

RTI REQUEST DETAILS

Registration No. :	MOEAF/R/2016/80662	Date of Receipt :	04/10/2016
Transferred From :	Prime Minister's Office on 04/10/2016 With Reference Number : PMOIN/R/2016/52964		
Remarks :	Transferred for an appropriate action.		
Type of Receipt :	Electronically Transferred from Other Public Authority	Language of Request :	English
Name :	Deepak Birt	Gender :	Male
Address :	A-37 Aravali hostel, IIT Delhi, Hauz Khas, New Delhi, Pin:110016		
State :	Delhi	Country :	India
Phone No. :	Details not provided	Mobile No. :	Details not provided
Email :	birtdeepak1995@gmail.com		
Status(Rural/Urban) :	Urban	Education Status :	
Letter No. :	Details not provided	Letter Date :	Details not provided
Is Requester Below Poverty Line ? :	No	Citizenship Status :	Indian
Amount Paid :	10) (original recipient)	Mode of Payment :	Payment Gateway
Does it concern the life or Liberty of a Person ? :	No(Normal)	Request Pertains to :	US (UNP)
Information Sought :	<p>Was India offered a permanent membership for UN Security Council. If yes, did India suggest the name of China in its place. If yes, explain why. And who were the nations offering India such a membership i.e who were in Indias favour.</p> <p>Why China despite being a communist nation was given the Asian membership.</p> <p>Also why Nehru took the Kashmir issue to UN as India now does not want it to be an international issue.</p>		
Original RTI Text :	<p>Was India offered a permanent membership for UN Security Council. If yes, did India suggest the name of China in its place. If yes, explain why. And who were the nations offering India such a membership i.e who were in Indias favour.</p> <p>Why China despite being a communist nation was given the Asian membership.</p> <p>Also why Nehru took the Kashmir issue to UN as India now does not want it to be an international issue.</p>		
<div> <input type="button" value="Print"/> <input type="button" value="Save"/> <input type="button" value="Close"/> </div>			

**Government of India
Ministry of External Affairs
(United Nations Political Division)**

No. U.II/551/35/2016

Dated: 13th October 2016

To,

Shri Deepak Birt
A-37 Aravali Hostel
IIT Delhi Hauz Khas
New Delhi 110016

Sir,

Please refer to your RTI application received in this Division on 04.10.2016. The response to your RTI application is as follows:

2. **For Query No. 1:** Article 23 of the Chapter of the United Nations states that the Security Council shall consist of fifteen Members of the United Nations. The Republic of China, France, the Union of Soviet Socialist Republics, the United Kingdom of Great Britain and Northern Ireland, and the United States of America shall be permanent members of the Security Council. The General Assembly shall elect ten other Members of the United Nations to be non-permanent members of the Security Council."

Further article 108 of the Chapter of UN states that "amendments to the present Charter shall come into force for all Members of the United Nations when they have been adopted by a vote of two thirds of the members of the General Assembly and ratified in accordance with their respective constitutional processes by two thirds of the Members of the United Nations, including all the permanent members of the Security Council."

Article 23 & 108 of the Charter of the UN infers that the composition of the Security Council is prescribed by the UN Charter, according to which certain specified nations have permanent seats. Hence, there is no question of a seat being offered and India declining it or there being documentation to this effect.

3. **For Query No. 2 & 3:** The information sought by you is not available in the records of this division. Also under the RTI Act, 2005 only that information is provided which exists and is held by the public authority. The Act does not envisage interpreting information or furnishing replies to hypothetical questions. Hence "no information" can be given to you w.r.t. query No. 2 & 3 of your RTI application.

4. If you are aggrieved with this reply, you may file an appeal with Shri Vishwesh Negi, Director(UNP) and Appellate Authority, UNP Division, Ministry of External Affairs, Room No. 0102, 'C' Wing, Jawaharlal Nehru Bhawan, 23-D, Janpath, New Delhi-110011, Ph.: 011-49018413 within 30 days of receipt of this letter.



(Basir Ahmed)

Under Secretary to Govt. of India
Room No. 0104, 'C' Wing,
Jawaharlal Nehru Bhawan,
23-D, Janpath, New Delhi-110011.
Ph.: 011-49018411

CC to:

1. Under Secretary (RTI), MEA, New Delhi
2. Shri Praveen Kumar, CPIO, PMO with their Ref. No. PMOIN/R/2016/52964