

## AUDIT PLAN

Organization	Legislative Department Including Official Languages Wing and Vidhi Sahitya Prakashan	
	Address	Legislative Department, Ministry of Law and Justice, Right to Information Cell, 7 <sup>th</sup> Floor, Shastri Bhawan, New Delhi -110001
	Scope	Implementation of <i>suo motu</i> disclosure under Section 4 RTI Act, 2005 in order to place large amount of information in public domain on a proactive basis to make the functioning of the Public Authorities more transparent and also to reduce the need for filing individual RTI applications.
Prime contact person	<p>Shri Udaya Kumara, Joint Secretary and Legislative Counsel and Appellate Authority, RTI, Legislative Department <a href="mailto:aa-rti-legis@nic.in">aa-rti-legis@nic.in</a>, <a href="mailto:udaya.kumara@nic.in">udaya.kumara@nic.in</a>,</p> <p>Shri S.K. Chitkara, Director and CPIO, Legislative Department Email Address: <a href="mailto:cpio-rti-legis@nic.in">cpio-rti-legis@nic.in</a>, <a href="mailto:sk.chitkara@nic.in">sk.chitkara@nic.in</a> contact no 011-23388007</p> <p>Smt. Vidyavati, Under Secretary, Assistant CPIO, Legislative Department</p>	
Audit Date	<p>17<sup>th</sup> May, 2019 by <b>Shri Brijesh Singh</b> retired Additional Legislative Counsel</p> <p>Contact number : 9013391547 Email: <a href="mailto:brijeshcnb@gmail.com">brijeshcnb@gmail.com</a></p>	

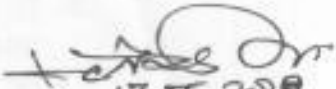
**Report on compliance of Guidelines on suo motu disclosure under Section 4 of the RTI Act**

	<b>Guidelines on suo motu disclosure under Section 4 of the RTI Act</b>	<b>Compliance</b>
1.0	<i>Suo motu</i> disclosure of more items under Section 4	Yes
1.1	Information related to Procurement	No
1.2	Public Private Partnerships	No
1.3	Transfer Policy and Transfer Orders	No
1.4	RTI Applications	No
1.5	CAG and PAC paras	No
1.6	Citizen Charter	No
1.7	Discretionary and Non-discretionary grants	No
1.8	Foreign Tours of PM/ Ministers	No
1.8.2	Foreign Tour of undertaken by Ministers and officials of the rank of Joint Secretary and above and Heads of Departments since 1 <sup>st</sup> January, 2012. (to be updated once every quarter)	No
2.0	Guidelines for digital publication of proactive disclosure under Section 4	Yes
2.1 and	More clear guidelines for web-based publication of information for disclosure	Yes
2.2	Adhering to Government Guidelines standards of as laid down by Department of Information Technology and Department of Administrative Reforms and Public Grievance.	
	a) All entitlements to citizens and all transactions between the citizen and government are gradually made available through computer based interface	Yes
	b) Websites should contain detailed information from the point of origin to the point of deliver of entitlements/ services provided by public authority (PA) to citizens	Yes
	c) Orders of the (PA) should be uploaded on the website immediately after they have been issued.	Yes
	d) Website should contain all the relevant Acts, Rules,	Yes

	<p>forms and other documents which are normally accessed by citizens.</p> <p>e) Websites should have detailed directory of key contacts, details of officials of the PA.</p> <p>f) It is obligatory under Section 4(1)(b)(xiv) of RTI Act for PA to proactively disclose 'details in respect of the information is made available publicly over the internet and which is not</p> <p>g) It is recommended that the requirement of bringing due transparency as provided in the RTI Act is given adequate consideration at the design stage itself.</p> <p>h) To maintain reliability of information and its real time updation, information generation in a digital form should be automatically updated on the basis of key work outputs.</p> <p>i) Information must be presented from a user's perspective, which may require rearranging it, simplifying it etc., However, original documents in original formats should continue to be made available.</p> <p>j) The 'National Data Sharing and Accessibility Policy' by the Department of Science and Technology is based on the principle that all publicly funded information should be readily available.</p> <p>k) Information and data should be presented in open data formats...for instance be presented in powerful visual ways using visualization techniques...</p> <p>l) Every webpage displaying information or data proactively disclosed under the RTI Act should, on the top right corner, display the mandatory field 'Date last updated (DD/MM/YY)</p>	<p>Yes</p> <p>Yes</p> <p>Yes</p> <p>Yes</p> <p>Yes</p> <p>Yes</p> <p>Yes</p>
3.0	Guidelines for certain clauses of Section 4(1) (b) to make disclosure more effective	
3.1	The elements of information listed in the various sub-clauses of Section 4(1)(b) must be disclosed in an integrated manner...	Yes
3.2	Considering that disclosure in regard to certain sub-clauses have been relatively weak, detailed guidelines for four sub clauses are given below:	
3.3	Guidelines for section 4(1) (b) (iii)- 'the procedure followed in the decision-making process, including channels of supervision and accountability'	

3.3.1	...Every operation mandated under the AOB read with the TOB would be linked to a specific decision making chain. All government officers have to follow laid down office procedure manual or the other rules which gives details of how representations, petitions and applications from citizens must be dealt with...	Yes
3.3.2	Additionally, in the routine work of governance, government functionaries are required to make decisions in a discretionary manner but broad guiding principles are laid down in some rule or the other. For example, the GFR lay down procedures for variety of operations relating to government finances....	Yes
3.3.3	<p>In view of the above, the guidelines for detailing the decision making processes are as follows:</p> <ul style="list-style-type: none"> <li>a) Public Authority should specifically identify the major outputs / tangible results / services / goods as applicable that is responsible for providing to the public.</li> <li>b) In respect of a) above, the decision-making chain should be identified in the form of a flow chart explaining the rank/grade of the public functionaries involved the decision making process...</li> <li>c) The powers of each officer including powers of supervision over subordinates involved the chain of decision making must also be spelt out next to the flow chart or in a simple bullet pointed format...</li> <li>d) This design of presentation should then be extended to cover all statutory and discretionary operations that are part of the public authorities...</li> <li>e) In the event of a public authority altering an existing decision -making process or adopting an entirely new process, such changes must be explained in simple language in order to enable people to easily understand.</li> </ul>	Yes
3.4	Guidelines for Section 4(1)(b) (iv) -'the norms set by it for the discharge of its functions'	Yes
3.4.1	Primarily, the intention of this clause is that every public authority should proactively disclose the standards by which its performance should be judged....	Yes
3.4.2	Citizen Charters, for laying down norms of	Yes

3.4.3	performance for major functions and for monitoring achievements against those standards.  Wherever norms have been specified for discharge of its functions by any statute or government orders, they should be proactively disclosed...	Yes
3.5	Guidelines for Section 4(1) (b)(xi) 'the budget allocated to each of its agency, indicating the particulars of all plans, proposed expenditures and reports on disbursements made.	Yes
3.6	Guidelines for Section 4(1)(b)(xiv) – details in respect of Information, available to or held by it reduced in an electronic form	Yes
4.0	Compliance with Provisions of <i>suo motu</i> (proactive) disclosure under the RTI Act	Yes
5.0	Nodal Officer Each Central Ministry /Public Authority should appoint a senior officer not below the rank of a Joint Secretary for ensuring compliance with the proactive disclosure guidelines.	Yes
6.0	Annual Reports to Parliament / Legislatures Government has issued directions to all Ministries to include a chapter on RTI Act in their Annual Reports submitted to the Parliament. Details about compliance with proactive disclosure guidelines should mandatorily be included in the relevant chapter in Annual Report of Ministry.	Yes

  
17.05.2019  
(BRIJESH SINGH)

RETIRED ADDITIONAL LEGISLATIVE COUNSEL