

प्रपत्र "क"

5262-28/4/15

सेवा में

भौक सुचनाधिकारी

प्रधानमंत्री कार्यालय

भारत सरकार, नई दिल्ली

5262/15

23 APR 2015

BAK SECTION

सुचना चाहिए पूर्ण सुस्पष्ट एवं अभिप्रायित

(1) प्रधानमंत्री, भारत सरकार द्वारा सौगात लेने एवं सौगात देने के लिए एवं उस सौगात को प्राप्त करने के साथ उपसौगात/सरकरवाप/नीलामी एवं अन्य कार्यों के लिए निर्धारित क्रिया निर्देश एवं परिपत्र जो सरकार द्वारा जारी किये जा रहे हैं उसी प्रति।

(2) अब तक जिन प्रधानमंत्री के प्राप्त सौगातों नीलामी या अन्य कोई कार्य किये जा रहे उसका ब्योरा।

(3) माननीय नरेन्द्र मोदी, प्रधानमंत्री भारत सरकार ने अमेरिका के राष्ट्रपति महामहिम बराक ओबामा के भारत आगमन के अवसर पर सौगात में प्राप्त किये बहू-वर्तित सुट-कोट को जिस व्यक्ति या संस्था ने दिया एवं जिस व्यक्ति एवं संस्था ने बख्त नीलामी लिया उसका नाम व पता एवं पदनाम का ब्योरा जिस उद्देश्य या कारण से दिया उससे उभे होने वाले लाभ का ब्योरा।

(4) कंडिका (3) के संदर्भित नीलामी में बोली लगाने के लिए निष्कां गया विज्ञापन एवं बोली में सम्मिलित होने के पूर्व समर्पित कागजात एवं सफल बोली लगाने वाले द्वारा बोली में विजित होने के उपरान्त सुट को प्राप्त करने तक अपना भी गई प्रक्रिया का ब्योरा।

(5) कंडिका (3) एवं (4) से नीलामी से प्राप्त राशि जिस संस्था/विभाग/व्यक्ति से दिया गया तदोपरान्त स्पर्क का अद्यतन ब्योरा।

विश्वास गजन
मनोज कुमार मिश्र
पिता-स्क सुरेन्द्र गौल मिश्र
ग्राम-पारा - गौजर
जिला- खजडिया
PIN 381202

71C 746707408:5x2=108

AGENT
RTI/ACT
3/19/15

Phone 71C 746707408
Fax 71C 746707408

Useful

By Speed Post



विदेश मंत्रालय, नई दिल्ली
MINISTRY OF EXTERNAL AFFAIRS
NEW DELHI

Dated: 18.05.2015

No. Q/TK/551/01/2015

Shri Manoj Kumar Mishra,
S/o Late Surendra Mohan Mishra,
Vill. and P.O. – Gogari,
Distt.-Khagdiya, Bihar - 851202

Subject: Information sought under RTI Act, 2005.

Sir,

Please refer to your RTI application dated 23/04/2015 (received on 7th May from Prime Minister's Office) seeking information about the gifts received by Prime Ministers, and other gift related information.

2. It may be mentioned that Toshakhana of this Ministry deals with gifts received from **foreign sources** only. The reply to your aforementioned application is given herewith point wise:-

i): The gifts received from foreign sources by those on official post including the Prime Minister are governed by Foreign Contribution(Acceptance or Retention of Gifts or Presentations) Rules 2012, available on MHA's website. Toshakhana Rules, 1967 (attached at Annexure-I) and the rules mentioned above are applied to the gifts received in Toshakhana.

As the information sought under this point regarding the presentations of gifts by the Prime Minister to foreign dignitaries does not pertain to undersigned CPIO, this is being transferred to Shri Anil Nautiyal, Deputy Chief of Protocol (Privileges) & CPIO, Jawaharlal Nehru Bhawan, 23 D, Janpath, New Delhi 110011 who might have some information on this, to directly respond to you.

ii): No auction has been held by Toshakhana in the recent past. Some of the gifts have been transferred to Government Hospitality Organisation, National Museum and other Government Offices for official use as per Toshakhana Rules, 1967.

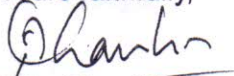
iii), iv) & v): These points do not pertain to Toshakhana of this Ministry.

3. In case you intend to prefer an appeal on the information provided by the under mentioned CPIO, the same may be preferred to the Appellate Authority Shri Sugandh Rajaram, Director (Establishment), Room No. 4051, Jawaharlal Nehru Bhawan, 23-D, Janpath, New Delhi- 110011 within 30 days of receipt of this letter.

Hindi version will follow soon.

Encls: Toshakhana Rules, 1967

Yours faithfully,


(P. S. Chauhan)

US (Toshakhana, SE-I & Prop-II) & CPIO

Copy to:- 1. Deputy Chief of Protocol (P) & CPIO
2. RTI Cell, Room No-2021, A- Wing,
Jawaharlal Nehru Bhawan, 23-D, Janpath, New Delhi.

TOSHAKHANA RULES
(November 10, 1967)

1. TOSHAKHANA STAFF. The Toshakhana will be under the general charge of the Joint Secretary (Administration) in the Ministry of External Affairs and the Under Secretary/Attache (Toshakhana) will exercise general supervision over it, and will be responsible to see that these rules are being carried out.

In addition there will be a Superintendent, Toshakhana.

The Toshakhana strong room shall be under double lock.

The key of one lock will be in the possession of the Superintendent, Toshakhana, while that of the other lock will be kept by Under Secretary/Attache (TK), Ministry of External Affairs. A duplicate set of these keys shall be lodged with the Reserve Bank of India. They should be examined annually and a certificate to that effect recorded by the Under Secretary/Attache (TK) in the register of duplicate keys.

2. RESPONSIBILITY OF SUPERINTENDENT, TOSHAKHANA.

Subject to the control and supervision of the Under Secretary/Attache (TK), the Superintendent, Toshakhana, will be held responsible for the safety of all cash and stores, the property of Government placed in his charge and for their preservation from rust, damp, worms and moths.

3. SECURITY TO BE FURNISHED BY SUPERINTENDENT, TOSHAKHANA.

To safeguard against loss to Toshakhana property, due to negligence or fraud, the Superintendent, Toshakhana, shall furnish security of Rs. 1,000/- in Government paper in the name of the Secretary to the Government of India in the Ministry of External Affairs and a Bond as required under General Financial Rules. The interest accruing on this

security shall be payable to the Superintendent,
Toshakhana, as it becomes due and provided there are no
claims against him.

4. PRESENTS TO BE DEPOSITED IN THE TOSHAKHANA.

(i) In all cases in which sanction of the Government
required under rule 13(4) of the Central Civil

Services (Conduct) Rules, 1964 or any other

corresponding rule, is refused, or where any gift

is not permitted to be retained by a Government

servant under any general or special order of the

Government, the presents involved shall be

deposited in the Toshakhana.

(ii) The decision regarding the disposal of articles

of presents, deposited in the Toshakhana under

clause (i), will be taken by the Toshakhana. The

Toshakhana may, at its own discretion, allow the

recipients of presents the first option of

purchasing them at the value fixed by the Toshakhana.

(iii) The gifts which are not of symbolic nature can be

retained by Government servants if the value thereof

does not exceed the ceiling fixed by Government of

India from time to time (At present Rs.450/-). No

customs duty is leviable on presents received by Government

servants from foreign dignitaries, which are within

the ceiling limit of Rs.450/- and are permitted to

be retained by the recipients.

**5. ARTICLES ONLY TO BE RECEIVED INTO TOSHAKHANA THROUGH
UNDER SECRETARY/ATTACHE**

No articles may be received in the Toshakhana except

through the Under Secretary/Attache (TK), who will see that

o e o

a receipt for every article, describing it as fully as possible is given to the person or section concerned. There shall be a printed receipt book, and receipts shall be made in triplicate. One will be given to the person sending the ~~articles to the Toshakhana, another will be the authority for the Superintendent, Toshakhana to receive the articles~~ and the third will be the office copy for the Under Secretary/Attache(TK) who will, with the help of this copy, check the stock book monthly.

6. JEWELLERY AND VALUABLES.

The articles of jewellery and other valuables shall be kept in a safe or strong iron bound box with two locks, the key of one of which shall be in the custody of the Under Secretary/Attache(TK), Ministry of External Affairs and the other in the Superintendent's custody.

7. COINS AND BULLIONS.

Gold coins of Government mintage received in the Toshakhana are not to be treated as cash, but as stores and entered in the Stock Register and made over to the Treasury. Other kinds are to be sent to the Mint, to which also all gold and silver bullion should be sent.

8. ANIMALS PRESENTED.

When animals form part of presents, they should be made over to the nearest Army Service Corps for early sale, or handed over to the Zoological Gardens. Animals presented to Ministers and officers of Government should be dealt with in the same way. In no case should the animals be sent long distances unnecessarily, or kept at the expense of Government longer than necessary. Such animals will be entered in the Toshakhana books without value until the sum realised

for them can be communicated to the Under Secretary/
Attache (TK).

9. VALUATION OF ARTICLES DEPOSITED IN THE TOSHAKHANA.

All articles received in the Toshakhana shall be valued as soon as possible, and in any case within a fortnight of receipt by a Board consisting of Joint Secretary and Under Secretary/Attache in consultation with the Customs Appraiser, Foreign Post Office. Before entering the value of articles in the Stock Register, the written orders of the Board must be secured as to the suitability of each valuation.

10. PURCHASE GRANTS AND PRESENTS FOR DISTRIBUTION.

Whenever an officer receives articles from the Toshakhana for presentation, or a special grant for the purchase of presents, he shall be required to render a precise account of the manner in which he disposes of the articles received or purchased by him. Orders to this effect should be communicated to the officer concerned in every case where Toshakhana presents are provided or their purchase sanctioned.

11. PRESENTS MADE ON BEHALF OF THE GOVERNMENT OF INDIA.

Purchase of presents proposed to be given on behalf of the Government of India to various foreign dignitaries is not the concern of Toshakhana.

12. SALES FROM TOSHAKHANA.

(i) Toshakhana articles such as jewellery etc. which are not likely to be required for use or for display as laid down in rule 13 of the Toshakhana rules, may be sold at their book value to anybody by Under Secretary/Attache (TK). Where an article has been in the Toshakhana for more than

two years, it should be got revalued by the Board before it is sold by the Under Secretary/Attache. The assistance of the State Bank of India may be necessary for the disposal of gold/diamond articles. Articles of perishable nature or which are bound to deteriorate in course of time, should be disposed of with the least possible delay. The approval of the Board must be obtained in all cases where it is proposed to sell articles at reduced price.

(ii) Such of the remaining articles as are not likely to be required for presentation, or which are not needed for disposal under rule 13, may in special cases, be sold by auction in the manner prescribed in sub-rule (iii).

(iii) The procedure for the conduct of auction shall be as follows:-

- (a) The auction shall be conducted with the assistance of an officer deputed for the purpose by the Collector of Central Excise. Such officer should get in touch with Under Secretary/Attache (TK) to settle the details of the auction.
- (b) It shall be conducted in the premises of Ministry of External Affairs.
- (c) The auction shall be limited to the officials located at headquarters under the administrative control of the Ministries and Departments of the Government of India. The staff of the Collectorate of Central Excise shall not be eligible to bid at the auction.
- (d) Articles brought to auction of the kind referred to in rule 9 shall be disposed of at the first auction provided the value appraised (including customs duty) for them by the Customs Appraiser and the Board constituted under rule 9, is realised. Should such value not be realised, they shall be brought to auction a second time whereupon they shall be sold to the highest bidder.
- (e) Articles of the kind referred to in rule 9 when brought for auction shall be divided into two categories for the purpose of determining their fair price at the time of auction:-

- (1) those on which customs duty is leviable at ad valorem rates; and

(2) those on which specific rates of duty are leviable.

When the articles of the category (1) above are brought to auction for the first time, their fair price shall be the appraised value plus the customs duty calculated on that value. If it is not possible to dispose of any article at the fair price at the first auction, it shall be brought to auction for the second time. On such subsequent auction, the article shall be sold to the highest bidder at a free value. The sale proceeds should be considered as inclusive of customs duty and the amount of customs duty chargeable will be calculated accordingly. As regards category (2) above, fair price will be fixed in the same manner as for goods under category (1) when they are brought to auction for the first time. In addition, a reserve price will also be fixed for such articles when brought to auction for the second time. This reserve price will be equal to the amount of duty leviable on the goods. In cases when this reserve price is not realised even at the second auction the matter will be referred to the Central Board of Revenue for advice.

(iv) Sale proceeds of the articles disposed of in accordance with rules 4 and 12 of Toshakhana Rules shall be credited at once into the Treasury as miscellaneous receipts of the Toshakhana. There shall be a printed Receipt Book in foil and counterfoil for receiving the sale proceeds of Toshakhana articles. The counterfoil will serve as the receipt for the money to the party concerned and the foil will be the office copy. The receipt books and the receipts within the books shall be serially numbered. The blank receipt books should be kept in the custody of the Under Secretary/Attache in charge of Toshakhana. Receipts should

be issued under the signature of the Under Secretary/Attache. There should be a separate register in which the numbers of the blank receipt books received from the press and of those brought into use and the balance in stock should be recorded.

13. DISPOSAL OF ARTICLES FROM TOSHAKHANA.

Toshakhana articles may also be disposed of by way of giving on loan or transferred temporarily or permanently from Toshakhana stores under the orders of Joint Secretary or Secretary for use in the Rashtrapati Bhavan, New Delhi, Rashtrapati Niwas, Simla, Vice President's Secretariat, Prime Minister's Official Residence, New Delhi, the Museum at Delhi and Indian Embassies abroad and Government Departments/State Governments. In addition Toshakhana articles may also be given as presents or loaned to Charitable Institutions and leading institutions and organisations under the control of Government for display as exhibits. No duty on such articles is payable. Receipts for stores transferred or received back should be obtained/given in all cases. The Toshakhana articles may also be displayed in a secure and suitable place in the Ministry of External Affairs.

14. TOSHAKHANA BOOKS AND REGISTERS.

The Superintendent, Toshakhana shall maintain:-

- (i) A register for entering the details of the payments made through Cash Section.
- (ii) A BOUND STOCK REGISTER in the prescribed form (Appendix to rules) for the entry of transactions relating to the Receipts and Issues of presents. All articles received shall be brought on the Stock Register. No article shall be issued without the written authority of the Under Secretary/Attache (TK).

(iii) A STOCK REGISTER should be maintained in P.W.A. Form 15 showing the Darbar paraphernalia in the Toshakhana, as distinct from articles referred to in sub-rule (ii). The items in the register should be serially numbered and the particulars in column 3 should be sufficiently lucid to admit of identification and physical verification. The money value should be given in column 3 along with other particulars.

15. MONTHLY CHECKING OF ACCOUNTS AND STOCK REGISTER.

On the last day of every month or, if that falls on a Sunday or a holiday, on the previous day, the Under Secretary/Attache(TK) shall examine and sign the Stock Register.

16. TEST CHECK BY ACCOUNTANT GENERAL, CENTRAL REVENUES.

The Stock Registers referred to in Rule 14(ii) and (iii) will be test checked biennially by the Accountant General, Central Revenues. The transactions of two months during the period will be selected at random for this purpose.

17. VERIFICATION OF STOCKS.

For the purpose of ready reference and physical verification, a label or stock card will be maintained with each article or class of articles in store. The stock card should also indicate whether duty has been paid on its importation into the country or not. All articles in store and the Darbar Paraphernalia shall be physically verified at least once a year by an Under Secretary other than Under Secretary/Attache(TK) in the Ministry. It is not necessary that all the articles should be verified at one time; verification may be done gradually throughout the year. The result of verification shall immediately be entered in the Stock Register under the date, initials of the Under Secretary, which in the case of shortages, should be communicated to the

Accountant General, Central Revenues.

18. TOSHAKHANA BUDGET ALLOTMENT.

The Toshakhana is not to be directed to pay for anything which does not come under the heads of its budget allotment, which are for expenditure on such objects as presents to Chiefs of States bordering India and Heads of Foreign Governments and entertainment of Rajpramukhs and other high officials of States.

19. RENDERING OF TOSHAKHANA ACCOUNTS.

The following procedure may be followed for making payment of articles purchased for presentation and rendition of accounts:-

- (a) The Supplier's bills duly accepted by the PT. III Section will be forwarded by them to the Toshakhana. The latter will list the bills in a register and prepare the contingent bills and pass on the same to the Cash I Section for payment.
- (b) The register should be maintained in the form given below:-

S.No.	Particulars of the Supply.	The name of the Supplier.	Amount	Date on which Contingent Bill sent to Cash Section.	Date on which payment made by Cash I.
1	2	3	4	5	6

- (c) The pay and allowances of the Toshakhana Attendant will be shown by the Cash Section in the Contingent Bill form.
- (d) No separate monthly account will be rendered by the Toshakhana to the Accountant General, Central Revenues, New Delhi. The details of the payment made through Cash Section will, however, be maintained by the Toshakhana for purposes of reconciliation of accounts. The entries in Col. 6 of the Register mentioned above should be completed by the Toshakhana Section in consultation with Cash I Section.

सं. एच/टीके/551/01/2015

श्री मनोज कुमार मिश्रा
पुत्र स्वर्गीय श्री सुरेन्द्र मोहन मिश्रा
गांव तथा पीओ - गोगारी
जिला - खगडिया, बिहार -851202

विषय: सूचना का अधिकार अधिनियम 2005 के अंतर्गत मांगी गई जानकारी।

महोदय,

कृपया दिनांक 23.04.2015 के आपके आरटीआई आवेदन (प्रधानमंत्री कार्यालय से 7 मई को प्राप्त) का संदर्भ लें जिसमें प्रधानमंत्री द्वारा प्राप्त उपहारों तथा अन्य उपहारों से संबंधित जानकारी मांगी गई है।

2. यह उल्लेख किया जाता है कि इस मंत्रालय का तोशाखाना केवल विदेशी स्रोतों से प्राप्त उपहारों को देखता है। आपके उपर्युक्त आवेदन का उत्तर यहां बिंदुवार दिया गया है:

(i) प्रधानमंत्री सहित आधिकारिक पदों पर तैनात व्यक्तियों को विदेशी स्रोत से प्राप्त उपहारों को विदेशी अभिदान (उपहारों या भेटों की स्वीकृति या अवधारण) नियमावली 2012 द्वारा किया जाता है जो गृह मंत्रालय की वेबसाइट पर उपलब्ध है। तोशाखाना में प्राप्त उपहारों पर तोशाखाना नियम 1967 (अनुबंध-1 में संलग्न) तथा उपरोक्त नियम लागू किए जाते हैं।

चूंकि इस बिंदु के तहत प्रधानमंत्री द्वारा विदेशी गणमान्य व्यक्तियों को दिए गए उपहारों के संबंध में मांगी गई जानकारी इस सीपीआईओ से संबंधित नहीं है इसलिए इसे श्री अनिल नौटियाल, प्रोतोकाल के उप-प्रमुख (प्रिविलेजिस) तथा सीपीआईओ जवाहर लाल नेहरू भवन, 23 डी, जनपथ, नई दिल्ली 110011 को सीधा आपको उत्तर देने हेतु हस्तांतरित किया जा रहा है, जिनके पास इस बारे में कुछ जानकारी हो सकती है।

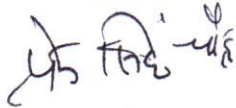
(ii) हाल के दिनों में तोशाखाना द्वारा कोई नीलामी नहीं की गई है। कुछ उपहारों को तोशाखाना नियम 1967 के अनुसार कार्यालयी प्रयोग के लिए सरकारी आतिथ्य संगठन, राष्ट्रीय संग्रहालय तथा अन्य सरकारी कार्यालयों को हस्तांतरित किया गया है।

(iii) (iv) तथा (v) ये बिंदु इस मंत्रालय के तोशाखाना से संबंधित नहीं हैं।

3. यदि आप अधोहस्ताक्षरी द्वारा प्रदान की गई जानकारी पर कोई अपील करना चाहते हैं तो आप इस पत्र की प्राप्ति के 30 दिनों के अंदर, अपीलीय प्राधिकारी श्री सुगंध राजराम, निदेशक (स्थापना), कमरा सं. 4051, जवाहर लाल नेहरू भवन, 23डी, जनपथ, नई दिल्ली -110011 को अपील कर सकते हैं।

संलग्न: तोशाखाना नियम, 1967

भवदीय,



(पी.एस. चौहान)

अवर सचिव (तोशाखाना, एस ई-1 तथा प्रोप-11) एवं सीपीआईओ

प्रतिलिपि प्रेषित:

1. प्रोतोकॉल के उप प्रमुख तथा सीपीआईओ
2. आरटीआई सेल, कमरा सं. 2021, ए-विंग, जवाहर लाल नेहरू भवन, 23-डी, जनपथ, नई दिल्ली।