

State Governments and High Courts wanted changes in the proposal formulated by the Central Government.

(d) Keeping in view the divergence of opinion among the stakeholders on constitution of All India Judicial Service, the Government has undertaken the consultative process to arrive at a common ground.

Servicing of court notices abroad

1558. PROF. M.V. RAJEEV GOWDA: Will the Minister of LAW AND JUSTICE be pleased to state:

(a) whether the Ministry has appointed nodal officers to facilitate and oversee the serving of notices abroad; and

(b) if so, the number of appointments and other relevant details thereof, if not, the reasons therefor?

THE MINISTER OF STATE IN THE MINISTRY OF LAW AND JUSTICE (SHRI P. P. CHAUDHARY): (a) and (b) No, Sir. For service of summons/notices/extra judicial documents in Civil and Commercial matters, Ministry of Law and Justice, Department of Legal Affairs is the Nodal Ministry/Central Authority. For service of summons/notices in a foreign country, a Notification is required to be issued by Central Government under Section 29(c) of the Civil Procedure Code, 1908, declaring that the provisions of said section shall apply to the Civil Courts in that country.

India is one of the parties to the Convention of 15 November, 1965 on the Service Abroad of Judicial and Extrajudicial Documents in Civil or Commercial Matters. Ministry of Law and Justice, Department of Legal Affairs is the Central Authority, for the purpose of the said convention and contact person is Shri R.K.Srivastava, Dy. Legal Adviser. *Vide* Notification, GSR 24 (E) dated 12th January, 2009, issued under Section 29 (c) of the Civil Procedure Code, 1908, it has been declared by the Central Government that provisions of said section shall apply to all Civil Courts in all the countries who are parties to the said Convention of 1965. Individual Notifications under Section 29 (c) have also been issued in respect of Bangladesh, Belgium, Burma (now Myanmar), Ceylon (now Sri Lanka), Egypt, France, Iraq, Japan, Kenya, Federation of Malaya, Nepal, Pakistan, Persia, Portugal, Russia, Singapore, Spain, Sweden, U.A.E., Mongolia, Bahrain.

Central Government has also entered into bilateral Agreements with Malaysia, Singapore, Kuwait, Mongolia, Azerbaijan, Ukraine, France, Bulgaria, Bahrain, UAE, Russia, Turkey and Afghanistan on Juridical and Judicial Cooperation in Civil and

Commercial Matters for the service of summons, judicial documents, commission, execution of judgments and Arbitral Awards.

For service of summons/notices/judicial processes in criminal matters, M/o Home Affairs is the nodal Ministry. All requests for service of summons/notices/judicial processes on persons residing abroad shall be addressed to the Under Secretary (Legal), IS-II Division, Ministry of Home Affairs, New Delhi.

Section 105 of Criminal Procedure Code (CrPC) speaks of reciprocal arrangements to be made by Central Government with the Foreign Governments with regard to the service of summons/warrants/judicial processes in criminal matters. The Ministry of Home Affairs has entered into Mutual Legal Assistance Treaty (MLAT)/Agreements with 22 countries which provide for serving of documents. These countries are Switzerland, Turkey, United Kingdom, Canada, Kazakhstan, United Arab Emirates, Russia, Uzbekistan, Tajikistan, Ukraine, Mongolia, Thailand, France, Bahrain, South Korea, United States of America, Singapore, South Africa, Mauritius, Belarus, Spain and Kuwait. In other cases, the ministry makes a request on the basis of assurance of reciprocity to the concerned foreign government through the Mission/Embassy. The difference between the two categories of the countries is that the country having MLAT has obligation to consider serving the documents whereas the non-MLAT countries do not have any obligation to consider such a request.

Fraudulent withdrawal through BHIM App

†1559. CH. SUKHRAM SINGH YADAV:

SHRI VISHAMBHAR PRASAD NISHAD:

SHRIMATI CHHAYA VERMA:

Will the Minister of ELECTRONICS AND INFORMATION TECHNOLOGY be pleased to state:

(a) whether it is a fact that incidents of withdrawing money fraudulently from the accounts of account holders through BHIM App have surfaced; and

(b) if so, the State-wise number of account holders who suffered from such incidents and whether banks have refunded the amount illegally withdrawn through it to the account holders or whether the account holders will have to wait till the enquiry is completed to get their money back, and the details thereof?

THE MINISTER OF STATE IN THE MINISTRY OF ELECTRONICS AND INFORMATION TECHNOLOGY (SHRI P. P. CHAUDHARY): (a) and (b) No, Sir.

† Original notice of the question was received in Hindi.