 assurances from 6th Session of 15th Lok Sabha to 4th Session of 16th Lok Sabha and remaining 09 pending assurances were to be discussed. The Committee then resumed the oral evidence of the representatives of the Ministry of External Affairs on remaining 09 pending assurances as under:—

Illegal Sale of Indian Passports

- (i) **USQ No. 3657 dated 24.08.2011 regarding Illegal Sale of Indian Passports (Sl. No. 1)**

The Committee were informed that a few cases of alleged forgery of Indian passports in the United States of America were brought to the notice of the immigration and police authorities in Delhi and the concerned authorities had initiated the process, completed investigation, filed charge sheets in 8 cases before the Court of Law and in remaining cases, charge sheets were to be filed shortly. The Committee were also informed that the US Police had also registered a case under relevant sections of violations which would be finalized by them as per the US laws. The Committee noted that the action had been completed in fulfilling the assurance and therefore, directed the Ministry to submit Implementation Report in this regard.

Purchase of Sub-standard Gifts

- (ii) **USQ No. 4228 dated 02.05.2012 regarding Purchase of Sub-Standard Gifts (Sl. No. 2)**

The Committee were informed that in 2011 the Protocol Division of the Ministry procured some of the gifts which were not of desired quality and

specification. Subsequently, a preliminary inquiry was conducted by the Ministry of External Affairs which could not establish *prima facie* any involvement or complicity of officials of the Ministry. A detailed investigation into the matter had also been entrusted to the Central Bureau of Investigation (CBI), which also concluded in the investigation report submitted in July, 2012 that it did not find any involvement and complicity of officials of the Ministry. The enquiry, however, disclosed systemic flaws in the procurement of gift items. The Committee were further informed that the various systemic flaws in the procurement of gift items pointed out in the CBI report were duly addressed and Implementation Report was sent to Ministry of Parliamentary Affairs for further necessary action. However, the Committee observed that not only the system for procurement of gift items was at fault but the Committee also expressed their doubt about involvement of some officials connected in procurement process. The Committee also observed that the quality of gifts in whole procurement process was totally ignored by the Ministry. The Committee, therefore, asked the Ministry to further strengthen the process of procurement of gift items by them with maximum transparency as gifts presented to foreign dignitaries reflect the honour of the country. The Ministry was also directed to get the Implementation Report tabled in the House in next Session.

Domestic Help of Diplomats

- (iii) **USQ No. 2343 dated 05.02.2014 regarding Domestic Help for Diplomats (Sl. No. 3)**
- (iv) **USQ No. 3379 dated 12.02.2014 regarding Policy for Domestic Help of Diplomats (Sl. No. 4)**

As per assurance given on the floor of the House, the Ministry of External Affairs was considering various policy options with regard to the revision of framework for India based domestic helps and Inter-ministerial consultations were underway to study implications of the various proposals. The Committee were informed that the Ministry had prepared new guidelines containing detailed system of “Do's and Don'ts” and various obligations to be followed by the Diplomats for employing domestic helps. It was also informed that the new guidelines covered various aspects *i.e.* working conditions, reasonable accommodation, access to bathroom/toilets, sanitary and laundering facilities, working hours, free movement, meals of good quality, etc., in favour of domestic helps being appointed by Indian diplomats abroad. The Committee desired that the Implementation Report with regard to the above two assurances be laid on the table of the House in next Session.

Imphal and Mandalay Bus Service

(v) **USQ No. 814 dated 16.07.2014 regarding Imphal and Mandalay Bus Service (Sl. No. 5)**

The Committee were informed that the Government was engaged in discussion with the Government of Myanmar on starting a cross-border bus service between Imphal in Manipur and Mandalay in Myanmar for which a Memorandum of Understanding was to be signed between two countries. In this regard a draft Protocol on operational modalities such as issues related to points of halts, administrative authority, authorized operators, customs, immigration, visa, ticketing, security, etc. were to be finalized. A Joint Technical Survey to finalise the route alignment was conducted in January, 2015 on the request of Myanmar side. Myanmar side had again suggested some modification in the text of the MoU which was forwarded to Ministry of Road Transport and Highways for their views. Given the above reasons, the Ministry sought extension of time for six months from June, 2015 for fulfillment of the assurance which the Committee agreed to.

Extradition of Kim Davy

(vi) **USQ No.1917 dated 23.07.2014 regarding Extradition of Kim Davy (Sl. No. 6)**

The Committee were informed that the fresh proposal for extradition of Kim Davy, a Dutch national and the prime accused in Purulia Arms Drop case, had been prepared by the Ministry of Home Affairs with inputs from CBI and with the help of local legal counsel. The fresh request was already sent to Embassy in Copenhagen. Since the matter was time consuming as it involved the law and procedure of a foreign nation, the Ministry sought for grant of extension of time for fulfilling the assurance upto 05.12.2015 which the Committee agreed to.

Recruitment of Diplomats

(vii) **USQ No. 2781 dated 30.07.2014 regarding Recruitment of Diplomats (Sl. No. 7)**

It was stated that 8 posts of Ambassadors were lying vacant in (i) Angola, (ii) Botswana, (iii) Congo, (iv) Madagascar, (v) Mali, (vi) South Sudan, (vii) Syria and (viii) Zimbabwe and these vacancies were being handled by Charge d' Affairs (Acting Ambassador). The Committee were informed that out of 8 vacancies of Diplomats, 6 vacancies had been filled in (i) Madagascar, (ii) Botswana, (iii) South Sudan, (iv) Zimbabwe, (v) Angola and (vi) Male and the process of appointment of Ambassadors to Syria and Congo were underway. The reasons extended by the Ministry behind delay in appointment of Ambassadors were civil war situation and internal disturbance in some of these countries due to which it was found very

difficult to select suitable volunteers to serve in these countries. The representatives of the Ministry assured that the whole process would be completed within a few months as they had finalised the appointments which further to be got approved by the concerned recipient countries as per the international norms. The Ministry also sought extension of time for fulfilling the assurance till 31.12.2015. While agreeing to the extension request of the Ministry, the Committee opined that the Ministry should plan the appointment or filling up of the vacancies of Ambassadors/ Diplomats in advance in such a manner that no post remains vacant for a long time rather the new incumbent should be announced in advance before completion of the term of the present incumbent.

Gas Pipeline with BRICS

(viii) **USQ No. 4998 dated 13.08.2014 regarding Gas Pipeline with BRICS (Sl. No. 8)**

The Committee were informed that the Government had proposed to set up a joint gas pipeline with core member of BRICS countries. Russia had circulated a paper which proposed implementation of projects on energy infrastructure development including oil and gas pipelines. In their 6th Summit concluded in July, 2014 in Brazil, the BRICS Leaders had referred the paper for advanced discussion but no outcome was given. The representative of the Ministry submitted that the final version of the strategy for BRICS economic cooperation had dropped the proposal to have a gas pipeline with BRICS and after initial considering the matter, there was no final reference in the document to a gas pipeline. On this ground that the efforts made by the Ministry remained unfruitful as the matter had been settled by the BRICS countries group, the Committee took the assurance as fulfilled and directed the Ministry to file their Implementation Report in this regard.

Visa on Arrival

(ix) **USQ No. 468 dated 26.11.2014 regarding Visa on Arrival (Sl. No. 9)**

The Committee were informed that around 60 countries provided 'Visa on Arrival' facility to India whereas India provided this facility to the nationals of total 113 countries and as per assurance, a list had been prepared and an Implementation Report would be sent to Ministry of Parliamentary Affairs for further necessary action. The Committee desired that the Implementation Report should be laid before the House in next Session positively.

3. The Committee desired that the Ministry had completed action on several assurances and the Implementation Reports in such cases should be sent to the Ministry of Parliamentary Affairs expeditiously so that these could be laid on the Table of the House in next Session. The Committee permitted extension of time for

implementing the same assurances as requested by the Ministry. The Committee also reiterated that the assurances should be fulfilled by the Ministry and Implementation Reports sent to Ministry of Parliamentary Affairs for laying on the Table of the House under intimation to the Committee Secretariat. The Committee also noted lack of coordination between the Ministry of Parliamentary Affairs and Other Ministries. The Committee were of the view that all the Implementation Reports should be forwarded to Ministry of Parliamentary Affairs directly whereas all extension requests should be forwarded to the Committee Secretariat directly for their consideration without any confusion. The Committee also desired that the Ministry of Parliamentary Affairs should monitor and keep a close watch on the status of these assurances and try lay all these implementation reports on the table of the House.

4. The evidence was completed.

(The witnesses withdrew)

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

The Committee then adjourned.

MINUTES

NINTH SITTING

**MINUTES OF THE SITTING OF THE COMMITTEE ON GOVERNMENT
ASSURANCES (2015-16) HELD ON 15 MARCH, 2016 IN COMMITTEE ROOM
NO. 139, PARLIAMENT HOUSE ANNEXE, NEW DELHI**

The Committee sat from 1500 hours to hours on Tuesday, 15 March 2016.

PRESENT

Dr. Ramesh Pokhriyal 'Nishank' — *Chairperson*

MEMBERS

2. Shri Rajendra Agrawal
3. Shri E. Ahamed
4. Shri Tariq Anwar
5. Shri Naranbhai Bhikhabhai Kachhadia
6. Shri Bahadur Singh Koli
7. Shri A.T.Nana Patil

SECRETARIAT

- | | | |
|-------------------------|---|----------------------------|
| 1. Shri R.S. Kambo | — | <i>Joint Secretary</i> |
| 2. Shri S.C. Chaudhary | — | <i>Director</i> |
| 3. Shri T.S. Rangarajan | — | <i>Additional Director</i> |
| 4. Shri S.L. Singh | — | <i>Deputy Secretary</i> |

At the outset, the Chairperson welcomed the Members to the sitting of the Committee and apprised them regarding the day's agenda. Thereafter, the Committee considered and adopted the following four draft Reports:—

- (i) Draft 27th Report regarding review of pending Assurances pertaining to the Ministry of Information and Broadcasting.
- (ii) Draft 28th Report regarding review of pending Assurances pertaining to the Ministry of Human Resource and Development (Department of Higher Education).

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The Souvenir items with logo of Parliament are also available at Sales Counter, Reception, Parliament House, New Delhi. The Souvenir items with Parliament Museum logo are available for sale at Souvenir Shop (Tel. No. 23035323), Parliament Museum, Parliament Library Building, New Delhi. List of these items are available on the website mentioned above."
