

I/35/2020



F.No.LA/GAD(RTI)UTL/2019(02)

**THE ADMINISTRATION OF UNION TERRITORY OF LADAKH
GENERAL ADMINISTRATION DEPARTMENT**

E-mail Id: gadutladakh@gmail.com

Civil Secretariat, UT Ladakh

Dated:08.12.2020

Subject: Compliance of provisions of Section 4(2) of the Right to Information Act 2005 concerning *suo-motu* disclosure of information.

Circular No: 17-LA(GAD)of 2020

Dated: 08 .12. 2020

The Right to Information Act, 2005 sets out the rules and procedures regarding citizens' right to information. The Act requires every public authority to maintain the official record in a suitable format for wide dissemination and to proactively publish certain categories of information so that the citizens need minimum recourse to request for information formally.

Section 4(2) (3) of the Right to Information Act, 2005 mandates as above and is reproduce below-

"(2) It shall be a consistent endeavor of every public authority to take steps in accordance with the requirements of clause (b) of sub section (1) to provide as much information suo motu to the public at regular intervals through various means of communication, including internet, so that the public have minimum resort to the use of this Act to obtain information

(3) For the purposes of sub-section (1), every information shall be disseminated widely and in such form and manner which is easily accessible to the public."

2. Section -4 of the Right to Information Act, 2005 sets out a practical regime of transparency in the working of the public authorities by way of disclosure of as much information to the public as possible, *suo-motu* so that the public may not have to resort to section 6. It is an important part of the Act observance of which is essential for its effective implementation.

Section -4 of the Act regime requires wide dissemination of every information required to be disclosed *suo-motu* in such form and manner which is accessible to the public. Dissemination may be done through notice boards, newspapers, public announcements, media broadcasts, the internet or any other means. While disseminating the information, the public authority should take into consideration the cost-effectiveness, local language and the most effective method of communication in the concerned local area. The information should be to the extent possible, available with the Public Information Officer in the electronic format which could be made available free of cost or at such price as may be prescribed. Besides, all the information and records in the offices must be maintained in a manner, preferably in electronic format, which is easily accessible and retrievable.

3. Ministry of Personnel, Public Grievances & Pensions Department of Personnel & Training Government of India vide its communication number No. 1/6/2011-IR Dated the 15th April 2013 followed by circular No. 1/34/2013-IR Dated: 29th June 2015 and 30th June 2016 has already issued detailed consolidated guidelines for implementing the provisions of *suo-motu* disclosure to be followed by every authority. A copy of the above circulars and guidelines are attached with this circular for information of all the public authorities and their strict compliance.

4. Therefore in continuation to Circular No: 03-GAD of 2020 dated: 04.01.2020 on the given subject, it is hereby once again impressed upon all the Public Authorities, Head of the departments/ Public Information Officers to take to take proactive steps for implementation of the provisions of Section 4 of the RTI Act 2005 to make *Suo Motu* disclosure of the details like the particulars of its organization, duties of its Officer, rules and regulations, directory of its employees, the details of facilities available to citizens/beneficiaries and citizens charter etc. as prescribed by DoPT circular and other applicable rules/guidelines.

5. Further all Public Authorities through their respective HoD/Administrative Secretary shall submit a brief compliance report on the implementation of above directions especially covering the following:

- i. Disclosure of Information related to organization structure, Who is Who, Directory, Roles and Responsibilities, Departmental Schemes, Procedure for taking benefits of various schemes, FAQs,
- ii. Citizen Charter, Grievance redressal system, Citizen Facilitation Centers etc.
- iii. List of current as well as previous PIOs/APIOs, Monthly list of RTIS received and disposed of,
- iv. Electronic Disclosure: Websites, apps
- v. System of Record maintenance: Manual cataloguing or Electronic:
- vi. Periodical Report on departments activities and achievements

6. It is therefore enjoined upon all Administrative Secretaries to review steps taken in this regard and furnish action taken report by or before 25th of December 2020 to the General Administration Department for information of the authorities.

By order of Lieutenant Governor, Ladakh.

Sd/-

(Ajeet Kumar Sahu) IAS

Commissioner/Secretary

General Administration Department,

All Administrative Secretaries

Civil Secretariat, Ladakh.

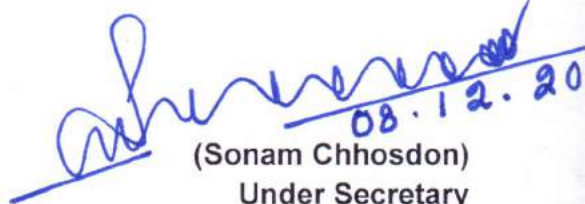
Copy also to the: -

1. Additional Director General of Police Ladakh.
2. Deputy Commissioner/CEO, LAHDC, Leh and Kargil.



3. Deputy Director, Information Department, Ladakh for wide dissemination in all mediums of information.
4. District Informatics Officer, NIC Ladakh for uploading on UT Ladakh website.
5. OSD to Hon'ble Lt. Governor for information of Hon'ble Lt. Governor.
6. Private Secretary to Advisor to Hon'ble Lt. Governor for information of Advisor to Hon'ble Lt. Governor.
7. OSD/Private Secretary to Hon'ble Chief Executive Councilor, LAHDCs, Leh and Kargil for information of HCECs.
8. Office/ Order /e-office file.

Enclosure: 20 leaves
Do PT circular


(Sonam Chhosdon)
Under Secretary
General Administration Department

No.1/6/2011-IR
Government of India
Ministry of Personnel, Public Grievances & Pensions
Department of Personnel & Training

North Block, New Delhi
Dated the 15th April, 2013

OFFICE MEMORANDUM

Subject: Implementation of *suo motu* disclosure under Section 4 of RTI Act, 2005 – Issue of guidelines regarding:

Section 4(1)(b) of the RTI Act lays down the information which should be disclosed by Public Authorities on a *suo motu* or proactive basis. Section 4(2) and Section 4(3) prescribe the method of dissemination of this information. The purpose of *suo motu* disclosures under Section 4 is 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.

2. Since the promulgation of the Act in 2005, large amount of information relating to functioning of the government is being put in public domain. However, the quality and quantity of proactive disclosure is not up to the desired level. It was felt that the weak implementation of the Section 4 of the RTI Act is partly due to the fact that certain provisions of this Section have not been fully detailed and, in case of certain other provisions there is need for laying down detailed guidelines. Further there is need to set up a compliance mechanism to ensure that requirements under section 4 of the RTI Act are met.

3. In order to address the above, Government of India constituted a Task Force on *suo motu* disclosure under the RTI Act, 2005 in May 2011 which included representatives of civil society organizations active in the field of Right to Information, for strengthening compliance with provisions for *suo motu* or proactive disclosure as given in Section 4 of the RTI Act, 2005. Based on the report of the Task Force, the Government have decided to issue guidelines for *suo motu* disclosure under section 4 of the RTI Act.

4. Guidelines for Central Government Ministries/Departments are on:
 - i. *Suo motu* disclosure of more items under Section 4.
 - ii. Guidelines for digital publication of proactive disclosure under Section 4.
 - iii. Detailing of Section 4(1)(b)(iii), 4(1)(b)(iv), 4(1)(b)(xi) and 4(1)(b)(xiv)
 - iv. Compliance mechanism for *suo motu* disclosure (proactive disclosure) under the RTI Act, 2005.
5. The above guidelines are enclosed. However, it may be kept in mind that proactive disclosure should be done in the local language so that it remains accessible to public. It should be presented in a form that is easily understood and if technical words are used they should be carefully explained. As provided in section 4, disclosure should be made in as many mediums as feasible and disclosures should be kept up to date. The disclosure of Information may be made keeping in mind the provisions of Section 8 to 11 of the RTI Act.
6. Central Government Ministries/ Departments should undertake *suo motu* disclosure and ensure compliance based on these guidelines.
7. The enclosed guidelines may be brought to the notice of all for compliance.

Manoj Joshi
(Manoj Joshi)
Joint Secretary
Tele : 23093668

1. All the Ministries/Departments of the Government of India
2. Union Public Service Commission, Lok Sabha Secretariat, Rajya Sabha Secretariat, Cabinet Secretariat, Central Vigilance Commission, President's Secretariat, Vice-President's Secretariat, Prime Minister's Office, Planning Commission, Election Commission.
3. Central Information Commission.
4. Staff Selection Commission, CGO Complex, New Delhi
5. O/o the Comptroller & Auditor General of India, 10, Bahadur Shah Zafar Marg, New Delhi.

Copy to : Chief Secretaries of all the States/UTs.

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

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

1.0 *Suo motu* disclosure of more items under Section 4

Sub-section 4(2) of the RTI Act, 2005 requires every public authority to take steps in accordance with the requirements of clause (b) of sub-section 4(1) to provide as much information *suo motu* to the public at regular intervals through various means of communication, including internet, so that the public have minimum resort to use the Act to obtain information. Accordingly, the Public Authorities may proactively disclose the following items also under the *suo motu* disclosure provisions of Section 4:

1.1 Information related to Procurement

1.1.1 Information relating to procurement made by Public Authorities including publication of notice/tender enquiries, corrigenda thereon, and details of bid awards detailing the name of the supplier of goods/services being procured or the works contracts entered or any such combination of these and the rate and total amount at which such procurement or works contract is to be done should be disclosed. All information disclosable as per Ministry of Finance, Department of Expenditure's O.M. No 10/1/2011-PPC dated 30th November, 2011 on Mandatory Publication of Tender Enquiries on the Central Public Procurement Portal and O.M. No. 10/3/2012- PPC dated 30th March, 2012 on Implementation of comprehensive end-to-end e-procurement should be disclosed under Section 4. At present the limit is fixed at Rs. 10.00 lakhs. In case of procurements made through DGS&D Rate Contracts or through Kendriya Bhandar/ NCCF, only award details need to be published. However information about procurement which fall within the purview of Section 8 of the RTI Act would be exempt.

1.2 Public Private Partnerships

1.2.1 If Public services are proposed to be provided through a Public Private Partnership (PPP), all information relating to the PPPs must be disclosed in the public domain by the Public Authority entering into the PPP contract/concession agreement. This may include details of the Special Purpose Vehicle (SPV), if any set up, detailed project reports, concession agreements, operation and maintenance manuals and other documents generated as part of the implementation of the PPP project. The documents under the ambit of the exemption from disclosure of information under section 8(1)(d) and 8(1)(j) of

the RTI Act would not be disclosed *suo motu*. Further, information about fees, tolls, or other kinds of revenue that may be collected under authorization from the Government, information in respect of outputs and outcomes, process of selection of the private sector party may also be proactively disclosed. All payments made under the PPP project may also be disclosed in a periodic manner along with the purpose of making such payment.

1.3 Transfer Policy and Transfer Orders

1.3.1 Transfer policy for different grades/cadres of employees serving in Public Authority should be proactively disclosed. All transfer orders should be publicized through the website or in any other manner listed in Section 4(4) of the Act. These guidelines would not be applicable in cases of transfers made keeping in view sovereignty, integrity, security, strategic, scientific or economic interests of the State and the exemptions covered under Section 8 of the Act. These instructions would not apply to security and intelligence organizations under the second schedule of the RTI Act.

1.4 RTI Applications

1.4.1 All Public Authorities shall proactively disclose RTI applications and appeals received and their responses, on the websites maintained by Public Authorities with search facility based on key words. RTI applications and appeals received and their responses relating to the personal information of an individual may not be disclosed, as they do not serve any public interest.

1.5 CAG & PAC paras

1.5.1 Public Authorities may proactively disclose the CAG & PAC paras and the Action Taken Reports (ATRs) only after these have been laid on the table of both the houses of the Parliament. However, CAG paras dealing with information about the issues of sovereignty, integrity, security, strategic, scientific or economic interests of the State and information covered under Section 8 of the RTI Act would be exempt.

1.6 Citizens Charter

1.6.1 Citizens Charter prepared by the Ministry/Department, as part of the Result Framework Document of the department/organization should be proactively disclosed and six monthly report on the performance against the benchmarks set in Citizens Charter should also be displayed on the website of public authorities.

1.7 Discretionary and Non-discretionary grants

1.7.1 All discretionary /non-discretionary grants/ allocations to state governments/ NGOs/Other institutions by Ministry/Department should be placed on the website of the Ministry/Department concerned. Annual Accounts of all legal entities who are provided grants by Public Authorities should be made available through publication, directly or indirectly on the Public Authority's website. Disclosures would be subject to provisions of Section 8 to 11 of the RTI Act.

1.8 Foreign Tours of PM/Ministers

1.8.1 A large number of RTI queries are being filed on official tours undertaken by Ministers or officials of various Government Ministries/Departments. Information regarding the nature, place and period of foreign and domestic tours of Prime Minister are already disclosed on the PMO's website.

1.8.2 As per DoPT's OM No. 1/8/2012-IR dated 11/9/2012, Public Authorities may proactively disclose the details of foreign and domestic official tours undertaken by the Minister(s) and officials of the rank of Joint Secretary to the Government of India and above and Heads of Departments, since 1st January, 2012. The disclosures may be updated once every quarter.

1.8.3. Information to be disclosed proactively may contain nature of the official tour, places visited, the period, number of people included in the official delegation and total cost of such travel undertaken. Exemptions under Section 8 of the RTI Act, 2005 may be kept in view while disclosing the information. These instructions would not apply to security and intelligence organisations under the second schedule of the RTI Act, 2005 and CVOs of public authorities.

2.0 Guidelines for digital publication of proactive disclosure under Section 4

2.1 Section 4 lays down that information should be provided through many mediums depending upon the level of the public authority and the recipient of information (for example, in case of Panchayat, wall painting may be more effective means of dissemination of information), and that more and more proactive disclosure would gradually be made through Internet. There is need for more clear guidelines for web-based publication of information for disclosure.

2.2 The Department of Information Technology has been working on setting of technical standards for government websites and the Department of Administrative Reforms & Public Grievances has published guidelines for websites of Government Departments. These guidelines prescribe the manner in which websites need to be designed and how information should be disclosed. While adhering to the standards of government guidelines as laid down by Department of Information Technology and Department of Administrative Reforms & Public Grievances, the following principles additionally should also be kept in view to ensure that websites' disclosures are complete, easily accessible, technology and platform neutral and in a form which conveys the desired information in an effective and user-friendly manner.

- a) It should be the endeavor of all public authorities that all entitlements to citizens and all transactions between the citizen and government are gradually made available through computer based interface. The 'Electronic Delivery of Services Bill, 2012' under formulation in Government of India would provide the necessary impetus.
- b) Websites should contain detailed information from the point of origin to the point of delivery of entitlements/services provided by the Public Authorities to citizens.
- c) Orders of the public authority should be uploaded on the website immediately after they have been issued.
- d) Website should contain all the relevant Acts, Rules, forms and other documents which are normally accessed by citizens.

- e) Websites should have detailed directory of key contacts, details of officials of the Public Authority.
- f) It is obligatory under Section 4(1)(b)(xiv) of the RTI Act for every Public Authority to proactively disclose 'details in respect of the information, available to or held by it, reduced in an electronic form'. The website should therefore indicate which digitally held information is made available publicly over the internet and which is not.
- g) As departments reorganize their systems and processes to enable themselves for electronic service delivery, 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.
- 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, like a muster roll and salary slip (NREGA in Andhra Pradesh) or formalization of a government order (Andhra Pradesh). Such an approach will lead to automation of proactive disclosure.
- i) Information must be presented from a user's perspective, which may require re-arranging it, simplifying it etc. However, original documents in original formats should continue to be made available because these are needed for community monitoring of government's functioning.
- 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. The policy has been notified in March, 2012 and the schedule should be strictly adhered to.
- k) Information and data should be presented in open data formats whereby it can be pulled by different Application Protocol Interfaces to be used in different fashions more appropriate to specific contexts and needs. Information/ data can, for instance, be presented in powerful visual ways using visualisation techniques. Such visual representation of information/ data can give insights that may remain largely

hidden in a textual or tabular presentation of data. In some contexts, pictures and audio/videos recordings etc may be more useful. There have been moves in some parts of the country to video record Gram Sabha meetings. A picture of a NREGA worksite, for instance, may tell much more than words can. All such different media and forms should be used for proactive disclosure.

- I) 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)'.

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. For example, the functions and responsibilities of a public authority cannot be understood in isolation from the powers and functions of its employees, the norms that inform its decision making processes and the rules, instructions and manuals that are used in the discharge of its functions. Description of one element presupposes the existence of another. So every public authority must endeavour to integrate the information mentioned in these sub-clauses while preparing voluntary disclosure materials.

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 processes, including channels of supervision and accountability".

3.3.1 All government departments have specific duties and responsibilities under the respective Allocation of Business Rules (AOB) issued by the appropriate Government. The constitutional provisions and statutes each department is required to implement are clearly laid down in the AOB. The manner of disposal of matters assigned to each Department/Ministry is described in the Transaction of Business Rules (TOB). Additionally, every department would have a specific set of schemes and development programmes which they are required to implement directly or through their subordinate offices or other designated agencies. These documents contain the specific operations that every Public Authority is required to undertake in the course of implementing the programme or scheme. 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. Templates, formats, and basic steps of decision-making are briefly explained in such manuals. These descriptions constitute the elements of decision-making processes in general.

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 General Financial Rules lay down procedures for a variety of operations relating to government finances. How sanction must be accorded for incurring expenditure; how losses to government must be reported; how responsibility for losses may be fixed on any government servant; how budgets, demand for grants are prepared and submitted; how public works must be sanctioned and executed; how commodities and services may be procured by a public authority; are all explained in these manuals which are updated from time to time. The challenge is to present a simplified version of the decision-making procedure that is of interest to a common citizen.

3.3.3 In view of the above, the guidelines for detailing the decision making processes are as follows:

- (a) Every public authority should specifically identify the major outputs/ tangible results/ services/ goods, as applicable, that it is responsible for providing to the public or to whosoever is the client of the public authority.
- (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 in the decision-making process and the specific stages in the decision-making hierarchy.
- (c) The powers of each officer including powers of supervision over subordinates involved in the chain of decision-making must also be spelt out next to the flow chart or in a simple bullet-pointed format in a text-box. The exceptional circumstances when such standard decision-making processes may be overridden and by whom, should also be explained clearly. Where decentralization of decision-making has occurred in order to grant greater autonomy to public authorities, such procedures must also be clearly explained.
- (d) This design of presentation should then be extended to cover all statutory and discretionary operations that are part of the public authority's mandate under the AOB read with the TOB.

- (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 the changes made.

3.4 Guidelines for Section 4(1)(b)(iv) - "the norms set by it for the discharge of its functions".

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. Norms may be qualitative or quantitative in nature, or temporal or statutory norms. In order to ensure compliance with this clause, public authorities would need to disclose norms for major functions that are being performed.

3.4.2 Citizen Charters, which are mandatory, for each central Ministry/Department/Authority, are good examples of vehicles created for laying down norms of performance for major functions and for monitoring achievements against those standards.

3.4.3 Wherever norms have been specified for the discharge of its functions by any statute or government orders, they should be proactively disclosed, particularly linking them with the decision making processes as detailed earlier. All Public Authorities should proactively disclose the following:

- a) Defining the services and goods that the particular public authority/office provides directly (or indirectly through any other agency/contractor).
- b) Detailing and describing the processes by which the public can access and/or receive the goods and services that they are entitled to, from the public authority/office along with the forms, if any prescribed, for use by both the applicant and the service providing agency. Links to such forms (online), wherever available, should be given.
- c) Describing the conditions, criteria and priorities under which a person becomes eligible for the goods and services, and consequently the categories of people who are entitled to receive the goods and services.

- d) Defining the quantitative and tangible parameters, (weight, size, frequency etc,) and timelines, that are applicable to the goods and services that are accessible to the public.
- e) Defining the qualitative and quantitative outcomes that each public authority/office plans to achieve through the goods and services that it was obligated to provide.
- f) Laying down individual responsibility for providing the goods and services (who is responsible for delivery/implementation and who is responsible for supervision).

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".

3.5.1 The public authorities while disclosing their budgets shall undertake the following:

- (a) Keeping in view of the technical nature of the government budgets, it is essential that Ministries/Departments prepare simplified versions of their budgets which can be understood easily by general public and place them in public domain. Budgets and their periodic monitoring reports may also be presented in a more user-friendly manner through graphs and tables, etc.
- (b) Outcome budget being prepared by Ministries/Departments of Government of India should be prominently displayed and be used as a basis to identify physical targets planned during the budgetary period and the actual achievement vis-à-vis those targets. A monthly programme implementation calendar method of reporting being followed in Karnataka is a useful model.
- (c) Funds released to various autonomous organizations/ statutory organizations/ attached offices/ Public Sector Enterprises/ Societies/ NGOs/ Corporations etc. should be put on the website on a quarterly basis and budgets of such authorities may be made accessible through links from the website of the Ministry/Department. If a subsidiary does not have a website then the budgets and expenditure reports of

such subsidiary authority may be uploaded on the website of the principal Public Authority.

- (d) Wherever required by law or executive instruction, sector specific allocations and achievements of every department or public authority (where feasible) must be highlighted. For example, budget allocation and target focusing on gender, children, Scheduled Castes and Scheduled Tribes and religious minorities should be specially highlighted. The sector-wise breakup of these targets and actual outcomes must be given in simplified form to enable the vulnerable segments of society to better understand the budgets of public authorities.

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.

3.6.1 On the one hand, this clause serves as a means of proactively disclosing the progress made in computerizing information under Section 4(1)(a) of the RTI Act in a periodic manner. On the other, it provides people with clarity about the kinds of electronic information that, although not held by the public authority, is available to them. For example the stocks of ration available with individual fair price shops may not be held by the District Civil Supplies office, but may be available at a subordinate formation.

3.6.2 Keeping in view the varied levels of computerization of records and documents in public authorities, data about records that have been digitized may be proactively disclosed on the respective websites, excluding those records /files /information that are exempted under Section 8. The data about digitized record may include the name of the record and any categorization or indexing used; the subject matter and any other information that is required to be compiled in relation to a file as prescribed by Manual of Office Procedure (and to be prescribed by MOP for electronic records that is under finalization by DARPG), the division/ section/ unit/ office where the record is normally held; the person, with designation, responsible for maintaining the record; and the life span of the record, as prescribed in the relevant record retention schedule.

4.0 Compliance with Provisions of *suo motu* (proactive) disclosure under the RTI Act

4.1 Each Ministry/Public Authority shall ensure that these guidelines are fully operationalized within a period of 6 months from the date of their issue.

4.2 Proactive disclosure as per these guidelines would require collating a large quantum of information and digitizing it. For this purpose, Ministries/Public Authorities may engage consultants or outsource such work to expeditiously comply with these guidelines. For this purpose, the plan/non-plan funds of that department may be utilized.

4.3 The Action Taken Report on the compliance of these guidelines should be sent, along with the URL link, to the DoPT and Central Information Commission soon after the expiry of the initial period of 6 months.

4.4 Each Ministry/ Public Authority should get its proactive disclosure package audited by third party every year. The audit should cover compliance with the proactive disclosure guidelines as well as adequacy of the items included in the package. The audit should examine whether there are any other types of information which could be proactively disclosed. Such audit should be done annually and should be communicated to the Central Information Commission annually through publication on their own websites. All Public Authorities should proactively disclose the names of the third party auditors on their website. For carrying out third party audit through outside consultants also, Ministries/Public Authorities should utilize their plan/non-plan funds.

4.5 The Central Information Commission should examine the third-party audit reports for each Ministry/Public Authority and offer advice/recommendations to the concerned Ministries/ Public Authorities.

4.6 Central Information Commission should carry out sample audit of few of the Ministries/ Public Authorities each year with regard to adequacy of items included as well as compliance of the Ministry/Public Authority with these guidelines.

4.7 Compliance with the proactive disclosure guidelines, its audit by third party and its communication to the Central Information Commission should be included as RFD target.

5.0 Nodal Officer

5.1 Each Central Ministry/ Public Authority should appoint a senior officer not below the rank of a Joint Secretary and not below rank of Additional HOD in case of attached offices for ensuring compliance with the proactive disclosure guidelines. The Nodal Officer would work under the supervision of the Secretary of the Ministry/Department or the HOD of the attached office, as the case may be. Nodal Officers of Ministry/Department and HOD separately should also ensure that the formations below the Ministry/Department/Attached Office also disclose the information as per the proactive disclosure guidelines.

6.0 Annual Reports to Parliament/Legislatures

6.1 Government has issued directions to all Ministries/Departments 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/Department.

F. No. 1/34/2013-IR
Government of India
Ministry of Personnel, Public Grievances and Pensions
(Department of Personnel & Training)

North Block, New Delhi
Dated the 30th June, 2016

OFFICE MEMORANDUM

Subject: Report of the Committee set up under the chairmanship of Dr. Devesh Chaturvedi, Joint Secretary, DoPT to examine the recommendations of the Committee of Experts on suo motu disclosure under Section 4 of the RTI Act, 2005.

A Committee of Experts consisting of Shri A.N. Tiwari, former Chief Information Commissioner and Dr. M.M. Ansari, Information commissioner of Central Information Commission was constituted to recommend, *inter-alia*, measures to further strengthen implementation of Section 4 of the RTI Act, 2005. The Committee submitted its Report which has been accepted by the Government and an OM dated 29th June 2015 was issued to all public authorities to follow the recommendations of the Committee. Thereafter, DOPT has issued instructions to all Public Authorities in this regard vide O.M. No. 1/1/2013-IR dated 9th July, 2015 that the Departments must make an analysis of information which is sought most often from applicants and provide it on their website as *suo-motu* disclosure.

2 Competent Authority has further directed that:

- (1) The Public Authorities shall constitute Consultative Committees consisting of office bearers of key stakeholder, association on rotational basis to have a systematic and regular interaction between the officials of the Public Authorities to advice what information to be uploaded as suo motu.
- (2) 'Information and Facilitation Centres' (IFCs) may be set up in each public authority, where public dealing is involved to educate the citizens about the information / documents available on the website of the department concerned and to provide printed publications to the citizens the categories of information that are frequently being sought under the RTI Act and provide copies of information as per RTI Rules, 2012.

- (3) In each public authority, a committee of PIOs and FAAs with rich experience of dealing with RTI applications and appeals is set up to identify the categories of information that are frequently asked by applicants. Such information must be disclosed in the public domain to make it more user friendly and should also be reviewed at regular intervals.
- (4) Information that is proactively disclosed must be properly categorized and organised in such a manner that it facilitates easy retrieval. Information on the website must be organised in a searchable and retrievable database to enable people to access the records. The Nodal Officer of each Public authority be made responsible for this.
- (5) Web site, and other medium and publication of each public authority, relating to Section 4 compliance must carry the date (where appropriate for each bit of information) on which the information was uploaded/printed.
- (6) The task of undertaking transparency audits may be given to the respective Training Institutes under each Ministry/Department/Public Authority and across the States and Union Territories.


(Gayatri Mishra)
Director(IR)
Telefax : 23092755

To

All Ministries / Departments.

Copy to: Chief Secretaries / All State Governments / Union Territories.

Copy also to :

- (i) Secretary, Central Information Commission, August Kranti Bhawan, Bhikaji Cama Place, New Delhi-110066.
- (ii) NIC, North Block, New Delhi for placing the Office Memorandum on the website of DoPT.

No.1/34/2013-IR
Government of India
Ministry of Personnel, Public Grievances and Pensions
Department of Personnel and Training

North Block, New Delhi-1
Dated: 29th June 2015

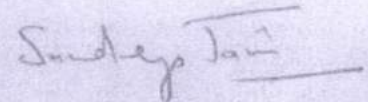
Office Memorandum

Subject: Implementation of Suo Motu Disclosure under Section 4 of RTI Act, 2005

Attention is invited to detailed guidelines on implementation of suo motu disclosure under Section 4 of RTI Act, 2005 issued vide this department's O.M. No.1/6/2011-IR dated 15.4.2013. Subsequently, a Committee of experts consisting of Shri A.N.Tiwari, Chief Information Commissioner(Retd) and Dr. M.M.Ansari, Information Commissioner(Retd) (of Central Information Commission) was constituted to recommend, interalia, measures to further strengthen implementation of Section 4 of the RTI Act, 2005. The Committee has, interalia, made the following recommendations which have been duly accepted by the competent authority:-

- 1) All the details of the public authority may be uploaded on its website. Access to information should be made user-friendly for which appropriate information technology infrastructure should be suitably designed, developed and operationalised.
- 2) All the training modules for professional upgradation of employees should incorporate matter relating to the virtues of transparency and open government and RTI law.
- 3) In order to minimise the burden of servicing RTI applications, the public authorities with high public dealings should put in place an effective system to redress the grievances of affected persons. At the sub-organisational levels, there should be cooperation and coordination between the Central Public Information Officers and the officers responsible for addressing public grievances.
- 4) In order to reduce the number of RTI applications relating to service matters, the information relating to recruitment, promotion and transfers should be brought into public domain promptly.
- 5) The retention and maintenance of specific documents for specified duration should be clearly spelt by each public authority in respect of its documents.

2. All the public authorities are requested to follow the above recommendations.



(Sandeep Jain)

Director

Tel: 23092755

- 1) All Ministries/Departments of Govt of India
- 2) Union Public Service Commission /Lok Sabha Secretariat / Rajya Sabha Secretariat/ Cabinet Secretariat/ Central Vigilance Commission/ President's Secretariat/ Vice-President's Secretariat/ Prime Minister's Office/ NITI Ayog/ Election Commission.
- 3) Central Information Commission/ State Information Commissions.
- 4) Staff Selection Commission, CGO Complex, New Delhi.
- 5) The Comptroller and Auditor General of India, 10, Bahadur Shah Zafar Marg, New Delhi.
- 6) Director, Lal Bahadur Shastri National Academy of Administration, Mussoorie-248179, Uttarakhand
- 7) Director, Institute of Secretariat Training and Management, Old JNU Campus, Olof Palme Marg, New Delhi

Copy to :

Chief Secretaries/ All State Governments