

RTI MATTER/SPEED POST

F.No.II/21022/23(49)/2014-FCRA-III

Ministry of Home Affairs

Foreigners Division

(FCRA Wing)

1st Floor, NDCC II Building, Jai Singh Road,

New Delhi, Dated, the 12 June, 2014

To

Shri Arijit Adhikary,
Lane No. 3, Eden Park,
Post - Manaspur,
District - Hooghly
Pin – 712123 (West Bengal)

Subject Application for seeking information under RTI Act, 2005

Sir,

I am directed to refer to your RTI application dated 19/05/2014 and to furnish information as under:-

- i) The foreign contribution can only be used for the purposes for which it was received.
- ii) to vi) FCRA Wing is not dealing with the issue like claiming of service charges, registration of such 'Mess', requirement VAT/TAN etc.
- vii) If any NGO is violating Section 14 of Foreign Contribution (Regulation) Act, 2010, report can be sent to Joint Secretary (Foreigners), Ministry of Home Affairs, Ground Floor, NDCC-II Building, Jai Singh Road, New Delhi.
- viii) The Appellate Authority in this regard is Joint Secretary (Foreigners).

2. In case you are not satisfied with the above reply, you may prefer an appeal (1st) u/s 19(1) of RTI Act, 2005 with Shri V.Vumlung, Joint Secretary (Foreigners) and First Appellate Authority (FAA) on the following address:

Shri V.Vumlung,
Joint Secretary (F), MHA,
Ground Floor, NDCC II Building,
Jai Singh Road, New Delhi- 110001

Yours faithfully



(Joseph LuiKham)

Deputy Secretary (FCRA)/CPIO

Tele No.23438038

Copy to:

✓ SO (IT Cell), MHA, North Block, New Delhi – alongwith copy of the RTI application of Shri Arijit Adhikary with the request to upload the RTI application & Reply in the MHA website in compliance of RTI Cell O.M. dated 21/05/2014.

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The Central Public Information Officer
Office of the Deputy Secretary (FCRA)
Ministry of Home Affairs, GOI
N.D.C.C- II Buildings
New Delhi- 110001

Date: 19.05.2014

35/FC(II)/2014 RTI
5-6

DS/FCRA

Sub: Application seeking information under Right to Information Act, 2005

Sir/ Madam,

I would like to know following information under the Right to Information Act, 2005:

1. Can a NGO/ Non- profit Organization which is registered under FCRA run a 'Mess' separately within its ambit by its name to cater the beneficiaries of its projects?
2. Can the said 'Mess' required to be registered separately under any Act if it claims service charges from its parent organization or the foreign donors? If yes, please specify the Acts. If No, Why?
3. Can the said 'Mess' without any registration (Societies Registration Act/ FCRA) can earn profit or cater such services to the underprivileged/ beneficiaries?
4. Can the said 'Mess' produce bills to its parent organization/ the foreign donor agency of the parent organization claiming the charges for services to beneficiaries? Does it require VAT/ TAN numbers for producing such bills?
5. Does the parent organization need to highlight/ declare the transactions/ profit made by such 'Mess'(Non-registered) in its FC returns?
6. Can the parent organization deposits the earning or profit of such 'Mess' into its General Account/ Can it provide salary to the staffs working under the Mess from the said General Fund?
7. If it is found from the reply to my above questions that any organization is conducting irregularity then please pacify the violations of the specific Act/s by the organization in maintaining transparency? Please mention the Competent Authorities with designation and address to report in that case.
8. Please mention the Designation and address of the Appellate Authority with regard to this application.

Please note that the applicant doesn't belong to the BPL category and hence a requisite fee of Rs 10 is attached herewith in the form of Indian Postal Order. Please furnish the information in the address given below.

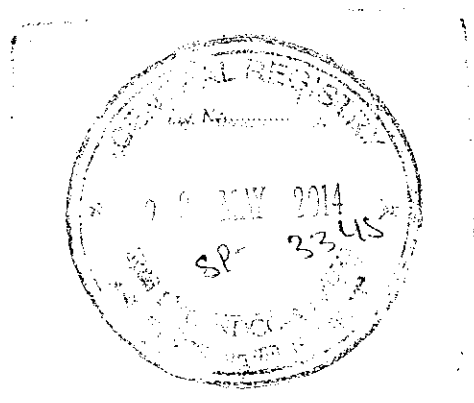
Sincerely Yours,

Arijit Adhikary
Arijit Adhikary 19/5/14

66-DS(FC)/RTI
2/6

Lane No- 3, Eden Park
Post- Manaspur
District- Hooghly
PIN- 712123 (West Bengal)

Shilpi
2/6/14
DS(FC-II)
Arijit Adhikary
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FC-III
24/6/14