

Declaration of ICWA as an institution of National Importance

1200. SHRI C.M. IBRAHIM:

SHRI SATISH PRADHAN:

Will the Minister of EXTERNAL AFFAIRS be pleased to state:

(a) whether in a swift turn of events, Government took over the Indian council of world Affairs alongwith its premises in Sapru House, Barakhamba Road, New Delhi, on September 2, 2000 ostensibly to give effect to an ordinance declaring ICWA as an institution of National importance;

(b) if so, the reasons and circumstances leading to such action; and

(c) on what lines and for what precise objects this institution has been functioning so far, and the reasons for promulgating the Ordinance?

THE MINISTER OF STATE IN THE MINISTRY OF EXTERNAL AFFAIRS (SHRI KRISHNAMRAJU): (a) The Indian Council of World Affairs Ordinance, 2000 (No. 3 of 2000) was promulgated on the 1st September, 2000. Ordinance declares the Indian Council of World Affairs to be an institution of national importance and provides for its incorporation and matters connected therewith. The Director General of Indian Council of World Affairs, appointed under the provisions of the said Ordinance, took control of the ICWA premises (Sapru House) on the 2nd of September, 2000.

(b) and (c) a copy of the Statement explaining the circumstances necessitating immediate legislation by ordinance is enclosed Statement-I (*See below*). Objectives of the Council have been outlined in para 13 of the ICWA Ordinance 2000 (No. 3 of 2000) — vide a copy attached as Statement-II.

Statement-I

Circumstances which Necessitated the Promulgation of Indian Council for World Affairs (ICWA)

The Indian Council of World Affairs was established in Delhi, in 1943, under the Societies Registration Act of 1860. Amongst other, the objects of the Council are promoting study of indian and International affairs. In 1950, a plot of land measuring 1996 acres on Barakhamba Road was allotted by the Government to ICWA and a building named as Sapru House was constructed on it. The ICWA received a number of donations from members of the public and from private firms for the construction of Sapru House. The ICWA had also set up fund raising committees in Bombay, New Delhi, Madras and Calcutta.

Within a few years of its establishment the ICWA became a world renowned institution providing outstanding facilities for study and research. Also, the Sapru House Library became one of India's premier libraries, and the ICWA became a distinguished forum for Indian and foreign dignitaries to speak on foreign policy issues. The Council began publishing two prestigious journals, 'India Quarterly' and 'Foreign Affairs Report'. The ICWA was, in part, funded by grant from the Government. On account of mismanagement of the affairs of the Council, the then Government, stopped these grants between the years 1985-86 and 1988-89.

It was from 1981 that the Society functioning had witnessed marked deterioration, in consequence the institution started losing its standing. Academics, students and intellectuals distanced themselves from the affairs of the Council. There then also occurred many violations of the terms of the lease of land given by the Government to ICWA. The premises of the Council were sublet to other organisations, non-payment of dues to the Government mounted. Complaints were also received by the Government about dereliction in the maintenance of the Council Library. Since then, there have been consistent demands for intervention of the Government.

To save this institution of national importance, the Government, in 1990, promulgated an Ordinance for taking over the affairs of the Council. The Rajya Sabha granted its approval to the Ordinance on September 5, 1990. There was, thereafter, an intervention by a single Judge Bench of the Punjab and Haryana High Court. A Division bench of the Punjab and Haryana High Court on an appeal by the Government, however, ruled on October 3, 1990, that without prejudice to the actual outcome of the appeal, there was no obstacle for consideration of the Bill in the Lok Sabha. The Bill, though listed for consideration in the Lok Sabha on October 5, 1990, could not be taken up, as the Lok Sabha was dissolved.

Demands for intervention by the Government, however, persisted. Complaints of further mismanagement, and of making vital changes in the rules and regulations of the Memorandum of Association, particularly those relating to the elections of office bearers of the Council were also received. A large number of people, having scant allegiance, and no recognisable relationship with the objectives of the Council, were admitted as members of the Council, only so as to create an electoral base for continued re-election of office bearers.

Mindful of this deterioration in the affairs of the Indian Council of World Affairs, and considering the national importance of the council, the Standing

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Committee of Parliament on External Affairs made several recommendations for action by the Government. [Enclosed copy of extracts of pages 215/216 from the Compendium of Standing Committee on External Affairs, Lok Sabha Secretariat, New Delhi, August, 1999 refers]

In the light of the foregoing, the ICWA Ordinance (No. 3 of 2000) was promulgated on September 1, 2000.

The necessity for immediate action through promulgation of an Ordinance arose specifically from the following:

- (i) It was felt that the image of the Council having already suffered grievously, if no immediate action was taken, the consequent damage would be irreversible;**
- (ii) reports were received to the effect that although the elections to the Council were to be held on the September 5, 2000, the results of it were declared on August 12, 2000, almost a month in advance. This raised doubts in public mind that the then Management was manipulating the entire process of elections;**
- (iii) for the last many years, persistent complaints were received that salaries of staff were neither paid regularly nor was any other relief granted;**
- (iv) renting of the property of the Council to commercial organisations and to a non-active trust;**
- (v) allowing the Council auditorium to be used for staging a variety of dramas of strange provenance.**
- (vi) continuous neglect of an extremely valuable Library resulting in destruction of books. Some of the valuable documents, for example, those relating to the historic Asian relations Conference-1947, were thus lost forever.**
- (vii) the premises of Sapru House were in such a state of disrepair that any further delay in taking over would have led to permanent damage to this historic building.**

It is for these reasons that the Ordinance for taking over the affairs of the Council was promulgated by the President on September 1, 2000.

IL LC.WA.

Recommendation contained in 1st Report (10th L.S.) of CEA on Demands for Grant of MEA for the year 1993-94

The Committee was informed that the question of revamping and revitalising the functioning of ICWA has been engaging the Governments active consideration. The Committee feel that it is high time that the ICWA was salvaged and resurrected as an autonomous institution of national importance before it is too late. The Committee urges upon the Government to appoint a High Powered Committee without any further loss of time to review its functioning and to suggest necessary modalities for achieving the purpose. The Committee desire that the recommendations of the Review Committee and the action taken thereon be intimated to them (*Para No. 20*)

Government's Reply

ICWA is an autonomous body and any Committee to supervise its working can be constituted only with the concurrence of its Governing Body. They are presently being persuaded to pass a resolution requesting Government to appoint such a high-powered committee.

Recommendation contained in 2nd Report (10th L.S.) of CEA on Demands for Grants of MEA for the year 1994-95

The Committee reiterate the recommendation made in its First Report and desire the Ministry to persevere in its efforts with the objective of reviving the ICWA and restoring it as an autonomous institution of national importance and that they should find a way to break the current impasse through consultations. (*Para No. 48*)

Government's Reply

The Committee's recommendation in this regard has been noted. Ministry have been persevering in its efforts to revive the ICWA. The President of ICWA has conveyed Verbally to the Minister of State in this Ministry and to various senior officials, that he is in the process of seeking authority from his Executive Committee to have a High Powered Committee to revive the functioning of ICWA and suggest what changes are necessary to restore it as an autonomous institution of national importance as suggested by the Standing Committee in its First Report. The Ministry is awaiting the ICWA President's confirmation that the necessary authority has been obtained for setting up the High Powered Committee.

[MEA Letter No. Q/Bud./734/2/94 dt. 28.7.1994]

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Further Reply

As reiterated by the Standing Committee in its 5th report, this Ministry has once again requested the President of the ICWA to kindly expedite passing of the resolution by the Governing body of the Council for the constitution of a high-powered committee. The Ministry is awaiting the response from the ICWA.

[Forwarded with D.O. NO. 4632/AS (AD)/95 Dated 30.8.95]

Recommendation contained in 1st Report (12th L.S.) of CEA on Demands for Grants of MEA for the year 1998-99

While expressing deep concern over the current state of affairs in the ICWA, the Committee are of the view that unless the ICWA is taken over by the Government there would be further deterioration in this Institution which was set up with high hopes of making it a credible and respectable institution. The Committee recommend that the Ministry of External Affairs should come forward and make every effort to revive the proposal of takeover of ICWA by the Government. (*Para No. 43*)

Government's Reply

The recommendation of the Committee is under examination of the Ministry of External Affairs.

[MEA Letter No. AA/125/Parl./21/98, Dated 18.11.98]

Statement-II

The Indian Council of World Affairs Ordinance, 2000

No. 3 of 2000

Objects of Council

13. The objects of the Council shall be—

(a) to promote the study of Indian and international affairs so as to develop a body of informed opinion on international matters;

(b) to promote India's relations with other countries through study, research, discussion, lectures, exchange of ideas and information with other organisations within and outside India engaged in similar activities;

(c) to serve as a clearing house of information and knowledge regarding world affairs;

(d) to publish books, periodicals, journals, reviews, papers, pamphlets and other literature on subjects covered under clauses (a) and (b);

(e) to establish contacts with organisations promoting objects mentioned in this section;

(f) to arrange conferences and seminars to discuss and study the Indian policy towards international affairs; and

(g) to undertake such other activities for the promotion of ideas and attainment of the above- mentioned objects;

Work Profile and Responsibilities of Controller of certifying Authorities Under IT Act

1201. SHRI R.P. GOENKA: Will the Minister of INFORMATION TECHNOLOGY be pleased to state:

(a) what are the details of the work profile and responsibilities contemplated for the Controller of Certifying Authorities under the IT Act 2000;

(b) whether representations have been received from the IT industry to change this designation of Controller which, as reported is obsolete in the post-liberalisation era and out of sync with the international IT business which expects only a facilitator; and

(c) if so, the action taken thereon?

THE MINISTER OF PARLIAMENTARY AFFAIRS AND MINISTER OF INFORMATION TECHNOLOGY (SHRI PRAMOD MAHAJAN): (a) The Controller of Certifying Authorities under the Information Technology Act, 2000 may perform all or any of the following functions, namely:—

(1) exercising supervision over the activities of the Certifying Authorities;

(2) issue of licence to Certifying Authorities for them to issue Digital Signature Certificates;

(3) renewal of licence for Certifying Authority;

(4) recognition of foreign Certifying Authority;

(5) certifying public keys of the Certifying Authorities;

(6) suspension or revocation of licence to Certifying Authorities;

(7) laying down the standards to be maintained by the Certifying Authorities;