

Annexure-II (26)

MOST IMMEDIATE

No. 20022/06/2005-Imm.(part)
Government of India
Ministry of Home Affairs
(Foreigners Division)

NDCC-II Building, Jai Singh Road,
New Delhi- 110001

Dated: 6/4/2017

To,
Principal Secretaries (Home) / Home Secretaries of all State Governments/
UT Administrations.

Subject: Reimbursement of expenditure incurred by the State Governments/UTs for performing agency functions on behalf of Central Government.

Sir,

Kindly refer to this Ministry's letter of even No. dated 23.08.2010, 12.05.2011, 25.10.2011, 29.08.2013 & 05.01.2015 on the subject cited above.

2. This is regarding reimbursement claims on the subject mentioned above. The functions of the Central Government under the Foreigners Act 1946, Passport (Entry into India) Act, 1920 and the Registration of Foreigners Act 1939 and the rules and orders framed under these enactments have been entrusted to the State Governments/UTs with their prior consent under Articles 258/239 of the Constitution of India. The Foreigners Division of Ministry of Home Affairs deals with reimbursement of expenditure claimed by the State Government for performing agency functions on behalf of the Central Government under the following Acts:

- i) Foreigners Act, 1946;
- ii) Passport (Entry into India) Act, 1920;
- iii) Registration of Foreigners Act 1939 and
- iv) Citizenship Act, 1955

3. Initially, the State Government/UTs incur the expenditure and subsequently claim reimbursement of the expenditure incurred by them for performing the agency functions on behalf of the Central Government. Reimbursements are made by the Central Government for claims which are duly accompanied by Audit / Utilization Certificates issued by the concerned Accountant General of the State.

d/c
7/4/17

4. Reimbursement to States/UTs is done under the Major Head 3601-Grants in aid to the State Governments/UTs under the Sanctioned Budget Grant of Ministry of Home Affairs. The expenditure is incurred under the following three sub-heads under the above mentioned Major Head:

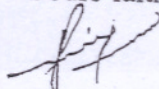
- i) Other Acts and Regulations
- ii) Registration and Surveillance of Foreigners
- iii) Administration of Citizenship Act

5. Under 'Other Acts and Regulations; reimbursements to State Governments/UTs are made on the establishment of the office and staff in the State Secretariat who are performing duties relating to the three enactments mentioned in para 2 above, viz. Foreigners Act, 1946; Passport (Entry into India) Act, 1920 and the Registration of Foreigners Act, 1939. Under 'Registration and Surveillance of Foreigners', reimbursements for expenditure incurred at the field levels under these enactments are made. Further, under the sub-head 'Administration of Citizenship Act', expenditure incurred on matters related to grant of citizenship are considered for reimbursement.

6. It has been observed that some State Governments/UTs are irregular in sending their proposals for re-imburements. Some States do not send reimbursement claims at all while some States bunch the claims of a few financial years and send these claims together at a time. There are also instances wherein reimbursement claims for small amounts (say, for deportation of a foreigner) are received piecemeal. The reimbursement claim for a particular financial year should be comprehensive including all the expenditure incurred by the concerned State in performing agency functions.

7. State Governments/UTs are requested to submit reimbursement proposals along with Audit Certificates and with proper justification in respect of the expenditure incurred by the State Government/UT for performing agency function of Central Government for further processing of the proposal.

Yours faithfully,


(Pravin Horo Singh)
Director(Imm)
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