



RTI matter/ Time Bound

Government of India
Ministry of External Affairs
New Delhi

No. E/551/1/2021-RTI

18 May 2021

To:



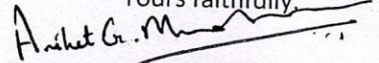
Subject: Information sought under Right to Information Act, 2005

Sir,

Please refer to your RTI application bearing Registration No. MOEAF/R/T/21/00219 addressed to Ministry to RTI cell, Ministry of External Affairs, New Delhi received by this Division on 27 April 2021.

2. It may be noted that under the provisions of RTI Act, 2005, a CPIO/ Public Authority is under obligation to provide an applicant only that information which exists in the records and that which is held by or under the control of that authority.
3. With respect to point no. 1 of your query, the copies related to the relevant agreement signed in 1993, 1996 and 2005, available with the undersigned CPIO are enclosed for your ready reference. These are also available on the website of Ministry of External Affairs under MEA Treaties Database and can be readily accessed at mea.gov.in/treaty.htm
4. With respect to point no. 2 & 3 of your query, the information sought is not available with the undersigned CPIO and the application is being transferred to Ministry of Defence as per the provision of article 6 (3) of the RTI Act, 2005 for sharing information that may be available with them with regard to your query.
5. If you are aggrieved with this reply, you may file an appeal to Shri Satish K. Sivan, Director (East Asia) & Appellate Authority, Ministry of External Affairs, South Block, New Delhi -110001, within a month from the date of receipt of this letter.

Yours faithfully,


(Aniket Govind Mandavgane)
DS (China) & CPIO
Room no. 270 A, South Block,
New Delhi - 110001
Telefax: 23011356
Email: dschina2@mea.gov.in

CC to:

1. Shri Arun Kumar, Under Secretary (RTI), MEA, New Delhi
2. Under Secretary (RTI Cell), Room Number-4, Ministry of Defence, South Block, New Delhi

RTI REQUEST DETAILS (आरटीआई अनुरोध विवरण)

Registration Number (पंजीकरण संख्या) : MOEAF/R/T/21/00219

Date of Receipt (प्राप्ति की तारीख) : 27/04/2021

Transferred From (से स्थानांतरित): Ministry of Home Affairs on 27/04/2021 With Reference Number : MHOME/R/E/21/01358

Remarks(टिप्पणी) : Subject matter does not pertain to the work allocation assigned to the undersigned. RTI application transferred to CPIO in the MEA under section 6(3) of the RTI Act, 2005.

Type of Receipt (रसीद का प्रकार) : Electronically Transferred from Other Public Authority Language of Request (अनुरोध की भाषा) : English

Name (नाम) :

Address (पता) :

State (राज्य) :

Phone Number (फोन नंबर) :

Email-ID (ईमेल-आईडी) :

Status (स्थिति)(Rural/Urban) :

Requester Letter Number(निवेदक पत्र संख्या) :

Is Requester Below Poverty Line ? (क्या आवेदक गरीबी रेखा से नीचे का है?) :

Amount Paid (राशि का भुगतान) : 10) (original recipient)

Mode of Payment (भुगतान का प्रकार) : Payment Gateway

Does it concern the life or Liberty of a Person? (क्या यह किसी व्यक्ति के जीवन अथवा स्वतंत्रता से संबंधित है?) : No(Normal)

Request Pertains to (अनुरोध निम्नलिखित संबंधित है) : US (China)

Information Sought (जानकारी मांगी): To,
The Central Information Public Officer
Ministry of home affairs
North block,
New delhi-110001

Sub: Request to furnish information under section 6(1) of the Right to Information Act, 2005 on the following questions/points

Respected Sir,

You are kindly requested to furnish the following information/documents:

- 1) Copies of agreements on border management to keep peace between India and China signed in the years 1993, 1996 and 2005
- 2) Copy of reports sent to the centre by the state of Uttarakhand regarding the Chinese intrusion and aggression in the Barahoti area since 2013
- 3) How many villages have been constructed by china inside the territorial jurisdiction of the state of Arunachal Pradesh as on date. Kindly provide the names and exact locations of the same.

If the information is not available in your office, kindly forward to the concerned public authority as per section 6(3) of the RTI Act,2005.

I am a citizen of India and address is given below. Requisite RTI application fee for Rs.10/- is being remitted via the e-payment gatewayis enclosed.

Yours sincerely,

K.Nishvakk,

1, cenetoph 2nd lane, flat no.16, manor apts,
Teynampet, Chennai-18

To,

The Central Information Public Officer
Ministry of home affairs
North block,
New delhi-110001

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Yours sincerely

Original RTI Text (मूल
आरटीआई पाठ):

Print

Save

Close

Agreement on the Maintenance of Peace and Tranquility along the Line of Actual Control in the India-China Border Areas

September 7, 1993

The Government of the Republic of India and the Government of the People's Republic of China (hereinafter referred to as the two sides), have entered into the present Agreement in accordance with the Five Principles of mutual respect for sovereignty and territorial integrity, mutual non-aggression, non-interference in each other's internal affairs, equality and mutual benefit and peaceful coexistence and with a view to maintaining peace and tranquility in areas along the line of actual control in the India-China border areas.

1. The two sides are of the view that the India-China boundary question shall be resolved through peaceful and friendly consultations. Neither side shall use or threaten to use force against the other by any means. Pending an ultimate solution to the boundary question between the two countries, the two sides shall strictly respect and observe the line of actual control between the two sides. No activities of either side shall overstep the line of actual control. In case personnel of one side cross the line of actual control, upon being cautioned by the other side, they shall immediately pull back to their own side of the line of actual control. When necessary, the two sides shall jointly check and determine the segments of the line of actual control where they have different views as to its alignment.

2. Each side will keep its military forces in the areas along the line of actual control to a minimum level compatible with the friendly and good neighbourly relations between the two countries. The two sides agree to reduce their military forces along the line of actual control in conformity with the requirements of the principle of mutual and equal security to ceilings to be mutually agreed. The extent, depth, timing, and nature of reduction of military forces along the line of actual control shall be determined through mutual consultations between the two countries. The reduction of military forces shall be carried out by stages in mutually agreed geographical locations sector-wise within the areas along the line of actual control.

3. Both sides shall work out through consultations effective confidence building measures in the areas along the line of actual control. Neither side will undertake specified levels of military exercises in mutually identified zones. Each side shall give the other prior notification of military exercises of specified levels near the line of actual control permitted under this Agreement.
4. In case of contingencies or other problems arising in the areas along the line of actual control, the two sides shall deal with them through meetings and friendly consultations between border personnel of the two countries. The form of such meetings and channels of communications between the border personnel shall be mutually agreed upon by the two sides.
5. The two sides agree to take adequate measures to ensure that air intrusions across the line of actual control do not take place and shall undertake mutual consultations should intrusions occur. Both sides shall also consult on possible restrictions on air exercises in areas to be mutually agreed near the line of actual control.
6. The two sides agree that references to the line of actual control in this Agreement do not prejudice their respective positions on the boundary question.
7. The two sides shall agree through consultations on the form, method, scale and content of effective verification measures and supervision required for the reduction of military forces and the maintenance of peace and tranquility in the areas along the line of actual control under this Agreement.
8. Each side of the India-China Joint Working Group on the boundary question shall appoint diplomatic and military experts to formulate, through mutual consultations, implementation measures for the present Agreement. The experts shall advise the Joint Working Group on the resolution of differences between the two sides on the alignment of the line of actual control and address issues relating to redeployment with a view to reduction of military forces in the areas along the line of actual control. The experts shall also assist the Joint Working Group in supervision of the implementation of the Agreement, and settlement of differences that may arise in that process, based on the principle of good faith and mutual confidence.

9. The present Agreement shall come into effect as of the date of signature and is subject to amendment and addition by agreement of the two sides.

Signed in duplicate at Beijing on the Seventh day of September 1993 in the Hindi, Chinese and English languages, all three texts having equal validity.

[Signed:]

R. L. Bhatia
Minister of State for External Affairs
Republic of India

Tang Jiaxuan
Vice-Foreign Minister
People's Republic of China

**Agreement Between the Government of the Republic
of India and the Government of the People's Republic
of China on Confidence-Building Measures in the
Military Field Along the Line of Actual Control in the
India-China Border Areas**

November 29, 1996 (New Delhi)

The Government of the Republic of India and the Government of the People's Republic of China (hereinafter referred to as the two sides),

Believing that it serves the fundamental interests of the peoples of India and China to foster a long-term good-neighbourly relationship in accordance with the 'five principles of mutual respect for sovereignty and territorial integrity, mutual non-aggression, non-interference in each other's internal affairs, equality and mutual benefit and peaceful co-existence,

Convinced that the maintenance of peace and tranquility along the line of actual control in the India-China border areas accords with the fundamental interests of the two peoples and will also contribute to the ultimate resolution of the boundary question,

Reaffirming that neither side shall use or threaten to use force against the other by any means or seek unilateral military superiority,

Pursuant to the Agreement between the Government of the Republic of India and the Government of the People's Republic of China on the Maintenance of Peace and Tranquility along the Line of Actual Control in the India-China Border Areas, signed on 7 September, 1993,

Recognizing the need for effective confidence building measures in the military field along the line of actual control in the border areas between the two sides,

Noting the utility of confidence building measures already in place along the line of actual control in the India-China border areas,

Committed to enhancing mutual confidence and transparency in the military field, Have agreed as follows:

ARTICLE I

Neither side shall use its military capability against the other side. No armed forces deployed by either side in the border areas along the line of actual control as part of their respective military strength shall be used to attack the other side, or engage in military activities that threaten the other side or undermine peace, tranquility and stability in the India-China border areas.

ARTICLE II

The two sides reiterate their determination to seek a fair, reasonable and mutually acceptable settlement of the boundary question. Pending an ultimate solution to the boundary question, the two sides reaffirm their commitment to strictly respect and observe the line-of actual control in the India-China border areas. No activities of either side shall overstep the line of actual control.

ARTICLE III

The two sides agree to take the following measures to reduce or limit their respective military forces within mutually agreed geographical zones along the line of actual control in the India-China border areas:

- (1) The two sides reaffirm that they shall reduce or limit their respective military forces within mutually agreed geographical zones along the line of actual control in the India-China border areas to minimum levels compatible with the friendly and good neighborly relations between the two countries and consistent with the principle of mutual and equal security.
- (2) The two sides shall reduce or limit the number of field army, border defence forces, paramilitary forces and any other mutually agreed category of armed force deployed in mutually agreed geographical zones along the line of actual control to ceilings to be mutually agreed upon. The major categories of armaments to be reduced, or limited are as follows: combat tanks, infantry combat vehicles, guns (including howitzers) with 75 mm or bigger calibre, mortars with 120 mm or bigger calibre, surface-to-surface missiles, surface-to-air missiles and any other weapon system mutually agreed upon.
- (3) The two sides shall exchange data on the military forces and armaments to be reduced or limited and decide on ceilings on military

forces and armaments to be kept by each side within mutually agreed geographical zones along the line of actual control in the India-China border areas. The ceilings shall be determined in conformity with the requirement of the principle of mutual and equal security, with due consideration being given to parameters such as the nature of terrain, road communication and other infrastructure and time taken to induct/deinduct troops and armaments.

ARTICLE IV

In order to maintain peace and tranquility along the line of actual control in the India-China border areas and to prevent any tension in the border areas due to misreading by either side of the other side's intentions:

(1) Both sides shall avoid holding large scale military exercises involving more than one Division (approximately 15,000 troops) in close proximity of the line of actual control in the India-China border areas. However, if such exercises are to be conducted, the strategic direction of the main force involved shall not be towards the other side.

(2) If either side conducts a major military exercise involving more than one Brigade Group (approximately 5,000 troops) in close proximity of the line of actual control in the India-China border areas, it shall give the other side prior notification with regard to type, level, planned duration and area of exercise as well as the number and type of units or formations participating in the exercise.

(3) The date of completion of the exercise and deinduction of troops from the area of exercise shall be intimated to the other side within five days of completion or deinduction.

(4) Each side shall be entitled to obtain timely clarification from the side undertaking the exercise in respect of data specified in Paragraph 2 of the present Article.

ARTICLE V

With a view to preventing air intrusions across the line of actual control in the India-China border areas and facilitating overflights and landings by military aircraft:

(1) Both sides shall take adequate measures to ensure that air intrusions across the line of actual control do not take place. However, if an intrusion does take place, it should cease as soon as detected and the incident shall be promptly investigated by the side operating the aircraft. The results of the investigation shall be immediately communicated, through diplomatic channels or at border personnel meetings, to the other side.

(2) Subject to Paragraphs 3 and 5 of this Article, combat aircraft (to include fighter, bomber, reconnaissance, military trainer, armed helicopter and other armed aircraft) shall not fly within ten kilometers of the line of actual control.

(3) If either side is required to undertake flights of combat aircraft within ten kilometers from the line of actual control, it shall give the following information in advance to the other side, through diplomatic channels:

(a) Type and number of combat aircraft;

(b) Height of the proposed flight (in meters);

(c) Proposed duration of flights (normally not to exceed ten days);

(d) Proposed timing of flights; and

(e) Area of operations, defined in latitude and longitude.

(4) Unarmed transport aircraft, survey aircraft and helicopters shall be permitted to fly up to the line of actual control.

(5) No military aircraft of either side shall fly across the line of actual control, except by prior permission. Military aircraft of either side may fly across the line of actual control or overfly the other side's airspace or land on the other side only after obtaining the latter's prior permission after providing the latter with detailed information on the flight in accordance with the international practice in this regard.

Notwithstanding the above stipulation, each side has the sovereign right to specify additional conditions, including at short notice, for flights or landings of military aircraft of the other side on its side of the line of actual control or through its airspace.

(6) In order to ensure flight safety in emergency situations, the authorities designated by the two sides may contact each other by the quickest means of communications available.

ARTICLE VI

With a view to preventing dangerous military activities along the line of actual control in the India-China border areas, the two sides agree as follows:

(1) Neither side shall open fire, cause bio-degradation, use hazardous chemicals, conduct blast operations or hunt with guns or explosives within two kilometers from the line of actual control. This prohibition shall not apply to routine firing activities in small arms firing ranges.

(2) If there is a need to conduct blast operations within two kilometers of the line of actual control as part of developmental activities, the other side shall be informed through diplomatic channels or by convening a border personnel meeting, preferably five days in advance.

(3) While conducting exercises with live ammunition in areas close to the line of actual control, precaution shall be taken to ensure that a bullet or a missile does not accidentally fall on the other side across the line of actual control and causes harm to the personnel or property of the other side.

(4) If the border personnel of the two sides come in a face-to-face situation due to differences on the alignment of the line of actual control or any other reason, they shall exercise self-restraint and take all necessary steps to avoid an escalation of the situation. Both sides shall also enter into immediate consultations through diplomatic and/or other available channels to review the situation and prevent any escalation of tension.

ARTICLE VII

In order to strengthen exchanges and cooperation between the military personnel and establishments in the border areas along the line of actual control, the two sides agree:

(a) To maintain and expand the regime of scheduled and flag meetings between their border representatives at designated places along the line of actual control;

(b) To maintain and expand telecommunication links between the border meeting points at designated places along the line of actual control;

(c) To establish step-by-step medium and high-level contacts between the border authorities of the two sides.

ARTICLE VIII

(1) Should the personnel of one side cross the line of actual control and enter the other side because of unavoidable circumstances like natural disasters, the other side shall extend all possible assistance to them and inform their side, as soon as possible regarding the forced or inadvertent entry across the line of actual control. The modalities of return of the concerned personnel to their own side shall be settled through mutual consultations.

(2) The two sides shall provide each other, at the earliest possible, with information pertaining to natural disasters and epidemic diseases in contiguous border areas which might affect the other side. The exchange of information shall take place either through diplomatic channels or at border personnel meetings.

ARTICLE IX

In case a doubtful situation develops in the border region, or in case one of the sides has some questions or doubts regarding the manner in which the other side is observing this Agreement, either side has the right to seek a clarification from the other side. The clarifications sought and replies to them shall be conveyed through diplomatic channels.

ARTICLE X

(1) Recognizing that the full implementation of some of the provisions of the present Agreement will depend on the two sides arriving at a common understanding of the alignment of the line of actual control in the India-China border areas, the two sides agree to speed up the process clarification and confirmation of the line of actual control. As an initial step in this process, they are clarifying the alignment of the line of actual control in those segments where they have different perceptions. They also agree to exchange maps indicating their respective perceptions of the entire alignment of the line of actual control as soon as possible.

(2) Pending the completion of the process of clarification and confirmation of the line of actual control, the two sides shall work out modalities for implementing confidence building measures envisaged under this Agreement on an interim basis, without prejudice to their respective positions on the alignment of the line of actual control as well as on the boundary question.

ARTICLE XI

Detailed implementation measures required under Article I to Article X of this Agreement shall be decided through mutual consultations in the India-China Joint Working Group on the Boundary Question. The India-China Diplomatic and Military Expert Group shall assist the India-China Joint working Group in devising implementation measures under the Agreement.

ARTICLE XII

This Agreement is subject to ratification and shall enter into force on the date of exchange of instruments of ratification. It shall remain in effect until either side decides to terminate it after giving six months' notice in writing. It shall become invalid six months after the notification.

This Agreement is subject to amendment and addition by mutual agreement in writing between the two sides.

Signed in duplicate in New Delhi on 29 November, 1996 in the Hindi, Chinese and English languages, all three texts being equally authentic. In case of divergence, the English text shall prevail.

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Protocol between the Government of the Republic of India and the Government of the People's Republic of China on Modalities for the Implementation of Confidence Building Measures in the Military Field Along the Line of Actual Control in the India-China Border Areas

April 11, 2005

The Government of the Republic of India and the Government of the People's Republic of China (hereinafter referred to as the two sides),

Recalling that both sides are committed to developing their long-term constructive and cooperative partnership on the basis of the Five Principles of Peaceful Co-existence, mutual respect and sensitivity for each other's concerns and aspirations, and equality,

Reaffirming that the two sides seek a fair, reasonable and mutually acceptable settlement of the boundary question,

Reaffirming their commitment that, pending an ultimate solution to the boundary question, both sides shall strictly respect and observe the Line of Actual Control in the India-China border areas,

Noting the utility of confidence building measures already in place along the Line of Actual Control in the India-China border areas,

Recognising that the maintenance of peace and tranquillity along the Line of Actual Control in the India-China border areas accords with the fundamental interests of the two sides, and will facilitate the process of early clarification and confirmation of the alignment of the Line of Actual Control,

Convinced of the need for agreed modalities for the implementation of confidence building measures between the two sides in the military field along the Line of Actual Control in the India-China border areas, and

Recalling further the relevant provisions of the Agreement on the Maintenance of Peace and Tranquillity along the Line of Actual Control in the India-China Border Areas signed in September 1993 and Agreement on Confidence Building Measures in the Military Field along the Line of Actual Control in the India-China Border Areas signed between the two sides in November 1996,

- Have agreed on the modalities as follows:

Article I

In accordance with Article II of the Agreement on Confidence Building Measures in the Military Field along the Line of Actual Control in the India-China Border Areas signed between the two sides in November 1996, the two sides should strictly respect and observe the Line of Actual Control and work together to maintain peace and tranquillity in the border areas.

Article II

In accordance with Article IV of the Agreement on Confidence Building Measures in the Military Field along the Line of Actual Control in the India-China Border Areas signed between the two sides in November 1996,

1. Both sides shall avoid holding large-scale military exercises involving more than one Division (approximately 15,000 troops) in close proximity to the Line of Actual Control. However, if such exercises are to be conducted, the strategic direction of the main force involved shall not be towards the other side.
2. If either side conducts a military exercise involving more than one Brigade Group (approximately 5,000 troops) in close proximity to the Line of Actual Control, it shall not be targeted against the other side. The side undertaking the exercise shall give, through Flag Meetings, the other side prior intimation 15 days in advance of the exercise with regard to type, level, planned duration and area of exercise as well as the number and type of units or formations participating in the exercise.
3. Each side shall be entitled to obtain timely clarification within 15 days from the side undertaking the exercise in respect of data specified in paragraph (b) above of the present article, through Flag Meetings. (d) Each side shall give prior intimation of changes in the timing of any scheduled exercise 15 days in advance, through Flag Meetings.

Article III

In accordance with Article V of the Agreement on Confidence Building Measures in the Military Field along the Line of Actual Control in the India-China Border Areas signed between the two sides in November 1996,

1. In the event of an alleged air intrusion of its controlled airspace by the military aircraft of the other side, either side may seek a Flag Meeting within 48 hours of the alleged air intrusion in order to seek a clarification. The investigation shall be completed by the other side and its results communicated through a Flag Meeting within a period of four weeks.
2. If a military aircraft of either side is required to fly across the Line of Actual Control or to overfly the airspace of the other side, prior permission shall be sought from the other side according to procedures and formats to be mutually agreed upon.
3. If a military or civilian aircraft of either side is required to fly across the Line of Actual Control or to land on the other side of the Line of Actual Control in an emergency situation, the two sides will ensure flight safety in such situations by adhering to procedures to be mutually agreed upon.

Article IV

In accordance with Article VI of the Agreement on Confidence Building Measures in the Military Field along the Line of

- Actual Control in the India China Border Areas signed between the two sides in November 1996, if the border personnel of the two sides come to a face-to-face situation due to differences on the alignment of the Line of Actual Control or any other reason, they shall exercise self-restraint and take all necessary steps to avoid an escalation of the situation. To this end, they shall follow the procedures as given below:
 1. Both sides shall cease their activities in the area, not advance any further, and simultaneously return to their bases.
 2. Both sides shall then inform their respective Headquarters and, if necessary, enter into immediate consultations through border meetings or diplomatic channels so as to prevent an escalation of the situation.
 3. Throughout the face-to-face situation, neither side shall use force or threaten to use force against the other.
 4. Both sides shall treat each other with courtesy and refrain from any provocative actions. Neither side shall put up marks or signs on the spots.

Article V

In accordance with Article VII of the Agreement on Confidence Building Measures in the Military Field along the Line of Actual Control in India-China Border Areas signed between the two sides in November 1996,

1. Both sides shall hold two additional border meetings each year at Spanggur Gap in the Western Sector, Nathu La Pass in the Sikkim Sector and Bum La in the Eastern Sector respectively in celebration of the National Day or Army Day of either side. Specific arrangements shall be decided through consultation between the border forces of the two sides.
2. Both sides agree in principle to expand the mechanism of border meeting points to include Kibithu-Damai in the Eastern Sector and Lipulekh Pass/Qiang La in the Middle Sector. The precise locations of these border meeting points will be decided through mutual consultations.
3. Both sides shall conduct exchanges between the relevant Military Regions of China and Army Commands of India. Specific arrangements shall be decided upon through mutual consultations between the relevant agencies under the Ministries of Defence of the two sides.
4. Both sides shall strengthen exchanges between institutions of training of the two armed forces, and conduct exchanges between institutions of sports and culture of the two armed forces. Specific arrangements shall be decided upon through mutual consultations between the relevant agencies under the Ministries of Defence of the two sides.

Article VI

In accordance with Article VIII of the Agreement on Confidence Building Measures in the Military Field along the Line of Actual Control in the India-China Border Areas signed between the two sides in November 1996,

1. In case the personnel of one side in the border areas cross over to the other side due to force majeure such as natural disasters:
 - I. The side having discovered it should promptly contact and notify the other side;
 - II. The personnel crossing over to the other side should, in the light of the prevailing circumstances, take measures to return to their own side or proceed to places designated by the other side en route to return to their own side;
 - III. The receiving side will provide all possible assistance to the personnel from the other side and ensure their earliest possible return; and

IV. At the request of the side affected by the natural disaster, the other side may consider all possible measures to help alleviate the situation.

2. In order to prevent infectious diseases in specific areas on either side in the border areas from spreading to the other side:

- I. Both sides should share relevant information promptly through border meetings or diplomatic channels;
- II. Each side should take measures to prevent the spread of diseases from spilling onto the other side; and
- III. At the request of the side suffering from spread of infectious diseases, the other side may consider all possible measures to help alleviate the situation.

Article VII

The Protocol shall enter into force on the date of signature of this Protocol and will automatically be rendered invalid if the Agreement on Confidence Building Measures in the Military Field along the Line of Actual Control in the India-China Border Areas signed between the two sides in November 1996 ceases to be in force. Subject to agreement after mutual consultations between the two sides, the Protocol may be amended and supplemented at any time.

Done in duplicate in New Delhi on April 11, 2005 in the Hindi, Chinese and English languages, all three texts being equally authentic. In case of any divergence, the English text shall prevail.

For the Government of the Republic of India

For the Government of the People's Republic of China

New Delhi

April 11, 2005

Comments



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