

INDEX OF MANUALS AND APPENDICES

| | |
|--------------|---|
| MANUAL-I | The particulars of Upper Yamuna River Board, its functions and duties |
| MANUAL-II | The powers and duties of its officers and employees |
| MANUAL-III | The procedure followed in the decision making process, including channels of supervision and accountability |
| MANUAL-IV | Norms set for the discharge of functions |
| MANUAL-V | The rules, regulations, Manuals and records held by it or under its control or used by its employees for discharge or its functions |
| MANUAL-VI | Statement of the categories of documents |
| MANUAL-VII | Particulars of any arrangement that exists for consultation with, or representation by, the members of public in relation to the formulation of its policy or implementation thereof |
| MANUAL-VIII | Statement of the boards, councils, committees and other bodies consisting of two or more persons constituted as its part or for the purpose of its advice, and as to whether meetings of those boards, councils, committees and other bodies are open to the public, or the minutes of such meetings are accessible for public. |
| MANUAL-IX | A directory of its officers and employees. |
| MANUAL-X | Monthly remuneration received by each of its officers, employees, including the system of compensation provided in its regulations. |
| MANUAL-XI | The budget allocated to each of its agency, indicating the particulars of all plans, proposed expenditure and reports on disbursement made. |
| MANUAL-XII | The manner of execution of subsidy programmes, including the amount allocated and the details of beneficiaries of such programmes. |
| MANUAL-XIII | Particulars of concessions, permits or authorizations granted by it. |
| MANUAL-XIV | Details in respect of information, available to or held by it, reduced in an electronic format. |
| MANUAL-XV | The particulars of facilities available to citizens for obtaining information, including the working hours of a library or reading room, if maintained for public use. |
| MANUAL-XVI | The names, designations and other particulars of the public information officers |
| MANUAL-XVII | The official tours of HoD. |
| MANUAL-XVIII | RTI Application Form. |
| MANUAL-XIX | RTI Appeal Form. |
| MANUAL-XX | Guidelines for Information Seeker. |
| MANUAL-XXI | Guidelines for CPIOs. |
| MANUAL-XXII | Guidelines for Appellate Authority. |
| MANUAL-XXIII | Procedure for request of Information. |
| MANUAL-XXIV | To whom RTI application should be addressed. |
| MANUAL-XXV | Fee Structure. |
| | |

| | |
|---------------|--------------------------------------|
| APPENDIX-I.1 | Text of the MoU |
| APPENDIX-I.2 | Composition of the UYRB |
| APPENDIX-I.3 | Composition of the UYRC |
| APPENDIX-I.4 | Constitution and functions of UYRB |
| APPENDIX-II.1 | Duties and functions of its officers |

MANUAL – I

THE PARTICULARS OF UPPER YAMUNA RIVER BOARD, ITS FUNCTIONS AND DUTIES.

Upper Yamuna refers to the stretch of Yamuna from its origin upto and including the Okhla Barrage at Delhi.

There used to be differences between the co-basin states on sharing of water of Upper Yamuna River from time to time which was finally resolved by signing of a MoU by the five basin states i.e. Himachal Pradesh, Uttar Pradesh, Haryana, Rajasthan and Delhi on 12th May, 1994. The text of the MoU is at Appendix I.1. Accordingly the Central Govt. constituted the Upper Yamuna River Board vide resolution No. 10(66)/74-IT dated 11.3.95. The state of Uttaranchal came into existence after the signing of MoU and was inducted as a Member of the Upper Yamuna River Board and also the Upper Yamuna Review Committee vide MoWR resolution dated 16th March, 2001

The MoU provides for creation of an “Upper Yamuna River Board” (UYRB) to implement the said MoU and an “Upper Yamuna Review Committee” to supervise the functioning of the UYRB. Composition of the UYRB is at Appendix I.2 and that of UYRC at Appendix I.3. Constitution and functions of UYRB are at Appendix I.4.

MANUAL – II

THE POWERS AND DUTIES OF ITS OFFICERS AND EMPLOYEES.

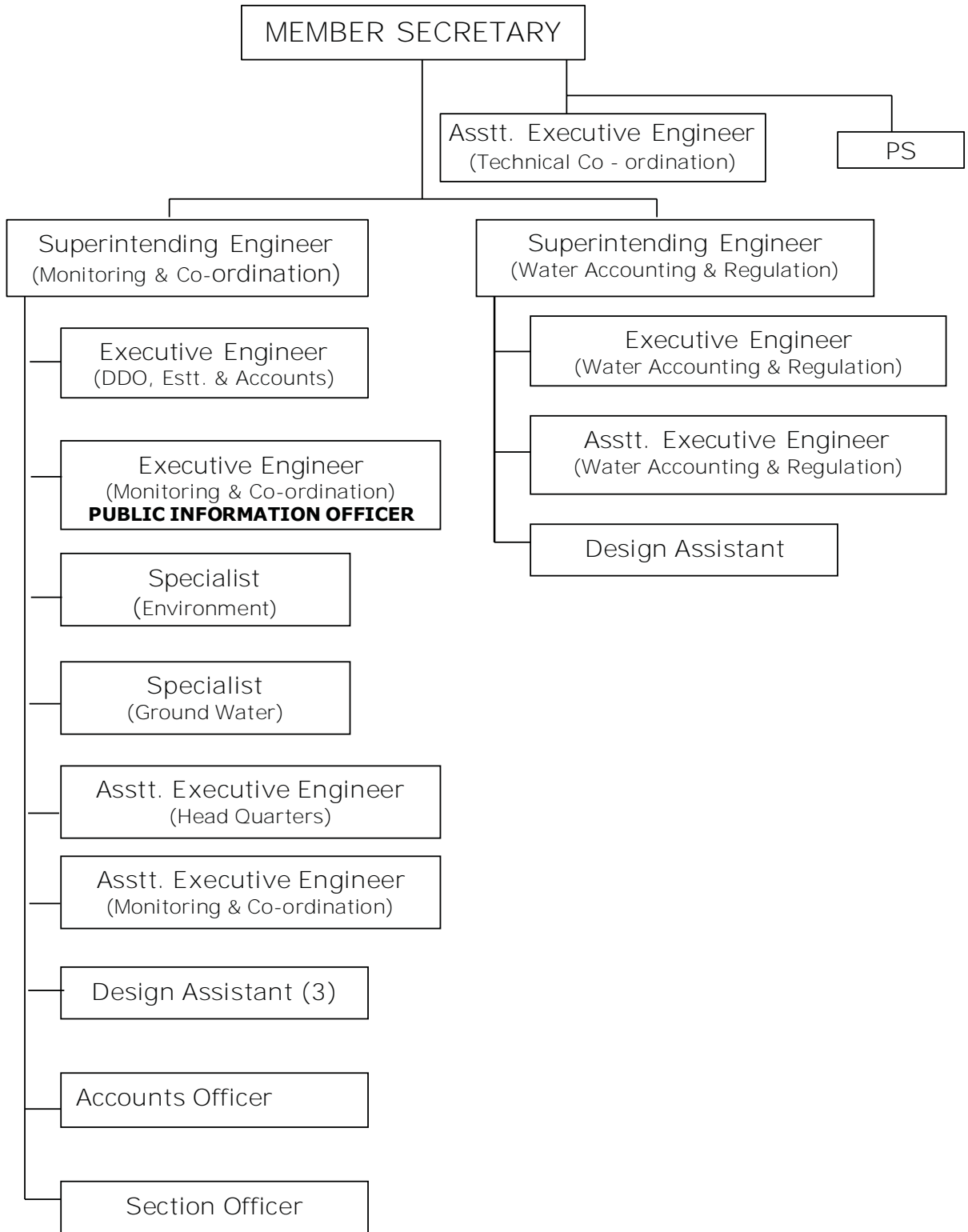
Financial powers – no works powers have been delegated to any officer of Upper Yamuna River Board. Other financial powers are as per Delegation of Financial powers Rules.

Member Secretary, UYRB is declared as HOD and has been delegated powers of the Head of the Department as per MoWR letter No. 26/3/99-IT/900 dated 6th July, 1999.

Duties and functions of its officers are as per enclosed Appendix - II.1

MANUAL III

**THE PROCEDURE FOLLOWED IN THE DECISION MAKING PROCESS,
INCLUDING CHANNELS OF SUPERVISION AND ACCOUNTABILITY**



MANUAL – IV

NORMS SET FOR THE DISCHARGE OF FUNCTIONS

Upper Yamuna River Board (UYRB) has been set up with the objectives as described in Chapter – 1. In order to discharge its duties, UYRB has set up certain norms for the smooth functioning of the organization. The norms have stressed upon the reaction time that officers & officials of UYRB, i.e. the organization in totality, shall take to discharge the duties as assigned.

The norms can be broadly classified into three (3) categories, viz. Technical, Administrative and Financial.

(1) Technical

The norms for discharging technical duties are as follows:

| | |
|--|---|
| Reply to Parliament Questions: | Within the time limit set by the concerned Ministry. |
| Reply to VIP Reference: | If any information is required from any other agency, the request for the same shall be sent within ten (ten) working days. After receipt of all necessary information, or if no such information is required, a reply will be sent within one (1) month. |
| Attend to the complaints lodged by the basin states for short supply of water | Within two (2) working days. |

| | |
|-------------------------------------|--|
| by the controlling state(s): | |
|-------------------------------------|--|

(2) Administrative

| | |
|--|--|
| Action on all personal matters of officers and staff like leave, LTC etc. | Within five (5) working days of receiving the request. |
|--|--|

(3) Financial

| | |
|---|--|
| Processing of bills from contractors and suppliers | Within five (5) working days of receipt of the bills. |
| Processing of personal bills of all officers and staff : | |
| (a) Reimbursement | Within ten (10) working days of receiving the bills. |
| (b) All advances except medical | Within five (5) working days of receiving the request. |
| (c) Medical Advance | Within two (2) working days of receiving the request. |

It may, however, be noted that these are norms and not deadlines. All attempts are made to adhere to these norms, but depending upon the merits of each case and also the demand by other works, the actual reaction time may vary.

MANUAL - V

THE RULES, REGULATIONS, MANUALS AND RECORDS HELD BY IT OR UNDER ITS CONTROL OR USED BY ITS EMPLOYEES FOR DISCHARGE OF ITS FUNCTIONS

(a) Administrative and financial purposes:

1. Fundamental Rules
2. Supplementary Rules
3. Leave Rules
4. Travelling Allowance Rules
5. LTC Rules
6. Medical Attendance Rules
7. Central Civil Services (Conduct) Rules
8. Central Civil Services (CCA) Rules
9. Central Civil Services (Pension) Rules
10. Central Civil Services (Commutation of Pension) Rules
11. Central Civil Services (Temporary Service) Rules
12. General Provident Fund Rules
13. Staff Car Rules
14. Brochure on Reservation for SC & ST in Services
15. Manual of Office Procedure
16. CPWD Manual Vol. I and II
17. CPWD Accounts code
18. Delegation of Financial Powers Rules
19. General Financial Rules

(b) General references:

1. Topographical Sheets of Survey of India available in CWC's Map record section (SOI)
2. BIS Codes on related topics (BIS)
3. The MOU, Constitution of UYRB/UYRC etc.

MANUAL - VI

STATEMENT OF THE CATEGORIES OF DOCUMENTS

Ever since the Upper Yamuna River Board (UYRB) has been set up, there have been regular meetings and correspondence with the basin states as well as different ministries/ organizations. All these documents can be broadly classified into three (3) categories, viz. Technical, Administrative and Financial.

(4) Technical

The technical documents can be broadly classified as follows:

- i. **Technical correspondence:** Replies to Parliament Questions, VIP references, meetings of the UYRB, Inter-state matters, water supply to Delhi, Annual reports etc.
- ii. **Technical reports:** agreements, annual reports etc.
- iii. **Technical data:** Hydro-meteorological data, water use data, water quality data etc.

(5) Administrative

The administrative documents can be broadly classified as recruitment rules, recruitment process, infrastructure and facilities, personal matters of officers and staff etc.

(6) Financial

The financial documents can be broadly classified into salary and other bills of the officers and staff; bills of contractors and suppliers; budget; stores accounts etc.

MANUAL VII

PARTICULARS OF ANY ARRANGEMENT THAT EXISTS FOR CONSULTATION WITH, OR REPRESENTATION BY, THE MEMBERS OF PUBLIC IN RELATION TO THE FORMULATION OF ITS POLICY OR IMPLEMENTATION THEREOF

Presently, no such arrangement exists in the Upper Yamuna River Board.

MANUAL VIII

STATEMENT OF THE BOARDS, COUNCILS, COMMITTEES AND OTHER BODIES CONSISTING OF TWO OR MORE PERSONS CONSTITUTED AS ITS PART OR FOR THE PURPOSE OF ITS ADVICE, AND AS TO WHETHER MEETINGS OF THOSE BOARDS, COUNCILS, COMMITTEES AND OTHER BODIES ARE OPEN TO THE PUBLIC, OR THE MINUTES OF SUCH MEETINGS ARE ACCESSIBLE FOR PUBLIC.

Upper Yamuna River Board – Upper Yamuna River Board was constituted vide resolution No. 10(66)/74-IT dated 11-3-95 and consists of the following members.

- (i) Member (WP&P), Central Water Commission, New Delhi.
Chairman
- (ii) Chief Engineer (WR), Irrigation Dept., Govt. of Uttar Pradesh, Lucknow.

(Chief Engineer, Ganga, Irrigation Deptt., Govt. of Uttar Pradesh, as Alternate Member)
- (iii) Chief Engineer (Level-I), Irrigation Department, Uttaranchal
Member
- (iv) Chief Engineer, Yamuna Water Services, Haryana
Member
- (v) Secretary to the Government, Irrigation Department, Govt. of Rajasthan, Jaipur

(Chief Engineer, Irrigation Dept., Govt. of Rajasthan, Jaipur as Alternate Member)
- (vi) Engineer-in-Chief, Irrigation and Public Health Deptt., Govt. of Himachal Pradesh
Member
- (vii) Engineer-in-Chief (Water), Delhi Jal Board
Member
Govt. of NCT of Delhi
- (viii) Chief Engineer (HP&I), Central Electricity Authority,
Member

Upper Yamuna River Board

New Delhi

- (ix) Chief Hydrogeologist & Member, Central Ground Water Board
- (x) Senior Environmental Engineer, Central Pollution control Board
- (xi) Chief Engineer, Upper Yamuna River Board Member

Secretary

The Board has started functioning w.e.f. 22-4-1995.

UYRB has constituted the following four Committees also for assistance in discharging its functions.

The Board has constituted four committees, the detail of which follows.

1. Committee on Rules of Business of the Board.

Composition of the Committee

- I. Superintending Engineer (Irrigation), Govt. of Haryana.
- II. Chief Engineer, DWS & SDU. Govt. of Delhi.
- III. Additional Chief Engineer, Govt. of Rajasthan.
- IV. Representative of Uttar Pradesh
- V. Representative of Himachal Pradesh.
- VI. Asstt. Law Officer, Central Pollution Control Board.
- VII. Joint Commissioner (Indus), MOWR
- VIII. Member-Secretary, Upper Yamuna River Board – Convenor.

Functions of the Committee:

- (i) To draft a set of rules and regulations for conducting the business of the Board.
- (ii) To look into the aspects of financial matters including operation of Upper Yamuna River Board Fund and delegation of financial powers.

2. Committee on Staffing Pattern.

Composition of the Committee

- I. Superintending Engineer (Irrigation), Govt. of Haryana.
- II. Chief Engineer (E&M), DSW & SDU Govt. of Delhi.
- III. Additional Chief Engineer, Govt. of Rajasthan.
- IV. Representative of Uttar Pradesh.
- V. Scientist-'D', CGWB.
- VI. Director (BP), CWC – Convenor.

Functions of the Committee:

To study and propose the staffing pattern.

3. Committee on Hydrometric Network, Data Monitoring and Transmission.

Composition of the Committee

- I. Representative of Govt. of Haryana.
- II. Executive Engineer (P&M), DWS & SDU, Govt. of Delhi.
- III. Additional Chief Engineer, Govt. of Rajasthan.
- IV. Representative of Uttar Pradesh
- V. Representative of the Govt. of Himachal Pradesh.
- VI. Representative of CGWB.
- VII. CPCB
- VIII. Superintending Engineer, Hydrological Observations Circle, NOIDA, CWC- Convener (Alternate: Executive Engineer, Upper Yamuna Division).

Functions of the Committee:

- (i) Identifying locations of gauging stations necessary for keeping flow records of water lifting points, water inflow points, hydrologic structures, abstractions etc.
- (ii) Preparation of a flow chart.
- (iii) Procedure for deciding stage – discharge ratings for various canal regulators gauge discharge sites, etc.
- (iv) Procedures for deciding quantities diverted/pumped from the river.

4. Committee on Water Accounting Procedures and Operational rules.

Composition of the committee

- I. Representative of haryana.
- II. Chief Engineer (E&M), DSW & SDU Govt. of Delhi.
- III. Additional Chief Engineer, Govt. of Rajasthan.
- IV. Representative of Uttar Pradesh
- V. Representative of Himachal Pradesh.
- VI. Representative of CPCB.
- VII. Representative of CEA.
- VIII. Director (ISM) [Alternate Director (IP)], CWC.
- IX. Member-Secretary of the Upper Yamuna River Board – Convener.

Functions of the Committee:

- (i) Preparation of Water accounting equations;
- (ii) Procedures for deciding losses in canals, river reaches, etc;
- (iii) Procedures for accounting for intermediate contributions and return flows into the river system;
- (iv) Procedures for collecting 10-day water demands at different points and curtailing the demand according to the availability.
- (v) Procedure for deciding water to be accounted against each State; and
- (vi) Procedures regarding adjustment of unutilized allocation of one 10-day period toward another.

The meetings of the Committees are not open to the public. The minutes of meetings of the Committees for items on which a final decisions has been taken, are accessible to the public.

MANUAL IX

A DIRECTORY OF ITS OFFICERS AND EMPLOYEES

Address for Communication:

Upper Yamuna River Board,
Wing-IV, Ground Floor,
West Block-1, R. K. Puram,
New Delhi-110066.

| Designation | Office Telephone |
|--------------------------|-------------------------|
| Chairman | 011-26108590 |
| Member Secretary | 011-26174147 |
| Deputy Director | 011-26184025 |
| Specialist (Environment) | 011-26184025 |
| Assistant Director-II | 011-26184025 |
| Junior Engineer | 011-26177916 |

Chairman Office Fax: 011-26195289
Office Fax: 011-26184025
Office Website: <http://uyrb.gov.in>
Office e-mail: uyrb-mowr@nic.in

MANUALX

MONTHLY REMUNERATION RECEIVED BY EACH OF ITS OFFICERS AND EMPLOYEES, INCLUDING THE SYSTEM OF COMPENSATION AS PROVIDED IN ITS REGULATIONS

| S. No. | Designation | Level of pay matrix as per 7th CPC |
|---------------|----------------------------------|--|
| 1 | Member Secretary | Level-14 |
| 2 | Superintending Engineer | Level-12 |
| 3 | Executive Engineer | Level-11 |
| 4 | Specialist (Environment) | Level-11 |
| 5 | Specialist (Ground Water) | Level-11 |
| 6 | Assistant Executive Engineer | Level-10 |
| 7 | Accounts Officer | Level-10 |
| 8 | Section Officer | Level-7 |
| 9 | Private Secretary | Level-7 |
| 10 | Design Assistant/Junior Engineer | Level-7 |
| 11 | Draftsman | Level-6 |

MANUALXI

THE BUDGET ALLOCATED TO EACH OF ITS AGENCY, INDICATING THE PARTICULARS OF ALL PLANS, PROPOSED EXPENDITURE AND REPORTS ON DISBURSEMENT MADE

The budget allocation for Upper Yamuna River Board for the year 2021-22 is as follows:

| S. No. | Head | Budget 2021-22 (in thousands) |
|---------------|-------------------------------|--|
| 1 | Salary | 7300 |
| 2 | Office Expenses | 6300 |
| 3 | Other Contractual Services | 8100 |
| 4 | Professional Services | 400 |
| 5 | Domestic Travel Expenses | 300 |
| 6 | Medical Treatment | 400 |
| 7 | Publication | 200 |
| 8 | Foreign Travel Expenses | 700 |
| 9 | Other Administrative Expenses | 400 |
| 10 | Information Technology | 700 |
| 11 | Swachhta Action Plan | 200 |
| 12 | Major Works | 80000 |
| | Total | 105000 |

There are no agencies under Upper Yamuna River Board to whom funds are disbursed.

MANUAL XII

**THE MANNER OF EXECUTION OF SUBSIDY PROGRAMMES,
INCLUDING THE AMOUNT ALLOCATED AND THE DETAILS OF
BENEFICIARIES OF SUCH PROGRAMMES**

There is no provision of any subsidy programmes under the Upper Yamuna River Board.

MANUAL XIII

**PARTICULARS OF CONCESSIONS, PERMITS OR AUTHORISATIONS
GRANTED BY IT**

No concessions, permits or authorizations are granted by the
Upper Yamuna River Board.

MANUAL XIV

DETAILS IN RESPECT OF INFORMATION, AVAILABLE TO OR HELD BY IT, REDUCED IN AN ELECTRONIC FORMAT

Presently there is no information available with the Upper Yamuna River Board that is reduced to electronic format.

MANUAL XV

THE PARTICULARS OF FACILITIES AVAILABLE TO CITIZENS FOR OBTAINING INFORMATION, INCLUDING THE WORKING HOURS OF A LIBRARY OR READING ROOM, IF MAINTAINED FOR PUBLIC USE

Following information is available to the public at the website of UYRB, <http://www.uyrb.nic.in>.

- MoU dated 12-5-94 for sharing of waters of Upper Yamuna Basin.
- Tender notices and employment notices etc.
- Tentative water distribution for the year.

For any other information, the Public Information Officer can be contacted.

MANUAL XVI

THE NAMES, DESIGNATIONS AND OTHER PARTICULARS OF THE PUBLIC INFORMATION OFFICERS

| Name & Designation of the Appellate Authority | Complete Details |
|---|---|
| Name: Sh. B.P. Pandey Designation: Member Secretary (Additional Charge) | Address (O): West Block-I, Wing No.4, Ground Floor, R. K. Puram, New Delhi – 110066. Phone: : 26174147 E-mail: uyrb-mowr@nic.in Website: www.uyrb.gov.in |

| Name & Designation of the CPIO & Nodal officer | Complete Details |
|--|---|
| Name: Ms. Anjali Shrivastava Designation: Assistant Director-II | Address (O): West Block-I, Wing No.4, Ground Floor, R. K. Puram, New Delhi – 110066. Phone: 26177916 E-mail: uyrb-mowr@nic.in Website: www.uyrb.nic.in |

MANUAL XVII

Official Tours of Head of Department, UYRB

| January, 2012 to September, 2022 | | | | | | | | |
|---|---|--------------------|-------------|--------------|------------------|----------------|---|--|
| S. No. | Name | Designation | Year | Place | Tour from | Tour to | Purpose | Total cost of the Tour (In Rs.) |
| 1 | Sh. H. K. Sahu | Member Secretary | 2012 | Nil | Nil | Nil | Nil | Nil |
| 2 | Sh. H. K. Sahu | Member Secretary | 2013 | Nil | Nil | Nil | Nil | Nil |
| 3 | Sh. H. K. Sahu | Member Secretary | 2014 | Pune | 19.05.2014 | 22.05.2014 | Training programme | 20588/- |
| | | | | Agra | 03.07.2014 | 03.07.2014 | Field working of instruments | 2423/- |
| 4 | Sh. H. K. Sahu | Member Secretary | 2015 | Pune | 11.02.2015 | 13.02.2015 | Training programme | 519/- |
| | | | | Pune | 19.05.2015 | 22.05.2015 | Training programme | 18897/- |
| | | | | Ponta Sahib | 24.05.2015 | 25.05.2015 | Yamuna Visit | |
| | | | | Bhopal | 10.06.2015 | 11.06.2015 | Investigation | 9715/- |
| 5 | Sh. D. P. Mathuria | Member Secretary | 2016 | Nil | Nil | Nil | Nil | Nil |
| 6 | Sh. D. P. Mathuria | Member Secretary | 2017 | Uttarakhand | 20.10.2017 | 22.10.2017 | Visit at Dap Pathar | 14268/- |
| 7 | Sh. D. P. Mathuria | Member Secretary | 2018 | Srinagar | 07.06.2018 | 10.06.2018 | Attend the meeting of Hindi Sahlakar Samiti | 26321/- |
| 8 | Sh. D. P. Mathuria | Member Secretary | 2019 | Bhuvneshwar | 13.02.2019 | 14.02.2019 | "International Dam Safety" | 10554/- |
| 9 | Sh. D. P. Mathuria | Member Secretary | 2020 | Nil | Nil | Nil | Nil | Nil |
| 10 | Sh. D. P. Mathuria (till 31.05.2021) | Member Secretary | 2021 | Nil | Nil | Nil | Nil | Nil |

January, 2012 to September, 2022

| S. No. | Name | Designation | Year | Place | Tour from | Tour to | Purpose | Total cost of the Tour (In Rs.) |
|---------------|--|--------------------|-------------|-------------------------|------------------|----------------|------------------------------------|--|
| 11 | Sh. Yogesh Paithankar (from 01.06.2021 to 01.08.2021) | Member Secretary | 2021 | Nil | Nil | Nil | Nil | Nil |
| 12 | Sh. R. D. Deshpande (from 02.08.2021 to 02.09.2022) | Member Secretary | 2021 | Nil | Nil | Nil | Nil | Nil |
| | | | 2022 | Lucknow | 11.05.2020 | 12.05.2022 | To attend the joint review meeting | 13515/- |
| | | | 2022 | Delhi to Kolkata & Pune | 17.04.2022 | 29.04.2022 | To attend the MCTP Training | 15537/- |
| 13 | Sh. B.P. Pandey (from 05.09.2021 to 06.09.2022) | Member Secretary | 2022 | Nil | Nil | Nil | Nil | Nil |

MANUAL XVIII

**Form of application for seeking information
under the Right to Information Act,2005.**

To

The Public Information Officer,

.....

.....

1. Name of the Applicant :

2. Address :

3. Particulars of information. - :

(a) Concerned department :

(b) Particulars of information required :

i. Details of information required :

ii. Period for which information asked for :

iii. Other details :

4. A fee of Rs 10/- (Rupees ten only) has been deposited in the office of the Public Information Officer vide receipt No..... dated.....

Place :

Date :

Signature of Applicant

E-mail address, if any

Tel. No. (Office)

(Residence)

.....

MANUAL XIX

**PROFORMA OF FIRST APPEAL UNDER SECTION 19(1) OF THE
RIGHT TO INFORMATION ACT, 2005.**

To

(Name & address of the
Senior Officer acting as
First Appellate Authority).

1. Name of the Applicant :
2. Address of the Applicant :
3. Particulars of the Central/
State Public Information Officer:
(a) Name :
(b) Address:
4. Date of submission of application
for seeking information :
5. Date on which 30/35/40 days from
submission of application are over:
6. Reasons for appeal:
(Please indicate separately for each question)
(a) No response received within the
specified period:
(b) Aggrieved by the response received
within the specified period
(c) Grounds for appeal
7. Last date for filing the appeal :
8. Particulars of Information
(a) Information requested
(b) Subject
(c) Period
9. A fee of _____ for appeal has been deposited in _____ vide Receipt No. _____ Dated
_____ (only if applicable)

Signature of Appellant
E-mail address, if any
Tel. No. (office) _____
(Residence) _____

Place _____
Date _____

Please attach :

- (a) Copy of RTI application.
- (b) Copy of the response received from CPIO with which the appellant is aggrieved.

MANUAL XX

GUIDE FOR THE INFORMATION SEEKERS

**HOW TO GET INFORMATION
FROM THE PUBLIC AUTHORITIES OF THE CENTRAL
GOVERNMENT
UNDER
THE RIGHT TO INFORMATION ACT, 2005**

**Government of India
Ministry of Personnel, Public Grievances & Pensions
Department of Personnel & Training
North Block, New Delhi**

INDEX

| Sl. No. | Contents | Page No. |
|----------------|---|-----------------|
| 1. | Object of the Right to Information Act | 2 |
| 2. | What is Information | 2 |
| 3. | Right to Information under the Act | 2-3 |
| 4. | Exemptions from Disclosure | 3 |
| 5. | Central Public Information Officers | 3-4 |
| 6. | Assistance Available from CPIOs | 4 |
| 7. | Suo Motu Disclosure | 4 |
| 8. | Method of Seeking Information | 4 |
| 9. | Fee for Seeking Information | 4-5 |
| 10. | Format of Application | 5 |
| 11. | Disposal of the Request | 5-6 |
| 12. | First Appeal | 6-7 |
| 13. | Second Appeal | 7 |
| 14. | Complaints | 8 |
| 15. | Disposal of Appeals and Complaints by the CIC | 8 |
| 16. | Important Web-sites | 8 |

A GUIDE FOR THE INFORMATION SEEKERS UNDER THE RIGHT TO INFORMATION ACT, 2005.

Object of the Right to Information Act

The basic object of the Right to Information Act is to empower the citizens, promote transparency and accountability in the working of the Government, contain corruption, and make our democracy work for the people in real sense. An informed citizenry will be better equipped to keep necessary vigil on the instruments of governance and make the government more accountable to the governed. The Act has created a practical regime through which the citizens of the country may have access to information under the control of public authorities.

What is Information

2. Information is any material in any form. It includes records, documents, memos, e-mails, opinions, advices, press releases, circulars, orders, logbooks, contracts, reports, papers, samples, models, data material held in any electronic form. It also includes information relating to any private body which can be accessed by the public authority under any law for the time being in force.

Right to Information under the Act

3. A citizen has a right to seek such information from a public authority which is held by the public authority or which is held under its control. This right includes inspection of work, documents and records; taking notes, extracts or certified copies of documents or records; taking certified samples of material held by the public authority or held under the control of the public authority.

4. The public authority under the RTI Act is not supposed to create information; or to interpret information; or to solve the problems raised by the applicants; or to furnish replies to hypothetical questions. Only such information can be had under the Act which already exists with the public authority.

5. A citizen has a right to obtain information in the form of diskettes, floppies, tapes, video cassettes or in any other electronic mode or through print-outs provided

information is already stored in a computer or in any other device from which the information may be transferred to diskettes etc.

6. The information to the applicant shall ordinarily be provided in the form in which it is sought. However, if the supply of information sought in a particular form would disproportionately divert the resources of the public authority or may cause harm to the safety or preservation of the records, supply of information in that form may be denied.

7. The Act gives the right to information only to the citizens of India. It does not make provision for giving information to Corporations, Associations, Companies etc. which are legal entities/persons, but not citizens. However, if an application is made by an employee or office-bearer of any Corporation, Association, Company, NGO etc. who is also a citizen of India, information shall be supplied to him/her, provided the applicant gives his/her full name. In such cases, it will be presumed that a citizen has sought information at the address of the Corporation etc.

Exemptions from Disclosure

8. The right to seek information from a public authority is not absolute. Sections 8 and 9 of the Act enumerate the categories of information which are exempt from disclosure. At the same time Schedule II of the Act contains the names of the Intelligence and Security Organisations which are exempt from the purview of the Act. The exemption of the organisations, however, does not cover supply of information relating to allegations of corruption and human rights violations.

9. The applicants should abstain from seeking information which is exempt under Section 8 and 9 and also from the organizations included in the Second Schedule except information relating to allegations of corruption and human rights violations.

Central Public Information Officers

10. Application for seeking information should be made to an officer of the public authority who is designated as Central Public Information Officer (CPIO). All the public authorities have designated their Central Public Information Officers and have posted their particulars on their respective web-sites. This information is also available on the 'RTI PORTAL' (www.rti.gov.in). Persons seeking information are advised to refer to the web-site of the concerned public authority or the 'RTI PORTAL' for

ascertaining the name of the concerned CPIO. If it is found difficult to identify or locate the concerned Central Public Information Officer of a public authority, application may be sent to the Central Public Information Officer without specifying the name of the CPIO at the address of the public authority.

Assistance Available From CPIOs

11. The Central Public Information Officer shall render reasonable assistance to the persons seeking information. If a person is unable to make a request in writing, he may seek the help of the CPIO to write his application. Where a decision is taken to give access to a sensorily disabled person to any document, the Central Public Information Officer, shall provide such assistance to enable access to information, including providing such assistance to the person as may be appropriate for the inspection.

Suo Motu Disclosure

12. The Act makes it obligatory for every public authority to make suo-motu disclosure in respect of the particulars of its organization, functions, duties etc. as provided in section 4 of the Act. Besides, some public authorities under the Central Government have published other information and have posted them on their websites.

Method of Seeking Information

13. A citizen who desires to obtain any information under the Act, should make an application to the Central Public Information Officer (CPIO) of the concerned public authority in writing in English or Hindi or in the official language of the area in which the application is made. The applicant can send the application by post or through electronic means or can deliver it personally in the office of the public authority. The application can also be sent through a Central Assistant Public Information Officer appointed by the Department of Post at sub-divisional level or other sub-district level.

Fee for Seeking Information

14. The applicant, along with the application, should send a demand draft or a banker's cheque or an Indian Postal Order of Rs.10/- (Rupees ten), payable to the Accounts Officer of the public authority as fee prescribed for seeking information. The payment of fee can also be made by way of cash to the Accounts Officer of the

public authority or to the Central Assistant Public Information Officer against proper receipt.

15. The applicant may also be required to pay further fee towards the cost of providing the information, details of which shall be intimated to the applicant by the CPIO as prescribed by the Right to Information (Regulation of Fee and Cost) Rules, 2005. Rates of fee as prescribed in the Rules are given below:

- (a) rupees two (Rs. 2/-) for each page (in A-4 or A-3 size paper) created or copied;
- (b) actual charge or cost price of a copy in larger size paper;
- (c) actual cost or price for samples or models;
- (d) for inspection of records, no fee for the first hour; and a fee of rupees five (Rs.5/-) for each subsequent hour (or fraction thereof);
- (e) for information provided in diskette or floppy rupees fifty (Rs.50/-) per diskette or floppy; and
- (f) for information provided in printed form at the price fixed for such publication or rupees two per page of photocopy for extracts from the publication.

16. If the applicant belongs to below poverty line (BPL) category, he is not required to pay any fee. However, he should submit a proof in support of his claim to belong to the below poverty line. The application not accompanied by the prescribed fee of Rs.10/- or proof of the applicant's belonging to below poverty line, as the case may be, shall not be a valid application under the Act and therefore, does not entitle the applicant to get information.

Format of Application

17. There is no prescribed form of application for seeking information. The application can be made on plain paper. The application should, however, have the name and complete postal address of the applicant. Even in cases where the information is sought electronically, the application should contain name and postal address of the applicant.

18. The information seeker is not required to give reasons for seeking information.

Disposal of the Request

19. The CPIO is required to provide information to the applicant within thirty days of the receipt of a valid application. If the information sought for concerns the

life or liberty of a person, the information shall be provided within forty-eight hours of the receipt of the request. If the CPIO is of the view that the information sought for cannot be supplied under the provisions of the Act, he would reject the application. However, while rejecting the application, he shall inform the applicant the reasons for such rejection and the particulars of the appellate authority. He would also inform the applicant the period within which appeal may be preferred.

20. If an applicant is required to make payment for obtaining information, in addition to the application fee, the Central Public Information Officer would inform the applicant about the details of further fees alongwith the calculation made to arrive at the amount payable by the applicant. After receiving such a communication from the CPIO, the applicant may deposit the amount by way of cash against proper receipt or by Demand Draft or by Banker's cheque or by Indian Postal Order in favour of the Accounts Officer of the concerned public authority. The CPIO is under no obligation to make available the information if the additional fee intimated by him is not deposited by the applicant.

21. Where an additional fee is required to be paid, the period intervening between the dispatch of the intimation regarding payment of additional fee and payment of fee by the applicant shall be excluded for the purpose of computing the period of thirty days within which the CPIO is required to furnish the information.

22. If the CPIO fails to send decision on the request on the information within the period of thirty days or forty-eight hours, as the case may be, the information may be deemed to have been refused.

First Appeal

23. If an applicant is not supplied information within the prescribed time of thirty days or 48 hours, as the case may be, or is not satisfied with the information furnished to him, he may prefer an appeal to the first appellate authority who is an officer senior in rank to the CPIO. Such an appeal, should be filed within a period of thirty days from the date on which the limit of 30 days of supply of information is expired or from the date on which the information or decision of the CPIO is received.

24. The appellate authority of the public authority shall dispose of the appeal within a period of thirty days or in exceptional cases within 45 days of the receipt of the appeal.

Second Appeal

25. If the appellate authority fails to pass an order on the appeal within the prescribed period or if the appellant is not satisfied with the order of the first appellate authority, he may prefer a second appeal with the Central Information Commission within ninety days from the date on which the decision should have been made by the first appellate authority or was actually received by the appellant. The appeal made to the Central Information Commission should contain the following information: -

- (i) Name and address of the appellant;
- (ii) Name and address of the Central Public Information Officer against the decision of whom the appeal is preferred;
- (iii) Particulars of the order including number, if any, against which the appeal is preferred;
- (iv) Brief facts leading to the appeal;
- (v) If the appeal is preferred against deemed refusal, particulars of the application, including number and date and name and address of the Central Public Information Officer to whom the application was made;
- (vi) Prayer or relief sought;
- (v) Grounds for prayer or relief;
- (vi) Verification by the appellant; and
- (vii) Any other information, which the Commission may deem necessary for deciding the appeal.

26. The appeal made to the Central Information Commission should be accompanied by the following documents:

- (i) Self-attested copies of the orders or documents against which appeal is made;
- (ii) Copies of the documents relied upon by the appellant and referred to in the appeal; and
- (iii) An index of the documents referred to in the appeal.

Complaints

27. If any person is unable to submit a request to a Central Public Information Officer either by reason that such an officer has not been appointed by the concerned public authority; or the Central Assistant Central Public Information Officer has refused to accept his or her application or appeal for forwarding the same to the Central Public Information Officer or the appellate authority, as the case may be; or he has been refused access to any information requested by him under the RTI Act; or he has not been given a response to a request for information within the time limit specified in the Act; or he has been required to pay an amount of fee which he considers unreasonable; or he believes that he has been given incomplete, misleading or false information, he can make a complaint to the Central Information Commission.

Disposal of Appeals and Complaints by the CIC

28. The Central Information Commission decides the appeals and complaints and conveys its decision to the appellant/complainant and first appellate authority/CPIO. The Commission may decide an appeal/complaint after hearing the parties to the appeal/complaint or by inspection of documents produced by the appellant/complainant and CPIO or such senior officer of the public authority who decided the first appeal. If the Commission chooses to hear the parties before deciding the appeal or the complaint, the Commission will inform of the date of hearing to the appellant or the complainant at least seven clear days before the date of hearing. The appellant/complainant has the discretion to be present in person or through his authorized representative at the time of hearing or may opt not to be present.

Important Web-sites

29. Given below are the addresses of some important web-sites which contain substantial information relevant to the right to information:

- (i) Portal of the Government of India (<http://indiaimage.nic.in>). ✓
- (ii) Portal on the Right to Information (www.rti.gov.in). ✓
- (iii) Website of the Central Information Commission (<http://cic.gov.in>). ✓

MANUAL XXI

No.1/69/2007-IR

Government of India

Ministry of Personnel, Public Grievances & Pensions

Department of Personnel & Training

North Block, New Delhi

Dated: the 27th February, 2008


OFFICE MEMORANDUM

Subject: Guidelines for the officers designated as Central Public Information Officer under the Right to Information Act, 2005.

The undersigned is directed to say that the Central Public Information Officer (CPIO) of a public authority plays an important role in effective implementation of the provisions of the Right to Information Act, 2005. At the same time, he is liable for penalty in case of default in performance of duties assigned to him by the Act. It is, therefore, crucial for a CPIO to study the Act carefully and understand its provisions correctly. This Department has prepared a 'Guide' which clarifies some of the important aspects of the Act relating to the functions of the CPIOs. The Guide so prepared is enclosed as Annexure.

2. The Act provides that a CPIO may seek the assistance of any other officer for proper discharge of his/her duties. Such other officer would be deemed to be a CPIO and would be liable for contraventions of the provisions of the Act the same way as the CPIO himself. Since the CPIO may seek the assistance of any officer, it is desirable for all the officers to acquire necessary knowledge about the provisions of the Act, which a CPIO should have. The Guide would help them in this task.

3. All Ministries/Departments etc. are requested to bring the contents of the Guide to the notice of all concerned.



(K.G. Verma)

Director

Tel: 23092158

To

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 / Planning Commission

3. Staff Selection Commission, CGO Complex, Lodi Road, New Delhi.
- 4.. Office of the Comptroller & Auditor General of India, 10, Bahadur Shah Zafar Marg, New Delhi.
5. Central Information Commission/State Information Commissions.

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

The guidelines contained in the Annexure apply mutatis mutandis to the State Public Information Officers (SPIOs). The State Governments may like to issue similar guidelines for the SPIOs.

A GUIDE FOR THE CENTRAL PUBLIC INFORMATION OFFICERS

The Right to Information Act, 2005 empowers citizens to get information from any 'public authority'. The Central Public Information Officer (CPIO) of a public authority plays a pivotal role in making the right of a citizen to information a reality. The Act casts specific duties on him and makes him liable for penalty in case of default. It is, therefore, essential for a CPIO to study the Act carefully and understand its provisions correctly. Following aspects should particularly be kept in view while dealing with the applications under the Act.

What is Information

2. Information is any material in any form. It includes records, documents, memos, e-mails, opinions, advices, press releases, circulars, orders, logbooks, contracts, reports, papers, samples, models, data material held in any electronic form. It also includes information relating to any private body which can be accessed by the public authority under any law for the time being in force.

Right to Information under the Act

3. A citizen has a right to seek such information from a public authority which is held by the public authority or which is held under its control. This right includes inspection of work, documents and records; taking notes, extracts or certified copies of documents or records; and taking certified samples of material held by the public authority or held under the control of the public authority.

4. The Act gives the citizens a right to information at par with the Members of Parliament and the Members of State Legislatures. According to the Act, the information which cannot be denied to the Parliament or a State Legislature, shall not be denied to any person.

5. A citizen has a right to obtain an information in the form of diskettes, floppies, tapes, video cassettes or in any other electronic mode or through print-outs provided such information is already stored in a computer or in any other device from which the information may be transferred to diskettes etc.

6. The information to the applicant should ordinarily be provided in the form in which it is sought. However, if the supply of information sought in a particular form would disproportionately divert the resources of the public authority or may cause harm to the safety or preservation of the records, supply of information in that form may be denied.

7. The Act gives the right to information only to the citizens of India. It does not make provision for giving information to Corporations, Associations, Companies etc. which are legal entities/persons, but not citizens. However, if an application is made by an employee

or office-bearer of any Corporation, Association, Company, NGO etc. indicating his name and such employee/office bearer is a citizen of India, information may be supplied to him/her. In such cases, it would be presumed that a citizen has sought information at the address of the Corporation etc.

8. Only such information is required to be supplied under the Act which already exists and is held by the public authority or held under the control of the public authority. The CPIO is not supposed to create information; or to interpret information; or to solve the problems raised by the applicants; or to furnish replies to hypothetical questions.

Information Exempted From Disclosure

9. Sub-section (1) of section 8 and section 9 of the Act enumerate the types of information which is exempt from disclosure. Sub-section (2) of section 8, however, provides that information exempted under sub-section (1) or exempted under the Official Secrets Act, 1923 can be disclosed if public interest in disclosure overweighs the harm to the protected interest. Further, sub-section (3) of section 8 provides that information exempt from disclosure under sub-section (1), except as provided in clauses (a), (c) and (i) thereof, would cease to be exempted after 20 years from the date of occurrence of the related event etc.

10. It may be noted that section 8(3) of the Act does not require the public authorities to retain records for indefinite period. The records should be retained as per the record retention schedule applicable to the concerned public authority. Information generated in a file may survive in the form of an OM or a letter or in any other form even after destruction of the file/record. The Act requires furnishing of information so available after the lapse of 20 years even if such information was exempt from disclosure under sub-section(1) of Section 8. It means that the information which, in normal course, is exempt from disclosure under sub-section(1) of Section 8 of the Act, would cease to be exempted if 20 years have lapsed after occurrence of the incident to which the information relates. However, the following types of information would continue to be exempt and there would be no obligation, even after lapse of 20 years, to give any citizen-

- (i) information disclosure of which would prejudicially affect the sovereignty and integrity of India, the security, strategic, scientific or economic interest of the State, relation with foreign state or lead to incitement of an offence;
- (ii) information the disclosure of which would cause a breach of privilege of Parliament or State Legislature; or

- (iii) cabinet papers including records of deliberations of the Council of Ministers, Secretaries and other Officers subject to the conditions given in proviso to clause (i) of sub-section(1) of Section 8 of the Act.

Right to Information Vis-a-Vis other Acts

11. The RTI Act has over-riding effect vis-à-vis other laws inasmuch as the provisions of the RTI Act would have effect notwithstanding anything inconsistent therewith contained in the Official Secrets Act, 1923, and any other law for the time being in force or in any instrument having effect by virtue of any law other than the RTI Act.

Rendering Assistance to Applicants

12. The Central Public Information Officer has a duty to render reasonable assistance to the persons seeking information. As per provisions of the Act, a person, who desires to obtain any information is required to make a request in writing or through electronic means in English or Hindi or in the official language of the area in which the application is made. If a person seeking information is not able to make such request in writing, the Central Public Information Officer should render reasonable assistance to him to reduce the same in writing.

13. Where access to a record is required to be provided to a sensorily disabled person, the Central Public Information Officer should provide assistance to such person to enable him to access the information. He should also provide such assistance to the person as may be appropriate for the inspection of records where such inspection is involved.

Assistance Available to CPIO

14. The Central Public Information Officer may seek the assistance of any other officer as he or she considers necessary for the proper discharge of his or her duties. The officer, whose assistance is so sought by the CPIO, would render all assistance to him. Such an officer shall be deemed to be a Central Public Information Officer and would be liable for contravention of any provisions of the Act the same way as any other Central Public Information Officer. It would be advisable for the CPIO to inform the officer whose assistance is sought, about the above provision, at the time of seeking his assistance.

Suo Motu Disclosure

15. The Act makes it obligatory for every public authority to make *suo-motu* disclosure in respect of the particulars of its organization, functions, duties and other matters, as provided in section 4 of the Act. The information so published, according to sub-section (4) of section 4, should be easily accessible with the CPIO in electronic format. The CPIO should, therefore, make concerned efforts to ensure that the requirements of the Section 4 are met and maximum information in respect of the public authority is made available on the internet. It would help him in two ways. First, the number of applications under the Act would be reduced and secondly, it would facilitate his work of providing information inasmuch as most of the information would be available to him at one place.

Fee for Seeking Information

16. An applicant, along with his application, is required to send a demand draft or a banker's cheque or an Indian Postal Order of Rs.10/- (Rupees ten), payable to the Accounts Officer of the public authority as fee prescribed for seeking information. He can also make payment of fee by way of cash to the Accounts Officer of the public authority or to the Central Assistant Public Information Officer against proper receipt.

17. Additional fee has been prescribed by the Right to Information (Regulation of Fee and Cost) Rules, 2005 for supply of information as given below:

- (a) rupees two (Rs. 2/-) for each page (in A-4 or A-3 size paper) created or copied;
- (b) actual charge or cost price of a copy in larger size paper;
- (c) actual cost or price for samples or models;
- (d) for inspection of records, no fee for the first hour; and a fee of rupees five (Rs.5/-) for each subsequent hour (or fraction thereof);
- (e) for information provided in diskette or floppy rupees fifty (Rs.50/-) per diskette or floppy; and
- (f) for information provided in printed form at the price fixed for such publication or rupees two per page of photocopy for extracts from the publication.

18. If the applicant belongs to below poverty line (BPL) category, he is not required to pay any fee. However, he should submit a proof in support of his claim to belong to the below poverty line. The application not accompanied by the prescribed fee of Rs.10/- or proof of the applicant's belonging to below poverty line, as the case may be, shall not be a valid application under the Act and, therefore, does not entitle the applicant to get information.

Contents and Format of Application

19. An applicant making request for information is not required to give any reason for requesting the information or any other personal details except those that may be necessary for contacting him. Also, the Act or the Rules do not prescribe any format of application for seeking information. Therefore, the applicant should not be asked to give justification for seeking information or to give details of his job etc. or to submit application in any particular form.

Invalid Applications

20. Soon after receiving the application, the CPIO should check whether the applicant has made the payment of application fee of Rs. 10 or whether the applicant is a person belonging to a Below Poverty Line (BPL) family. If application is not accompanied by the prescribed fee or the BPL Certificate, it cannot be treated as a valid application under the RTI Act and may be ignored.

Transfer of Application

21. If the application is accompanied by the prescribed fee or the Below Poverty Line Certificate, the CPIO should check whether the subject matter of the application or a part thereof concerns some other public authority. If the subject matter of the application concerns any other public authority, it should be transferred to that public authority. If only a part of the application concerns the other public authority, a copy of the application may be sent to that public authority, clearly specifying the part which relates to that public authority. While transferring the application or sending a copy thereof, the concerned public authority should be informed that the application fee has been received. The applicant should also be informed about the transfer of his application and the particulars of the public authority to whom the application or a copy thereof has been sent.

22. Transfer of application or part thereof, as the case may be, should be made as soon as possible and in any case within five days from the date of receipt of the application. If a CPIO transfers an application after five days from the receipt of the application, he would be responsible for delay in disposing of the application to the extent of number of days which he takes in transferring the application beyond 5 days.

23. The CPIO of the public authority to whom the application is transferred, should not refuse acceptance of transfer of the application on the ground that it was not transferred to him within 5 days.

24. A public authority may designate as many CPIOs for it, as it may deem necessary. It is possible that in a public authority with more than one CPIO, an application is received by the CPIO other than the concerned CPIO. In such a case, the CPIO receiving the application should transfer it to the concerned CPIO immediately, preferably the same day. Time period of five days for transfer of the application applies only when the application is transferred from one public authority to another public authority and not for transfer from one CPIO to another in the same public authority.

Supply of Information

25. The answering CPIO should check whether the information sought or a part thereof is exempt from disclosure under section 8 or Section 9 of the Act. Request in respect of the part of the application which is so exempt may be rejected and rest of the information should be provided immediately or after receipt of additional fees, as the case may be.

26. Where a request for information is rejected, the Central Public Information Officer should communicate to the person making the request—

- (i) the reasons for such rejection;
- (ii) the period within which an appeal against such rejection may be preferred; and
- (iii) the particulars of the authority to whom an appeal can be made.

27. If additional fee is required to be paid by the applicant as provided in the Right to Information (Regulation of Fee and Cost) Rules, 2005, the Central Public Information Officer should inform the applicant:

- (i) the details of further fees required to be paid;
- (ii) the calculations made to arrive at the amount of fees asked for;
- (iii) the fact that the applicant has a right to make appeal about the amount of fees so demanded;
- (iv) the particulars of the authority to whom such an appeal can be made; and
- (v) the time limit within which the appeal can be made.

Supply of Part Information by Severance

28. Where a request is received for access to information which is exempt from disclosure but a part of which is not exempt and such part can be severed in such a way that the severed part does not contain exempt information then, access to that part of the information/record may be provided to the applicant. Where access is granted to a part of the record in such a way, the Central Public Information Officer should inform the applicant that the information asked for is exempt from disclosure and that only part of the record is

being provided, after severance, which is not exempt from disclosure. While doing so, he should give the reasons for the decision, including any findings on any material question of fact, referring to the material on which those findings were based. The CPIO should take the approval of appropriate authority before supply of information in such a case and should inform the name and designation of the person giving the decision to the applicant also.

Time Period for Supply of Information

29. The CPIO should supply the information within thirty days of the receipt of the request. Where the information sought for concerns the life or liberty of a person, the same should be provided within forty-eight hours of the receipt of the request.

30. Every public authority is required to designate an officer at each sub-divisional level or other sub-district level as a Central Assistant Public Information Officer (CPAIO) to receive the applications or appeals under the Act for forwarding the same to the Central Public Information Officer or the first Appellate Authority or the Central Information Commission. If request for information is received through the CAPIO, the information may be provided within 35 days of receipt of application by the CAPIO in normal course and 48 hours plus 5 days in case the information sought concerns the life or liberty of a person.

31. In case of an application transferred from one public authority to another public authority, as referred to in para 21, reply should be provided by the concerned public authority within 30 days of the receipt of the application by that public authority in normal course and within 48 hours in case the information sought concerns the life or liberty of a person.

32. The Central Public Information Officers of the intelligence and security organisations specified in the Second Schedule of the Act may receive applications seeking information pertaining to allegations of corruption and human rights violations. Information in respect of allegations of violation of human rights, which is provided only after the approval of the Central Information Commission, should be provided within forty-five days from the date of the receipt of request. Time limit prescribed for supplying information in regard to allegations of corruption is the same as in other cases.

33. Where the applicant is asked to pay additional fee, the period intervening between the dispatch of the intimation about payment of fee and the payment of fee by the applicant shall be excluded for the purpose of calculating the period of reply. The following table

shows the maximum time which may be taken to dispose off the applications in different situations:

| Sr. No. | Situation | Time limit for disposing off applications |
|---------|--|---|
| 1. | Supply of information in normal course. | 30 days |
| 2. | Supply of information if it concerns the life or liberty of a person | 48 hours |
| 3. | Supply of information if the application is received through CAPIO. | 05 days shall be added to the time period indicated at Sr. No. 1 and 2. |
| 4. | Supply of information if application/request is received after transfer from another public authority: (a) In normal course (b) In case the information concerns the life or liberty of a person. | (a) Within 30 days of the receipt of the application by the concerned public authority. (b) Within 48 hours of receipt of the application by the concerned public authority. |
| 5. | Supply of information by organizations specified in the Second Schedule: (a) If information relates to allegations of violation of human rights. (b) In case information relates to allegations of corruption. | (a) 45 days from the receipt of application. (b) Within 30 days of the receipt of application. |
| 6. | Supply of information if it relates to third party and the third party has treated it as confidential. | Should be provided after following the procedure given in para 37 to 41 of these guidelines. |
| 7. | Supply of information where the applicant is asked to pay additional fee. | The period intervening between informing the applicant about additional fee and the payment of fee by the applicant shall be excluded for calculating the period of reply. |

34. If the CPIO fails to give decision on the request for information within the prescribed period, the Central Public Information Officer shall be deemed to have refused the request. It is pertinent to note that if a public authority fails to comply with the specified time limit, the information to the concerned applicant would have to be provided free of charge.

Third Party Information

35. Third party in relation to the Act means a person other than the citizen who has made request for information. Any public authority other than the public authority to whom the request has been made shall also be included in the definition of third party.

36. It may be noted that information including commercial confidence, trade secrets or intellectual property, the disclosure of which would harm the competitive position of a third party, is exempt from disclosure. Section 8(1)(d) requires that such information should not be disclosed unless the competent authority is satisfied that larger public interest warrants the disclosure of such information.

37. If an applicant seeks any information which relates to or has been supplied by a third party and that third party has treated that information as confidential, the Central Public Information Officer should consider whether the information should be disclosed or not. The guiding principle in such cases should be that except in the case of trade or commercial secrets protected by law, disclosure may be allowed if the public interest in disclosure outweighs in importance any possible harm or injury to the interests of such third party. However, procedure as given below should be followed before disclosing such information. It may be noted that this procedure need be followed only when the third part has treated the information as confidential.

38. If the CPIO intends to disclose the information, he should within five days from the receipt of the application, give a written notice to the third party that the information has been sought by the applicant under the RTI Act and that he intends to disclose the information. He should request the third party to make a submission in writing or orally, regarding whether the information should be disclosed. The third party should be given a time of ten days, from the date of receipt of the notice by him, to make representation against the proposed disclosure, if any.

39. The Central Public Information Officer should make a decision regarding disclosure of the information keeping in view the submission of the third party. Such a decision should be taken within forty days from the receipt of the request for information. After taking the decision, the CPIO should give a notice of his decision to the third party in writing. The notice given to the third party should include a statement that the third party is entitled to prefer an appeal under section 19 against the decision.

40. The third party can prefer an appeal to the First Appellate Authority against the decision made by the Central Public Information Officer within thirty days from the date of

the receipt of notice. If not satisfied with the decision of the First Appellate Authority, the third party can prefer the second appeal to the Central Information Commission.

41. If an appeal has been filed by the third party against the decision of the CPIO to disclose the third party information, the information should not be disclosed till the appeal is decided.

Appeals and Complaints

42. If an applicant is not supplied information within the prescribed time limit, or is not satisfied with the information furnished to him, he may prefer an appeal to the first appellate authority who is an officer senior in rank to the CPIO. Such an appeal can be made within a period of 30 days from the date on which time limit for supply of information expires or the decision of the CPIO is received. The appellate authority of the public authority is expected to dispose of the appeal within a period of thirty days or in exceptional cases within 45 days of the receipt of the appeal. If the first appellate authority fails to pass an order on the appeal within the prescribed period or if the appellant is not satisfied with the order of the first appellate authority, he may prefer a second appeal with the Central Information Commission within ninety days from the date on which the decision should have been made by the first appellate authority or was actually received by the appellant.

43. If any person is unable to submit a request to a Central Public Information Officer either by reason that such an officer has not been appointed by the concerned public authority; or the Central Assistant Central Public Information Officer has refused to accept his or her application or appeal for forwarding the same to the Central Public Information Officer or the appellate authority, as the case may be; or he has been refused access to any information requested by him under the RTI Act; or he has not been given a response to a request for information within the time limit specified in the Act; or he has been required to pay an amount of fee which he considers unreasonable; or he believes that he has been given incomplete, misleading or false information, he can make a complaint to the Central Information Commission.

Imposition of Penalty

44. As pointed out above, an applicant under the Act has a right to appeal to the Central Information Commission and also to make complaint to the Commission. Where the Central Information Commission at the time of deciding any complaint or appeal is of the opinion that the Central Public Information Officer has without any reasonable cause, refused to receive an application for information or has not furnished information within the time

specified or malafidely denied the request for information or knowingly given incorrect, incomplete or misleading information or destroyed information which was the subject of the request or obstructed in any manner in furnishing the information, it shall impose a penalty of two hundred and fifty rupees each day till application is received or information is furnished subject to the condition that the total amount of such penalty shall not exceed twenty-five thousand rupees. The Central Public Information Officer shall, however, be given a reasonable opportunity of being heard before any penalty is imposed on him. The burden of proving that he acted reasonably and diligently and in case of denial of a request that such denial was justified shall be on the Central Public Information Officer.

Disciplinary Action Against CPIO

45. Where the Central Information Commission at the time of deciding any complaint or appeal is of the opinion that the Central Public Information Officer has without any reasonable cause and persistently, failed to receive an application for information or has not furnished information within the time specified or malafidely denied the request for information or knowingly given incorrect, incomplete or misleading information or destroyed information which was the subject of the request or obstructed in any manner in furnishing the information, it may recommend for disciplinary action against the Central Public Information Officer.

Protection for Work Done in Good Faith

46. Section 21 of the Act provides that no suit, prosecution or other legal proceeding shall lie against any person for anything which is in good faith done or intended to be done under the Act or any rule made thereunder. A CPIO should, however, note that it would be his responsibility to prove that his action was in good faith.

Annual Report of the CIC

47. The Central Information Commission prepares a report on the implementation of the provisions of the RTI Act every year, which is laid before each House of the Parliament. This report, *inter-alia*, has to include information about the number of requests made to each public authority, the number of decisions where the applicants were not entitled to access to documents requested for, the provisions of the Act under which these decisions were made and the number of times such provisions were invoked, the amount of charges collected by each public authority under the Act. Each Ministry/Department is required to collect such information from all the public authorities under its jurisdiction and send the same to the Commission. The CPIOs should maintain the requisite information in this regard

so that it may be supplied to their administrative Ministry/Department soon after the end of the year, which in turn may supply to the Commission.

MANUAL XXII

No. 1/3/2008-IR
Government of India
Ministry of Personnel, P.G. and Pensions
Department of Personnel & Training

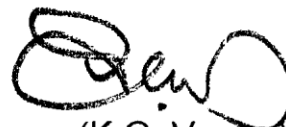
New Delhi, Dated the 25th April, 2008

OFFICE MEMORANDUM

Subject : Guidelines for the Officers designated as first appellate authority under the RTI Act, 2005.

The undersigned is directed to say that the Central Public Information Officer (CPIO) of a public authority is responsible to supply correct and complete information to an information seeker under the Right to Information Act, 2005 within the specified time. It is possible that a CPIO may not act as per provisions of the Act or an applicant may not otherwise be satisfied with the decision of the CPIO. The Act contains provision of two appeals to tide over such situations. While the first appeal lies within the public authority itself, the second appeal lies with the Central Information Commission. The Central Information Commission (Appeal Procedure) Rules, 2005 govern the procedure for deciding appeals by the Commission. The First Appellate Authority is, however, required to dispose off the appeals received by him in the light of the provisions of the Act and keeping in view the principles of natural justice. A Guide has been prepared for the First Appellate Authorities, a copy of which is enclosed as Annexure. It is expected that it would help them perform their duties effectively.

2. All the Ministries / Departments etc. are requested to bring the contents of the Guide to the notice of all concerned.



(K.G. Verma)

Director

Tel: 23092158

To

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 / Planning Commission
3. Staff Selection Commission, CGO Complex, Lodi Road, New Delhi.
 4. Office of the Comptroller & Auditor General of India, 10, Bahadur Shah Zafar Marg, New Delhi.
 5. Central Information Commission/State Information Commissions.

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

The guidelines contained in the Annexure apply mutatis mutandis to the First Appellate Authorities under the States. The State Governments may like to issue similar guidelines for their First Appellate Authorities.

Guide for the First Appellate Authorities

It is the responsibility of the Central Public Information Officer (CPIO) of a public authority to supply correct and complete information within the specified time to any person seeking information under the RTI Act, 2005. There are possibilities that a CPIO may not act as per provisions of the Act or an applicant may not otherwise be satisfied with the decision of the CPIO. The Act contains provision of two appeals to tide over such situations. The first appeal lies within the public authority itself which is made to an officer designated as the First Appellate Authority by the concerned public authority. The First Appellate Authority happens to be an officer senior in rank to the CPIO. The second appeal lies with the Central Information Commission. The Central Information Commission (Appeal Procedure) Rules, 2005 govern the procedure for deciding appeals by the Commission. The Guidelines contained in this document are meant for the First Appellate Authorities.

2. In order to perform his/her duties effectively, the Appellate Authority should study the Act carefully and understand its provisions correctly. This document explains some of the important aspects of the Act which a First Appellate Authority should, in particular, be conversant with.

What is Information

3. Information is any material in any form. It includes records, documents, memos, e-mails, opinions, advices, press releases, circulars, orders, logbooks, contracts, reports, papers, samples, models, data material held in any electronic form. It also includes information relating to any private body which can be accessed by the public authority under any law for the time being in force.

Right to Information under the Act

4. A citizen has a right to seek such information from a public authority which is held by the public authority or which is held under its control. This right includes inspection of work, documents and records; taking notes, extracts or certified copies of documents or records; and taking certified samples of material held by the public authority or held under the control of the public authority.
5. The Act gives the citizens a right to information at par with the Members of Parliament and the Members of State Legislatures. According to the Act, the information which cannot be denied to the Parliament or a State Legislature, shall not be denied to any person.
6. A citizen has a right to obtain an information in the form of diskettes, floppies, tapes, video cassettes or in any other electronic mode or through print-outs provided such information is already stored in a computer or in any other device from which the information may be transferred to diskettes etc.
7. The information to the applicant should ordinarily be provided in the form in which it is sought. However, if the supply of information sought in a particular form would disproportionately divert the resources of the public authority or may cause harm to the safety or preservation of the records, supply of information in that form may be denied.
8. The Act gives the right to information only to the citizens of India. It does not make provision for giving information to Corporations, Associations, Companies etc. which are legal entities/persons, but not citizens. However, if an application is made by an employee or office-bearer of any Corporation, Association, Company, NGO etc. indicating his name and such employee/office bearer is a citizen of India, information may be supplied to him/her. In such cases, it would be presumed that a citizen has sought information at the address of the Corporation etc.

9. Only such information is required to be supplied under the Act which already exists and is held by the public authority or held under the control of the public authority. It is beyond the scope of the Act to create information; or to interpret information; or to solve the problems raised by the applicants; or to furnish replies to hypothetical questions.

Information Exempt From Disclosure

10. Sub-section (1) of section 8 and section 9 of the Act enumerate the categories of information which is exempt from disclosure. Sub-section (2) of section 8, however, provides that information exempted under sub-section (1) or exempted under the Official Secrets Act, 1923 can be disclosed if public interest in disclosure overweighs the harm to the protected interest. Further, sub-section (3) of section 8 provides that information exempt from disclosure under sub-section (1), except as provided in clauses (a), (c) and (i) thereof, would cease to be exempted after 20 years from the date of occurrence of the related event etc.

11. It may be noted that section 8(3) of the Act does not require the public authorities to retain records for indefinite period. The records should be retained as per the record retention schedule applicable to the concerned public authority. Information generated in a file may survive in the form of an OM or a letter or in any other form even after destruction of the file/record. The Act requires furnishing of information so available after the lapse of 20 years even if such information was exempt from disclosure under sub-section(1) of Section 8. It means that the information which, in normal course, is exempt from disclosure under sub-section(1) of Section 8 of the Act, would cease to be exempted if 20 years have lapsed after occurrence of the incident to which the information relates. However, the following types of information would continue to be exempt and there would be no obligation, even after lapse of 20 years, to give any citizen-

- (i) information disclosure of which would prejudicially affect the sovereignty and integrity of India, the security, strategic, scientific or

economic interest of the State, relation with foreign state or lead to incitement of an offence;

- (ii) information the disclosure of which would cause a breach of privilege of Parliament or State Legislature; or
- (iii) Cabinet papers including records of deliberations of the Council of Ministers, Secretaries and other Officers subject to the conditions given in proviso to clause (i) of sub-section(1) of Section 8 of the Act.

Right to Information Vis-a-Vis Other Acts

12. The RTI Act has over-riding effect vis-à-vis other laws inasmuch as the provisions of the RTI Act would have effect notwithstanding anything inconsistent therewith contained in the Official Secrets Act, 1923, and any other law for the time being in force or in any instrument having effect by virtue of any law other than the RTI Act.

Fee for Seeking Information

13. An applicant, along with his application, is required to pay a sum of Rs.10/- as application fee in cash or by way of a demand draft or a banker's cheque or an Indian Postal Order payable to the Accounts Officer of the public authority. The applicant may also have to pay additional fee, as prescribed by the Right to Information (Regulation of Fee and Cost) Rules, 2005 for supply of information as given below:

- (a) rupees two (Rs. 2/-) for each page (in A-4 or A-3 size paper) created or copied;
- (b) actual charge or cost price of a copy in larger size paper;
- (c) actual cost or price for samples or models;
- (d) for inspection of records, no fee for the first hour; and a fee of rupees five (Rs.5/-) for each subsequent hour (or fraction thereof);

(e) for information provided in diskette or floppy rupees fifty (Rs.50/-) per diskette or floppy; and

(f) for information provided in printed form at the price fixed for such publication or rupees two per page of photocopy for extracts from the publication.

14. If the applicant belongs to 'below poverty line (BPL)' category, he/she is not required to pay any fee. However, he/she should submit a proof in support of his/her claim to belong to the below poverty line. The application not accompanied by the prescribed fee of Rs.10/- or proof of the applicant's belonging to below poverty line, as the case may be, shall not be a valid application under the Act and, therefore, does not entitle the applicant to get information.

15. It may be noted that where the CPIO decides that the information shall be provided on payment of fee in addition to the application fee, the CPIO is required, inter-alia, to inform the applicant:

(i) the details of further fees required to be paid;

(ii) the calculations made to arrive at the amount of fees asked for;

Contents and Format of Application

16. An applicant making request for information is not required to give any reason for requesting the information or any other personal details except those that may be necessary for contacting him. Also, the Act or the Rules do not prescribe any format of application for seeking information. Therefore, the applicant should not be asked to give justification for seeking information or to give details of his job etc. or to submit application in any particular form.

Transfer of Application

17. If the subject matter of the application concerns any other public authority, it should be transferred to that public authority. If only a part of the application concerns the other public authority, a copy of the application may be sent to that public authority, clearly specifying the part which relates to that

public authority. While transferring the application or sending a copy thereof, the concerned public authority should be informed that the application fee has been received. The applicant should also be informed about the transfer of his application and the particulars of the public authority to whom the application or a copy thereof has been sent.

18. Transfer of application or part thereof, as the case may be, should be made as soon as possible and in any case within five days from the date of receipt of the application. If a CPIO transfers an application after five days from the receipt of the application, he would be responsible for delay in disposing of the application to the extent of number of days which he takes in transferring the application beyond 5 days.

19. The CPIO of the public authority to whom the application is transferred, should not refuse acceptance of transfer of the application on the ground that it was not transferred to him within 5 days.

20. A public authority may designate as many CPIOs for it, as it may deem necessary. It is possible that in a public authority with more than one CPIO, an application is received by the CPIO other than the concerned CPIO. In such a case, the CPIO receiving the application should transfer it to the concerned CPIO immediately, preferably the same day. Time period of five days for transfer of the application applies only when the application is transferred from one public authority to another public authority and not for transfer from one CPIO to another in the same public authority.

Supply of Information

21. The answering CPIO should check whether the information sought or a part thereof is exempt from disclosure under section 8 or Section 9 of the Act. Request in respect of the part of the application which is so exempt may be rejected and rest of the information should be provided immediately or after receipt of additional fees, as the case may be.

Supply of Part Information by Severance

22. Where a request is received for access to information which is exempt from disclosure but a part of which is not exempt and such part can be severed in such a way that the severed part does not contain exempt information then, access to that part of the information/record may be provided to the applicant. Where access is granted to a part of the record in such a way, the Central Public Information Officer should inform the applicant that the information asked for is exempt from disclosure and that only part of the record is being provided, after severance, which is not exempt from disclosure. While doing so, he should give the reasons for the decision, including any findings on any material question of fact, referring to the material on which those findings were based. The CPIO should take the approval of appropriate authority before supply of information in such a case and should inform the name and designation of the person giving the decision to the applicant also.

Time Period for Supply of Information

23. The CPIO should supply the information within thirty days of the receipt of the request. Where the information sought for concerns the life or liberty of a person, the same should be provided within forty-eight hours of the receipt of the request.

24. Every public authority is required to designate an officer at each sub-divisional level or other sub-district level as a Central Assistant Public Information Officer (CAPIO) to receive the applications or appeals under the Act for forwarding the same to the Central Public Information Officer or the first Appellate Authority or the Central Information Commission, as the case may be. If request for information is received through the CAPIO, the information may be provided within 35 days of receipt of application by the CAPIO in normal course and 48 hours plus 5 days in case the information sought concerns the life or liberty of a person.

25. In case of an application transferred from one public authority to another public authority reply should be provided by the concerned public authority within 30 days of the receipt of the application by that public authority in normal course and within 48 hours in case the information sought concerns the life or liberty of a person.

26. The Central Public Information Officers of the intelligence and security organisations specified in the Second Schedule of the Act may receive applications seeking information pertaining to allegations of corruption and human rights violations. Information in respect of allegations of violation of human rights, which is provided only after the approval of the Central Information Commission, should be provided within forty-five days from the date of the receipt of request. Time limit prescribed for supplying information in regard to allegations of corruption is the same as in other cases.

27. Where the applicant is asked to pay additional fee, the period intervening between the dispatch of the intimation about payment of fee and the payment of fee by the applicant shall be excluded for the purpose of calculating the period of reply. The following table shows the maximum time which may be taken to dispose off the applications in different situations:

| Sr. No. | Situation | Time limit for disposing off applications |
|---------|--|--|
| 1. | Supply of information in normal course. | 30 days |
| 2. | Supply of information if it concerns the life or liberty of a person | 48 hours |
| 3. | Supply of information if the application is received through CAPIO. | 05 days shall be added to the time period indicated at Sr. No. 1 and 2. |
| 4. | Supply of information if application/request is received after transfer from another public authority: (a) In normal course | (a) Within 30 days of the receipt of the application by the concerned public |

| | | |
|----|--|--|
| | (b) In case the information concerns the life or liberty of a person. | authority. (b) Within 48 hours of receipt of the application by the concerned public authority. |
| 5. | Supply of information by organizations specified in the Second Schedule: (a) If information relates to allegations of violation of human rights. (b) In case information relates to allegations of corruption. | (a) 45 days from the receipt of application. (b) Within 30 days of the receipt of application. |
| 6. | Supply of information if it relates to third party and the third party has treated it as confidential. | Should be provided after following the procedure given in para 32 to 36 of these guidelines. |
| 7. | Supply of information where the applicant is asked to pay additional fee. | The period intervening between informing the applicant about additional fee and the payment of fee by the applicant shall be excluded for calculating the period of reply. |

28. If the CPIO fails to give decision on the request for information within the prescribed period, the Central Public Information Officer shall be deemed to have refused the request. It is pertinent to note that if a public authority fails to comply with the specified time limit, the information to the concerned applicant would have to be provided free of charge.

First Appeal

29. The information sought by an applicant should either be supplied to him or his application should be rejected within the time prescribed by the Act. If additional fee need be charged from the applicant, communication in this regard should be sent to him within the time limit prescribed for sending information. If the applicant does not receive information or decision about rejection of request or communication about payment of additional fee within the specified

time, he can make an appeal to the First Appellate Authority. Appeal can also be made if the applicant is aggrieved by the decision of the CPIO regarding supply of information or the quantum of fee decided by the CPIO.

Appeal in relation to Third Party Information

30. Third party in relation to the Act means a person other than the citizen who has made request for information. Any public authority other than the public authority to whom the request has been made shall also be included in the definition of third party.

31. It may be noted that information including commercial confidence, trade secrets or intellectual property, the disclosure of which would harm the competitive position of a third party, is exempt from disclosure. Section 8(1)(d) requires that such information should not be disclosed unless the competent authority is satisfied that larger public interest warrants the disclosure of such information.

32. If an applicant seeks any information which relates to or has been supplied by a third party and that third party has treated that information as confidential, the Central Public Information Officer should consider whether the information should be disclosed or not. The guiding principle in such cases should be that except in the case of trade or commercial secrets protected by law, disclosure may be allowed if the public interest in disclosure outweighs in importance any possible harm or injury to the interests of such third party. However, procedure as given below should be followed before disclosing such information. It may be noted that this procedure need be followed only when the third party has treated the information as confidential.

33. If the CPIO intends to disclose the information, he should within five days from the receipt of the application, give a written notice to the third party that the information has been sought by the applicant under the RTI Act and that he intends to disclose the information. He should request the third party to make a submission in writing or orally, regarding whether the information

should be disclosed. The third party should be given a time of ten days, from the date of receipt of the notice by him, to make representation against the proposed disclosure, if any.

34. The Central Public Information Officer should make a decision regarding disclosure of the information keeping in view the submission of the third party. Such a decision should be taken within forty days from the receipt of the request for information. After taking the decision, the CPIO should give a notice of his decision to the third party in writing. The notice given to the third party should include a statement that the third party is entitled to prefer an appeal under section 19 against the decision.

35. The third party can prefer an appeal to the First Appellate Authority against the decision made by the Central Public Information Officer within thirty days from the date of the receipt of notice. If not satisfied with the decision of the First Appellate Authority, the third party can prefer the second appeal to the Central Information Commission.

36. If an appeal has been filed by the third party against the decision of the CPIO to disclose the third party information, the information should not be disclosed till the appeal is decided.

Time Limit for Filing of First Appeal

37. The first appeal may be made within 30 days from the date of expiry of the prescribed period or from the receipt of communication from the CPIO. If the First Appellate Authority is satisfied that the appellant was prevented by sufficient cause from filing the appeal, the appeal may be admitted after 30 days also.

Disposal of Appeal

38. Deciding appeals under the RTI Act is a quasi-judicial function. It is, therefore, necessary that the appellate authority should see to it that the justice is not only done but it should also appear to have been done. In order to do so, the

order passed by the appellate authority should be a speaking order giving justification for the decision arrived at.

Time Limit for Disposal of Appeal

39. The appeal should be disposed off within 30 days of receipt of the appeal. In exception cases, the Appellate Authority may take 45 days for its disposal. However, in cases where disposal of appeal takes more than 30 days, the Appellate Authority should record in writing the reasons for such delay.

40. If an appellate authority comes to a conclusion that the appellant should be supplied information in addition to what has been supplied to him by the CPIO, he may either (i) pass an order directing the CPIO to give such information to the appellant; or (ii) he himself may give information to the appellant while disposing off the appeal. In the first case the appellate authority should ensure that the information ordered by him to be supplied is supplied to the appellant immediately. It would, however, be better if the appellate authority chooses the second course of action and he himself furnishes the information alongwith the order passed by him in the matter.

41. If, in any case, the CPIO does not implement the order passed by the appellate authority and the appellate authority feels that intervention of higher authority is required to get his order implemented, he should bring the matter to the notice of the officer in the public authority competent to take action against the CPIO. Such competent officer shall take necessary action so as to ensure implementation of the provisions of the RTI Act.

MANUAL XXIII

PROCEDURE FOR REQUEST OF INFORMATION

A person, who desires to obtain any information under this Act, shall make a request in writing or through electronic means in English or Hindi or in the official language of the area in which the application is being made, accompanying such fee as may be prescribed to the Central Public Information Officer of the Department; specifying the particulars of the information sought by him or her mentioning the contact information.

MANUALXXIV

TO WHOM RTI APPLICATION SHOULD BE ADDRESSED

RTI application should be addressed to:

CPIO,
Upper Yamuna River Board,
Wing-IV, Ground Floor,
West Block-1, R. K. Puram,
New Delhi – 110066.

MANUALXXV

FEE STRUCTURE

The fees should be paid through postal order in favour of PAO, MoWR payable at New Delhi.

MEMORANDUM OF UNDERSTANDING BETWEEN UTTAR PRADESH, HARYANA, RAJASTHAN, HIMACHAL PRADESH AND NATIONAL CAPITAL TERRITORY OF DELHI REGARDING ALLOCATION OF SURFACE FLOW OF YAMUNA

1. WHEREAS the 75% dependable notional virgin flow in the Yamuna river upto Okhla has been assessed as 11.70 Billion Cubic Metres (BCM) and the mean year availability has been assessed as 13.00 BCM.
2. AND WHEREAS the water was being utilised by the Basin States ex-Tajewala and ex-Okhla for meeting the irrigation and drinking water needs without any specific allocation.
3. AND WHEREAS a demand has been made by some Basin States on this account and the need for a specified allocation of the utilisable water resources of river Yamuna has felt for a long time.
4. AND WHEREAS to maximise the utilisation of the surface flow of river Yamuna a number of storage projects have been identified.
5. AND WHEREAS the States have agreed that a minimum flow in proportion of completion of upstream storages going upto 10 cumec shall be maintained downstream of Tajewala and downstream of Okhla Headwork throughout the year from ecological considerations, as upstream storages are built up progressively in a phased manner.
6. AND WHEREAS it has been assessed that a quantum of 0.68 BCM may not be utilisable due to flood spills.
7. NOW THEREFORE, considering their irrigation and consumptive drinking water requirements, the Basin States agree on the following allocation of the utilisable water resources of river Yamuna assessed on mean year availability.

subject to the following:

- i) Pending construction of the storages in the upper reaches of the river, there shall be an interim seasonal allocation of the annual utilisation flow of river Yamuna as follows:-

| STATES | SEASONAL ALLOCATION OF YAMUNA WATERS (BCM) | | | |
|------------------|--|-------------|--------------|--------|
| | July - Oct. | Nov. - Feb. | March - June | Annual |
| Haryana | 4.107 | 0.686 | 0.937 | 5.73 |
| Uttar Pradesh | 3.216 | 0.343 | 0.473 | 4.032 |
| Rajasthan | 0.963 | 0.07 | 0.086 | 1.119 |
| Himachal Pradesh | 0.19 | 0.108 | 0.08 | 0.378 |
| Delhi | 0.58 | 0.068 | 0.076 | 0.724 |
| Total | 9.056 | 1.275 | 1.652 | 11.983 |

Provided that the interim seasonal allocations will be distributed on ten daily basis.

Provided further that the said interim seasonal allocations shall get progressively modified, as storages are constructed, to the final annual allocations as indicated in para 7 above.

- ii) Separate agreement will be executed in respect of each identified storage within the framework of overall allocation made under this agreement.

Upper Yamuna River Board

iii) The allocation of available flows amongst the beneficiary States will be regulated by the Upper Yamuna River Board within the overall framework of this agreement.

Provided that in a year when the availability is more than the assessed quantity, the surplus availability will be distributed amongst the States in proportion to their allocations.

Provided also that in a year when the availability is less than the assessed quantity, first the drinking water allocation of Delhi will be met and the balance will be distributed amongst Haryana, U.P., Rajasthan and H.P. in proportion to their allocations.

8. This agreement may be reviewed after the year 2025, if any of the basin States so demand.

9. We place on record and gratefully acknowledge assistance and advice given by the Union Minister of Water Resources in arriving at this expeditious and amicable settlement.

New Delhi, the 12th May, 1994.

Sd/-
(Mulayam Singh Yadav)
Shekhawat)
Chief Minister
Uttar Pradesh

Sd/-
(Bhajan Lal)
Chief Minister
Haryana

Sd/-
(Bhairon Singh
Chief Minister
Rajasthan

Sd/-
(Virbhadra Singh)
Chief Minister
Himachal Pradesh

Sd/-
(Madan Lal Khurana)
Chief Minister
Delhi

In the presence of:-

Sd/-
(Vidyacharan Shukla)
Minister (Water Resources)

No.26/1/95-IT
Government of India
Ministry of Water Resources (Indus Wing)

11th Block, 8th Floor,
CGO Complex, Lodhi Road,
Dated the 24th April, 2001.

ORDER

In pursuance of Govt. Resolution No. 26/3/2001-IT dated 16.3.2001 the Upper Yamuna River Board which was earlier constituted in pursuance of Govt. Resolution No. 10(66)/74-IT dated 11.3.95, vide Order No. 26/1/95-IT dated 20.4.95, 4.9.95, 3.2.97 and 21.10.98 is reconstituted as under:

- | | | |
|-----|---|----------|
| 1. | Member (WP&P), Central Water Commission | Chairman |
| 2. | Chief Engineer (WR), Irrigation Department, Govt. of UP (Chief Engineer, Ganga, Irrigation Department, Govt. of U.P. as alternate Member) | Member |
| 3. | Chief Engineer (Level-I), Irrigation Department, Uttaranchal | Member |
| 4. | Chief Engineer, Yamuna Water Services, Govt. of Haryana | Member |
| 5. | Secretary to the Government, Irrigation Department, Govt. of Rajasthan (Chief Engineer, Irrigation Department, Govt. of Rajasthan as alternate Member) | Member |
| 6. | Engineer-in-Chief, Irrigation and Public Health Department, Govt. of Himachal Pradesh | Member |
| 7. | Engineer-in-Chief (Water), Delhi Jal Board, Govt. of NCT of Delhi | Member |
| 8. | Chief Engineer (HP&I), Central Electricity Authority, Delhi | Member |
| 9. | Chief Hydrogeologist and Member, Central Ground Water Board | Member |
| 10. | Senior Environment Engineer, Central Pollution Control Board | Member |

Chief Engineer (BPMO), Central Water Commission, New Delhi shall continue to look after the functions of Member-Secretary of the Upper Yamuna River Board till such time that the regular appointment of the Member-Secretary of the Board is made by the Government.

Sd/-
(S.Mahto)
Senior Joint Commission (Indus)
Tel No.4362539

Appendix – I.3

No.26/3/2000-IT
Government of India
Ministry of Water Resources
(Indus Wing)
8th Floor, Block No.11,
CGO Complex, Lodhi Road

New Delhi, dated 24th April, 2001

MEMORANDUM

In pursuance of Government Resolution No. 26/3/2000-IT/ dated 16.3.2001, the Upper Yamuna Review Committee earlier constituted in pursuance of Government Resolution No. 10(66)/74 –IT dated 11.3.95, vide Memorandum No. 26/1/95-IT dated 22.4.95 is reconstituted as under:-

- | | | |
|----|--|----------|
| 1. | Union Minister/ Minister of State for Water Resources | Chairman |
| 2. | Chief Minister of Haryana | Member |
| 3. | Chief Minister of Uttar Pradesh | Member |
| 4. | Chief Minister of Uttaranchal | Member |
| 5. | Chief Minister of Rajasthan | Member |
| 6. | Chief Minister of Himachal Pradesh | Member |
| 7. | Chief Minister of NCT of Delhi | Member |

II. In case of President's Rule in any of the aforesaid basin States, the Governor/Lt. Governor of the concerned State shall function as Member of the Upper Yamuna Review Committee.

III. The Chairman of the Upper Yamuna River Board shall be the Secretary of the Upper Yamuna Review Committee.

Sd/-
(S. Mahto)
Senior Joint Commissioner (Indus)
Tel: 4362539

CONSTITUTION AND FUNCTIONS OF UPPER YAMUNA RIVER BOARD**1. CONSTITUTION**

The Board shall consist of Member, Central Water Commission as part time Chairman and one nominee each from the States of Uttar Pradesh, Haryana, Rajasthan, Himachal Pradesh and National Capital Territory of Delhi not below the rank of Chief Engineer and a Chief Engineer of Central Electricity Authority and representatives of Central Ground Water Board and Central Pollution Control Board as part time members.

The Board shall have a full time Member-Secretary. He shall be appointed by the Central Government for a period of three years at a time and he shall not belong to any of the basin States.

2. FUNCTIONS

The functions of the Upper Yamuna River Board shall include:

- (a) Regulation and supply of water from all storages and barrages upto and including Okhla barrage, having regard to the agreements entered into or the arrangements made between the Govts. of the Basin States in pursuance of MOU dated 12.5.94 but keeping in view the peaking requirements of the existing and run-of-the river hydro power stations. The operation and maintenance of the control structures shall remain with the respective States as per agreements in respect of each structure. Should, at any time, there be a dispute regarding regulation of flows at any of the structures, the Board shall take over the operation and control of that structure till the dispute is resolved; provided such take over shall take place with the approval of the Review Committee; provided further that if the Review Committee could not meet within 15 days, Chairman of the Review Committee shall take a decision in this regard.
- (b) Maintenance of a minimum flow, in proportion of completion of upstream storages going upto 10 cumec downstream of Tajewala/Hathnikund and downstream of Okhla Head Works throughout the year from ecological considerations as upstream storages are built up progressively in a phased manner.
- (c) Monitoring return flows from the waters withdrawn by Delhi from Yamuna after allowing for the consumptive use for the municipal and drinking water purposes as agreed to and after providing treatment to ensure the proper quality of the effluent as per standards of Central Pollution Control Board. For this purpose, the Board shall chalk out a plan in consultation with the concerned Basin States detailing the location from where the raw water will be drawn and the quantum thereof and the points on which water drawn in excess shall be returned back to the system after proper treatment.
- (d) Monitoring return flows from the waters withdrawn from Yamuna by the States of Uttar Pradesh and Haryana for the purpose of silt exclusion.

Upper Yamuna River Board

- (e) Monitoring of flows from tail race of Khara hydel station into river Yamuna upstream of Hathnikund; provided that the design of Hathnikund Barrage should ensure optimum operation of Khara tail race channel and provision should also be made for stage II W.J.C. hydro electric project.
- (f) Framing of rules and regulations for water accounting and determination of the shares of water for each State for every 10-day period for purpose of regulation.
- (g) Keeping of concurrent records of the flow of the Yamuna at all stations considered necessary by the Board, consideration/completion of the records and determination of the volume of water flowing in river Yamuna in a water year.
- (h) Keeping concurrent records of data of withdrawals for irrigation, domestic, municipal and industrial or any other purpose and of water going down the river below Okhla.
- (i) Ensuring delivery of supplies to all the concerned States in accordance with their entitlements by taking all necessary measures, inter-alia, by giving directions as regards installation of self recording gauges, taking observations without hindrance, preparing rating curves etc. The selection of the control points at which the Board requires appropriate measures to be taken as mentioned above shall include, but not be limited all points at which Yamuna discharges are being shared by more than one State and all regulation points on the concerned rivers and canals for determining the shareable supplies. The decision of the Board shall be final and binding so far as the selection of the control points are concerned. All the concerned States shall co-operate fully and shall carry out promptly the day to day directions of the Board in regard to regulation and control of supplies, operation of gates and any other matters in their territory, for ensuring delivery of supplies as determined by the Board in accordance with their entitlements.
- (j) Co-ordination of activities relating to and giving of appropriate directions so as to ensure as best as possible, the following;
 - (1) Construction of different works keeping in view funds availability and the desirability of obtaining quick results;
 - (2) Integrated operation of schemes for various uses like water supply, irrigation, industries, hydro-electric power, flood control, etc., including withdrawals during construction of various works consistent with the provisions in the agreements between the basin States.
 - (3) Monitoring, conservation and upgrading the quality of the surface and ground waters; and
 - (4) Smooth implementation of inter-State projects.
- (k) Overseeing plans for catchment area treatment, watershed management, rehabilitation of affected population and conservation of the environment of inter-State projects and projects submerging areas in other States.

Upper Yamuna River Board

(l) Monitoring and reviewing the progress of all projects upto and including Okhla Barrage and advising on the phasing of projects on the basis of the work plans submitted by the Basin States.

(m) Monitoring of, in consultation with the Central Ground Water Board, exploitation of ground water in the Upper Yamuna Catchment and formulation of such regulations as would prevent over-exploitation of the ground water detrimental to the surface flow especially for ensuring minimum flow in the river system.

(n) Submission of Annual Report of its work done during each year to the Central Government as also to the Basin States.

(o) Such other function as the Central Government may, after consultation with the Government of the States of Haryana, Uttar Pradesh, Rajasthan, Himachal Pradesh and National Capital Territory of Delhi, may entrust to it.

3. The Board may, from time to time, appoint one or more advisory committee or committees for the purpose of enabling it to carry out its functions under this Resolution.

4. The Board shall meet as often as necessary but atleast once in every 3 months, and decide on a proper management of water including the manner and details of withdrawals from the storages and the river system.

5. The Chairman or any of the duly authorised representatives of the Board shall have power to enter upon any land property upon which any project or development of any project or any work of gauging or any other hydrological station or measuring device has been or is being constructed, maintained or operated by any State for the use of Yamuna waters. Each State through its appropriate Departments shall render all co-operation and assistance to the Board and its authorised representative in this regard.

6. The Board shall have powers to employ such staff as it may consider necessary for the efficient discharge of its functions. For this purpose, the Board shall make efforts to obtain staff from member States and Centre on deputation.

7. The expenditure on Upper Yamuna River Board shall be shared equally by the basin States.

8. The Board may, with the previous approval of the Central Government, make rules and regulations to provide for:

(a) Regulating the time and place of meeting of the Board and the procedure to be followed for transactions of business at such meetings.

(b) Delegation of powers and duties of the Chairman or any official of the Board.

(c) The appointment and the regulation of the conditions of service of the officers and other staff of the Board.

(d) Any other matter for which regulations are considered necessary by the Board.

Appendix – II.1

Duties and functions of officers & officials of UYRB

I. Member Secretary

This post is being created as per Annexure I of the Resolution No. 10(66)/74-II dated 11.3.95 of the Ministry of Water Resources constituting the Upper Yamuna River Board which also enumerates the functions of the Member-Secretary. However, its needs and functions are reiterated as below: -

The Member-Secretary is the highest full time executive officer of the Board Secretariat. He will provide secretarial services for implementation of the decisions of the Board, including collection of data and information on water distribution and regulation and other such information for assisting the Board in taking decision, coordination with the members, arrangements of Board meetings and necessary services for carrying out the functions assigned to the Board. He will provide overall administrative control and guidance to the officers in the Board secretariat for implementing decisions of the Board in regard to:

- (i) Regulation and supply of water from all storages and barrages upto and including Okhla barrage, Maintenance of a minimum flow d/s of Tajewala and Okhla.
- (ii) Monitoring return flows from the waters withdrawn by the basin States from Yamuna.
- (iii) Framing of rules and regulations for water accounting and sharing of water for each State.
- (iv) Records of the flow of the Yamuna, Data on withdrawals for irrigation, domestic, municipal and industrial or any other purpose and of water going down the river below Okhla as considered necessary by the Board.
- (v) Ensuring delivery of supplies to all the concerned States as decided by the Board.
- (vi) Activities relating to
 - (a) Construction of different works;
 - (b) Integrated operation of schemes for various uses like irrigation, water supply, industries, hydro-electric power, flood control, etc.;

Upper Yamuna River Board

- (c) Conservation and upgrading the quality of the surface and ground waters; and
- (d) Implementation of inter-State projects.

- (vii) Plans of the Member States for catchment area treatment, watershed management, rehabilitation of affected population and conservation of the environment of inter-State projects and projects submerging areas in other States.
- (viii) Phasing of projects on the basis of the work plans submitted by the basin States.
- (ix) Exploitation of ground water in the Upper Yamuna Basin and regulations as would prevent over-exploitation of the ground water.

II. Perusal of the functions of the Board enumerated in the Resolution indicate that the basic functions of the Board are Water Accounting, Regulation and Monitoring of Yamuna Waters up to Okhla so that the beneficiary States get their share of water as per their allocation in the MoU. With this end in view, two posts of Superintending Engineers have been created. They will be directly responsible to the Member-Secretary. Their functions have been envisaged as (i) Water Accounting and Regulation, (ii) Monitoring and Coordination. The Specific details of the need and functions for these posts are given herein below: -

II (a) Superintending Engineer (Water accounting and regulation)

1. Providing administrative control and technical guidance to the divisions under the charge of Superintending Engineer engaged in the works relating to the following functions:
 - (i) Calculations of shares of water as per availability and as per the agreement under the directions of the Board.
 - (ii) Planning, selection and establishment of hydrological observation stations in the jurisdiction of Upper Yamuna River Board as per the directions of the Board.
 - (iii) Collection of hydrological/water availability and water quality data including study and analysis.

Upper Yamuna River Board

- (iv) Collection and maintenance of data regarding withdrawal of water from the river Yamuna by member States at various points for irrigation, power, domestic and industrial requirements.
- (v) Collection and analysis of data regarding return flows, ground water quality of effluents discharged into the river.
- (vi) To maintain a complete water accounting of Yamuna upto Okhla, analysis and study of the data to assess the quality and quantity of water at selected locations. Estimation of regeneration and losses in river reaches and canals. Preparation of graphs and other displays. Computation of the volume of minimum flow in the river as well as the share of water to be drawn by member States on 10 daily basis. Comparison of the results to ascertain whether all member States are drawing water allocated to them as per the agreement.

2. Assisting the Member Secretary in the works relating to:

Implementing the decision taken by the Upper Yamuna River Board for ensuring delivery of supplies to all concerned States as per their requirements.

3. Maintenance of Tools & Plants and installations of the Board.

4. Updating and improvement of the existing system of observations in the divisions under him.

II (b) Superintending Engineer (Monitoring and co-ordination)

- 1. Providing administrative control and technical guidance to the divisions under the charge of Superintending engineer engaged in the works relating to the following functions:
 - (i) Co-ordination with the Member States in formulating short-term, long-term and perspective plans for water resources development and utilization in Yamuna Basin up to Okhla.
 - (ii) Coordination with the member states in preparation of guidelines for operation of the structures for regulation of water.
 - (iii) Monitoring the progress of projects under the jurisdiction of the Board and review when found necessary.
 - (iv) Monitoring of ground water exploitation in consultation with Central Ground Water Board.

Upper Yamuna River Board

- (v) Monitoring of water pollution in consultation with Central Pollution Control Board.
- 2. Coordination of activities and giving appropriate directions so as to ensure:
 - (i) Progress of construction of different works.
 - (ii) Integrated operation of schemes for various uses consistent with the provision in the agreements.
 - (iii) Smooth implementation of inter-state projects.
- 3. Providing assistance to Member Secretary in respect of:
 - (i) Conducting the regular meetings of Board and its various Committees constituted for specific purposes.
 - (ii) Preparation of agenda notes, minutes of the meetings and dissemination of the information to all members and concerned officers and
 - (iii) Implementation of the decisions taken by the Board.
- 4. Operation of funds allocated to the Board and keep accounts.
- 5. Procurement of materials for the Board.
- 6. Appointment of personnel as per the recruitment rules of the Board.
- 7. Providing facilities for the inspection of various installations of the Board.
- 8. Preparation and publication of annual reports of the Board.
- 9. Other misc. works as and when assigned by Member Secretary.

III. Following gives the details of the supporting staff at the level of executive Engineer and below who will assist the Superintending Engineers in accomplishing their job. The details of the need and functions of each of these post have been enumerated herein below.

III (a) Executive Engineer (Accounting)

1. Providing Administrative control and technical guidance to the staff working under the division in works relating to
 - (i) Analysis and study of the data collected to assess the quantity of water at selected locations.
 - (ii) Preparation of graphs, drawings and displays.
 - (iii) Computation of minimum flow, share of water drawn by member states, scrutiny of data relating to withdrawals at different locations and comparison with actually allocated water as per the agreement.
2. Assisting the Superintending Engineer in implementation of the decisions taken by Upper Yamuna River Board.

III (b) Executive Engineer (Estt. & Accounts)

1. Providing administrative control and technical guidance to staff working under the division.
2. Dealing with the service matters of all employees of employees of Upper Yamuna River Board.
3. Dealing with all accounts matters, operation of funds allocated to Board, drawing and disbursing of staff salary/allowances etc.
4. Procurement of materials for the Board.
5. Providing facilities for the inspection of installations.
6. Maintenance of vehicles.
7. Miscellaneous works as and when assigned.

III (c) Executive Engineer (Coordination & Monitoring)

1. Providing administrative and technical guidance to Staff working under the division.
2. Overseeing of plans from the Board for catchment area treatment, water-shed management, rehabilitation and conservation of environment.
3. Monitoring the progress of projects.

4. Coordination of various activities to ensure:
 - (i) Progress and smooth implementation of construction works/inter-state projects.
 - (ii) Integrated operation of schemes consistent with the provisions in the agreements.
5. (i) Providing assistance to conduct regular meetings of Upper Yamuna River Board.
 - (iii) Preparation of agenda notes, minutes of the meetings and dissemination of information to all members and related offices.
6. Publication of annual reports.

IV. Specialist (Environment)

1. Monitoring of the quality of water discharged into the river from various drains.
2. Monitoring of the quality of water in Yamuna and its tributaries and in the canals at selected locations.
3. Monitoring of the quality of ground water.
4. Organising the bio-monitoring of the river.
5. Performance evaluation of the future effluent treatment plants in the basin.

V. Specialist (Ground Water)

1. Planning, selection and design of Ground Water Monitoring stations for water level and quality monitoring in coordination with participating States.
2. Arranging monitoring the Ground Water Level at regular periodically through network stations.
3. Arranging data collection, storage and analysis of ground water data from the participating States.

Upper Yamuna River Board

4. Examining the existing Network of Observation wells with regard to density of network vis-à-vis the objectives of Monitoring so as to initiate appropriate action for optimization of observation Network.
5. Computing the quantum of groundwater withdrawal from different abstraction structures throughout the Upper Yamuna River Basin, to keep track of status of Groundwater development in the Basin in general and in "dark/grey" blocks in particular.
6. Computing the groundwater balance in collaboration with other disciplines in the basin and to evolve suitable management strategy for sustainable development of ground water resources in the Yamuna Basin.
7. Advising the Board on the various aspects of ground water.

VI (a) Assistant Executive Engineer (Accounting)- 2 Nos.

1. Providing administrative control and technical guidance to staff working under his control.
2. Analysis and study of data collected to assess the quantity and quality of water at selected locations.
3. Preparation of graphs, drawings and displays.
4. Computation of the minimum flow in the river and share of water drawn by member States. Scrutiny of data relating to actual water drawn and entitlement as per the agreement of member states.
5. Assisting the Executive Engineer in implementation of decisions taken by Upper Yamuna River Board.

Considering the amount of work involved in carrying out the above activities, two posts of AEEs would be required.

VI (b) Assisting executive Engineers (Head Quarter)- 1 No.

1. Assistant Executive Engineers in the works allotted to the division
such as:
 - (i) Procurement of materials.
 - (ii) Providing facilities for inspection of installations.
 - (iii) Maintenance of vehicles.
 - (iv) Miscellaneous works as and when assigned.

- (v) Publication of Annual Report.

**VI (c) Assistant Executive Engineer (Co-ordination & Monitoring)-
1 No.**

1. Assisting Executive Engineer in works relating to:
 - (i) Overseeing plans of the Board for catchment area treatment, water-shed management, rehabilitation and conservation of environment.
 - (ii) Monitoring of progress of projects.
 - (iii) Coordination of activities to ensure progress and smooth implementation of inter-state projects.
 - (iv) Coordination of integrated operation of projects consistent with decisions of Board.
 - (v) Providing assistance to conduct the meetings of Board, prepare and dispatch of agenda notes minutes of meetings etc.

IX. Accounts Officer

To assist Executive Engineer in keeping the accounts and operating the funds allocated to Upper Yamuna River Board in accordance with the rules of the Board.

X. Section Officer

1. Service matters of all employees of Upper Yamuna River Board.
2. General duties such as distribution of work among the staff, training, helping and advising the staff, management and coordination of work, etc.
3. Responsibilities relating to the dak.
4. Responsibilities relating to issue of drafts.

XI. Private Secretary (1 Nos.)

The PS will be attached to the Member Secretary.

1. Taking dictation in shorthand and its transcription in the best manner possible.
2. Fixing up appointments.
3. Screening the telephone calls and visitors.
4. Keeping the list of engagements, meetings, etc. and reminding the officer.
5. Maintaining the papers required by the officer in proper order.
6. Keeping a note of the movement of files, passed by his officer and other officers, if necessary.

The location of all these posts will be at New Delhi.