

Speed/Registered Post



विदेश मंत्रालय, नई दिल्ली
MINISTRY OF EXTERNAL AFFAIRS
NEW DELHI

No. D-II/551/1/2016-Ms. Sharma

Dated 19.01.2016

Ms. Kritika Sharma
House No. 1084,
Sector-27B,
Chandigarh
email kritika055@gmail.com

Subject: Information sought by Ms Kritika Sharma under Right to information Act 2005

Madam,

Reference your Application No. MOEAF/R/2016/00075 dated 15/1/2016, received on 18/1/2016, seeking information under Right to Information Act 2005.

2. The applicant has sought the following information:
 - 3.1 Whether a diplomatic mission in India is exempt from payment of stamp duty on lease/sale deed executed for or on behalf of it?
 - 3.2 If the answer to the aforementioned question is yes, kindly specify the act, rule, order, circular, notification, convention etc. exempting such payment of stamp duty by a diplomatic mission.
 - 3.3 Does the exemption apply to every state within the territory of India? If no, kindly specify the states to which the exemption is applicable.
3. The following is the response of the CPIO:

For **(3.1 & 3.2)**: Diplomatic Missions in India are exempted from payment of stamp duty on lease/sale deed on the basis of Vienna Convention on Diplomatic Relations, 1961 and Vienna Convention on Consular Relation, 1963. As per *Article 23 of VCDR, 1961* "the sending State and the head of the mission shall be exempt from all national, regional or municipal dues and taxes in respect of the premises of the mission, whether owned or leased, other than such as represent payment for specific services rendered".

Further, exemption from payment of Stamp duty to the diplomatic missions is also based on the principle of reciprocity, i.e. exemption is granted only if Indian Mission in the respective Country is granted the same exemptions as and when required.

For (3.3): The exemption is also applied to every state within the territory of India. As per *Article 32 of VCCR, 1963* "Consular premises and the residence of the career head of consular post of which the sending State or any person acting on its behalf is the owner or lessee shall be exempt from all national, regional or

municipal dues and taxes whatsoever, other than such as represent payment for specific services rendered". The exemption from payment of Stamp duty to the Consular Posts in Indian states are also based on principle of reciprocity.

4. In case the applicant is not satisfied with the response given by the undersigned, the applicant may file an appeal within 30 days of the receipt of this communication to Shri Sanjay Verma, Chief of Protocol and First Appellate Authority, Room No. 2001, Jawaharlal Nehru Bhawan, Ministry of External Affairs, 23D, Janpath, New Delhi-110011.

Yours sincerely,

(Madan Singh Bhandari)
Dy Chief of Protocol (Privileges)/ CPIO
Room No. 1062, Jawaharlal Nehru Bhawan
23D Janpath, New Delhi-110011
Tel: 4901 5449
Fax: 49015450
Email: dcpp@mea.gov.in

Copy to:

1. Chief of Protocol, MEA (jscop@mea.gov.in) – for kind information.
2. US (RTI), MEA (usrti@mea.gov.in)
3. PO (XMM), MEA, New Delhi (poxmm@meaindia.in).

RTI REQUEST DETAILS

Registration No. :	MOEAF/R /2016/00075	Date of Receipt :	15/01/2016
Type of Receipt :	Local Receipt	Language of Request :	English
Name :	Kritika Sharma	Gender :	Female
Address :	C/o SAK & Associates, Chandigarh,, H. No. 1084, Sector - 27-B, Chandigarh		
State :	Details not provided	Country :	Details not provided
Phone No. :	Details not provided	Mobile No. :	Details not provided
Email :	Details not provided		
Status(Rural/Urban) :	Details not provided	Education Status :	Details not provided
Letter No. :	Details not provided	Letter Date :	11/01/2016
Is Requester Below Poverty Line ? :	No	Citizenship Status	Indian
Amount Paid :	10)	Mode of Payment	Postal Order
Does it concern the life or Liberty of a Person ? :	No(Normal)	Request Pertains to :	DCP (Privilege)
Information Sought :	relates to DCP(P)		
Print Save Close			

IP038/RTI/M/EA/16 RS/10

267

7/1/2016

14/01/2016

January 11, 2016

To

Under Secretary (RTI)
RTI Cell
Ministry of External Affairs
New Delhi

Sub: Request for Information under Section 6 of the Right to Information Act, 2005

Sir,

1. Name of the Applicant: Kritika Sharma c/o SAK & Associates,
Chandigarh
2. Address: House No 1084,
Sector- 27 -B,
Chandigarh.
3. Information Sought:
 - 3.1 Whether a diplomatic mission in India is exempt from payment of stamp duty on lease/sale deed executed for or on behalf of it?
 - 3.2 If the answer to the aforementioned question is yes, kindly specify the act, rule, order, circular, notification, convention etc exempting such payment of stamp duty by a diplomatic mission.
 - 3.3 Does the exemption apply to every state within the territory of India? If no, kindly specify the states to which the exemption is applicable.
4. I state that information sought does not fall within the restrictions contained in the Section 8 of the RTI Act and to the best of my knowledge it pertains to your office.
5. I hereby certify that I, Kritika Sharma, D/o Chandresh Sharma, R/o House No 1084, Sector 27-B, Chandigarh am a citizen of India.

My contact details are as following:

Kritika Sharma
House No 1084
Sector 27-B
Chandigarh
Ph. No. +91 99880 72942
kritika055@gmail.com

Del (P)

Shu
14/1