



FOREIGNERS, FREEDOM FIGHTERS' PENSION AND REHABILITATION

CHAPTER XIII

FOREIGNERS AND VISA

13.1 The Ministry of Home Affairs is responsible for immigration, visa, foreign contribution and citizenship related matters. Entry, stay and exit of foreigners in India is regulated through the Bureau of Immigration (BOI) and the State Governments.

Entry and Movement of Foreigners

13.2 Entry, stay and exit of foreigners in India are governed by two principal Acts, namely, the Foreigners Act, 1946 and the Passport (Entry into India) Act, 1920. Under the present visa regime, while the initial visa is granted by Indian Missions/Posts abroad, on entry into the country, their stay and exit is regulated by the Bureau of Immigration (BOI) and the State Governments.

13.3 52,82,603 foreigners visited India during 2008 registering an increase of 3.64% over the previous year. The highest number of foreigners were from Asia (20,17,294), followed by Europe (18,32,595), North America (10,42,930), Oceania (1,78,590), Africa (1,43,977) and South America (29,061). The maximum number of foreigners who visited India were from USA (8,04,933) followed by UK (7,76,530), Bangladesh (5,41,884), Canada (2,22,364), Sri Lanka (2,18,805), France (2,07,802), Germany (2,04,344), Australia (1,46,209) Japan (1,45,352), and Malaysia (1,15,794). These ten countries accounted for 64.06% of the total arrival of foreigners in India.

13.4. A total of 3,98,836 foreigners were

registered and staying in India as on December 31,2008. The maximum number of foreigners registered were in Tamil Nadu (1,03,584) followed by Karnataka (61,910), Delhi (60,061), Arunachal Pradesh (35,909), Himachal Pradesh (28,641), Maharashtra (16,512), Gujarat (13,741), Uttarakhand (11,455), West Bengal (8,298), Andhra Pradesh (7,842). These ten States accounted for 87.24% of the total registered foreigners in India as on December 31, 2008. Students (45,435 – 25.63%) accounted for the highest percentage of registered foreigners followed by Employees (20,394 – 11.50%) and Tourists (4,902 – 2.76%).

13.5. 7,426 foreigners were arrested during 2008, for various violations of the Foreigners Act or for violating provisions of other Immigration Control Rules and Regulations, while 13,995 foreigners were deported during the year.

Immigration Control

13.6 Immigration is an important sovereign function of the Government exercised through the Immigration Check Posts (ICPs). There are 78 Immigration Check Posts (ICPs) in the country comprising 26 Airport ICPs, 20 Seaport ICPs, and 32 Land Check Posts. Out of total 78 ICPs, 14 are under the control of Bureau of Immigration (BoI) while the remaining 64 ICPs are controlled by the respective State Governments.

Modernization of ICPs

13.7 The programme of modernization, computerization and networking of 33



Immigration Check Posts (ICPs), which regulate more than 98.5% of the passenger traffic, has been completed. Under this modernization programme, Computer Systems have been upgraded, Immigration Control System (ICS) software has been installed and 33 ICPs and 5 Foreigners Regional Registration Offices (FRROs) have been networked with the Central Foreigners Bureau (CFB). Moreover, Passport Reading Machines (PRMs) and Questionable Document Examiner (QDX) machines have also been installed in the ICPs.

13.8 Furthermore, 42 ICPs are proposed to be computerized and networked to the Central Foreigners Bureau through one of the Regional Hubs located at Delhi, Mumbai, Chennai and Kolkata. The modernization programme has resulted in enhanced security screening of passengers and passenger facilitation, with a considerable reduction in immigration clearance time.

13.9 To strengthen the immigration function by enhancing the security screening of passengers and effectively reducing immigration clearance time, Advance Passenger Information System (APIS) has been introduced in Phase-I at 6 designated International Airports namely Delhi, Mumbai, Chennai, Hyderabad, Bangalore and Cochin from April 2008. In Phase-II, APIS is proposed to be implemented at the 26 international airports in a centralised mode.

13.10 Modernisation and upgradation of Immigration services is one of the Mission Mode Projects (MMP) of the Government under the National e-Governance Plan (NeGP). National Institute of Smart Government (NISG) has prepared the draft DPR for this MMP, that aims to develop a secure, integrated service delivery framework to enhance security and facilitation in the Visa issuance process, and the Immigration function besides fortifying the Foreigners Registration Processes for effective

tracking of the foreigners.

13.11 This MMP has global outreach since the scope of the project includes 169 Missions, 77 ICPs, (Immigration Check Posts), 5 FRROs, and Foreigners Registration Offices (FROs) in the State/District Headquarters. The implementation of the project would be done in a planned and phased manner (in consonance with infrastructure/connectivity readiness of locations) supported by effective communication, training and capacity building.

13.12 The envisaged outcomes from this MMP interalia include:

- Authentication of traveller's identity at the Missions, Immigration Check Posts (ICPs) and Foreigners Registration Offices (FROs) through use of biometrics and intelligent document scanners;
- Online registration of foreigners at the time of grant of visa and automated updation of the particulars of the foreigners at entry and exit points;
- Availability of a centralized system for sharing of information across the concerned Agencies about foreign travelers;
- Improved tracking of foreigners by integrating and sharing information captured during visa issuance at Missions, during immigration check at ICPs, and during registration at FRRO/ FROs;
- Software aided Passenger profiling for identifying risky travelers at Missions, ICPs and FRROs, and Generation of automated alerts about overstay and failure to register with concerned FRRO/FRO; and
- Convergence and integration with other initiatives such as e-passports, e-migration and crime and criminal tracking network for expeditious and informed decision-making.



CITIZENSHIP

13.13 During the year under report, a thorough review of the Citizenship Rules, 1956 was carried out and these rules were re-framed and re-notified as Citizenship Rules, 2009 by modification/deletion/addition in the existing rules for symmetry and harmony between various rules, and simplification of language. Applications forms for applying Indian citizenship have also been simplified in the Citizenship Rules, 2009 and displayed on the website of the Ministry.

Overseas Citizenship of India (OCI)

13.14 OCI Scheme has been made operational from December 2, 2005. The application form, procedure, brochure and Frequently Asked Questions (FAQs) have been hosted on the Ministry's website. The scheme has generated a very enthusiastic response from the Indian diaspora. Since the launch of the OCI Scheme, 5,31,496 persons have been granted OCI registration, as on December 31, 2009, out of which 1,28,071 cards have been issued during the period from April 1, 2009 to December 31, 2009.

REGULATION OF FOREIGN CONTRIBUTION

13.15 The Foreign Contribution (Regulation) Act, 1976 regulates the receipt and utilisation of foreign contribution and acceptance of foreign hospitality by certain persons or associations, with a view to ensuring that parliamentary institutions, political association and academic and other voluntary organisations as well as individuals working in the important areas of national life may function in a manner consistent with India's values as a sovereign, democratic republic.

13.16 The Foreign Contribution (Regulation) Bill, 2006 to replace the Foreign Contribution (Regulation) Act, 1976 was introduced in the Rajya Sabha on December 18, 2006. The objective of the Bill is to consolidate the law to regulate the acceptance and utilization of foreign contribution or foreign hospitality by certain individuals or associations and to prohibit acceptance and utilization of foreign contribution or foreign hospitality for any activities detrimental to the national interest.

13.17 After introduction, the Bill was referred by the Rajya Sabha to the Department-related Parliamentary Standing Committee on Home Affairs for examination and report. The Committee submitted its recommendations after recording the oral evidences of various stakeholders/Ministries/Departments/Organizations/ institutions and individuals. The Committee's recommendations were examined in consultation with the concerned Ministries/Departments/Agencies. It is now proposed to move official amendments to the Bill in the Budget Session 2010 of the Parliament .

13.18 During the year 2009-10, upto December 31, 2009, 1,393 associations have been granted registration and 388 associations have been granted prior permission to receive foreign contribution under the Foreign Contribution (Regulation) Act, 1976. The total receipt of foreign contribution as reported by 18,796 associations during the year 2007-08 was Rs. 9,663.46 crore. During the year 2008-09, as on December 31, 2009, the total receipt of foreign contribution (as reported by 11,913 associations) is Rs.8,237.22 crore.

FREEDOM FIGHTERS' PENSION

13.19 Indian freedom struggle is unique in the history of mankind. Persons from all walks of life, free from all barriers of caste, creed or



religion worked unitedly for a common cause. It was the struggle and sacrifice of several generations of people, starting from 1857 and continuing up to 1947, which brought freedom to the country. Millions and millions of people participated in the freedom struggle.

Pension Schemes

13.20 In 1969, the Government of India introduced a scheme known as the 'Ex-Andaman Political Prisoners Pension Scheme' to honour freedom fighters. In 1972, on the eve of the 25th Anniversary of India's Independence, a regular scheme called the "Freedom Fighters' Pension Scheme" was introduced for granting pension to freedom fighters. This Scheme was liberalized and renamed as the 'Swatantrata Sainik Samman Pension Scheme' with effect from August 1, 1980. Salient features of 'Swatantrata Sainik Samman Pension Scheme, 1980 are given below:

- **Eligibility:** The following categories of freedom fighters are eligible for the Samman Pension under the Scheme:
 - a) Eligible dependents of martyrs;
 - b) A person who had suffered minimum imprisonment of six months on account of participation in freedom struggle;
 - c) A person who on account of his participation in freedom struggle remained underground for more than six months;
 - d) A person who, on account of participation in the freedom struggle, was interned in his home or externed from his district for a minimum period of 6 months;
 - e) A person whose property was confiscated or attached and sold due to participation in the freedom struggle;
 - f) A person who, on account of participation in freedom struggle, became permanently incapacitated during firing or lathi charge;
 - g) A person who lost his Government job for

- participation in freedom struggle;
- h) A person who was awarded the punishment of 10 strokes of caning/ flogging/whipping due to his participation in freedom struggle.
- **Dependents :** Spouses (widows/widowers), unmarried and unemployed daughters (up-to maximum three) and parents of deceased freedom fighters (as also of martyrs) are eligible for grant of dependent family pension under the scheme.
- **Special Dispensation For Women And Weaker Sections of the Society:** The eligibility criteria for grant of pension on grounds of jail suffering specifies a minimum period of six months which the freedom fighters should have undergone in connection with the freedom movement. However, as a special dispensation for women freedom fighters and for the freedom fighters belonging to Scheduled Castes and Scheduled Tribes, the minimum period has been kept at three months.

Other Facilities to Freedom Fighters

13.21 Apart from pension, freedom fighters are also provided the following facilities by the Government of India:

- free railway pass (1st Class/AC Sleeper) for freedom fighter and widower/widow, along with a companion, for life;
- free medical facilities in all Central Government hospitals and hospitals run by PSUs under the control of the Bureau of Public Enterprises. C.G.H.S. facilities have also been extended to freedom fighters and their dependents;
- telephone connection, subject to feasibility, without installation charges, and on payment of only half the rental;
- General Pool residential accommodation (within the overall 5% discretionary quota) in Delhi.
- accommodation in the Freedom Fighters' Home set up at New Delhi for freedom fighters who have no one to look after them.

13.22 In addition to the above facilities, ex-Andaman freedom fighters are also entitled to the following facilities:

- a) free voyage facility for freedom fighter and widow to visit Andaman & Nicobar Islands, once a year, along with a companion; and
- b) free air travel facility for freedom fighter to visit Andaman & Nicobar Islands, once a year, along with a companion.

13.23 All major facilities provided to freedom

fighters are also extended to their widows/ widowers.

Enhancement in Pension

13.24 There has been periodical review of the rate of freedom fighters' pension and it has gone up from the initial amount of Rs.200 per month in 1972 to Rs.12,407 in 2009. The current rate of monthly pension and dearness relief payable to various categories of freedom fighters and their eligible dependents are given below:

S. No.	Category of freedom fighters	Basic Pension (in Rs.)	Dearness Relief (in Rs.)	Total amount of pension (in Rs.)
i	Ex-Andaman political prisoners	7,330	7,037	14,367
ii	Freedom fighters who suffered outside British India (other than INA)	6,830	6,557	13,387
iii.	Other freedom fighters (including INA)	6,330	6,077	12,407
iv.	Widow/widower of above categories of freedom fighters	Entitlement is the same as of respective deceased freedom fighters		
v.	Each unmarried and unemployed daughters (upto three)	1,500	1,440	2,940
vi.	Mother and father each	1,000	960	1,960

Expenditure on welfare of freedom fighters

13.25 A provision of Rs. 550 crore has been made in BE for the year 2009-10 for payment of pension and Rs.35 crore for free Railway passes to freedom fighters. Of this, an amount of Rs.437.68 crore has already been incurred as on December 31, 2009 towards pension and

Rs.28.90 crore on account of free Railway passes respectively.

13.26 Under the Scheme, 1,70,673 freedom fighters and their eligible dependents have been sanctioned Samman pension till December 31, 2009. State-wise break-up of freedom fighters/their dependents who have been sanctioned Samman pension is given below:



S. No.	Name of State/ Union Territory	Number of freedom fighters/their eligible dependents who have been sanctioned pension (as on December 31, 2009)
1.	Andhra Pradesh	14,667
2.	Arunachal Pradesh	0
3.	Assam	4,438
4.	Bihar	24,878
5.	Jharkhand	
6.	Goa	1,498
7.	Gujarat	3,598
8.	Haryana	1,688
9.	Himachal Pradesh	624
10.	Jammu & Kashmir	1,807
11.	Karnataka	10,091
12.	Kerala	3,304
13.	Madhya Pradesh	3,474
14.	Chattisgarh	
15.	Maharashtra	17,909
16.	Manipur	62
17.	Meghalaya	86
18.	Mizoram	04
19.	Nagaland	03
20.	Orissa	4,190
21.	Punjab	7,020
22.	Rajasthan	812
23.	Sikkim	0
24.	Tamil Nadu	4,110
25.	Tripura	888
26.	Uttar Pradesh	17,993
27.	Uttarakhand	
28.	West Bengal	22,488
29.	Andaman & Nicobar Islands	03
30.	Chandigarh	91
31.	Dadra & Nagar Haveli	83
32.	Daman & Diu	33
33.	Lakshadweep	0
34.	NCT of Delhi	2,046
35.	Puducherry	317
	Indian National Army (INA)	22,468
	Total	1,70,673



Committee of Eminent Freedom Fighters

13.27 The Committee of Eminent Freedom Fighters to look into the issues related to freedom fighters has been re-constituted under the Chairmanship of the Minister of State for Home Affairs. The Committee includes representatives from all the States which are having large concentration of freedom fighters. The first meeting of re-constituted Committee was held on February 1, 2010 at Goa.



Union Minister of State for Home attending the first meeting of the Committee of Eminent Freedom Fighter held on February 01, 2010 at Goa.

Honouring Freedom Fighters

13.28 On the anniversary of the Quit India Movement, the President of India honoured some of the distinguished and eminent freedom fighters from various States/Union Territories at an 'AT HOME' function held at the Rashtrapati Bhawan on August 9, 2009. 138 freedom fighters from various parts of the country attended this function and interacted with the President.

Hyderabad Liberation Movement

13.29 In 1985, sufferers of border camps, who participated in the Hyderabad Liberation Movement for the merger of the erstwhile State of Hyderabad with the Union of India during 1947-48, by relaxing the eligibility conditions, were made eligible for grant of pension under the Swatantrata Sainik Samman Pension

Scheme, 1980. The Shroff Committee (from 1985 to 1996) listed 98 border camps and recommended about 7,000 cases. Pension was sanctioned in all cases recommended by the Shroff Committee. The C.H. Rajeswara Rao Committee (from 1997 to 1998) recommended about 13,500 cases. All the cases recommended by the C.H. Rajeswara Rao Committee were referred to the State Governments for re-verification. In January, 2005, Government approved enhancement in the estimated number of beneficiaries from about 11,000 (estimated in

1985) to about 15,000, with the stipulation that only those applicants who participated in the Hyderabad Liberation

Movement up to September 15, 1948, i.e. before the police action in Hyderabad,

would be eligible for grant of pension. This stipulation has been adopted prospectively for grant of pension in all pending cases of Hyderabad Liberation Movement.

13.30 However, there were many complaints that the Committee had recommended bogus claimants, including persons who were not even born or were toddlers at the time of Hyderabad Liberation Movement. On an enquiry conducted by the Director General (Vigilance and Enforcement) it was found that large number of bogus claimants had managed to get pension based on false information and documents. It was, therefore, decided that each case, including those already sanctioned, will be thoroughly re-verified and thereafter a committee of eminent freedom fighters would scrutinize the results of the re-verification and finalize its recommendations, ensuring that no



fake claimant gets pension and no genuine freedom fighter is overlooked. Therefore, the State Governments were requested to verify each claim and give their specific recommendation. The State Governments were also requested that following factors should be kept in mind while verifying the claims:

- (a) The age of the applicant should be more than 15 years in March, 1947 (i.e., the time of commencement of the Hyderabad Liberation Movement)

applicant if the In-charge of the Border camp was no longer alive.

13.31 A Screening Committee of Eminent Freedom Fighters (SCEFF) has been constituted in May, 2009 under the Chairmanship of Shri Boinapally Venkat Rama Rao to scrutinize the re-verified cases relating to Border Camp sufferings during Hyderabad Liberation Movement. The Committee has started scrutinizing the re-verification reports from the State Governments. Out of 1,729 re-verification



Screening Committee of Eminent Freedom Fighters ((SCEFF) scrutinizing the re-verified cases relating to Border Camp sufferings during Hyderabad Liberation Movement

- (b) Proof of age should be based on official records such as Birth Registration certificate or School certificate or Voter Identity Card, Voter List of 1995 or earlier, etc; and
- (c) Claims may be got re-verified/ confirmed from the camp in-charge of the border camp who had issued the certificate in favour of the applicant, or from two central freedom fighters of the District of the

reports received so far, the SCEFF has considered 815 cases upto December 31, 2009.

Goa Liberation Movement

13.32 The movement for liberation of Goa, in which freedom fighters had undergone severe sufferings at the hands of the Portuguese authorities, was spread over three phases:



Phase-I	1946 to 1953
Phase-II	1954 to 1955
Phase-III	1956 to 1961

13.33 Freedom fighters of the movement during its various phases, who fulfilled the prescribed eligibility conditions and in whose cases the records of sufferings were available, were granted pension. In February, 2003, the Government of India relaxed the eligibility criteria under the Swatantrata Sainik Samman Pension Scheme, 1980 to grant pension to those freedom fighters of Phase-II of Goa Liberation Movement who had been sanctioned State freedom fighters' pension by the State Governments of Maharashtra, Madhya Pradesh, Goa, Haryana, Rajasthan and Uttar Pradesh by August 1, 2002. 2,124 freedom fighters who had participated in Goa Liberation Movement, Phase-II have been granted Samman Pension till December, 2009.

Policy Initiatives:

13.34 The following initiatives have been taken by this Ministry to streamline the Samman Pension Scheme: -

- (i) Fixation of minimum age limit for consideration of claims for Samman pension has been carefully considered and it has been decided that henceforth only claims of persons who were above 15 years of age at the time of their participation in the freedom movement, would be eligible for sanction of Samman pension.
- (ii) An exercise has been initiated to prepare database of the freedom fighters, dependents and family members who are living and drawing pension.
- (iii) Establish liaison offices at Hyderabad and Ernakulum, where large number of Court cases are pending in the High Courts. The

Officer will have proper interaction with Government Counsels of the High Courts, to know the day to day developments, ensure that copies of the Writ Petitions and judgments are obtained from the Courts and also that the Counter Affidavits and the Implementation Statements are prepared and filed in the Courts, through Counsels in time.

- (iv) A project has been undertaken to prepare computerised inventory of records of pension files to segregate the records which can be transferred to the National Archives and the ones which can be weeded out.

REHABILITATION OF DISPLACED PERSONS

Sri Lankan Refugees

13.35 Due to ethnic violence and continued disturbed conditions in Sri Lanka, a large number of Sri Lankan refugees have entered India since July 1983. The position of influx of refugees in phases is indicated below:

Phase	Period	No. of Refugees
Phase-I	24.7.1983 to 31.12.1987	1,34,053
Phase-II	25.8.1989 to 30.4.1991	1,22,078
Phase-III	31.7.1996 to 30.4.2003	22,418
Phase-IV	12.1.2006 to 31.12.2009	24,512*
Total		3,03,061

* Up to December 31, 2009

13.36 Refugees are of the following two categories:

- (i) Stateless persons who had not applied for Indian citizenship or those not yet conferred Sri Lankan citizenship; and



(ii) Sri Lankan citizens.

13.37 For these categories, the liability is basically of Sri Lanka. Government of India's approach is to discourage their movement but if any refugees belonging to these categories do come, they are granted relief on humanitarian grounds with the ultimate object of repatriation back to Sri Lanka, i.e., the process of rehabilitation does not start in their cases and relief is given pending such repatriation.

13.38 While 99,469 refugees have been repatriated to Sri Lanka upto March, 1995, there has been no organized repatriation after March 1995. However, some refugees have gone back to Sri Lanka or left for other countries on their own. As on December 31, 2009, about 72,969 Sri Lankan refugees are staying in 115 refugees' camps in Tamil Nadu and one camp in Orissa. Besides, about 26,729 refugees are staying outside the camps of their own, after getting themselves registered in the nearest Police Station.

13.39 Upon fresh arrival, refugees are quarantined and after complete verification of their antecedents, they are shifted to refugee camps. Pending repatriation, certain essential relief facilities are provided to them on humanitarian grounds. These facilities include shelter in camps, cash doles, subsidized ration, clothing, utensils, medical care and educational assistance. The entire expenditure on relief to Sri Lankan refugees is incurred by the State Government and is subsequently reimbursed by the Government of India. An amount of Rs.479 crore (approximately) has been spent by the Government of India for providing relief and accommodation to these refugees during the period July 1983 to December 2009.

Repatriates from Sri Lanka

13.40 The Government of India agreed to grant Indian Citizenship to, and to accept repatriation of, 5.06 lakhs persons of Indian origin, together with their natural increase, under the Indo-Sri Lanka Agreements of the years 1964, 1974 and 1986. Out of these 5.06 lakh persons, 3.35 lakh persons along with their natural increase of 1.26 lakh, comprising 1,16,152 families, were repatriated upto December 2006. The repatriate families have been provided with the resettlement assistance. No organized repatriation has taken place from Sri Lanka after 1984 due to disturbed conditions there. However, some repatriates arriving in India on their own are being rehabilitated under various schemes in Tamil Nadu.

Repatriates Cooperative Finance and Development Bank Ltd. (REPCO), Chennai

13.41 REPCO Bank was set up in the year 1969 as a Society under the Madras Cooperative Societies Act, 1961 (No. 53 of 1961) [now the Multi-State Cooperative Societies Act, 2002 (No.39 of 2002)] to help and promote the rehabilitation of repatriates from Sri Lanka, Myanmar, Vietnam and other countries. The management of the Bank vests in a Board of Directors, on which two Directors represent the Government of India. The total authorized capital of the Bank stood at Rs. 5.25 crore as on March 2009. The Government of India has contributed Rs.1.96 crore, towards the paid-up capital. Four Southern States (Tamil Nadu, Andhra Pradesh, Karnataka and Kerala) have contributed Rs.0.90 crore and other shareholders have contributed Rs.2.12 crore.

13.42 In 2009 the Government has approved a provision of additional share capital to Repatriates Cooperative Finance and Development Bank Ltd. (RepcO), Chennai to the



tune of Rs.74.36 crore over a period of three years starting from 2009-10. Rs.48 crore has already been released to the Bank in February 2010 for the current Financial year viz 2009-10.

13.43 As per its bye-laws, the administrative control over Repco is, at present, with the Government of India. The Bank has paid an amount of Rs.39.20 lakh as dividend @ 20% for the year 2008-09 to the Government of India. Audit of the Bank is up-to-date. The Annual Accounts and Annual Report of Repco for the year 2008-09 have been laid in the Rajya Sabha and Lok Sabha on December 16, 2009 and December 15,2009 respectively.

Rehabilitation Plantations Limited (RPL), Punalur, Kerala

13.44 Rehabilitation Plantations Limited (RPL), an undertaking jointly owned by the Government of India and Government of Kerala, was incorporated in the year 1976 under the Companies Act, 1956, for raising rubber plantations in Kerala to resettle repatriates as workers and employees. The management of the Company vests in a Board of Directors, on which two Directors represent the Government of India. The paid-up share capital of the Company (as on March 31st 2009) was Rs.339.27 lakh. The Government of Kerala holds Rs.205.85 lakh and the Government of India Rs.133.42 lakh of the equity in the Company. Since the State Government is the majority shareholder, the administrative control over RPL is with the State Government. During the financial year 2008-09, the Company made a profit before tax of Rs.757.63 lakh and of Rs. 674.45 lakh after tax. The Company has paid a dividend of Rs.26.68 lakh to Government of India @ 20 per cent of the paid-up share capital during the year 2008-09. The Annual Accounts and Annual Report of RPL for the year 2008-09 have been laid in the Rajya Sabha and Lok

Sabha on December 16, 2009 and December 15,2009 respectively.

Tibetan Refugees

13.45 Tibetan refugees began pouring into India in the wake of the flight of His Holiness Dalai Lama in the year 1959 from Tibet. The Government of India decided to give them asylum as well as assistance towards temporary settlement. Care has been taken to retain their separate ethnic and cultural identity.

13.46 As per information provided by Bureau of His Holiness the Dalai Lama, the population of Tibetan refugees in India in February, 2008 was 1,10,095. Majority of these refugees have settled themselves, either through self-employment or with Government's assistance under agricultural and handicrafts' schemes in different States in the country. Major concentration of the Tibetan refugees is in Karnataka (44,468), Himachal Pradesh (21,980), Arunachal Pradesh (7,530), Uttarakhand (8,545), West Bengal (5,785), and Jammu & Kashmir (6,920). The Ministry of Home Affairs have spent an amount of about Rs.18.72 crore on resettlement of Tibetan refugees. The Rehabilitation of Tibetan Refugees is almost complete.

Ex-gratia payment etc. To displaced persons from Pak occupied Kashmir, 1947 and non-camp displaced persons from Chhamb-Niabat Area,1971

13.47 Government of India announced relief packages in April & August, 2000 for the Non-camp displaced persons from Chhamb-Niabat Area and displaced persons from Pak occupied Kashmir respectively. A Committee headed by Divisional Commissioner, Jammu was also appointed to verify the genuine claims of eligible displaced persons. Brief description of the



admissible benefits is as follows: -

- i) Payment of ex-gratia @ of Rs.25,000 per family to non-camp displaced persons from Chhamb Niabat Area (1971)
- ii) Payment of ex-gratia @ of Rs.25,000 per family to displaced persons from POK (1947)
- iii) Payment of cash compensation in lieu of land deficiency at the maximum rate of Rs.25,000 per family of displaced persons from POK (1947).
- iv) Payment of Rs. 2 crore to be provided for the allotment of plots to those displaced persons who have already been settled in the state of J & K and who have not been allotted plots in the past.
- v) Payment of Rs. 25 lakhs to the State Government for improvement of civic amenities in 46 regularised colonies of displaced persons.

13.48 A Committee constituted for verification of genuine claimants for payment of ex-gratia/rehabilitation assistance and headed by the Divisional Commissioner, Jammu has undertaken the job of identification of eligible beneficiaries of PoK(1947). A total amount of Rs.6.17 crore has been released to the Govt. of J&K for disbursement to verified and eligible families. Out of a total of 4,988 eligible beneficiaries identified by the State Government of J & K, 3,859 claims have been verified upto December, 2009. Out of the 3,859 cases verified by the Committee, the Government of J&K has disbursed an amount of Rs.880.39 lakh to 412 families (out of 1,873 families). The Government of India has further released Rs.49 crore to the State Govt of J&K on December 24, 2008 on account of payment of ex-gratia for land deficiency to displaced persons from Pak occupied Kashmir, 1947 as per the package announced by the Prime Minister in April, 2008. It has been intimated by the State Government of J & K that out of Rs.49 crore, an

amount of Rs.10 crore as a part payment has been released to Divisional Commissioner, Jammu for further disbursement to the displaced persons of 1947 as cash compensation in lieu of the land deficiency. The State Govt. of J&K has further stated that disbursement of the full amount (Rs.49 crore) to the displaced persons of 1947 shall be completed by the end of current financial year, viz, 2009-2010.

13.49 As regards non-camp displaced persons from Chhamb-Niabat Area (1971), the Committee has verified 1,502 cases out of a total of 1965 cases for payment of ex-gratia @ Rs.25,000 per eligible family. Government of India released Rs.83 lakh to Govt. of J&K in March, 2004 for disbursement to eligible beneficiaries. The State Government has disbursed the amount to 1,198 eligible beneficiaries.

ENEMY PROPERTY

13.50 The work relating to Enemy Property, which was earlier under the Ministry of Commerce, was transferred to Ministry of Home Affairs vide Notification No.1/22/4/2007-Cab, dated June 28, 2007, issued by the Cabinet Secretariat in exercise of powers conferred under clause (3) of the article 77 of the constitution regarding amendment to the Government of India (Allocation of Business) Rules 1961.

13.51 Office of the Custodian of Enemy Property for India is presently functioning under the provisions contained in the Enemy Property Act 1968 which was enacted for continued vesting to preserve and manage the Enemy Property vested in the Custodian of Enemy Property for India. Under the Act, all immovable and movable properties all over India belonging to or held by or managed on behalf of Pakistan nationals between the period



from September 10, 1965 to September 26, 1977, are vested in Custodian of Enemy Property for India.

13.52 The Office of the Custodian of Enemy Property for India is located in Mumbai with a branch office at Kolkata. Presently, the Custodian is managing 2,049 immovable properties like lands, buildings etc. and movable property like securities, shares, debentures, bank balances, fixed deposits and other amounts lying in the enemy nationals bank accounts, provident fund balances etc. In addition, the Custodian is also doing management of two banks viz Habib Bank and National Bank of Pakistan.

13.53 After the Indo-Pak war of 1965 and 1971, the Government of India passed a resolution No.12/1/1971 EI&EP dated March 15, 1971 to sanction ex-gratia payment to the extent of 25% of the lost properties to the Indian nationals and companies who were in West & East Pakistan during the said ex-gratia payment to the claimants. A sum of Rs.71.04 crore has so far

been paid by way of ex-gratia payment to the claimants till December 31, 2009.

13.54 In terms of the provisions of the Enemy Property Act, 1968 fees equal to 2% of the income derived from the properties vested in Custodian are levied and the same shall be credited to the Central Government. Accordingly, a sum of Rs. 5.25 crore being 2% levy has been credited to the Consolidated Fund of India till December 31, 2009 since 1965.

13.55 In September, 2009 a contract has been given to National Institute of Financial Management (NIFM), Faridabad for preparation of inventory of all immovable/movable enemy properties in India. The terms inter alia include: (i) valuation of securities (shares/bonds) of listed and quoted companies; (ii) physical certification and valuation of 100 selected immovable properties; and (iii) strategy for investment of corpus fund outlining road map for maximizing the return. The NIFM is expected to submit its report by May, 2010.
