

## HOME AFFAIRS

### Summary of Questions Asked

Recognition and registration of various charitable trusts to get donation from foreign agencies (FCRA). Issues pertains to Dawood gang, bomb blast at Ghatkopar, security of Mumbai Airport, ISI activities in Mumbai, Bangladeshis in Mumbai were raised.

1. ***Ghatkopar bomb blast :***

Government's attention were called. Minister of State for Home paid a visit to Ghatkopar site.

2. ***Foreign donations :***

Bringing to the notice of the Government to do away with the hardships faced by various genuine Charitable Trusts to receive foreign donations from NRIs. Several Charitable organizations of north-east Mumbai have got FCRA permission.

3. ***ISI, terrorist activities in Mumbai :***

Issues were raised through questions. Special attention of Home Ministry is being paid for Mumbai.

**LOK SABHA**

**QUESTION NO 443**

ANSWERED ON 20.11.2001

**TRAINING CAMPS FOR JEHADIES**

Will the Minister of HOME AFFAIRS be pleased to state:-

- (a) whether the Government are aware of the fact that the terrorist training camps are being run in the name of Jihad in Hyderabad, Andhra Pradesh;
- (b) if so, the details thereof;
- (c) the name of the States and cities in the country where these training camps are in operation; and;
- (d) the action being taken by the Government against the persons running these training camps?

**ANSWER**

(a) to (d) : The information is being obtained from the States/UTs and will be laid on the Table of the House.

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**LOK SABHA**

**QUESTION NO 5386**

ANSWERED ON 28.08.2001

**CUSTODIAL DEATHS**

Will the Minister of HOME AFFAIRS be pleased to state:-

- (a) the outcome of PIL filed by the National Human Rights Commission in the Supreme Court on the issue of custodial deaths;
- (b) the detailed observations of various Governmental agencies in the matter; and
- (c) the steps proposed to be taken by the Government in this regard ?

**ANSWER**

(a) No PIL has been filed by the National Human Rights Commission on the issue of custodial deaths.

(b) & (c) : Does not arise.

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**LOK SABHA**

**QUESTION NO 4497**

ANSWERED ON 17.04.2001

**REGISTRATION OF SOCIETIES ACT**

Will the Minister of HOME AFFAIRS be pleased to state:-

- (a) whether the voluntary organisations registered under the Registration of Societies Act are eligible to apply for non-recurring grant-in-aid under the scheme of promotion of National Integration;
- (b) if so, the details thereof and the total funds allocated to each State for onward distribution to voluntary organisations during the last three years, State-wise;
- (c) whether any certificate is required to be submitted by the concerned voluntary organization for utilization of funds;
- (d) if so, the details thereof; and
- (e) the steps taken by the Government to give more grants to States for organising more programmes through voluntary organisations for national integration?

**ANSWER**

(a)to(e) : Yes, Sir. As per the Scheme the proposals of NGOs are considered only if these are forwarded by the concerned State Governments along with their recommendations. Rs.10,00,000 had been allocated during each of the last three years i.e. 1998-1999, 1999-2000 & 2000-2001 for giving grants-in-aid to NGOs etc. for arranging activities in the cause of national integration/communal harmony. The allocation is not made State-wise but funds are allotted to eligible NGOs whose scheme are recommended by the respective State Governments. The funds released to NGOs State-wise during the last three years is as follows:-

<b>Name of State</b>	<b>Amount</b>
1998-99	
Maharashtra	50,000
Manipur	85,400
Tamil Nadu	25,000
Uttar Pradesh	1,46,000
West Bengal	10,000

1999-2000

Andhra Pradesh	24,000
Himachal Pradesh	40,000
Kerala	22,500
Manipur	15,000

Punjab	35,000
West Bengal	25,500

2000-2001

Uttar Pradesh	76,000
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Under the Scheme the NGOs are required to submit the Utilisation Certificate duly verified by the Chartered Accountant. This is monitored regularly.

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## LOK SABHA

**QUESTION NO 388**

ANSWERED ON 20.11.2001

### SECURITY OF AIRPORTS

Will the Minister of HOME AFFAIRS be pleased to state:-

- (a) whether Immigration Department has submitted any report to his Ministry regarding security of airports ;
- (b) if so, the details thereof ; and
- (c) the action/steps taken by the Government in this regard ?

### ANSWER

- (a) No, Sir.
- (b) & (c) : Does not arise.

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**LOK SABHA**

**QUESTION NO 4301**

ANSWERED ON 21.08.2001

**KILLINGS IN ASSAM**

Will the Minister of HOME AFFAIRS be pleased to state:-

- (a) whether militants have killed 10 persons in Guwahati during August, 2001;
- (b) if so, the details in this regard;
- (c) the number of persons killed by terrorists in the North-Eastern States during 2001, till date, State-wise; and
- (d) the steps taken by the Government to deal with the militancy in North-Eastern States ?

**ANSWER**

- (a) & (b): According to available information, 8 Central Reserve Police Force (CRPF) personnel and 2 Civilians were killed in a powerful Improvised Explosive Device (IED) explosion caused by the National Democratic Front of Bodoland (NDFB) activists at Abadipara, Police Station Bijni (Bongaigaon) on 5.8.2001.
- (c) During the current year 2001 (upto 31.7.2001) 107 Security Forces Personnel and 395 Civilians have been killed by the militants in the North-Eastern States. State-wise details as follows:

State	No. of Persons killed by the militants	
	No. of Security Forces killed	No. of Civilian killed
Assam	44	168
Meghalaya	09	15
Manipur	15	54
Nagaland		05
Mizoram		
Arunachal Pradesh	08	
Tripura	31	153

- (d) The Government has taken various steps to deal with the militancy in the North-Eastern States. These include, inter alia, deployment of Para-military forces and army in the State, coordinated action by army, Para-military forces and State Police for counter insurgency operations, declaration of major insurgent groups as unlawful association under the Unlawful Activities (Prevention) Act, 1967; declaration of insurgency affected States as 'disturbed area' under the Armed Forces (Special Powers) Act, 1958; reimbursement of security related expenditure to the State Governments and modernisation/upgradation of State police Force. Regular review of the situation both at State and Central Government level is being made.

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**LOK SABHA**

**QUESTION NO 1428**

ANSWERED ON 27.11.2001

**ISI ACTIVITIES IN ASSAM**

Will the Minister of HOME AFFAIRS be pleased to state:-

- (a) whether attention of the Government has been drawn to the news-item regarding ISI threat to leaders of Assam appearing in 'Jansatta' dated November 5, 2001
- (b) if so, whether the activities of ISI have been increased in North-Eastern area, particularly in Assam; and
- (c) if so, the steps taken by the Government to check these activities?

**ANSWER**

- (a) Yes, Sir.
- (b) The Government has reports that the Pak ISI has been helping the North East militants/terrorists in purchase and transportation of arms consignments from abroad to the North Eastern Region. The reports also indicate that the Pak ISI is providing assistance to the North Eastern militants in terms of money. Pak ISI has also been motivating misguided youths for training across the border.
- (c) To neutralize activities of ISI agents, Government have adopted a well coordinated and multi-pronged approach which includes strengthening the border management, gearing up of intelligence machinery, well coordinated intelligence based action against ISI agents and militants sponsored by them, setting up of outposts of security forces and modernization and upgradation of police and security forces with advanced sophisticated weapons and communication system etc. Steps taken in this regard have resulted in detection/neutralization of various Pak ISI backed modules. The Government of India has also taken up the matter relating to the camps of anti-India militants with the Governments of neighbouring countries. The Governments of neighbouring countries have assured that they will not allow undesirable elements to use their territory for activities prejudicial to the interests of India.

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**LOK SABHA**

**QUESTION NO 1000**

ANSWERED ON 27.02.2001

**FOREIGN CONTRIBUTION (REGULATION) ACT,1976**

Will the Minister of HOME AFFAIRS be pleased to state:-

- (a) the rule and guidelines to receive foreign donations by the NGOs etc.
- (b) whether the Government have relaxed the rules and guidelines to receive foreign donations by the NGOs and social institutions in Gujarat to assist the earthquake victims;
- (c) if so, the details thereof;
- (d) the total foreign contribution received by NGOs in Gujarat so far, country-wise; and
- (e) the manner in which the Government is going to monitor this help?

**ANSWER**

- (a) Under the provisions of the Foreign Contribution(Regulation)Act, 1976 an association having a definite cultural, economic, educational, religious or social programme can accept foreign contribution after being granted registration or prior permission by the Central Government.
- (b)&(c) : Yes, Sir. The Central Government has exempted, with effect from 1st February, 2001 and up to 31st March, 2001 all associations (other than a political party) of the nature mentioned above from the provisions of section 6(1A) of the Foreign Contribution (Regulation) Act,1976 to accept foreign contribution, in cash and kind, without obtaining the formal approval of the Central Government subject to the following conditions:-
  - (i) Each association would open a new bank account for this purpose;
  - (ii) The said account would be designated as the 'Gujarat Earthquake Relief Account;
  - (iii) The association would receive foreign contribution only in the said designated bank account;
  - (iv) The association would maintain a separate set of accounts and records in respect of the foreign contribution received in the said designated bank account;
  - (v) The association would submit its particulars in Form FC-1A to the Foreigners Division of the Ministry of Home Affairs within one week of the opening of the said designated bank account; and,
  - (vi) The association would make an intimation regarding receipt of foreign contribution in form FC-3 and in form FC-6 in respect of articles, duly certified by a Chartered Accountant, within 4 months of the closure of the year to the Foreigners Division of the Ministry of Home Affairs in the manner prescribed in the Foreign Contribution (Regulation) Rules, 1976.
- (d) The returns for the year 2000-2001 are not yet due.
- (e) The utilisation of foreign contribution received by associations under the above special dispensation would be monitored through the returns submitted by them in the prescribed manner.

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**LOK SABHA**

**QUESTION NO 1553**

ANSWERED ON 27.11.2001

**FIGHT AGAINST TERRORISM**

Will the Minister of HOME AFFAIRS be pleased to state:-

- (a) whether a meeting was held between his ministry and the representatives of Japan to fight against terrorism;
- (b) if so, the details thereof; and
- (c) the outcome thereof?

**ANSWER**

(a) to (c): Yes Sir, Former Japanese Prime Minister Mr. Yoshiro Mori who was on a visit to India as the Special Envoy of Prime Minister Mr. J. Koizumi called on the Union Home Minister on 29.10.2001. During the discussions it was suggested that India would be happy to cooperate with Japan in the fight against Terrorism including through the conclusion of an Agreement on Mutual Legal Assistance in Criminal matters and establishment of a Joint Working Group against Terrorism.

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**LOK SABHA**

**QUESTION NO 4423**

ANSWERED ON 18.12.2001

**FUNDS TO FUNDAMENTALIST OUTFITS**

Will the Minister of HOME AFFAIRS be pleased to state:-

- (a) whether betting amount on Sharjah Matches is being diverted to banned fundamentalist outfits like SIMI and others;
- (b) if so, whether Mumbai Police has evidence in this regard; and
- (c) if so, the action taken by the Government against the persons found involved therein ?

**ANSWER**

- (a) We have no such information.
- (b) No, Sir.
- (c) Does not arise.

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**LOK SABHA**

**QUESTION NO 1506**

ANSWERED ON 27.11.2001

**SUBHASH CHANDRA BOSE CASE**

Will the Minister of HOME AFFAIRS be pleased to state:-

- (a) whether the Government are aware of news-item regarding death mystery of Netajee Subhash Chandra Bose appearing in the 'Jansatta' dated 5.11.2001;
- (b) if so, the facts of the matter reported therein;
- (c) whether the Government have set up a Commission on the death of Netajee;
- (d) if so, whether the Commission has submitted its report;
- (e) if so, the details in this regard; and
- (f) if not, the time by which the Commission is likely to give its findings?

**ANSWER**

- (a) & (b): Yes Sir. According to information made available by Justice Mukherjee Commission of Inquiry, some of the matters reported therein partially fit in with the relevant deposition of Dr. (Mrs.) Purabi Roy and Shri Ardhendu Sarkar before the Commission. The Commission had requested Ministry of External Affairs to take up the matter with the Govt. of Russian Union as also the Government concerned of the Residual territories of erstwhile USSR so that the Commission can peruse the classified and declassified documents on Netaji Subhas Chandra Bose/Indian National Army which are lying in their Archives. As desired by the Commission, the Ministry of External Affairs has made available copies of a number of documents mostly in Russian language for scrutiny by the Commission.
- (c), (d), (e) & (f): The Government appointed a Commission of Inquiry consisting of Mr. Justice M.K. Mukherjee, a Retired Judge of the Supreme Court of India on 14.05.1999, to inquire into all the facts and circumstances related to the disappearance of Netaji Subhash Chandra Bose in 1945 and subsequent developments connected therewith. The present term of the Commission has been extended up to 14.05.2002.

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## EXTERNAL AFFAIRS

### Summary of Questions Asked

1) *Passport Office :*

Simplification of rules and guidelines, updating Mumbai Passport Office, additional sanction of funds.

2) *Shyamji Krishnaverma ashes :*

Consistent follow up to bring ashes of Shyamji Krishnaverma ashes back from Geneva, Switzerland.

3) *Extradition Treaty :*

Drawing attention to Government to have and use Extradition Treaty with UAE, Dubai to bring back Mumbai Bomb Blast accused.

**LOK SABHA**

**QUESTION NO 8001**

ANSWERED ON 17.05.2000

**VISIT OF PAK TEAM**

Will the Minister of EXTERNAL AFFAIRS be pleased to state:-

- (a) whether a convention of the Pakistan-India People's Forum for Peace and Democracy was held at Bangalore recently;
- (b) if so, the details in this regard;
- (c) the outcome thereof;
- (d) whether any Pak team visited India recently;
- (e) if so, the details thereof including the purpose thereof;
- (f) the persons, organisations with whom it held talks; and (g) the outcome thereof?

**ANSWER**

(a)-(f) Yes, Sir. The Fifth Joint Convention of the Pakistan-India People's Forum for Peace and Democracy (PIPFDP) was held at Bangalore from 6-8 April, 2000. This Forum is a private initiative and its members comprise of citizens of the two countries including former civil servants, politicians and retired officers of the Armed Forces. The deliberations of the Forum are aimed at improving relations between the two countries. A 62-member Pakistani women's delegation visited India from 2-9 May 2000, under the aegis of an exchange-of-visit programme organized by the 'Women's Initiative for Peace in South Asia' (WIPSA). During their stay in India, members of the delegation met the Minister for External Affairs, the Minister of State for External Affairs, the Minister of State for Women and Child Development and the Chief Ministers of Delhi, Rajasthan and Madhya Pradesh. The visit provided an opportunity for the Pakistani delegates to interact with prominent Indians, which included former Prime Minister Shri I.K. Gujral. The delegates also interacted with members of other NGOs such as the Indian Women's Press Corps and the Pakistan India People's Forum for Peace and Democracy. In addition to their stay at New Delhi, the Pakistani delegates visited the cities of Agra, Sikandra, Fatehpur Sikri and Jaipur. Government fully supports all endeavors to enhance people-to-people contacts between the two countries.

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**LOK SABHA**

**QUESTION NO 7280**

ANSWERED ON 15.05.2002

**SIMPLIFICATION OF PASSPORT ISSUING PROCEDURE**

Will the Minister of EXTERNAL AFFAIRS be pleased to state:-

- (a) whether the Ministry has finalised expediting the passport issuing process;
- (b) whether in various cities including Mumbai the applicants are not able to get passport in 3-4 months;
- (c) if so, the reasons therefor;
- (d) the action proposed thereon;
- (e) whether in the Affidavit Form 'G' an educated/literate person studied upto 9th standard has to put his thumb impression on the passport form;
- (f) whether he has to declare himself illiterate in the passport form;
- (g) whether a person has to pass minimum SSC to qualify himself as literate for this formality;
- (h) if so, the norms, rules and regulations laid down in this regard;
- (i) whether the Government propose to do away with this formality and will treat a person as literate if he has studied up to 8th/9th standard;
- (j) if so, the details thereof; and
- (k) if not, the reasons therefor?

**ANSWER**

- (a) Government has recently exempted some categories of passport applicants from police verification and has also launched a scheme of machine writing of passports to expedite the passport issue process.
- (b & c) The passports are normally issued within ten days after a clear police verification report is received and all the other documents are in order. The time taken in issue of passports, therefore, varies for different Passport Offices depending on the time in which the police verification report is received. In Mumbai, about 60% of the police reports are received within 30-35 days and these passports are issued in about 45 days.
- (d) Government has launched a scheme of decentralisation of acceptance of passport applications at the District level. This is expected to reduce the time taken in police verification.
- (e) Annexure-F of the passport application form gives the specimen affidavit to be submitted by illiterate applicants as proof of date of birth in case the birth certificate is not available. As normally Class X School Leaving Certificate in most States carries the date of birth of the applicant, it is accepted as the proof of date of birth. There is no requirement for the applicant to place his thumb impression on the present passport form.
- (f, g, h, i, j and k) There is no entry in the passport form requiring the applicant to declare himself literate or illiterate. However, there is a column for declaring the educational qualifications as a graduate is automatically entitled for the grant of 'Emigration Check Not Required' stamp on the passport.

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**LOK SABHA**

**QUESTION NO 3622**

ANSWERED ON 12.12.2001

**REGISTRATION OF PASSPORT THROUGH INTERNET**

Will the Minister of EXTERNAL AFFAIRS be pleased to state:-

- (a) the average number of passports issued daily in Mumbai passport office;
- (b) whether the Government have made certain improvements in this office and have provided new facilities also;
- (c) if so, the details thereof;
- (d) whether there is a proposal for the registration of passport through Internet in Mumbai passport office; and
- (e) if so, the time by which this system is likely to be introduced?

**ANSWER**

- (a) The average number of passports issued daily by RPO Mumbai is 900.
- (b)&(c) The Government have made several improvements in the Regional Passport Office, Mumbai.  
Major improvements/facilities introduced recently are:
  - (I) Machine writing of passports has commenced in Passport Office, Mumbai w.e.f. 27th November 2001.
  - (II) Index Card check is being done on computers.
  - (III) Additional space has been rented to eliminate congestion at the Passport Office.
- (d)&(e) At present there is no proposal for registration of passport applications through Internet.

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**LOK SABHA**

**QUESTION NO 3771**

ANSWERED ON 13.12.2000

**PENDING PASSPORT APPLICATIONS**

Will the Minister of EXTERNAL AFFAIRS be pleased to state:-

- (a) whether it takes minimum of four months to get a passport in Mumbai;
- (b) if so, the reasons therefor;
- (c) whether applications are pending since August 2000 in Mumbai Passport Office;
- (d) if so, the reasons therefor;
- (e) whether even under Tatkal Scheme passport is issued after 3 to 4 months;
- (f) if so, the factual position in the regard; and (g) the steps taken/being taken to expedite the passport issuing procedure in Mumbai?

**ANSWER**

- (a) No, Sir.
- (b) Only those cases are pending since August, 2000 wherein the police verification report has not been received or where applicants have not furnished the requisite information asked for by the Regional Passport Office (RPO), Mumbai.
- (c & d) Yes, Sir. 4200 passports are pending due to non receipt of police verification report and non compliance by the applicants for furnishing requisite information.
- (e & f) No, Sir. Under the Tatkaal Scheme, passports are issued on payment of an additional fee of Rs.1500/- for a passport to be issued within ten days of the receipt of application and Rs.1000/- for a passport to be issued between 11 to 35 days of the receipt of application.
- (g) Special drives to review and clear pending cases of applications are undertaken from time to time. The RPO Mumbai liaises with the police authorities for expediting the police verification reports and sends reminders to the applicants to furnish the requisite information.

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**LOK SABHA**

**QUESTION NO 1735**

ANSWERED ON 29.11.2000

**BRINGING BACK ASHES OF LATE PT. SHYAMJI KRISHNA VERMA**

Will the Minister of EXTERNAL AFFAIRS be pleased to state:-

- (a) whether the Government have taken up the issue of bringing back the ashes of the freedom fighter Late Pt. Shyamji Krishna Verma from Switzerland to India;
- (b) if so, the details thereof;
- (c) whether his Ministry has received some letters from individual Members of Parliament, freedom fighters and other associations requesting for assistance in bringing back his ashes;
- (d) if so, the details thereof; and
- (e) the stage at which the matter stands at present?

**ANSWER**

- (a) to (e) Yes, Sir. Government have taken note of representations regarding the bringing back of the ashes of freedom fighter Late Pandit Shyamji Krishna Verma from Switzerland. The Consulate General of India in Geneva has taken up the matter with the concerned authorities of the Canton of Geneva. It has been indicated that these authorities would also take into account the views of the St. George's Chlorombarium in Geneva, which has been entrusted in 1930 by the family of the Late Pandit Shyamji Krishna Verma with the responsibility of preserving the ashes till 2038, before taking a decision in the matter.

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**LOK SABHA**

**QUESTION NO 8027**

ANSWERED ON 17.05.2000

**GAS/OIL PIPELINE BETWEEN IRAN AND INDIA**

Will the Minister of EXTERNAL AFFAIRS be pleased to state:-

- (a) whether Pakistan has given permission for the laying of gas/oil pipeline between Iran and India via that country;
- (b) if so, the details thereof;
- (c) the cost of the project; and
- (d) the time by which the project is likely to be completed?

**ANSWER**

- (a) & (b) Following the signing of an MOU between India and Iran in November 1993, it was agreed that a pre-feasibility study on transmission of Iranian natural gas to India through a pipeline would be prepared by an internationally renowned and reputed engineering consultancy firm. Accordingly, the contract for the feasibility study was awarded by the Joint Working Group set up for this purpose to M/s. PLE of Germany in 1995. The pipeline feasibility route comprised of an onland section within the territory of Iran and an offshore section outside the territorial waters of Pakistan to India. Despite repeated attempts by this company the Government of Pakistan did not grant permission for survey through Pakistan's EEZ. In these circumstances, the contract for the feasibility study had to be terminated.
- (c) & (d) Does not arise.

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**LOK SABHA**

**QUESTION NO 485**

ANSWERED ON 21.11.2001

**EXTRADITION TREATY**

Will the Minister of EXTERNAL AFFAIRS be pleased to state:-

- (a) the name of the countries with which extradition treaty has been signed;
- (b) the number of criminals extradited during the last year and current year till date, country-wise;
- (c) the number of pending extradition cases between India and other countries; and
- (d) the steps taken/proposed to be taken for the early disposal of such cases?

**ANSWER**

- (a) Extradition treaties have been signed and are in operation with United Kingdom, United States of America, Nepal, Bhutan, United Arab Emirates, Switzerland, Canada, Russia, Belgium, Hong Kong and Netherlands.
- (b) During the last year, the Government of India has received 2 (two) criminals from the United States of America and 1 (one) from the United Kingdom. No criminals have been extradited from India during the last year. During this year till date, no criminals have been extradited from India or extradited from any foreign country to India.
- (c)
  - (i) 52 (fifty two) extradition requests received from foreign governments are being processed;
  - (ii) 11 (eleven) extradition requests sent by India are pending with various countries.
- (d) By signing extradition treaties, the Contracting States provide a framework for extradition of fugitive offenders sought by one Contracting State from the other. While the Requesting State pursues the extradition requests, the actual process often takes time as the person sought may attempt to delay the extradition by taking recourse to legal avenues available under the domestic laws of the Requested State.

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**LOK SABHA**

**QUESTION NO 4071**

ANSWERED ON 19.04.2000

**CROSSING OF LOC BY PAKISTANI FORCES**

Will the Minister of EXTERNAL AFFAIRS be pleased to state:-

- (a) whether Indian Government have taken up matter of crossing of LoC and attack on Indian Security Forces by Pakistani army on February 27, 2000 with the Pakistan High Commission; and
- (b) if so, the details thereof and the response of Pakistani High Commission thereto?

**ANSWER**

- (a) - (b) Yes, Sir. Government strongly took up the matter of the attack on Indian security forces by the Pakistani army on February 27, 2000. It condemned the cowardly and brutal action of the Pakistani forces and called upon Pakistan to respect the Line of Control.

Pakistan has continued to indulge in unprovoked firing across the Line of Control and International Border in Jammu & Kashmir to provide cover to infiltrating terrorists as well as to attract international attention so as to seek third party involvement in India-Pakistan relations. Government remain firm in their resolve to take all necessary measures to preserve the security and territorial integrity of the country.

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**LOK SABHA**

**QUESTION NO 2626**

ANSWERED ON 08.08.2001

**BUS SERVICE BETWEEN AGARTALA AND DHAKA**

Will the Minister of EXTERNAL AFFAIRS be pleased to state:-

- (a) whether India and Bangladesh have agreed to start bus service between Agartala and Dhaka; and
- (b) if so, by when this service is likely to become operational?

**ANSWER**

- (a) & (b) The Governments of India and Bangladesh have signed an Agreement and a Protocol to operate a passenger bus service between Agartala and Dhaka on July 10, 2001 in Dhaka. The regular bus service is likely to begin in the last week of August 2001.

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**LOK SABHA**

**QUESTION NO 5840**

ANSWERED ON 03.05.2000

**CAPTURE OF INDIAN STUDENT**

Will the Minister of EXTERNAL AFFAIRS be pleased to state:-

- (a) whether attention of the Government has been drawn to the news-item captioned 'Indian student escapes from Chechnya but stuck in Russia' appearing in the Indian Express dated April 2, 2000;
- (b) if so, the facts of the matter reported therein; and
- (c) the reaction of the Government thereto?

**ANSWER**

- (a) Yes Sir.
- (b) The report in the Indian Express and other similar reports in the Indian media were based on Russian Television reports. The Russian media had reported the capture by the Russian Federal troops of an Indian national among some rebels in the Republic of Chechnya of the Russian Federation. It had been further reported that the Indian national, Shri Satyanarayan Raghunath Mishra, a student, had been detained for interrogation by the Federal Security Service of the Russian Federation at Makhachkala, capital of the Republic of Dagestan of the Russian Federation.
- (c) As soon as Government became aware of reports of Shri Mishra's detention, it immediately sought details from the Russian authorities. As a result of continuous interaction with the Russian authorities, Government has now been officially informed that the interrogation of Shri Mishra has been completed and that no evidence was found to suggest that he was involved in the fighting alongside rebels in the Republic of Chechnya of the Russian Federation against the Russian Federal troops. Shri Mishra is currently under the protective custody of the Federal Security Service of the Russian Federation.

Government is in touch with the Russian authorities regarding Shri Mishra's repatriation to India.

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**LOK SABHA**

**QUESTION NO 5648**

ANSWERED ON 25.04.2001

**BUILDING REPLICA OF BAMIIYAN BUDDHA**

Will the Minister of EXTERNAL AFFAIRS be pleased to state:-

- (a) whether Sri Lankan main Buddhist organization is seeking help from India in building the replica of Bamiyan Buddha in Sri Lanka;
- (b) if so, the details thereof;
- (c) whether the Government have supplied necessary information and documents required by Sri Lanka; and
- (d) if so, the details thereof?

**ANSWER**

- (a) to (d) The Mahabodhi Society of Sri Lanka have sought help in obtaining clear photographs of Buddha statues destroyed at Bamiyan to assist local sculptors in designing replicas. Copies of some photographs available with Archeological Survey of India have been sent to Sri Lankan authorities.

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**LOK SABHA**

**QUESTION NO 338**

ANSWERED ON 20.11.2002

**BRINGING BACK ASHES OF SHYAMJI KRISHNA VARMA**

Will the Minister of EXTERNAL AFFAIRS be pleased to state:-

- (a) whether the Government propose to take up with Switzerland the issue of bringing back ashes of Shyamji Krishna Varma to India;
- (b) if so, the details thereof; and
- (c) the stage at which the matter stands at present?

**ANSWER**

- (a) to (c) Yes, Sir. Government, through the Consulate General of India in Geneva, has taken up the matter with the concerned authorities of the Canton of Geneva. The fact, whether or not the late Shyamji Krishna Varma has any living blood relations, is being ascertained before a formal proposal for the return of the ashes is forwarded to the authorities of the Canton of Geneva.

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**LOK SABHA**

**QUESTION NO 3766**

ANSWERED ON 18.04.2000

**DISCLOSURE OF INCOME BY FORMER CRICKETERS**

Will the Minister of YOUTH AFFAIRS AND SPORTS be pleased to state:-

- (a) whether some former Indian cricketers have disclosed the details of their income through the Voluntary Disclosure Scheme;
- (b) if so, the details thereof;
- (c) whether the Board of Control for Cricket in India has been asked to inquire into the means to amass such huge funds by them;
- (d) if so, the details thereof; and
- (e) the steps taken by the Board of Control for Cricket in India in the matter?

**ANSWER**

- (a)&(b): This Department does not have details of disclosures by former cricketers made under the Voluntary Disclosure Scheme.
- (c) No, Sir.
- (d) & (e): Does not arise.

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**LOK SABHA**

**QUESTION NO 4134**

ANSWERED ON 20.08.2001

**THREAT TO KIDNAP INDIAN CRICKETERS**

Will the Minister of YOUTH AFFAIRS AND SPORTS be pleased to state:-

- (a) whether some Pakistani extremist groups have threatened to kidnap Indian Cricketers;
- (b) if so, the details of security arrangement made for the Cricketers;
- (c) whether the Government have decided to play with Pakistan in view of the threat; and
- (d) if so, the details thereof?

**ANSWER**

- (a) & (b): As per information received from Ministry of Home Affairs, the Government is aware that the terrorist organization Lashkar-e-Toiba has issued a threat to some Indian players. Adequate security has been provided to all of them.
- (c) & (d): Under the prevailing circumstances the Government considers it inappropriate to play in two-nation matches against Pakistan. There is, however, generally no objection to playing against Pakistan in multilateral matches/tournaments at regular venues.

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## **SOCIAL JUSTICE & EMPOWERMENT**

### Summary of Questions Asked

1) *Grants :*

Getting grants sanctioned for Anath Ashram, Vatsalya Trust, Shradhanand Mahila Ashram.

2) *Social Security :*

Social security for senior citizens, issues of Senior Citizens Association were highlighted.

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**LAW, JUSTICE & COMPANY AFFAIRS**

**LOK SABHA**

**QUESTION NO 5585**

TO BE ANSWERED ON 29.08.2001

**CENTRAL ADOPTION RESOURCES AGENCY**

Will the Minister of SOCIAL JUSTICE AND EMPOWERMENT be pleased to state:-

- (a) whether the Central Adoption Resources Agency (CARA) disbursed grants for the year 1999-2000 and 2000-2001 to all the concerned Anathashrams of Maharashtra;
- (b) if so, the Shradanand Mahila Ashram and Vatsalaya Trust in Mumbai has not got the grants;
- (c) whether any representation has been received in this regard;
- (d) if so, the details thereof;
- (e) whether it is a fact that previous year's reasonable rational grants has not been sanctioned and disbursed till now;
- (f) if so, the reasons thereof; and
- (g) the action taken by the department so that these children of these orphanages need not suffer due to lack of co-ordination within the department?

**ANSWER**

- (a) A statement on disbursement of grants under the Scheme of Assistance to Homes (Shishu Greh) for Children to Promote In-country Adoption' for the year 1999-00 and 2000-01 for the State of Maharashtra is placed at Annexure-'A'.
- (b) Vathsalya Trust, Mumbai has been released Rs.11,66,400/- as grant-in-aid for the year 1999-00 and 2000-01. With regard to Shradhanand Mahila Ashram, they last applied and received grant under this scheme in the year 1995-96 and thereafter they have sent application for grant-in-aid for the year 2000-01 which is under examination.
- (c) & (d) The Ministry has received representations from the Organisations and letters from Hon'ble members of Parliament for release of funds to them.
- (e), (f) & (g) Grant-in-aid for previous years is governed by rule no. 149(4) of the General Financial Rules, wherein grant-in-aid may be sanctioned to meet the expenditure already incurred not earlier than a year prior to the date of issue of the sanction. As such grant-in-aid for a period more than one year back would be time barred. Delay in disbursing of grant-in-aid may be attributed to late receipt of applications, inspection report of State Govt. and its recommendation, incomplete documents etc. The Ministry has been writing to all State Governments and grantee NGOs to submit their applications in time. Guidelines for submitting such applications within the prescribed time frame have also been issued by the Ministry in order to avoid delays and consequent time barred cases. In the case of Vathsalya Trust the request for grant-in-aid for previous years is under consideration.

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**LOK SABHA**

**QUESTION NO 2526**

TO BE ANSWERED ON 08.08.2001

**SOCIAL SECURITY FOR SENIOR CITIZEN**

Will the Minister of SOCIAL JUSTICE AND EMPOWERMENT be pleased to state:-

- (a) whether there has been increase in number of Senior Citizens in the country;
- (b) whether there is any social security programme for Senior Citizens;
- (c) if so, the details of such programmes;
- (d) whether there is any proposal to bring forward a suitable legislation to protect them; and
- (e) if so, the details thereof?

**ANSWER**

(a) Yes, Sir.

(b)&(c) Under the Ministry's scheme 'An Integrated Programme for Older Persons' financial assistance upto 90% of the project cost is provided to NGOs for establishment and maintenance of the following:-

- Old Age Homes
- Day Care Centres
- Mobile Medicare Units, and also
- To provide Non-institutional services to the older persons.

Under the other 'Scheme of Assistance to Panchayati Raj Institutions/Voluntary Organisations/Self Help Groups for Construction of Old Age Homes/Multi Service Centres for Older Persons' grant up to Rs.30 lakhs is provided to eligible organizations for construction of old age homes and multi service centers for older persons.

Under the National Social Assistance Programme (NSAP), a national Old Age Pension Scheme is being implemented by the Ministry of Rural Development since 15th August, 1995. This is a Centrally Sponsored Scheme under which 100% financial assistance is provided to State Governments for social security in case of old age. According to the revised guidelines, destitute older persons of 65 years or above are eligible for an old age pension of Rs.75/- per month. The Central Government allocates funds to State Governments for disbursement of the pension.

(d) No, Sir.

(e) Does not arise.

\* \* \*

**LOK SABHA**

**QUESTION NO 4958**

TO BE ANSWERED ON 26.04.2000

**NATIONAL HANDICAPPED WELFARE FUND**

Will the Minister of SOCIAL JUSTICE AND EMPOWERMENT be pleased to state:-

- (a) whether the Government have created National Handicapped Welfare Fund for creating services, education, training, physical and economic rehabilitation of disabled persons;
- (b) if so, the details thereof;
- (c) the amount made available for the purpose alongwith the total grant received since its conception;
- (d) whether the funds have not been utilized properly for want of finalisation of schemes to be funded there from;
- (e) if so, the reasons therefor; and
- (f) the draft features of the schemes proposed to be funded out of this fund in the country and particularly in Maharashtra?

**ANSWER**

- (a)&(b) The National Handicapped Welfare Fund subsequently renamed as National Fund for People with Disabilities was created on 11.8.1983 with the object to promote voluntary sector for creating services for the handicapped for prevention and early detection of disabilities, education, training, physical and economic rehabilitation of disabled persons and to do all other things those are incidental and conducive to the above objects.
- (c) A token contribution of Rs. 1.00 lakh was made by the Govt. of India. A contribution of Rs. 2.50 crore was also received from the Implementation Committee of Jawaharlal Nehru Centenary Celebrations on 26.5.1989 towards the fund.
- (d) No Sir;
- (e) Does not arise.
- (f) Under the guidelines of the scheme registered voluntary organizations having a good track record, autonomous organisations and self-help organisations of people with disabilities are eligible for financial assistance for undertaking programmes for rehabilitation of persons with disabilities.

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**LOK SABHA**

**QUESTION NO 3035**

TO BE ANSWERED ON 22.03.2002

**GRANTS TO SISHU GRIHA YOJANA**

Will the Minister of SOCIAL JUSTICE AND EMPOWERMENT be pleased to state:-

- (a) whether the payment of grants under Sishu Griha Yojna to Vatsalaya Trust and Shrahdanada Mahila Ashram, Mumbai have not been made since a long;
- (b) if so, the details thereof alongwith the reasons therefor;
- (c) whether any representations have been received by the Government in this regard;
- (d) if so, the details thereof; and
- (e) the steps taken by the Government to give grants to the above organization?

**ANSWER**

(a)&(b) Details of grants sanctioned to Vatsalaya Trust, Mumbai and Shraddhanand Mahila Ashram, Mumbai for the last three years is as follows:

1. Vatsalaya Trust, Mumbai

Year 1999-2000 (Upto Sept. 2000)	2000-2001 (Upto Mar. 2001)	20001-2002 (Upto March 2002)
Rs. 8,91,000	Rs.2,75,400	Rs.4,53,533

2. Shraddhanand Mahila Aharam No grant has been released for the last 3 years as the project is considered a discontinued one due to lack of State Government's recommendation from 1996-97 to 1999-2000. Recommendation of the State Government for the current year has been received in March, 2002 and is under examination.

- (c)&(d) The Ministry has received representations from Hon'ble Members of Parliament for release of funds to both the organizations.
- (e) As stated in reply to (a) & (b) above, necessary steps have been taken by the Government keeping in mind the relevant Grant-in-Aid Rules.

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**LOK SABHA**

**QUESTION NO 2459**

ANSWERED ON 31.07.2002

**CHANGE IN OFFICE TIMINGS**

Will the Minister of PERSONNEL,PUBLIC GRIEVANCES AND PENSIONS be pleased to state:-

- (a) whether the Government are contemplating to change office timings/working hours in the Government offices;
- (b) whether there is also any proposal to increase the number of working days in the Government offices; and
- (c) if so, the details thereof alongwith the reasons therefor?

**ANSWER**

- (a)&(b) : No sir.
- (c) Does not arise.

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**LOK SABHA**

**QUESTION NO 1781**

ANSWERED ON 28.11.2001

**SUSPENDED GOVERNMENT EMPLOYEES**

Will the Minister of PERSONNEL,PUBLIC GRIEVANCES AND PENSIONS be pleased to state:-

- (a) whether the Supreme Court has made a judgement to cut the maintenance allowance paid to the suspended Government employees;
- (b) if so, the details thereof;
- (c) whether the Government are aware that it will affect the family of the suspended employees; and
- (d) if so, the corrective steps taken/proposed to be taken in this regard?

**ANSWER**

- (a),(b),(c)&(d): In the absence of citation of the case it has not been possible to locate the judgment. However, in accordance with Fundamental Rule 53 the amount of subsistence allowance can be reduced by a suitable amount not exceeding 50 per cent of the subsistence allowance admissible during the period of the first three months, if the period of suspension has been prolonged due to reasons directly attributable to the Government servant.

\* \* \*

**LOK SABHA**

**QUESTION NO 4468**

ANSWERED ON 22.08.2001

**WING TO MONITOR FINANCIAL FRAUD CASES**

Will the Minister of PERSONNEL,PUBLIC GRIEVANCES AND PENSIONS be pleased to state:-

- (a) whether it is a fact that in some economic cases the CBI takes five years in filing charge sheets against the scamstars;
- (b) if so, whether the Government are contemplating to set up a separate wing in the CBI to monitor economic offence cases separately; and
- (c) if so, the details thereof?

**ANSWER**

(a),(b)&(c): Consequent to the last reorganization of CBI in 1994, a separate Economic Offences Division has been created in CBI to investigate offences under various sections of Indian Penal Code (IPC) and other Special Acts, predominantly pertaining to serious frauds in banks, stock exchanges, financial institutions, joint stock companies public limited companies, misappropriation of public funds, criminal breach of trust, Customs Act, IMPEX laws, counterfeiting of currency, narcotics and drug trafficking offences relating to antiquities, adulteration and other financial crimes etc. However, some cases, pertaining to economic offences of a complex technical nature, involving extensive field investigation, take a long time. So far in only 3 cases pertaining to economic offences it has taken more than five years to complete investigation. In two of these cases, registered in 1993, charge-sheets were filed after five years in 1998 and in one case, registered in 1995, charge sheet is yet to be filed. In this case investigation has been completed and sanction for prosecution of the accused is awaited from concerned authorities.

\* \* \*

**LOK SABHA**

**QUESTION NO 7630**

ANSWERED ON 15.05.2000

**STATUS REPORT FROM RBF NIDHI LIMITED**

Will the Minister of LAW , JUSTICE AND COMPANY AFFAIRS be pleased to state:-

- (a) whether the Company Law Board (CLB) has ordered the supersession of the Board of Directors of RBF Nidhi Limited;
- (b) if so, the details thereof;
- (c) whether CLB has also directed the new Board to file a status report on the affairs of the company and time bound scheme for repayment of deposits collected by the company;
- (d) if so, the details thereof;
- (e) whether CLB has taken such decision in other Nidhi Companies which are defaulters; and
- (f) if so, the details of such Companies thereof ?

**ANSWER**

(a) to (f): A statement is annexed.

Statement referred in reply to Lok Sabha Unstarred Question No. 7630 for 15.05.2000 regarding Status Report from RBF Nidhi Limited.

(a) and (b): Yes Sir. The Company Law Board has appointed seven new directors including Chairman vide its order dated 12.01.2000 as indicated below: -

- (1) Shri A. M. Swaminathan, Retd. Secy. Government of Tamilnadu.
- (2) Shri N.R. Sridharan, Retd. Director, Government of India.
- (3) Shri K. J. Pappachen, President, RBF Nidhi Investors Association.
- (4) Shri R. Desikan, Consumer Activist.
- (5) Shri Arvind Datar, Advocate, Madras High Court.
- (6) Shri R. Rudrakumar, Chartered Accountant.
- (7) Shri A.R. Rao, Special Officer appointed by the Central Government has been appointed the Chairman of the Board.

(c) and (d): Yes Sir. The Company Law Board has directed the new Board of Directors to file a status report on the affairs of the company and also a time bound scheme for repayment of deposits by 31.03.2000. The Company Law Board vide its order dated 11.04.2000 has given directions for repayment of deposit as under:-

- (i) All deposits of Rs. 2000 and less will be paid in full so that largest segment of the deposits accounting to a mere Rs.6 crores will go out of the scheme, thus reducing the workload in the company.

- (ii) In respect of all other deposits, 10% of the deposits subject to a minimum of Rs.2000 will be paid. Further repayment of these deposits will be subject to the condition that not more than 50% of these deposits are paid by 31.03.2002.
  - (iii) Interest on deposits will be frozen as on 01.11.1999.
  - (iv) At the time of making the first payment, the company will also enclose a statement of the amount due to each depositor as on 30.11.1999 and also a summary of the CLB order.
  - (v) Since interest has been paid in respect of many fixed deposits for the month of November 1999, to ensure that there is uniformity, interest for the month of November 1999 be paid to those fixed deposits against which interest could not be paid for the month of November 1999. This payment should be done within 15 days from the date of receipt of the CLB order.
  - (vi) With a view to provide some comforts to old age depositors, CLB directed that deposits made by those of the age of over 75/80 years, as may be decided by the Board, be paid in full subject to a maximum of Rs.50, 000. Balance, if any, will be subject to the same terms of repayment as applicable to other depositors. Similar will be the case in respect of deceased depositors.
- (e) and (f) Yes Sir. In the case of M/s. Alwarpet Benefit Fund Limited, a Nidhi company which is a defaulter in repayment of deposits on maturity, the Company Law Board has given direction to the Department of Company Affairs for appointment of three (3) directors on the Board of this company. As such the Central Government vide order dated 06.09.1999 has appointed 3 directors namely:
- (1) Shri V. R. Lakshminarayanan
  - (2) Shri H. Venkataraman and
  - (3) Shri S. Radhakrishnan.

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**LOK SABHA**

**QUESTION NO 7573**

ANSWERED ON 16.05.2002

**SMALL INVESTORS**

Will the Minister of LAW , JUSTICE AND COMPANY AFFAIRS be pleased to state:-

- (a) whether the Government propose to appoint small Investors' representatives on the Board of Directors of various Stock Exchanges;
- (b) whether Members of Parliament & Investors' Association have made representation in this regard;
- (c) whether the Government will give importance to small investors;
- (d) whether workers, employees, speakers are also given representation on the Board of Directors of their companies;
- (e) if so, whether amendments in the companies act have also made provision of small shareholders represent on Board of Directors;
- (f) if so, whether it will give memorandum to small investors;
- (g) whether Investors' Association may be allowed to represent on Board of Directors; and
- (h) if so, the details thereof?

**ANSWER**

(a) to (h) : The information is being collected and will be laid on the Table of the House.

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**LOK SABHA**

**QUESTION NO 7708**

ANSWERED ON 16.05.2002

**PREFERENTIAL AND PRIVATE ALLOTMENT**

Will the Minister of LAW , JUSTICE AND COMPANY AFFAIRS be pleased to state:-

- (a) whether the Government are considering any change in the guidelines regarding preferential and private allotments of shares;
- (b) if so, the details thereof;
- (c) whether DCA, SEBI and MoF have any coordination and discussion on the subject;
- (d) if so, whether this route is misused by the unscrupulous promoters;
- (e) if so, the details about the private placement, preferential allotment of 10 lakhs share of HFCL by Dilip Chhabaria Design (DCD);
- (f) whether both the companies have misused this route;
- (g) if so, the details in this regard;
- (h) whether DCA and SEBI have written to each other regarding the misuse in this regard; and
- (i) if so, the details thereof and the action taken thereon?

**ANSWER**

(a) to (i): The information is being collected and will be laid on the Table of the House.

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**LOK SABHA**

**QUESTION NO 848**

ANSWERED ON 27.07.2000

**PROTECTION TO SMALL INVESTORS**

Will the Minister of LAW , JUSTICE AND COMPANY AFFAIRS be pleased to state:-

- (a) whether the Company Law Board is overburdened with the cases;
- (b) if so, the number of cases disposed of during the last year and the number of cases pending at present; and
- (c) the remedy lies with the small investors in case the Government does not obey the order/scheduled order of the Company Law Board?

**ANSWER**

- (a) Yes, Sir.
- (b) During 1.4.1999 to 31.3.2000, CLB disposed of 66926 cases and as on 1.4.2000 14403 cases were pending.
- (c) In case of non-Banking-non-Financial companies, whenever the orders are passed under Section 58A(9) of the Companies Act, 1956, a copy of Company Law Board (CLB) order is marked to concerned Registrar of Companies(ROC) stating therein that in case CLB order is not implemented, necessary action may be taken by the ROC concerned under Section 58A(10) of the Companies Act against the said company.

Similarly, in case of Non-Banking Financial Companies, CLB passes orders under Section 45QA of the Reserve Bank of India (RBI) Act, 1934. Copies of orders are also forwarded to RBI indicating that in case company fails to implement the order, penal action under RBI Act may be taken by RBI under Section 58B of the RBI Act.

The contravention of CLB order is punishable with imprisonment for a term which may extend upto 3 years and also with fine.

\* \* \*

**LOK SABHA**

**QUESTION NO 1013**

ANSWERED ON 07.03.2002

**ORDERS ISSUED AGAINST DEFAULTING COMPANIES**

Will the Minister of LAW , JUSTICE AND COMPANY AFFAIRS be pleased to state:-

- (a) whether various orders issued by Company Law Board against the defaulting companies are not being implemented ;
- (b) whether the system regarding implementation and punishment are not sufficient;
- (c) if so, the details thereof stating the causes CLB orders are implemented by Companies ;
- (d) whether CEAT Financial Services has not implemented the CLB orders;
- (e) whether lakhs of small investors in NBFCs are not getting back their savings in spite of CLB orders;
- (f) if so, the list of defaulting NBFCs and companies not repaying the installments, principal/interest as ordered by CLB;
- g) the present guidelines and provisions under the Act; h) the reasons, the Government have delayed strong action against companies including CEAT Financial Services; i) whether the Government have planned to correct the present provisions, system ; and j) if so, the details of plans thereof ?

**ANSWER**

(a) to (j) : The information is being collected and will be laid on the Table of the House.

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**LOK SABHA**

**QUESTION NO 6609**

ANSWERED ON 09.05.2002

**BUDGETARY PROVISION FOR INVESTORS  
EDUCATION AND PROTECTION FUND**

Will the Minister of LAW , JUSTICE AND COMPANY AFFAIRS be pleased to state:-

- (a) whether the funds allocated for Investors Education and Protection Fund during 2001-2002 has remained unutilized;
- (b) if so, the funds marked for the said period;
- (c) the budgetary provision for Investors Education and Protection Fund during 2002-2003; and
- (d) the manner in which the funds is likely to be utilised?

**ANSWER**

(a) & (b) : An amount of Rs. 3.00 lakhs was allocated for the Investor Education and Protection Fund during the year 2001-2002 out of which an amount of approximately Rs. 2.4 lakhs remained unutilized.

(c) & (d) : For the year 2002-2003 a budget provision of Rs. 3.02 crores has been made for the Investor Education and Protection Fund. The Fund will be utilised for investor education and awareness, and related activities.

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**LOK SABHA**

**QUESTION NO 4787**

ANSWERED ON 24.08.2000

**NON-RETURN OF DEPOSIT BY KIFL**

Will the Minister of LAW , JUSTICE AND COMPANY AFFAIRS be pleased to state:-

- (a) whether the Department of Company Affairs has received complaint from Member of Parliament and Investors Association regarding non-payment of deposits by KIFL;
- (b) if so, the details thereof alongwith the number of depositors and total amount involved therein;
- (c) the action taken by the C.L.B. in this regard;
- (d) whether the promoter of the company are obeying the C.L.B. orders; and
- (e) if not, the reasons therefor and the action taken against such company ?

**ANSWER**

- (a) & (b) : The company is a Non-Banking Finance Company and is regulated by the Reserve Bank of India Act, 1934 and guidelines made thereunder.

The Company Law Board, which is a quasi judicial body set up under section 10(E) of the Companies Act, 1956, has received complaints from Members of Parliament, Investors' Association and individual investors regarding non-repayment of deposits by KIFL. As on 11.02.2000, the Company Law Board had received 1872 applications complaining of non-repayment of deposits aggregating to an amount of Rs. 340 lakh.

- (c) The Company Law Board has after affording an opportunity to all depositors by public notice and after hearing the company, Reserve Bank of India, Bangalore, Registrar of Companies, Bangalore, Consortium of Banks, Several Investors Associations and individual investors passed an order under section 45QA of the Reserve Bank of India Act, 1934 on 21.03.2000 rescheduling the repayment of deposits.
- (d) & (e) : The Company has preferred an appeal before the High Court of Karnataka vide M.F.A. No. 2030 of 2000 seeking certain modifications in the order passed by the Company Law Board. Separately Bank of India and United Western Bank have obtained an interim stay on the Order of the Company Law Board from the Hon'ble High Courts of Madras and Karnataka respectively.

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**LOK SABHA**

**QUESTION NO 4693**

ANSWERED ON 24.08.2000

**INVESTORS EDUCATION AND PROTECTION FUND**

Will the Minister of LAW , JUSTICE AND COMPANY AFFAIRS be pleased to state:-

- (a) Whether the Government have finalised the guidelines and rules of Investors' Protection Fund.
- (b) If so, the details thereof;
- (c) Whether the Department of Company Affairs is considering the package and proposals for investors' education and awareness;
- (d) If so, the details thereof;
- (e) Whether the said Department will start encouraging the Investors' Association and its functioning; and
- (f) The time by which the Investors Education and Protection Fund likely to be made effective.

**ANSWER**

- (a) & (b) No, Sir. In exercise of powers conferred by sub section (4) of Section 205 C of the Companies Act, 1956 (1 of 1956), the Central Government has constituted a Committee to administer the Investors Education & Protection Fund and to maintain separate Accounts and other relevant records in relation to that fund in such forms as may be prescribed in consultation with the Comptroller & Auditor General of India.

In pursuance to decision taken by the Committee on Investor Education and Protection Fund, the Investor Protection Fund Rules, 1999 have been framed and sent to Comptroller and Auditor General of India for their approval. The matter is still under their consideration.

- (c) & (d) No, Sir.
- (e) The draft Investor Protection Fund Rules, 1999 provides for that the committee on Investor Education & Protection Fund Rules shall recognize from time to time various Associations/ Chamber of Commerce / Institutes/Organizations/Persons engaged in activities relating to Investors awareness Education & Protection who will be provided funds for conducting direct education programs; organizing seminar symposiums; conducting specific projects for Investor Protection including research activities and providing legal assistance to genuine Investor litigants.
- (f) The Investor Education & Protection Fund will be effective after the Investor Education & Protection Rules are finalized in consultation with Comptroller & Auditor General of India.

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**LOK SABHA**

**QUESTION NO 315**

ANSWERED ON 22.02.2001

**INVESTORS EDUCATION AND PROTECTION FUND**

Will the Minister of LAW , JUSTICE AND COMPANY AFFAIRS be pleased to state:-

- (a) whether the Government have finalised the procedure regarding Investors protection Fund;
- (b) if so, the details thereof;
- (c) the terms and reference thereof; and
- (d) the manner in which it is likely to help and safeguard the interest of the investors?

**ANSWER**

- (a),(b) & (c): The Central Government has decided that the Investors Education and Protection Fund referred to in Section 205C of the Companies Act, 1956 is a statutory fund required to be maintained in Consolidated Fund of India/Public Accounts of India and should be maintained in accordance with the provisions contained in the Constitution and other Laws and Rules made in this behalf. The procedure for receipt/expenditure relating to the Fund is being finalised in consultation with Controller of Accounts/Ministry of Finance (Budget Division)/C&AG of India.
- (d) The Committee which will administer the Investors Education and Protection Fund shall recognise from time to time various associations/chambers of commerce/institutes/organisation /persons engaged in activities relating the investor awareness, education and protection who will be provided the funds for conduction direct education programmes; organising seminars, symposiums; conducting specific projects for Investor protection including research activities and providing legal assistance to genuine Investor litigants.

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**LOK SABHA**

**QUESTION NO 6621**

ANSWERED ON 09.05.2002

**INCENTIVE TO FOREIGN INVESTORS**

Will the Minister of LAW , JUSTICE AND COMPANY AFFAIRS be pleased to state:-

- (a) whether attention of the Government has been drawn to the news-item appeared in 'Business Standard' on April 18, 2002 regarding encourage to foreign investment;
- (b) whether the Department is proposing any change in Section 78 of the Companies Act;
- (c) whether it will take care of ownership of Indian industries;
- (d) if so, whether proper care has been taken to safeguard the Indian investors;
- (e) if so, the final decision is likely to be taken in this regard; and
- (f) the time by when it is likely to be implemented?

**ANSWER**

- (a) to (f): A proposal to amend Section 78 of the Companies Act, 1956 is under consideration.

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**LOK SABHA**

**QUESTION NO 4061**

ANSWERED ON 18.04.2002

**INVESTORS EDUCATION AND PROTECTION FUND**

Will the Minister of LAW , JUSTICE AND COMPANY AFFAIRS be pleased to state:-

- (a) whether the Department has started investors education and protection fund;
- (b) if so, the nature of the fund;
- (c) whether a very small amount has been available to this fund;
- (d) whether the Department has collected the figures and amount of unclaimed dividend from various companies;
- (e) if so, the details about the unclaimed dividend available of the company and transferred in this account;
- (d) whether the Government has planned to make any suggestion to the auditors to make disclosure regarding transfer of unclaimed dividend to investors protection fund;
- (g) if so, the details thereof;
- (h) whether the Department has planned a campaign on investors education and awareness; and
- (i) if so, the details thereof?

**ANSWER**

- (a) Yes, Sir.
- (b) The Investor Education and Protection Fund shall be utilized for protection of investors. As per Section 205 C (2) of the Companies Act, 1956, the following amounts shall be credited by the companies to the Fund, if they have remained unclaimed and unpaid for a period of seven years from the date they became due for payment :
  - (i) unpaid dividend
  - (ii) un-paid application money received by companies for allotment of securities and due for refund;
  - (iii) un-paid matured deposits.
  - (iv) un-paid matured debentures
  - (v) interest accrued on the amounts referred to in (i) to (iv) above.
- (c) An amount of Rs.3.02 crores has been made available to the Department under this Fund during the financial year 2002-03.
- (d) & (e): According to the available information up to the end of February,2002 an amount of Rs. 23.51 crores has been deposited by the companies in this account.
- (f) & (g) Schedule VI is being amended to provide for disclosures regarding transfer of unclaimed amounts, mentioned in reply to part (b) of the of the Question, to the Investor Education and Protection Fund
- (h) & (i) Yes, Sir. The following are the basic objectives of the Investor Education and Protection Fund:
  - (i) creating awareness among investors about various investment options
  - (ii)educating the investors about risks involved in any investment programme
  - (iii)educating the investors about their rights under various laws of the country.

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**LOK SABHA**

**QUESTION NO 3577**

ANSWERED ON 17.04.2000

**IDENTITY CARDS TO VOTERS**

Will the Minister of LAW , JUSTICE AND COMPANY AFFAIRS be pleased to state:-

- (a) whether the Election Commission of India has requested the Government to make arrangements for issuance of identity card to all voters in the country;
- (b) if so, the names of the States where the voters identity cards have been issued to all the voters till December, 1999;
- (c) the details of those States where production of identity cards were made mandatory for casting votes in the elections held in February, 2000 along with the basis on which such a decision was taken;
- (d) whether the Government of Haryana has issues identity cards to all its voters;
- (e) if so, the details of those States which have expressed their inabilities to do so;
- (f) the reaction of the Union Government thereto; and (g) the steps taken/proposed to be taken by the Government to implement the orders of the Election Commission And casting the votes on the basis of identity card will be made mandatory in each State?

**ANSWER**

- (a) Yes, Sir.
- (b) Photo Identity cards have not yet been issued to all electors in the country. About thirty-eight crore electors representing 62% of the eligible electors of the country have so far been provided Photo Identity Cards. The scheme has so far not been extended to the State of Jammu and Kashmir. The work has also not started in Assam and Mizoram till now, although the programme has been extended to these States. According to the Election Commission, the scheme of issue of Photo Identity Cards to electors is not a project but an ongoing programme and no time limit can be fixed for completion of such a programme. The registration of electors is a continuous process (except for a brief period between the last date for filing nomination and completion of election process.) Therefore, the scheme of issue of Photo Identity Cards to the registered electors is also a continuous programme and every new elector has also to be covered by the scheme.
- (c) The production of Electoral Photo Identity Cards was insisted upon in the recently held general elections to the Legislative Assembly of Haryana in February, 2000. The Commission had also prescribed other means of identification for the electors not provided with Photo Identity Cards.
- (d) No, Sir. Out of a total of 11,107,835 electors, 9831,338 electors have been issued Photo Identity Cards in Haryana.
- (e) No State/Union territory has expressed its inability to implement the programme of Electoral Photo Identity Cards. However, the scheme has so far not been extended to the State of Jammu and Kashmir. The work has also not started in Assam and Mizoram till now, although the programme has been extended to these States.
- (f) The Government has extended its support for this programme and is providing necessary funds for this programme which is sharable between the Union and the State Governments on 50:50 basis.
- (g) The scheme is being monitored by the Election Commission and it has stated that complete coverage of the entire electorate is not possible at a given point of time due to new additions in the Electoral Rolls. At present, the Government has no proposal to make production of Photo Identity Cards mandatory at the time of voting. It may also be stated that the orders of the Election Commission issued in 1994 are sub-judice before the Supreme Court of India.

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**LOK SABHA**

**QUESTION NO 644**

ANSWERED ON 28.02.2000

**DISQUALIFICATION FOR AUDITOR OF THE COMPANY**

Will the Minister of LAW , JUSTICE AND COMPANY AFFAIRS be pleased to state:-

- (a) whether the Department of Law, Justice and Company Affairs is considering the proposal for not allowing an auditor of a company to have any shares in that company;
- (b) if so, whether a CA, who is a shareholder of a public limited company, is liable to be disqualified to become an auditor of that public limited company;
- (c) if so, whether the Government have held any discussions with the Institute of Chartered Accountants regarding the norms and guidelines for the auditors to be appointed for the public limited companies; and
- (d) if so, the steps being proposed by the Department and the Institute of Chartered Accountants against the CAs/auditors in case of delinquencies particularly of the CRB Group?

**ANSWER**

- (a) & (b) : The Government has introduced the Companies (Second Amendment) Bill, 1999 in the Lok Sabha on 23rd December, 1999. This Bill, inter-alia, contains provisions for disqualifying a person for appointment as auditor of a company if he holds any security of that company after a period of one year from the date of commencement of the Companies (Second Amendment) Act, 1999.
- (c) No Sir.
- (d) The auditors of the CRB Group Companies are not holding any shares of the companies. As such the question of taking any step against them does not arise.

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**LOK SABHA**

**QUESTION NO 590**

ANSWERED ON 28.02.2000

**DEFAULTING NON-BANKING FINANCIAL COMPANIES**

Will the Minister of LAW , JUSTICE AND COMPANY AFFAIRS be pleased to state:-

- (a) whether the Government have any plan to speed up the machinery to solve the problems of small investors in Non-Banking Financial Companies;
- (b) if so, the details thereof;
- (c) the number of cases pending with the Department of Company Affairs against the defaulting Non-Banking Financial Companies throughout the country alongwith the names of such companies, State-wise;
- (d) whether many of these Non-Banking Financial Companies are not traceable and have vanished;
- (e) if so, the steps taken by the Government to trace them;
- (f) the total amount of deposits collected by each of these defaulting Non-Banking Financial Companies;
- (g) the time by which the outstanding amount of the investors is likely to be repaid by these defaulting Non-Banking Financial Companies;
- (h) whether all the defaulting Non-Banking Financial Companies are promptly honouring the re-scheduled repayment of deposits as has been ordered by the Company Law Board; and
- (i) if not, the further steps suggested in this direction?

**ANSWER**

Parts (a) to (i) : The affairs of the Non-Banking Financial Companies (NBFCs) are regulated by the Reserve Bank of India. The Company Law Board has been given powers to pass orders, under Section 45QA of the Reserve Bank of India Act, where there is default by NBFCs in repayment of deposits. In case of non-compliance of Company Law Board orders, the RBI has been authorised to take penal action against NBFCs under section 58E of the RBI Act.

The information about measures regarding NBFCs, deposits collected by them and cases pending against them is being collected and will be laid on the Table of the House.

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**LOK SABHA**

**QUESTION NO 3017**

ANSWERED ON 07.12.2000

**CASES AGAINST NON BANKING FINANCE COMPANIES QUESTION**

Will the Minister of LAW , JUSTICE AND COMPANY AFFAIRS be pleased to state:-

- (a) whether the information has been collected;
- (b) if so, the details thereof;
- (c) the NBFCs against whom RBI has passed orders alongwith the number of depositors and their deposits collected;
- (d) the number out of them have not implemented CLB's orders alongwith the number of investors and their deposits collected; and
- (e) the steps RBI has taken to protect small investors and get back their deposits?

**ANSWER**

Part (a) : Yes, Sir.

Parts (b) to (e): The information is being processed and will be laid on the Table of the House.

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**LOK SABHA**

**QUESTION NO 3945**

ANSWERED ON 22.03.2001

**INVESTORS GRIEVANCE FORUM**

Will the Minister of LAW , JUSTICE AND COMPANY AFFAIRS be pleased to state:-

- (a) whether the Investors' Grievance Forum (IGF) Mumbai is providing free service in the redressal of grievances to small investors;
- (b) if so, the details thereof;
- (c) whether his department is providing any help to the forum in redressing the grievances of small investors;
- (d) if so, the details thereof; and
- (e) if so, the steps being taken to help the forum in its task to redress the grievances of small investors?

**ANSWER**

(a) & (b): No information in regard to the activities of the Investors' Grievances Forum (IGF) is available with the Department as it is not registered under the Companies Act, 1956.

(c) to (e): Department has extended the possible assistance to the Forum, by taking up the complaints, sent by it, with the companies for redressal.

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