



MOST IMMEDIATE  
RTI MATTER

विदेश विभाग, नई दिल्ली  
Ministry of External Affairs  
New Delhi  
CPV Division, Patiala House Annex,  
Tilak Marg, New Delhi-110001

No.413 /RTI-Transfer/2013

Dated: 29-5-2013

OFFICE MEMORANDUM

Subject: Information sought under the Right to Information Act, 2005 – Transfer of RTI application under Section 6(3) of the RTI Act, 2005.

199/US(A)13  
19/6

Enclosed please find an application made by <sup>Shri</sup> Nishith Tripathi under the RTI Act, 2005 dated 19-9-2012, which has been received in this office on 31-5-2013.

2. As the information sought pertains to Foreigner Division, Ministry of Home Affairs, New Delhi, the application, in original, is transferred to Foreigner Division, Ministry of Home Affairs, New Delhi, under Section 6(3) (ii) of the RTI Act, 2005, with a request that a suitable reply may be sent to the applicant directly within the prescribed time limit, as per the provisions of the RTI Act, 2005.

3. The applicant has paid the RTI fee of Rs. 10/-.

*M. Kalra*  
(Madhu Kalra)  
Section Officer (CPV-RTI) &  
Central Public Information Officer

*V. Me*  
*19/6/13*  
To  
F.1  
*W (F)*

The CPIO,  
Foreigner Division, Ministry of Home Affairs, New Delhi

Encl: as above

Copy to: <sup>Shri</sup> Nishith Tripathi, B-300, Rajaji puram, Lucknow, UP, with a request that he may get in touch with the abovementioned CPIO directly, for any further correspondence.

Ministry of External Affairs  
(RTI Division)

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No. RTI/551/1064/2012

29<sup>th</sup> May 2013

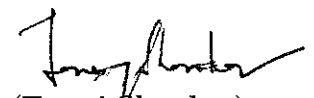
OFFICE MEMORANDUM

An application under Right to Information Act , 2005 of Shri Nishith Tripathi was received in the RTI Cell from Prime Minister's Office on 25<sup>th</sup> September 2012. As per records of the RTI Cell, this application comprising of 6 points was transferred by RTI Cell vide its OM of even no. dated 26<sup>th</sup> September 2012 to CPV Division for point no. 1, Ministry of Home Affairs for points 4 & 5 and was also forwarded to the following CPIOs in the Ministry - DCP(C) and US(UNP) for providing information in respect of points 2 - 3 and point 6 respectively , under intimation to the applicant.

2. RTI Cell has now received a note dated 06<sup>th</sup> May 2013 from JS(PV) (*please see copies of the notings by CPV , EW & Coordination Division*) wherein it has been informed that the subject matter w.r.t. point (1) i.e. 'grant of visa to Queen Elizabeth during her visit to India in 1997' does not pertain to CPV Division. SS (CPV) has also noted at page 8 of the annexure that entry of foreigners into India pertains to MHA.

4. In view of the above, CPV Division may take further action as appropriate under the provisions of RTI Act , 2005 .

Encl..... As above

  
(Tanuj Shankar)

Under Secretary(RTI)/CPIO  
Tel : 49015226 / 5227

Smt Madhu Kalra  
SO(CPV-RTI) & CPIO  
CPV Division, Ministry of External Affairs  
Patiala House Annexe  
New Delhi

Ministry of External Affairs  
(RTI Cell)

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2021- A Wing,  
Jawaharlal Nehru Bhawan,  
23-D Janpath, New Delhi -110011.

Dated: 26/09/2012

No. RTI/551/1064/2012

Office Memorandum

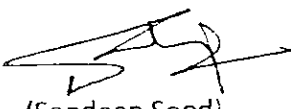
Subject: - Information sought under Right to Information Act, 2005.

Attached herewith a copy of RTI application dated 14/09/2012 (received on 25/09/2012 from Prime Minister's Office) of Shri. Nisith Tripathi seeking information regarding Passport and Visa & related matters.

2. As the subject matter of the application is more closely connected with the functions of Ministry of Home Affairs/ CPV Division, the RTI application is transferred to them under section 6(3) (ii) of the RTI Act, 2005 for providing information, directly to the applicant.

3. The applicant has deposited requisite RTI fee of Rs.10/-.

Encl..... as above

  
(Sandeep Sood)  
Under Secretary(RTI)

1. Shri V. Varniunmang,  
Joint Secretary & Nodal Officer(RTI), Points 4,5  
Ministry of Home Affairs,  
North Block,  
New Delhi.

2. Shri S. Chattopadhyay,  
US(RTI-Appeals & Sp. Cell) & CPIO, Point.....1  
Room No. 29, CPV Division,  
Ministry of External Affairs,  
Patiala House Annexe,  
New Delhi.

Copy to:

1. Dr. Aman Puri, DCP(Ceremonials)&CPIO, R.No.64, South Block, New Delhi.-RTI application is hereby forwarded for providing information w.r.t points (2 & 3) as available directly to the applicant under intimation to RTI Cell.

2. Shri Abhishek Verma, US(UNP)&CPIO, R.No.235-F, South Block, New Delhi.- RTI application is hereby forwarded for providing information w.r.t point (6) as available directly to the applicant under intimation to RTI Cell.

Copy to:

Shri Nishith Tripathi, B-300, Rajaji Puram, Lucknow, UP. - with the request to contact above mentioned CPIO's for further information in the matter.

12-20 Sept 12  
20th/12  
19 SEP 2012

जा में,  
जनसूचना अधिकारी,  
प्रधानमंत्री कार्यालय,  
नई दिल्ली।

विषय : जनसूचना अधिकार अधिनियम-2005 के अन्तर्गत वांछित सूचना के सम्बन्ध में।

महोदय,

सविनय निवेदन है कि जनसूचना अधिकार अधिनियम-2005 के अन्तर्गत मुझे निम्नलिखित छः सूचनायें प्रदान करने का कष्ट करें -

1. (A) जब किसी देश का राष्ट्राध्यक्ष अथवा शासनाध्यक्ष किसी दूसरे देश की यात्रा करता है तो उसे अपने देश द्वारा जारी पासपोर्ट तथा दूसरे देश द्वारा जारी वीसा की आवश्यकता होती है अथवा नहीं।

(B) यदि हाँ तो कृपया सूचित करें कि जब ब्रिटेन की महारानी एलिजाबेथ 12 से 18 अक्टूबर 1997 में भारत आई थी तो क्या अपने देश ब्रिटेन द्वारा जारी पासपोर्ट तथा भारत द्वारा जारी वीसा के उपरान्त ही उनकी यात्रा सम्पन्न हुई थी ?

(C) यदि नहीं तो संविधान की किस धारा या किस कानून के अन्तर्गत ऐसी यात्रा सम्पन्न हो सकी ?

2. भारत के संविधान के अनुसार भारत का सर्वोच्च पदासीन अधिकारी भारत का राष्ट्रपति होता है ? ब्रिटेन की महारानी एलिजाबेथ 1997 में जब भारत की यात्रा पर आयी थी तो उनके सम्मान के लिए जो कार्यक्रम आयोजित था उसके लिए जो निमन्त्रण-पत्र छपा था उसमें महारानी का नाम ऊपर था अपने राष्ट्रपति का नाम उनके नीचे था।

(A) कृपया सूचित करें कि किस प्रोटोकॉल के अन्तर्गत अपने देश के राष्ट्रपति का नाम ब्रिटेन की महारानी के नाम के नीचे रखा गया था ?

App No. 66F-758523 07 R 10

(1)

CPV.  
URCENT  
RTI ACT  
No. 4676  
Date 19/09/12  
Date Disposal 24/09/12  
26 21 705

(B) कृपया उस विमर्शण पर की एक प्रतिकापी नी भेजने की कृपा करें।

3. प्रशासनिक प्रोटोकाल के अन्तर्गत भारत का राष्ट्रपति जब प्रथम बार पद की शपथ लेता है तो उसे 21 तोपों की सलामी दी जाती है। 21 तोपों की सलामी किसी भी विदेशी राष्ट्राध्यक्ष को नहीं दी जाती।

(A) ब्रिटेन की महारानी जब उपर्युक्त भारत की यात्रा पर आयी थी तो उन्हें 21 तोपों की सलामी दी गई थी। कृपया सूचित करें कि किस प्रोटोकाल के अन्तर्गत उन्हें 21 तोपों की सलामी दी गयी थी ?

(B) कृपया यह भी सूचित करने का कष्ट करें कि क्या किसी अन्य शासनाध्यक्ष या राष्ट्राध्यक्ष को भी 21 तोपों की सलामी दी गई थी ? यदि हाँ तो किस राष्ट्राध्यक्षों या शासनाध्यक्षों को 21 तोपों की सलामी दी गई थी और कब दी गई थी ?

4. ब्रिटेन के सम्राट जार्ज पंचम जब 1911 में भारत की यात्रा पर आये थे तो सर्वाविदित है कि उनकी स्तुति में स्व० रवीन्द्र नाथ टैगोर ने अपना स्वरचित गीत "जन गण मन अधिनायक जये हे, भारत भाग्य विधाता" स्वयं सम्राट के समक्ष गाया था ! यह भी सर्वविदित है कि काँग्रेस के किन्हीं दो अधिवेशनों में यह सर्वसम्मति नहीं बन पाई थी कि यही हमारा राष्ट्रगान होगा।

(A) कृपया यह सूचित करने का कष्ट करें कि कब और किस परिस्थितियों में उपर्युक्त गीत राष्ट्रगान के रूप में स्वीकृत हुआ और किन नेताओं की इसमें सक्रिय भागीदारी थी ?

5. इण्डियन इण्डीपेन्डेन्स एक्ट 1947 के द्वारा ब्रिटेन की पार्लियामेण्ट ने 15 अगस्त को दो स्वतंत्र Dominions India और पाकिस्तान बनाई थी। किसी भी शब्दकोष के अनुसार Dominions का शाब्दिक अर्थ

Territory of Government, part of British empire with Independent self Government होता है।

- (A) कृपया सूचित करने का कष्ट करें कि क्या यह सत्य है कि 15 अगस्त 1947 को हमें ब्रिटेन के सम्राट के अधीन आधी-अधूरी आजादी ही मिली थी ?
- (B) 26 जनवरी 1950 को ही हम एक स्वतन्त्र सार्वभौम राष्ट्र के रूप में स्थापित हुए।
- (C) 14 Aug. 1947 की मध्यरात्रि में नेहरू और लार्ड माउन्टबेटन के मध्य जो सत्ता हस्तांतरण हुआ उससे सम्बन्धित फोटो कॉपी देने का कष्ट करें।
- (D) यह सूचित करने का कष्ट करें कि जो सत्ता हस्तांतरण हुआ था वह Transfer of Power था या Handing Over of an independent state था ?
6. भारत अन्य ब्रिटेन के गुलाम रहे देशों के साथ राष्ट्रमण्डल देशों में शामिल है।
- (A) कृपया सूचित करने का कष्ट करें कि क्या हमारे देश का अस्तित्व अब भी कहीं न कहीं ब्रिटेन की प्रभुसत्ता के अन्तर्गत आता है <sup>या</sup> राष्ट्रमण्डल देशों में शामिल होने से हमारे देश का क्या प्रयोजन है ? और उससे क्या कोई विशेष लाभ प्राप्त है ?

दिनांक : 14.9.2012

P.O.No- 065-788523

प्रार्थी

(निशीथ त्रिपाठी)

(निशीथ त्रिपाठी)

जी-300

राजजीपुश्म

खरनडा

Ph- 9235713495

996/SS/CPV/13  
25/2/13

9936/CPV/RTI/2012  
28/2/13

1544/CPV/RTI/13  
28/3/13

No. 980/CPV RTI/2012  
Ministry of External Affairs  
CPVRTI Section

Please refer to your note dated 14<sup>th</sup> January, 2013 & my earlier note dated 1-2-2013 & 20-2-13 regarding RTI Application of Shri Nisheeth Tripathi dated 27.9.12.

As mentioned in the note that the information pertaining to Para 1 will be sent shortly. Now, it is more than two month, the reply of Para I is not received till date. Therefore, you are requested to expedite the final reply to avoid making RTI application into Appeal.

M. Kalra

(Madhu Kalra)

Section Officer(CPV-RTI) & CPIO

18-3-13

JS(PV)

Queen does not hold a passport.  
We may request EW Division to respond to this matter; as this matter is about the visit of Queen to India in 1997

LD  
21/31

SS(CPV)

Indrajit  
25/3  
JS (EW)

He spoke.  
Rg  
26/3

M-discan  
Up  
11/4  
SS (Coord)

Discussed with JS (EW). The subject matter of RTI relates to several Divisions in the Ministry i.e. CPV, Protocol, UNP EW etc. and therefore the RTI query may be handled by Coord Division.  
JS (Coord.)  
Indrajit 28/3/13



2239/JS (Parl & Coord)/2013  
 Ministry of External Affairs  
 Coordination Division

Reference RTI application dated 14 September 2012 placed below of Shri Nisheeth Tripathi and remarks thereon by SS (CPV).

2. The matter was discussed with Director (RTI). As per Clause 6 (3) of Chapter II of the RTI Act, 2005, which states that where an application is made to a public authority requesting for an

- (i) which is held by another public authority; or
- (ii) the subject matter of which is more closely connected with the functions of another public authority,

the public authority, to which such application is made, shall transfer the application or such part of it as may be appropriate to that other public authority and inform the applicant immediately about such transfer.

3. There is no such provision which states that where more than two Divisions are involved, the information to be provided under the RTI Act would be dealt with by the Coordination Division.

4. Coordination Division deals with various issues to provide information to the applicant but where the information does not relate to the Coordination Division, the concerned Territorial Division of the Ministry is requested to provide information directly to the applicant. This has been agreed by Director (RTI).

5. In view of the above, we may request CPV Division to provide information to the parts related to them and rest of the information can be provided by other concerned Territorial Divisions. This may be informed to the applicant when CPV Division sends information relating to them.

*Bhagwat Swarup*  
 (Bhagwat Swarup)

Deputy Secretary (Coordination)

02 April 2013

*As proposed at 'A', keeping in view RTI provisions.*

~~JS (Parl & Coord)~~

~~JS (CPV)~~  
 JS (PV)

*Bhagwat Swarup*  
 3/4

*M.H.W.*  
 3/4/13

*A/c*

*Issued*

~~SS (Coordination)~~

*Bhagwat Swarup*  
 3/4

*45 (Coordination)*



2437/JS (Per v Coord) 3  
5/4/13

No. 922/JS(PV)/2013  
Ministry of External Affairs  
(CPV Division)  
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Reference Co-ordination Division's note below regarding the RTI application dated 14 September 2012 of Shri Nisheeth Tripathi. The RTI application mentioned above pertains to the visit to India by Queen of United Kingdom, who does not hold a passport.

2. The entry/visit by a foreign national to India without a passport or visa is not a subject matter that pertains to CPV Division.

3. It is submitted that the CPV Division of MEA provides passport and consular services to Indian citizens and Consular and visa services to foreign nationals and Indians residing overseas through the passport, visa and consular wings of Indian Missions and Posts abroad.

RTI/Coordination Division may be advised to contact the relevant division.

*(Signature)*  
5/4/13  
(Dr. Neena Malhotra)  
Joint Secretary (PV)  
05.04.2013

SS(CPV)

Copy to:

- 1. JS (Co-ord.)
  - 2. JS (EW)
- to be filed with relevant RTI rules & resubmit.*

VS (Coord)

*(Signature)*  
5/4

1071/SS(CPV)/13  
05/04

5/4/13

12/JS(PV)/2013  
Ministry of External Affairs  
(CPV Division)

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Reference Co-ordination Division's note below regarding the RTI application dated 14 September 2012 of Shri Nisheeth Tripathi. The RTI application mentioned above pertains to the visit to India by Queen of United Kingdom, who does not hold a passport.

2. The entry/visit by a foreign national to India without a passport or visa is not a subject matter that pertains to CPV Division.

3. It is submitted that the CPV Division of MEA provides passport and consular services to Indian citizens and Consular and visa services to foreign nationals and Indians residing overseas through the passport, visa and consular wings of Indian Missions and Posts abroad.

RTI/Coordination Division may be advised to contact the relevant division.

Para 2 relates to entry of foreigners into India which is handled by MHA, pd.  
Aug 27/4

(Dr. Neena Malhotra)  
Joint Secretary (PV)  
05.04.2013

SS(CPV)

Copy to:

- 1. JS (Co-ord.)
- 2. JS (EW)

JS (Coord)  
Mds  
8/4

DS(Coord)

संकेत क्र. 1055  
Dy. No. 1055  
दिनांक/Date 15/04/2013

Ministry of External Affairs  
Coordination Section

15/04/2013

Shri Nisheeth Tripathi, an RTI applicant vide his letter of 14 September 2012 had requested information under the RTI Act 2005 on the visit of Queen of England, gun salute to the Queen, India's Independence, Indian's National Anthem etc. We presumed that the request was sent directly to the CPV Division.

2. CPV Division has now raised the question that several Divisions are involved in providing information which Shri Tripathi has asked. SS (CPV)'s remarks may be seen on the enclosed note in which he has stated that Coordination Division should coordinate information and reply to the RTI applicant.

3. As per Clause 6 (3) of Chapter II of the RTI Act 2005, it is clearly mentioned that the receiving CPIO will send information directly to the applicant and information which does not relate to him may be requested from the concerned Divisions to provide information to the applicant directly.

4. Since the RTI application is of September 2012, it is requested that the subject matter may be dealt with by the CPV Division as well as the concerned Divisions and not by the Coordination Division. The matter was earlier discussed with Director (RTI).

*We may seek advice of the RTI cell*

*Bhagwat Swarup*  
(Bhagwat Swarup)  
DS (Coordination)  
08 April 2013

Joint Secretary (Parl. & Coord)

*Ydhw*  
*9/4*

*Director (RTI)*  
*This is bizarre to say*  
*the least. It checks records.*  
*12/4/13*

*RTI*  
*3*  
*12/4*  
*RTI*

100/10/1000000  
- 1000000

- 100

100/10/1000000  
- 1000000

Ministry of External Affairs  
RTI Cell

- Ref notes placed below from the Coordination Section .

As per our records, the RTI application dated 14<sup>th</sup> September 2012 of Shri Nishith Tripathi (received on 25<sup>th</sup> September 2012) was forwarded/transferred to CPIOs in MEA / other public authorities vide OM no. RTI/551/1064/2012 dated 26<sup>th</sup> September 2012 (copy placed at F'A' below), under intimation to the applicant.

- Point no. (1) of the application (related to visa granted to Queen Elizabeth during her visit to India in 1997) was transferred to the CPV Division ( which is a distinct public authority) under Section 6 (3) of the RTI Act, 2005 for providing information directly to the applicant.
- Point (2) , (3) were forwarded to DCP ( C )
- Point (4) & (5) were transferred to MHA .
- Point (6) forwarded to US(UNP)

The CPIOs in the Ministry have responded, their replies are there in our records.

Submitted please.

Somica  
(Somica Srivastava)  
SO(RTI)  
17/04/2013

US(RTI) May like to see please.  
Jany Shankar  
17/04/13

Dir(RTI) CPV Division may provide information related to point no. 1 directly to applicant. If CPV Division does not hold this information, It may transfer the application to the relevant public authority.

10  
17/04

JS (Perf. & Coord)  
DS (Coord)  
JS (PV)

JS (PV)  
18/4  
18/4

CPV Division has already provided its views endorsed by JS (CPV) - Govt is responsible

Protocol Division has taken action on both points (2) & (3) marked to it by RTI Cell on 1-10-2012

1077/SS(CPV)/3  
29/4/13

(2) While response on Point (3) has been marked directly to the Applicant, Shri Nisith Tripathi, Copying in RTI Cell + EAM'S Office, Point (2) was transferred to CPD, President's Secretariat on 1-10-12. Copying in RTI Cell. AS such, action by Protocol is complete.

Over to you! Richa Kanboj  
26 April 2013

AS (EW) As indicated by Div(RTI) CPV Div. may take the na.

SS (CPV)

Aug 29/4

SS (CPV)

for you

SS (PV) O.R

SS (PV) - Secy (am)

Rg 26/4

29/4

15/7/2013

RTI MATTER / BY SPEED POST

RTI/03/2013-F-I  
Government of India  
Ministry of Home Affairs

NDCC-II Building, Jai Singh Road,  
New Delhi, dated 11<sup>th</sup> July, 2013

To

Sh. Nishith Tripathi,  
B-300, Rajaji puram,  
Lucknow,  
Uttar Pradesh

12

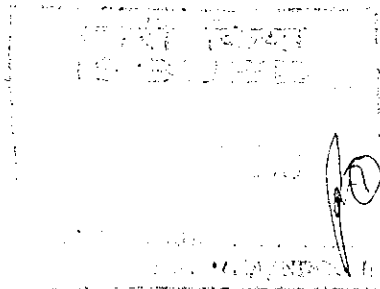
15 JUL 2013

Subject: Information sought under the RTI Act, 2005

Sir,

Please refer to your application dated 14.09.2012, received by the undersigned on 18.06.2013 on transfer from Sh. Madhu Kalra, Section Officer (CPV-RTI) & CPIO vide their OM No.413/RTI-Transfer/2013 dated 29.05.2013, seeking information under the RTI Act, 2005.

2. In this connection, it may be stated that Foreigners Division, Ministry of Home Affairs has no information to furnish on point no.1 ( i.e. grant of visa to Queen Elizabeth during her visit to India in 1997) of the RTI application.



Yours faithfully,

Vikas Srivastava

(Vikas Srivastava)

Under Secretary (Foreigners) & CPIO