

CHAPTER

I

MANDATE AND ORGANISATIONAL STRUCTURE OF THE MINISTRY OF HOME AFFAIRS

1.1 The Ministry of Home Affairs (MHA) has multifarious responsibilities, important among them being internal security, management of para-military forces, border management, Centre-State relations, administration of Union Territories, disaster management, etc. Though in terms of Entries 1 and 2 of List II – ‘State List’ – in the Seventh Schedule to the Constitution of India, ‘public order’ and ‘police’ are the responsibilities of States, Article 355 of the Constitution enjoins the Union to protect every State against external aggression and internal disturbance and to ensure that the government of every State is carried on in accordance with the provisions of the Constitution. In pursuance of these obligations, the Ministry of Home Affairs continuously monitors the situation, issues appropriate advisories, extends manpower and financial support, guidance and expertise to the State Governments for maintenance of security, peace and harmony without encroaching upon the constitutional rights of the States.

1.2 Under the Government of India (Allocation of Business) Rules, 1961, the Ministry of Home Affairs has the following constituent Departments:-

- **Department of Internal Security**, dealing with the Indian Police Service, Central Police Forces, internal security and law & order, insurgency, terrorism, naxalism, activities of inimical foreign agencies, rehabilitation, grant of visa and other immigration matters, security clearances, etc.;

- **Department of States**, dealing with Centre-State relations, Inter-State relations, administration of Union Territories, Freedom Fighters’ pension, Human rights, Prison Reforms, Police Reforms, etc. ;
- **Department of Home**, dealing with the notification of assumption of office by the President and Vice-President, notification of appointment/resignation of the Prime Minister, Ministers, Governors, nominations to Rajya Sabha and Lok Sabha, Census of population, registration of births and deaths, etc.;
- **Department of Jammu and Kashmir (J&K) Affairs**, dealing with the constitutional provisions in respect of the State of Jammu and Kashmir and all other matters relating to the State, excluding those with which the Ministry of External Affairs is concerned;
- **Department of Border Management**, dealing with management of international borders, including coastal borders, strengthening of border guarding and creation of related infrastructure, border areas development, etc.; and

- **Department of Official Language**, dealing with the implementation of the provisions of the Constitution relating to official languages and the provisions of the Official Languages Act, 1963.

1.3 The Department of Internal Security, Department of States, Department of Home, Department of Jammu and Kashmir Affairs and Department of Border Management do not function in watertight compartments. They all function under the Union Home Secretary and are inter-linked. The Department of Official Language has a separate Secretary and functions independently. The Annual Report of the Ministry of Home Affairs does not, therefore, cover the activities of that Department.

1.4 The information relating to Ministers, Home Secretary, Secretaries, Special Secretaries, Additional Secretaries and Joint Secretaries who held/are holding position in the Ministry of Home Affairs (excluding the Department of Official Language and Department of Justice) is at **Annexure - I**. The position as on May 31, 2009 is also indicated at **Annexure - IA**.

1.5 The different Divisions of the Ministry of Home Affairs and the major areas of their responsibility are as below:

Administration Division

1.6 The Division is responsible for handling all administrative and vigilance matters, allocation of work among various Divisions of the Ministry and monitoring of compliance of furnishing information under the Right to Information Act, 2005, matters relating to the Table of Precedence, Padma Awards, Gallantry Awards, Jeevan Raksha Padak, National Flag, National Anthem, State Emblem of India and Secretariat Security Organisation.

Border Management Division

1.7 The Division deals with matters relating

to coordination and concerted action by administrative, diplomatic, security, intelligence, legal, regulatory and economic agencies of the country for the management of international borders, including Coastal borders, creation of infrastructure like Integrated Check Posts, roads/fencing and floodlighting of borders and the Border Areas Development Programme.

Coordination Division

1.8 The Division deals with intra-Ministry coordination work, Parliamentary matters, public grievances (PGs), publication of Annual Report of the Ministry, Record Retention Schedule, custody of classified and non-classified records of the Ministry, Internal Work Study, furnishing of various reports relating to employment of SCs/STs and Persons with Disabilities to Department of Personnel and Training, etc.

Centre-State Division

1.9 The Division deals with Centre–State relations, including working of the constitutional provisions governing such relations, appointment of Governors, creation of new States, nominations to Rajya Sabha/Lok Sabha, Inter-State boundary disputes, over-seeing the crime situation in States, imposition of President’s Rule, etc.

Disaster Management Division

1.10 Disaster Management Division is responsible for legislation, policy, capacity building, prevention, mitigation, long term rehabilitation, response, relief and preparedness for natural calamities and man-made disasters (except drought and epidemics).

Finance Division

1.11 The Division is responsible for formulating, operating and controlling the budget of the Ministry and other matters pertaining to expenditure control & monitoring and financial advice, etc., under the Integrated Finance Scheme.

Foreigners Division

1.12 The Division deals with all matters relating to visa, Protected Area Permit (PAP)/Restricted Area Permit (RAP) regimes, immigration, citizenship, overseas citizenship of India, acceptance of foreign contribution and hospitality.

Freedom Fighters and Rehabilitation Division

1.13 The Division frames and implements the Freedom Fighters' Pension Scheme and the schemes for rehabilitation of migrants from former West Pakistan/East Pakistan and provision of relief to Sri Lankan and Tibetan refugees.

Human Rights Division

1.14 The Division deals with matters relating to the Protection of Human Rights Act and also matters relating to national integration, communal harmony and Ayodhya.

Internal Security Divisions

1.15 Internal Security-I Division deals with matters relating to internal security and law & order, including anti-national and subversive activities of various groups/extremist organisations, policy and operational issues on terrorism, security clearances, monitoring of ISI activities, Home Secretary-level talks with Pakistan on counter terrorism, etc.

1.16 Internal Security-II Division deals with matters relating to arms and explosives, extradition, narcotics and Narcotics Control Bureau and National Security Act.

Jammu & Kashmir Division

1.17 The Division deals with constitutional matters including Article 370 of the Constitution of India and general policy matters in respect of J&K and terrorism/militancy in that State. It is also responsible for implementation of the Prime Minister's Package for J&K.

Judicial Division

1.18 The Division deals with all matters relating to the legislative aspects of the Indian Penal Code (IPC), Code of Criminal Procedure (Cr.P.C.) and also the Commission of Inquiry Act. It also handles matters relating to State legislations which require the assent of the President under the Constitution, political pension to erstwhile rulers before independence and mercy petitions under Article 72 of the Constitution.

Naxal Management Division

1.19 This Division has been created w.e.f. October 19, 2006 in the Ministry to effectively tackle the naxalite menace from both security and development angles. It monitors the naxal situation and counter-measures being taken by the affected States with the objective of improving ground-level policing and development response as per the location specific action plans formulated/to be formulated by the affected States. It also reviews proper implementation of various developmental schemes of Ministries/Departments concerned in the naxal affected areas as also optimum utilisation of funds released under such schemes.

North East Division

1.20 The Division deals with the internal security and law & order situation in North-Eastern States, including matters relating to insurgency and talks with various extremist groups operating in that region.

Police Divisions

1.21 Police-I Division functions as the cadre controlling authority in respect of Indian Police Service (IPS) and also deals with all matters relating to training of police personnel, award of Presidents' Police Medals for Meritorious/Distinguished service and Gallantry, etc.

1.22 Police-II deals with all matters relating to Central Police Forces, including their deployment.

Police Modernisation Division

1.23 The Division handles all items of work relating to modernisation of State Police Forces, provisioning/procurement of various items for modernisation of Central Police Forces, police reforms and security of VIPs/vital installations.

Policy Planning Division

1.24 The Division deals with meetings of the SAARC Interior/Home Ministers, matters relating to policy formulation in respect of internal security issues, international cooperation on counter-terrorism, international covenants, bilateral assistance treaties and related items of work.

Union Territories Division

1.25 The Division deals with all legislative and constitutional matters relating to Union Territories, including National Capital Territory of Delhi. It also functions as the cadre controlling authority of the Arunachal Pradesh-Goa-Mizoram and Union Territory (AGMUT) cadre of Indian Administrative Service (IAS)/Indian Police Service (IPS) as also Delhi-Andaman and Nicobar Island Civil Service (DANICS)/ Delhi-Andaman and Nicobar Island Police Service (DANIPS). Further, it is responsible for over-seeing the crime and law & order situation in Union Territories.
