

Interim Recommendation on the Institution of 'Pravasi Bharatiya Samman Awards' for the Indian Diaspora

Introduction



The High Level Committee on the Indian Diaspora (HLCID) has the honour to submit the following interim recommendation to the Government of India on the institution of a scheme of awards to be known as *Pravasi Bharatiya Samman Awards*, which would be reserved exclusively for Non-Resident Indian Citizens (NRIs) and Persons of Indian Origin (PIOs). The purpose of submitting this interim recommendation at the current stage of the Committee's work is to facilitate a timely decision on the formulation of this scheme, and also for its early implementation.

- 26.2. *Bharat Ratna* has been the highest civilian award conferred by the Government of India. There are also three kinds of *Padma* awards, namely, *Padma Vibhushan*, *Padma Bhushan* and *Padma Shri*. All of them are announced annually on Republic Day. They have been conferred, from time to time, on NRIs, PIOs, as well as other foreign citizens. As many as 15 *Padma* awardees from 1998 to 2001 have been NRIs or PIOs.
- 26.3. Suitable recognition in the form of special awards by 'mother countries' of the achievements and contributions of their respective Diasporas is a well-established policy in many parts of the world. A number of countries do not have a separate system in place for the conferment of such awards. In many instances, the awards given by them to their own citizens, whether living within their territorial jurisdiction or otherwise, are also conferred on foreign citizens of domestic origin. But there is no uniform pattern in this matter.
- 26.4. The Lebanon, for instance, which has a resident population of 3.5 million but a Diaspora of 14 million, has instituted a separate set of decorations exclusively to honour distinguished persons of Lebanese origin who have settled down in foreign countries.
- 26.5. The Philippines gives special awards to deserving members of its Diaspora and one of them is even nominated to its House of Representatives. As many as ten overseas Filipino workers who have contributed to the welfare of their colleagues abroad, or enhanced the growth and development of bilateral relations by their conduct, are selected annually for the award of a small monetary gift, along with free tickets to visit their home country.

- 26.6. On the other hand, Italy has instituted five categories of awards called *The Order of Merit of the Italian Republic*. Eligible persons for these awards are not only Italian citizens and members of its Diaspora, but also foreign citizens. The only qualifying criterion is a particularly important contribution to the nation. Italy also has a large number of *Star Awards*, which are given to employees of public and private enterprises, and to members of trade unions, on the recommendation of its Ministry of Labour.
- 26.7. China's case is again *sui generis*. It has no separate system of awards or honours for "Overseas Chinese". Nor are they given the awards that Chinese citizens receive. Instead, China has a separate category of awards meant for all foreigners – including those of Chinese origin!

Supreme Court Judgement

In transferred Case No.1 of 1995 relating to the constitutional validity of the Padma Awards

- 26.8. The HLCID has carefully perused the majority judgement delivered on 15 December 1995 by a Constitution Bench of the Supreme Court, presided over by the Hon. Chief Justice of India, relating to the constitutional validity of the *Padma Awards*. The judgement upheld the validity of a system of awards to recognise excellence in various fields. It observed that the guidelines for the selection of probable recipients were extremely wide, imprecise, amenable to abuse and unsatisfactory for the important objective that they sought to achieve. There were no limitations prescribed for the maximum number of awards that could be presented in a given year, nor the maximum number in each category. The need for necessarily granting awards every year also required consideration. The judgement stated further that the determination of these and other criteria needed to be examined by a High Level Committee that may be appointed by the Prime Minister in consultation with the President of India. That Committee was to keep in view the Court's anxiety that the number of awards should not be so large as to dilute their value.
- 26.9. The High Level Committee that was constituted in May 1996, in pursuance of the above judgement of the Hon. Supreme Court, was chaired by the then Vice-President of India, Shri K. R. Narayanan. In its report to the Government, the Committee recommended, *inter alia*, that the number of annual Padma Awards should not exceed a certain number specified by it, and that they could continue to be given each year on Republic Day. The Committee also observed that these awards are not titles and cannot therefore be used as suffixes or prefixes in any manner whatsoever. In case of any misuse, the defaulter would forfeit the award.

The Scheme notified by Government in 1998 for the institution of "Bharat Samman Awards"

- 26.10. As part of the 50th Anniversary celebrations of India's independence, the Government of India considered a proposal for the institution of *Bharat Samman Awards*. These awards were to be conferred annually on NRIs, as well as foreign nationals, including PIOs, who had contributed

towards the fostering of a better understanding of India abroad. The announcement of these awards was to be on Republic Day each year.

- 26.11. This proposal was duly approved by the Union Cabinet on 15 December 1997, The number of awards, to be given in three categories – *Bharat Vishisht Samman*, *Bharat Priya Samman* and *Bharat Samman* – was to be restricted to a maximum of ten.
- 26.12. After the above-noted Cabinet decision, there was rethinking within the Government about the three categories in which those awards would be made. The then Prime Minister felt that the awards should be made in one category only, so as not to make any invidious distinction between various grades of recipients. Accordingly, the scheme notified by the Ministry of Home Affairs in a Gazette Notification dated 26 January 1998, included the following:
- i. The awards would be known as *Bharat Samman Awards*.
 - ii. The President of India would confer them on the recipients in the form of a *sanad*, which would be given under his hand and seal.
 - iii. They would be given annually to NRIs and foreign nationals including PIOs who had contributed towards fostering better understanding of India abroad, for their support to the cause of India, and for promoting India's interests internationally.
 - iv. The awards would be accompanied by a citation.
 - v. The selection of persons for the awards would be made by an Awards Committee to be chaired by the Vice-President of India.

The Notification did not, however, specify the maximum number of awards to be given each year.

Rationale and Framework for a Revised Scheme of Awards for the Indian Diaspora

- 26.13. The High Level Committee on the Indian Diaspora has given careful consideration to the two earlier schemes (described in Sections II and III of this Interim Recommendation) to recognise and reward the meritorious contributions made by NRIs, PIOs and other foreign citizens in the furtherance of India's interests and causes.
- 26.14. We are of the unanimous view that a new scheme should be formulated, replacing the proposal that was notified on 26 January 1998 but not subsequently implemented. In a country of India's size and population, it is unrealistic to expect that the *Padma Awards* would be able to provide recognition, from year to year, to all the deserving and distinguished achievers. It would be even less realistic to expect that the growing contribution of eminent NRIs and PIOs would be adequately recognised within the same existing scheme of awards. The Indian Diaspora, currently numbering about 20 million, is one of the largest Diasporas in the world and has in it a number of persons of distinction and high achievement.

- 26.15. In view of the Supreme Court judgement and the recommendations of the High Level Committee headed by the then Vice-President of India with regard to a ceiling on the number of “Padma Awards”, it is important that an additional and equally prestigious scheme of awards be instituted for the Indian Diaspora. This would have the further advantage of providing the much-needed focus on its distinguished achievements. Such a scheme would also further cement the bonds between the Diaspora and their mother country. It would become a beacon of light, beckoning to greater effort many a budding achiever among the second and subsequent generations of PIOs.
- 26.16. The logic underlying this proposal was also specifically recognised by the Government of India when, in 1998, it had notified the eventually infructuous scheme of instituting *Bharat Samman Awards* for NRIs and PIOs.
- 26.17. Additionally, the HLCID’s attention has been drawn to a number of private awards that are given by several NGOs in India and abroad. Serious criticisms have been levelled against such private awards, particularly regarding the exploitative malpractices associated with them.
- 26.18. Considering all the factors discussed above, the Committee has come to the conclusion that a revised scheme of awards should be officially instituted and notified by the Government of India, replacing the earlier one of 26 January 1998. Such a scheme would carry distinctive prestige and dignity that would differentiate it from all other awards and would be greatly appreciated and treasured by members of the Indian Diaspora.

Recommendations of the HLCID on the Institution of a New Award Scheme *Pravasi Bharatiya Samman Awards*

- 26.19. The High Level Committee on the Indian Diaspora recommends the establishment of a *Pravasi Bharatiya Samman Awards* scheme that would have the following provisions.
- (a) **Nomenclature:** The earlier name of *Bharat Samman Awards* may be replaced by a name more accurately reflecting the focus of these awards, namely, the Indian Diaspora. The Committee recommends for them the name *Pravasi Bharatiya Samman Awards*.
- (b) **Number of categories:** These awards may be in one category only to avoid invidious comparison and misunderstanding.
- (c) **Eligibility for the awards:** The Committee recommends that these awards may be conferred on NRIs and PIOs who have made outstanding contributions towards fostering better understanding abroad of India and its civilisation; for persons among them who have extended their support to India’s causes and concerns; and those who have advanced her interests internationally. The awards may also be given for significant contributions or service to the Indian Diaspora.

The Committee notes that the scheme notified by the Government of India on 26 January 1998 had included foreign nationals among those who were eligible for those awards. As

the remit of this Committee is confined to NRIs and PIOs, we suggest that awards to foreign nationals who are not PIOs may either continue to be considered under the scheme of *Padma Awards* and/or under any other scheme that may be instituted for them.

- (d) Number of Awards:** The notification of 26 January 1998 did not specify the number of awards to be given annually. The HLC – ID recommends that the maximum number of awards to be given annually should be twenty-five.

The Indian Diaspora is one of the largest in the world. There are 22 countries where NRI and/or PIO populations exceed a hundred thousand, while in 11 of them the Diaspora numbers half a million or more persons. Even more important is the fact that there are, among them, many extraordinary achievers and persons possessing outstanding talents. The Indian Diaspora boasts of Nobel Laureates, winners of the Booker Prize and recipients of countless other such awards. At the same time, it is important to recognise also the significant contributions of NRIs and PIOs in the smaller countries of Africa, the Caribbean and Asia, particularly as they constitute a large proportion of the population in many of them.

Considering all these factors, the Committee recommends that the maximum number of *Pravasi Bharatiya Awards* in a year may be set at twenty-five.

- (e) Nominations for these awards:** Deserving persons may be nominated for these awards by a panel consisting of the following:

- Heads of Indian Diplomatic Missions abroad;
- PIOs who are MPs in their respective countries;
- Past awardees of the Gandhi Peace Prize or the Jawaharlal Nehru Award for International Understanding;
- Any other such awardees as may be proposed by the Jury cum Awards Committee described below; and
- The Head of any organisation that may be set up, pursuant to a separate recommendation of the HLC – ID.

The Secretary in charge of the NRI-PIO Division in the Ministry of External Affairs should be the Member Secretary of this panel.

- (f) Selection of Awardees:** This may be done by a Jury cum Awards Committee under the chairmanship of the Vice-President of India. The Minister of External Affairs would be its Vice-Chairman. The Committee should include eminent public figures nominated by the Prime Minister. The Secretary of the Ministry of Home Affairs should also be a member of this Committee, for the sensitive task of screening potential nominees for these awards.

- (g) **Logistic facilities for the Awardees:** Return air fares by the appropriate class of travel should be provided to each awardee and his or her spouse or companion, to enable them to come to Delhi for the awards ceremony. They should also be entitled to free local transport and suitable hotel accommodation in Delhi for a maximum period of one week.
- (h) **Announcement of Awards:** The Committee recommends that these awards should be announced each year on Independence Day. For the awards to be conferred in the year 2002, however, the announcement may be made by the end of November 2001. In order to give these awards wide publicity abroad, press releases should be sent by our diplomatic and consular missions to the widely circulated journals and newspapers published by members of the Indian Diaspora.
- (i) **Format of the Awards:** As in the case of the scheme of *Bharat Samman Awards*, we recommend that the proposed *Pravasi Bharatiya Samman Awards* should consist of a *sanad* under the hand and seal of the President of India. Each award should also be accompanied by a citation setting out in brief the meritorious contributions made by the particular awardees, satisfying the criteria of eligibility for these awards.
- (j) **Presentation of Awards:** The awards should be presented each year by the President of India at a specially convened Investiture Ceremony on *Pravasi Bharatiya Divas*. We are submitting a separate recommendation to Government regarding the observance of such a *Pravasi Bharatiya Divas* and scheduling a number of events around that day.

There should be only one such ceremony every year.

- (k) **Institution, notification and implementation of the awards:** The Committee is considering a proposal to recommend the setting up of a separate organisational mechanism to handle all matters relating to the Indian Diaspora. Until such a proposal is formulated by us and accepted by the Government, the NRI Division of the Ministry of External Affairs should be entrusted with the overall coordinating responsibility for the institution, notification and implementation of the new awards scheme described herein.

Sd/
(L. M. Singhvi)
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Member

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27 August 2001

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