



विदेश मंत्रालय, नई दिल्ली
MINISTRY OF EXTERNAL AFFAIRS
NEW DELHI

By Registered Post with AD

**RTI Matter
Time-Bound**
7 December, 2016

No. E/551/ 67 /2016-RTI

To:
Devashish Bhardwaj,
CPIO and US (GS-V/Pak), MoD
South Block, New Delhi

Subject: Information sought under Right to Information Act, 2005

Sir,

This is with reference to Ministry of Defence ID No. 27(1)/2016-D (GS-V) dated 7 November, 2016 regarding forwarding an RTI application of Lt. Gen. S.S. Dahiya (Retd).

2. As the subject matter of the RTI is related to the Defence Minister's statement, the same is hereby transferred to MoD for replying to the applicant directly.

Yours faithfully,

(Prasanna Shrivatava), IFS
DS (China & Korea) & CPIO

CC to:

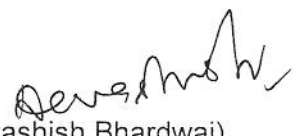
1. Sh. Mukesh Kumar Ambasta, US (RTI), MEA, New Delhi
2. Lt. Gen. S.S. Dahiya (Retd), 78 Vasant Enclave, New Delhi - 110057

Ministry of Defence
D(GS-V/Pak)

Subject: Information sought under RTI Act, 2005.

Kindly find enclosed herewith a copy of the RTI application dated 15/10/2016 from Lt Gen S.S. Dahiya (Retd.) on the above-mentioned subject.

2. The above-said application is hereby transferred under Section 6(3) of the RTI Act, 2005 for sending a reply in respect of the points relevant to them to the applicant directly.


(Devashish Bhardwaj)
CPIO and Under Secretary, D(GS-V/Pak)
Tel. 2301 2501

Encl. as above

✓ Under Secretary (China) & CPIO, Min. of External Affairs, South Block, New Delhi.

Under Secretary(Pak) & CPIO, Min. of External Affairs, South Block, New Delhi

Under Secretary, D(GS-V/China), MoD, Room No. 201, South Block, New Delhi

CPIO/DDG RTI, IHQ of MoD(Army), Sena Bhawan, New Delhi-110011

MoD ID No. 27(1)/2016-D(GS-V) dated 07th Nov, 2016

Copy for information to:-

Lt Gen S.S. Dahiya (Retd.), 78 Vasant Enclave, New Delhi-110057. Further correspondence may please be made with the above-mentioned CPIOs.

If the applicant is not satisfied with this action/reply, he/she may lodge an appeal with the following Appellate Authority:-

Shri S.K. Dogra
Director (G) and Appellate Authority
Ministry of Defence
Room No. 206-II, South Block, New Delhi-110011
Tele-Fax No. 2301 1896


(Devashish Bhardwaj)
CPIO and Under Secretary, D(GS-V/Pak)
Tel. 2301 2501

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APPLICATION UNDER THE RTI ACT
(For official use)

I.D. No.

No. RTI/RM/INCURSIONS/CHINA-PAK

15 OCT 2016

To,

The PIO O/o The Raksha Mantri
Ministry of Defence,
South Block, New Delhi-110011

Name of the Applicant: Lt Gen SS Dahiya, AVSM, VSM, (Retd)
78, Vasant Enclave, N Delhi-110057

Concerned Deptt. : O/O Hon'ble RM

Furnish following information and certified copies of records containing the information on the basis of which the Hon'ble RM, made the statements on "incursions/transgressions" into India by Pakistan & China, as appearing in the HT, Friday, July, 29, 2016 (Copy enclosed):-

REPLIES BE KINDLY GIVEN IN FOLLOWING FORMAT

Para Srl. No.	Information sought	REPLIES BY PIO

1. Provide certified copy of the record on statements as attributed to the Hon'ble RM in the enclosed News Item appearing in the HT, 29.07.2016?
2. Provide **certified copy(ies) and inspection** of all files, notings, correspondence on the basis of which, the Hon'ble RM played down the crossing over of our borders by Chinese forces, by terming it an act of "Transgression arising out of differing perceptions of the disputed border by the two countries".
3. Would the Hon'ble RM similarly play down crossing of our borders by Pakistani troops, by terming it an act of "Transgression arising out of differing perceptions of the disputed border by the two countries"?
4. If not, then, please furnish the certified copy of the records containing the reasons for not adopting the same approach to such acts by Pakistan. (please see para 4(1)(d) of RTI Act, 2005)
5. In the context of the following statement at para-5 of the press release, viz., "The Defence Ministry responding warily to the latest allegations of border incursions, said soldiers of the PLA, always followed rules and focused on maintaining peace and stability along the border", please provide the basis on which this **certificate of good conduct was given to the Chinese** despite the fact that there have been more than a dozen such crossings into India. Is there any assurance given by the Chinese to behave themselves in this regard.
6. Would the same principles of benevolence as being applied to China who are an ally of Pakistan, also apply to Pakistani transgressions, if not then the reasons that make their crossings different from that of the Chinese.
7. Please furnish the details of the extent of borders with the following, which are disputed in r/o:-
 - (a) China
 - (b) Pakistan
8. Please furnish details of Incursions in to Indian territory, in the past 10 years by :-
 - (a) China
 - (b) Pakistan
9. Please furnish details of Transgressions in to Indian territory, in the past 10 years by :-
 - (a) China
 - (b) Pakistan

Office of J.S. (PG/Coord)
Dy. No. 22/2
Date 24/10/16

रक्षा मंत्री कार्यालय
Ministry of Defence (South)
रक्षा (सुदूर पूर्व) अनुभाग
Defence (South-East) Section
दिनांक २४/१०/१६
२४/१०/१६


10. Is there a commonly delineated boundary/LAC between India and (a) China, (b) Pakistan?. Please furnish details of all Incursions/Transgressions by China, and Pakistan across the said portions of the accepted/delineated boundaries.
11. Please provide certified copy of the records on the basis of which a differentiation is made between (a) Incursions, and (b) Transgressions.
12. With reference to differing perceptions of the boundaries, what is the extent i.e., in terms of (a) **depth**(Kms), and (b) **area** (sq Kms), to which Chinese and Pakistani Troops can safely enter into India at the so called disputed territories, so as to be classified as :-
 - (i) Intrusion,
 - (ii) Transgression.
13. Please give certified copy of records containing details of all such Intrusions and Transgressions, if any, made by Indian forces across the so called disputed boundaries between India and Pakistan
14. In case any of the above information is to be denied, then please furnish the reasons/justification for disclosing sensitive operational information on the recent operations into Pakistan, and thus jeopardizing the safety of our troops, and action taken against those responsible for public disclosure thereof, and the basis on which the Hon'ble RM released the said press release, which has depicted our ability to take on the Chinese in poor light.
15. Give the **name(s)** of the staff/officers of the MoD, who were responsible for misleading the Hon'ble RM, leading to the release of the said press release, virtually absolving the Chinese against all such future acts of Intrusion, which will be down played as Transgression.

Please indicate date and time for inspection of records.

I state that the information pertains to your office.

A fee of Rs10/- vide IPO No. 38F013682 (attached) .

Place: New Delhi


Signature of Applicant