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**Audit of Proactive Disclosure of Information by
Department of Personnel & Training, GoI**

Report

Project Directors

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Submitted to

**Department of Personnel and Training
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Preface

The Right to Information Act, 2005 was enacted with an aim to promote transparency and accountability in administration. The Act empowers Indian citizens to seek information from a Public Authority, thus making the Government and its functionaries more accountable and responsible. Another important aspect of the Act pertains to the obligation of public authorities to proactively disclose information to the public. Right to Information laws not only require governments to provide information upon request, they also impose a duty on public bodies to actively disclose, disseminate and publish, as widely as possible, information of general public interest even before it has been requested. The RTI Act mandates every public authority to disclose information as required under the 17 sub-clauses of section 4 (1) (b). The purpose of the proactive disclosure was to minimize the time, money and effort required by the public to access important but routine information; and reduce the overall number of individual requests, thereby reducing the administrative burden on government of implementing access to information laws.

However, the quality and quantity of proactive disclosure was not up to the desired level. It was felt by the government that the weak implementation of the Section 4 of the RTI Act was partly due to the fact that certain provisions of this Section have not been fully detailed and, in case of certain other provisions there is need for laying down detailed guidelines. Further there is need to set up a compliance mechanism to ensure that requirements under section 4 of the RTI Act are met. In order to address the above, Government of India issued guidelines for suo motu disclosure under section 4 of the RTI Act.

The Report presents a detailed analysis of the proactive disclosure of information by the Department of Personnel and Training, Government of India as required under the RTI Act and the guidelines for suo motu disclosure under section 4 of the RTI Act. The objective of the study was to study the information disclosed by the DoPT proactively; assess the quality of proactive disclosure made under the Act and the guidelines; and help identify information gaps in the proactive disclosure.

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Chapter 1

Introduction

Background

Democracy means meaningful participation by the people in the public affairs. A democratic government must be sensitive to the public opinion, for which information must be made available to the people. Information and knowledge are instruments of transformation. Transparency, openness and accountability are the basic postulates of a responsive, responsible and accountable government. Effective accountability rests on the peoples' acquaintance with the information and circumstances for the decisions taken. The government which pursues secret aims or operates in secrecy tends to lose the faith of the people and thereby its own legitimacy and credibility. Openness and full access to information are two pillars of any democratic state. Not only the government but also the corporate houses and industries which operate for profit and pollute must also be made to disclose all the facts which are of public interest. Importance of the right to information has now been well recognized as one of the essential requirements of the good governance as evident in the prescriptions provided by the international organizations such as World Bank, IMF, UNDP, OECD countries and ADB.

The Right to Information Act enacted on June 15, 2005, is an instrument to promote transparency and accountability in administration. The legislation confers on all citizens a right to seek information and correspondingly makes it the duty of the public authorities to disseminate information for better governance and accountability. The law has widest possible reach covering Central and State Governments, Panchayati Raj Institutions, local bodies and recipients of government grants but would not apply to the intelligence and security organizations except if the information relates to the allegations of corruption. It was expected that RTI Act would usher in a new era of performance and transparency to benefit the common man in the complex modern world and empower the people to judge if the government was functioning in public interest. RTI will give public-spirited people an

instrument to prevent misuse of public power and funds. However, the Act has not yet reached the stage of implementation which was envisioned and one of the grey areas is proactive disclosure of information.

Suo-motu Disclosure under RTI Act

Section 4(1)(b) of the Act lays down the information which shall be disclosed by the Public Authorities proactively. This was supposed to be strongest pillar of the historic law that came into effect in 2005. It listed 17 categories of information which had to be proactively disclosed within 120 days from the enactment of this Act. These are as follows:

- (i) the particulars of its organisation, functions and duties;
- (ii) the powers and duties of its officers and employees;
- (iii) the procedure followed in the decision making process, including channels of supervision and accountability;
- (iv) the norms set by it for the discharge of its functions;
- (v) the rules, regulations, instructions, manuals and records, held by it or under its control or used by its employees for discharging its functions;
- (vi) a statement of the categories of documents that are held by it or under its control;
- (vii) the particulars of any arrangement that exists for consultation with, or representation by, the members of the public in relation to the formulation of its policy or implementation thereof;
- (viii) a 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;
- (ix) a directory of its officers and employees;
- (x) the monthly remuneration received by each of its officers and employees, including the system of compensation as provided in its regulations;
- (xi) the budget allocated to each of its agency, indicating the particulars of all plans, proposed expenditures and reports on disbursements made;
- (xii) the manner of execution of subsidy programmes, including the amounts allocated and the details of beneficiaries of such programmes;

- (xiii) particulars of recipients of concessions, permits or authorisations granted by it;
- (xiv) details in respect of the information, available to or held by it, reduced in an electronic form;
- (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;
- (xvi) the names, designations and other particulars of the Public Information Officers;
- (xvii) such other information as may be prescribed; and thereafter update these publications every year;

Thus Section 4(1)(b) required Public Authorities to routinely disclose information about their functions, decision-making norms, documents held, employee contacts and budgets. Sections 4(2) and 4(3) prescribe the method of dissemination. Every public authority shall constantly endeavour to provide as much information *suo motu* to the public at regular intervals through various means of communications, including internet, so that the public have minimum resort to the use of this Act to obtain information. Every information shall be disseminated widely and in such form and manner which is easily accessible to the public. However, all materials shall be disseminated taking into consideration the cost effectiveness, local language and the most effective method of communication in that local area and the information should be easily accessible, to the extent possible in electronic format with the Central Public Information Officer or State Public Information Officer, as the case may be, available free or at such cost of the medium or the print cost price as may be prescribed.¹

The purpose of *suo-motu* disclosure is to place maximum information in the public domain on proactive basis which can easily be assessed by people without asking for the same. The idea was to cut number of RTI applications and lessen the burden on public authorities. Further, this will ensure transparency and openness in the functioning of public authorities. Since promulgation of RTI Act large amount of information relating to the functioning of the government is being put in public domain. However, the quality and quantity of proactive disclosure is not upto desired

¹ *ibid* Section 4(2),(3), (4)

level. The major criticism against proactive disclosure is that every ministry and department is paying only lip service to section 4 and dishing out outdated information. This has given rise to a growing suspicion among the civil society groups that the government, let alone implementing section 4 of the Act, was trying to further restrict the Act.

A study commissioned by the government in 2009 and conducted by PricewaterhouseCoopers said that 75 percent of the respondents noted their dissatisfaction with the information furnished by the public authorities. This, the study said, is usually due to poor record-keeping within the public authorities and, therefore, becomes a crucial factor in the non-compliance of public authorities with Section 4(1)(b) of the RTI Act. Against the backdrop of continued indifference to section 4 by the public authorities, the civil society groups mounted pressure on the government to come up with a detailed guideline on section 4. It was also felt by the government that the weak implementation of the section 4 of the RTI Act is partly due to the fact that certain provisions of this have not been fully detailed and in case of certain other provision there is need for laying the detail guidelines. Further there is need to set up a compliance mechanism to ensure that requirements under section 4 of the RTI are met. In order to address the above, Government of India constituted a Task Force on *suo motu* disclosure under the RTI Act, 2005 in May 2011 which included, apart from officials from various ministries, representatives of civil society organisations active in the field of RTI. The mandate of the task force was to examine the provisions of section 4(1)(b) and to recommend guidelines for disclosures to be made at various levels of administration; to recommend other items which may be included for *suo motu* disclosure; to explore the possibility of prescribing simple templates for disclosing specific category of information in order to facilitate disclosure; to recommend mediums through which such disclosure is to be made at various levels, which would include disclosure through electronic means; and to recommend guidelines for complying with the provisions under Section 4.²

Based on the report of the Task Force, the Government have decided to issue guidelines for *suo motu* disclosure under section 4 of the RTI Act.³ The Guidelines

² Brajesh Kumar (June 17 2013), Section 4 changes welcome addition to RTI Act, *Governance Now*, | <http://governancenow.com/news/regular-story/section-4-changes-welcome-addition-rti-act>

³ Office Memorandum No. 1/6/2011-IR DoPT dated April 15, 2013

for Implementation of *suo-motu* disclosure under Section 4 of the RTI Act, 2005 for Central Ministries / Departments issued on April 15, 2013 are on:

- *Suo motu* disclosure of more items under Section 4;
- Guidelines for digital Publication of proactive disclosure under Section 4;
- Detailing of Section 4(1)(b)(iii), 4(1)(b)(iv), 4(1)(b)(xi), 4(1)(b)(xiv); and
- Compliance mechanism for *suo motu* disclosure (proactive disclosure) under the RTI Act, 2005

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

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

The guidelines mandate that in addition to the information specified in Section 4(1)(b) of RTI Act, the Public Authorities also may proactively disclose the following items under the *suo motu* disclosure provisions of Section 4:

1. Information related to Procurement-

- Information relating to procurement made by Public Authorities including publication of notice/tender enquiries, corrigenda thereon, and details of bid awards detailing the name of the supplier of goods/services being procured or the works contracts entered or any such combination of these and the rate and total amount at which such procurement or works contract is to be done should be disclosed.
- At present the limit is fixed at Rs. 10 lakh.
- In case of procurements made through DGS&D Rate Contracts or through Kendriya Bhandar/ NCCF, only award details need to be published.
- However, information about procurement, which falls within the purview of Section 8 of the RTI Act, would be exempt.

2. Public Private Partnerships-

- If Public services are proposed to be provided through a Public Private Partnership (PPP), all information relating to the PPPs must be disclosed in the public domain by the Public Authority entering into the PPP contract/concession agreement.
- This may include details of the Special Purpose Vehicle (SPV), detailed project reports, concession agreements, operation and maintenance manuals and other documents generated as part of the implementation of the PPP project.
- Information about fees, tolls, or other kinds of revenue that may be collected under authorization from the Government, information in respect

of outputs and outcomes, process of selection of the private sector party may also be proactively disclosed.

- All payments made under the PPP project may also be disclosed in a periodic manner along with the purpose of making such payment.
- The documents under the ambit of the exemption from disclosure of information under section 8(1)(d) and 8(1)(j) of the RTI Act would not be disclosed *suo motu*.

3. **Transfer Policy and Transfer Orders –**

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

4. **RTI Applications –**

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

5. **CAG & PAC paras –**

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

6. **Citizen's Charter-**

- Citizen's Charter prepared by the Ministry/Department, as part of the Result Framework Document of the department/organization should be proactively disclosed
- Six monthly reports on the performance against the benchmarks set in Citizen's Charter should also be displayed on the website of public authorities.

7. Discretionary and Non-discretionary Grants –

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

8. Foreign Tours of PM/Ministers-

- Public Authorities may proactively disclose the details of foreign and domestic official tours undertaken by the Minister(s) and officials of the rank of Joint Secretary to the Government of India and above and Heads of Departments, since 1st January 2012.
- The disclosures may be updated once every quarter.
- Information to be disclosed proactively may contain nature of the official tour, places visited, the period, number of people included in the official delegation and total cost of such travel undertaken.
- Exemptions under Section 8 of the RTI Act, 2005 may be kept in view while disclosing the information. These instructions would not apply to security and intelligence organisations under the second schedule of the RTI Act, 2005 and CVOs of public authorities.

B Guidelines for digital publication of proactive disclosure under Section 4

The guidelines provide that while adhering to the standards of government guidelines as laid down by Department of Information Technology and Department of Administrative Reforms & Public Grievances, the following principles additionally should also be kept in view to ensure that websites' disclosures are complete, easily accessible, technology and platform neutral and in a form which conveys the desired information in an effective and user-friendly manner.

- a. It should be the endeavour of all public authorities that all entitlements to citizens and all transactions between the citizen and government are gradually made available through computer-based interface.
- b. Websites should contain detailed information from the point of origin to the point of delivery of entitlements/services provided by the Public Authorities to citizens.

- c. Orders of the public authority should be uploaded on the website immediately after they have been issued.
- d. Website should contain all the relevant Acts, Rules, forms and other documents, which are normally accessed by citizens.
- e. Websites should have detailed directory of key contacts, details of officials of the Public Authority.
- f. Under Section 4 (1) (b) (xiv) every public authority should indicate through the website which digitally held information is made available publicly over the internet and which is not.
- g. The requirement of bringing due transparency as provided in the RTI Act is given adequate consideration at the design stage itself.
- h. To maintain reliability of information and its real time updation, information generation in a digital form should be automatically updated on the basis of key work outputs.
- i. Information must be presented from a user's perspective, which may require re-arranging it, simplifying it etc. However, original documents in original formats should continue to be made available because these are needed for community monitoring of government's functioning.
- j. The schedule mentioned in the 'National Data Sharing and Accessibility Policy' notified in March, 2012 to make all the publically funded information readily available should be strictly adhered to.
- k. Information and data should be presented in open data formats whereby it can be pulled by different Application Protocol Interfaces to be used in different fashions more appropriate to specific contexts and needs. Information/ data should be presented in powerful visual ways using visualisation techniques. All such different media and forms should be used for proactive disclosure.
- l. Every webpage displaying information or data proactively disclosed under the RTI Act should, on the top right corner, display the mandatory field 'Date last updated (DD/MM/YY)'.

3 Guidelines for certain clauses of Section 4(1)(b) to make disclosure more effective

The elements of information listed in the various sub-clauses of Section 4(1)(b) must be disclosed in an integrated manner. Considering that disclosure in regard to certain sub-clauses have been relatively weak, detailed guidelines for four sub-clauses are provided in the guidelines. These are **section 4(1)(b)(iii) - "the procedure followed in the decision-making processes, including channels of supervision and accountability"**; **Section 4(1)(b)(iv) - "the norms set by it for**

the discharge of its functions”; Section 4(1)(b)(xi)- “the budget allocated to each of its agency, indicating the particulars of all plans, proposed expenditures and reports on disbursements made”; Section 4(1)(b)(xiv) – details in respect of information, available to or held by it, reduced in an electronic form.

A Guidelines for section 4(1)(b)(iii)- “the procedure followed in the decision-making processes, including channels of supervision and accountability”

The major challenge under this provision is to present a simplified version of the decision-making procedure that is of interest to a common citizen. For this, the guidelines for detailing the decision-making processes are as follows:

- a) Every public authority should specifically identify the major outputs/ tangible results/ services/ goods, as applicable, that it is responsible for providing to the public or to whosoever is the client of the public authority.
- b) In respect of (a) above, the decision-making chain should be identified in the form of a flow chart explaining the rank/grade of the public functionaries involved in the decision-making process and the specific stages in the decision-making hierarchy.
- c) The powers of each officer including powers of supervision over subordinates involved in the chain of decision-making must also be spelt out next to the flow chart or in a simple bullet-pointed format in a text-box.
- d) This design of presentation should then be extended to cover all statutory and discretionary operations that are part of the public authority’s mandate under the AOB read with the TOB.
- e) In the event of a public authority altering an existing decision-making process or adopting an entirely new process, such changes must be explained in simple language in order to enable people to easily understand the changes made.

B Guidelines for Section 4(1)(b)(iv) - “the norms set by it for the discharge of its functions”

- The intention of this clause is that every public authority should proactively disclose the standards by which its performance should be judged. Norms may be qualitative or quantitative in nature, or temporal or statutory norms. In order to ensure compliance with this clause, public authorities would need to disclose norms for major functions that are being performed.
- Citizen’s Charters, which are mandatory, for each central Ministry/Department/Authority, lay down norms of performance for major functions and for monitoring achievements against those standards.
- Wherever norms have been specified for the discharge of its functions by any statute or government orders, they should be proactively disclosed,

particularly linking them with the decision-making processes as detailed earlier. All Public Authorities should proactively disclose the following:

- a. Defining the services and goods that the particular public authority/office provides directly (or indirectly through any other agency/contractor).
- b. Detailing and describing the processes by which the public can access and/or receive the goods and services that they are entitled to, from the public authority/office along with the forms, if any prescribed, for use by both the applicant and the service providing agency. Links to such forms (online), wherever available, should be given.
- c. Describing the conditions, criteria and priorities under which a person becomes eligible for the goods and services, and consequently the categories of people who are entitled to receive the goods and services.
- d. Defining the quantitative and tangible parameters, (weight, size, frequency etc.) and timelines that are applicable to the goods and services that are accessible to the public.
- e. Defining the qualitative and quantitative outcomes that each public authority/office plans to achieve through the goods and services that it was obligated to provide.
- f. Laying down individual responsibility for providing the goods and services (who is responsible for delivery/implementation and who is responsible for supervision).

C. Guidelines for Section 4(1)(b)(xi)- “the budget allocated to each of its agency, indicating the particulars of all plans, proposed expenditures and reports on disbursements made”

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

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

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

D. Guidelines for Section 4(1)(b)(xiv) – details in respect of information, available to or held by it, reduced in an electronic form

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

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

- Each Ministry/Public Authority shall ensure that these guidelines are fully operationalized within a period of 6 months from the date of their issue.
- Each Ministry/ Public Authority should get its proactive disclosure package audited by third party every year. Such audit should be done annually and should be communicated to the Central Information Commission annually through publication on their own websites. All Public Authorities should proactively disclose the names of the third party auditors on their website.
- The Central Information Commission should examine the third-party audit reports for each Ministry/Public Authority and offer advice/recommendations to the concerned Ministries/ Public Authorities.
- Central Information Commission should carry out sample audit of few of the Ministries/ Public Authorities each year with regard to adequacy of items included as well as compliance of the Ministry/Public Authority with these guidelines.
- Compliance with the proactive disclosure guidelines, its audit by third party and its communication to the Central Information Commission should be included as RFD target.

5 Nodal Officer

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

6 Annual Reports to Parliament/Legislatures

Government has issued directions to all Ministries/Departments to include a chapter on RTI Act in their Annual Reports submitted to the Parliament. Details about compliance with proactive disclosure guidelines should mandatorily be included in the relevant chapter in Annual Report of Ministry/Department.

Objectives of the Study

The Objectives of the Study are to:

- study the information disclosed by the DoPT proactively under Section 4(1)(b);
- examine the level of compliance of the detailed guidelines regarding implementation of *suo motu* disclosure under Section 4 of the RTI Act by Department of Personnel and Training;
- assess the quality of proactive disclosure made under the Act and the guidelines;
- help identify information gaps in the proactive disclosure; and
- suggest appropriate measures to foster better compliance with the provisions of the RTI Act relating to proactive disclosure and make the implementation of the guidelines more effective.

Methodology of the Study

As the proactive disclosure is to be made by providing information to the public at regular intervals through various means of communications, including

internet. So the study involved a scrutiny of the proactive disclosure through website and other means adopted by the department. Further the information and various documents disclosed were examined to find out the level and state of *suo-motu* disclosure and the extent of compliance of 2013 guidelines. Discussions with various officials involved in the implementation of the RTI Act and guidelines were also taken up.

Chapter 2

Audit of Proactive Disclosure under the RTI Act, 2005 by Department of Personnel and Training, Government of India

Name of Public Authority being Audited:

Department of Personnel & Training, Government of India

Website:

<http://persmin.nic.in/dopt.asp>

Sl. No.	Parameter	Information Disclosed	Qualitative Observations/ Remarks
1.	<p>Particulars of its organization, functions and duties [Section 4(1)(b) (i)]</p>	<p>Information to be disclosed under Section 4(1)(b) of RTI Act</p> <ul style="list-style-type: none"> ▫ Name and address of the organization ▫ Head of the organization ▫ Key Objectives ▫ Functions and duties ▫ Organization chart ▫ Any other details- the information manual also provides details regarding the genesis, inception formation of the department and the HoDs from time to time as well as the Committees/ Commissions constituted from time to time have been dealt 	<ul style="list-style-type: none"> ▫ Update of the material/ manual is required. The information regarding the officials holding the office, designation etc. is outdated and needs to be updated regularly. ▫ The information must be presented in flow charts and tabular form for easy understanding. ▫ If the information relating to organization structure and functions has been uploaded on the website at some other link in a more simplified manner, the same should be linked with proactive disclosure.

<p>2.</p> <p>Powers & Duties of its officers & employees [Section 4 (1) (b) (ii)]</p>	<ul style="list-style-type: none"> ▫ Powers and duties of officers - different sections and work allocation, official responsible, (administrative, financial & judicial) ▫ Powers and duties of other employees ▫ Rules/ orders under which powers and duties are derived and exercised are laid down in easy and understandable manner 	<ul style="list-style-type: none"> ▫ Update of the information and presentation of same in simplified form is required.
<p>3.</p> <p>Procedure followed in decision making process [Section 4(1) (b) (iii)]</p>	<ul style="list-style-type: none"> ▫ Process and channel for decision making ▫ Final decision making authority ▫ Related provisions, acts, rules etc. ▫ Time limit for taking a decision, wherever applicable has been indicated 	<ul style="list-style-type: none"> ▫ The basic steps of decision-making procedure must be presented in a simplified form and language for benefit of public. ▫ The decision-making chain should be identified in the form of a flow chart explaining the rank/grade of the public functionaries involved in the decision-making process and the specific stages in the decision-making hierarchy. ▫ This design of presentation should be extended to cover all statutory and discretionary operations that are part of the public authority's mandate under the AOB read with the TOB. ▫ There is need to explore whether and to what extent the channels of supervision and accountability should be disclosed.

4.	Norms for discharge of functions [Section 4(1) (b) (iv)]	<p>Through Citizen's Charter adopted by the department in January 2013 the following information is disclosed</p> <ul style="list-style-type: none"> ✓ Nature of functions/ services offered ✓ Norms/ standards for functions/ service delivery ✓ Process by which these services can be accessed ✓ Time- limits for achieving the targets ✓ Process of redress of grievance 	
5.	Rules, regulations, instructions, manuals and records for discharging functions [Section 4(1) (b) (v)]	<ul style="list-style-type: none"> □ Title and nature of the record/ manual/ instruction □ the Acts/ Rules / manuals etc. have been uploaded 	<ul style="list-style-type: none"> □ Majority of the rules and regulation etc. are available in English; Hindi version is available only for select few. □ Where the Act/ Rules are difficult to understand there is need to provide summary of the same in simple guide for easy understanding of the general public.
6.	Categories of documents held by the authority under its control [Section 4(1) (b) (vi)]	<ul style="list-style-type: none"> □ Title of the document □ Category of document □ Custodian of the document 	
7.	Particulars for any arrangement for consultation with or	<ul style="list-style-type: none"> □ No information available 	<ul style="list-style-type: none"> □ There is need put the relevant rules, circulars etc. providing for such consultation and the process and arrangements adopted for

	representation by the members of the public in relation to the formulation of policy or implementation thereof [Section 4(1) (b) (vii)]		consultation with or representation by the members of the public in policy formulation/ policy implementation
8.	Boards, Councils, Committees sand other Bodies constituted as part of the Public Authority [Section 4 (1) (b) (viii)]	<ul style="list-style-type: none"> ▫ Names of the Boards, Councils, Committees etc. section wise have been provided. ▫ Composition of only few committees has been disclosed. ▫ it has been specified whether their minutes are open to the public or not. 	<ul style="list-style-type: none"> ▫ The composition of all the committees need to be disclosed. ▫ In cases where the minutes are accessible to public there is need to disclose the place where the minutes are available and how they can be accessed by the common citizen.
9.	Directory of Officers and employees Section 4(1) (b) (ix)]	<ul style="list-style-type: none"> ▫ Name and designation, Division ▫ Location, Telephone (both office & Residence) , and email ID have been provided 	
10.	Monthly Remuneration received by officers & employees including system of compensation [Section 4 (1) (b) (x)]	<ul style="list-style-type: none"> ▫ No information disclosed 	Link has been provided but information has not been uploaded
11.	Budget allocated to each agency including all plans, proposed expenditures and reports on disbursements made	<ul style="list-style-type: none"> ▫ information disclosed but disclosure incomplete and too technical. ▫ budget disclosed 	<ul style="list-style-type: none"> ▫ Budget is uploaded in its technical form. It is essential that a simplified version of the same is uploaded, which can be easily understood by the non-professional and layman.

	etc. [Section 4(1) (b) (xi)]	<ul style="list-style-type: none"> ▫ Outcome budget has not been disclosed ▫ Break-up of the annual grant –in aid to various organizations and non-governmental bodies has been uploaded 	<ul style="list-style-type: none"> ▫ Budget and periodic monitoring reports may also be presented in more user-friendly manner through graphs & tables. ▫ Outcome budget should be prominently displayed which should provide clear picture regarding the actual achievement vis-à-vis the targets. ▫ Funds released to various organizations/ NGOs etc. should be put on the website on quarterly basis and budgets of such authorities may be made accessible through links from website of department.
12.	Manner of execution of subsidy programmers [Section 4(1) (b) (xii)]	<ul style="list-style-type: none"> ▫ Not applicable –there are no subsidy programmes 	
13.	Particulars of recipients of concessions, permits or authorizations granted by the Public Authority [Section 4(1) (b) (xiii)]	<ul style="list-style-type: none"> ▫ Not applicable 	
14.	Information available in electronic form [Section 4(1) (b) (xiv)]	<ul style="list-style-type: none"> ▫ Disclosure incomplete. ▫ Disclosure does not meet the requirement of the Section 4(1) (b) (xiv) 	<ul style="list-style-type: none"> ▫ This provision requires that the list of documents which are available in the electronic form and what information is not available presently in electronic form should be specified. This clause serves as means of proactively disclose the progress made in

		<p>Instead of putting a list of documents in electronic form to provide a holistic picture of computerization, all the Circulars, Office Memorandums, Handbook, instructions upto June 2014 have been uploaded which has been classified Section wise and subject wise. To search the required information within the information database Circular Information System has been created wherein based on certain search criteria like Reference No, date, subject, main category, sub category loaded a search option is provided</p>	<p>computerizing information.</p> <ul style="list-style-type: none"> ▫ The data about digitalized records/files/reports/ information should be uploaded which shall include the name of the record; any categorization or index used; subject matter and other information; division/ section/ unit/ office where the record is normally held ; the person with designation responsible for maintaining the record; and life span of the record.
15.	<p>Particulars of facilities available to citizens for obtaining information [Section 4 (1) (b) (xv)]</p>	<ul style="list-style-type: none"> ▫ Name & location of the facility- Computerized Information and Facilitation Counter (IFC) under the Chairmanship of Joint Secretary (AT & Admn.). ▫ The address and location of the facility and the contact details (phone) have been indicated. 	<ul style="list-style-type: none"> ▫ There is need to indicate the Working hours of the facility and the details of information made available. ▫ Further if there are any fee/ charges to get the copies of the document that must be indicated. ▫ The information of other facility for inspecting the documents which are not available electronically should also be provided.
16.	<p>The Names, designation and other particulars of the PIOs Section 4(1) (b)</p>	<ul style="list-style-type: none"> ▫ Name & Designation of PIOs and Appellate Authority. 	

	(xvi)	<ul style="list-style-type: none"> ▫ Their Contact details –phone number & email. ▫ Subject matter within their jurisdiction have been disclosed. 	
17.	Such other information as may be prescribed under Section 4(1) (b) (xvii)	<ul style="list-style-type: none"> ▫ Annual Report ▫ Annual Returns ▫ FAQs 	Other information which includes various studies, documents of public importance and RTI related information should also be disclosed under the head.
Additional Category of Information to be disclosed under guidelines –Suo Motu disclosure of more items under Section 4			
18.	Information related to Procurement	<ul style="list-style-type: none"> ▫ Disclosure incomplete ▫ Tender details- links have been created for the department and organizations under DoPT but the tender details, notices etc. have not been uploaded on these links. Details of only one tender was found. ▫ Final awards of certain contracts awarded to supplier of goods/ service during the period June –Nov. 2013 and March- June 2014 have been uploaded. 	<ul style="list-style-type: none"> ▫ Publication of Notice/ tender enquires; corrigenda thereon should be made on the website. ▫ Final awards of all contracts of value Rs 10 lakh or more should be uploaded on website. ▫ In case the Procurement through DGS&D rate contract or through Kendriya Bhandar/NCCF final award details are to be published.
19.	Public Private Partnership	NIL- not applicable	

20.	Transfer Policy and Transfer Orders	<ul style="list-style-type: none"> ▫ Disclosure incomplete ▫ Transfer policy has been disclosed. The various rules, guidelines, notifications, circulars which exclusively lay down the transfer policy have been disclosed. ▫ Transfer Orders of only few select categories have been uploaded. 	<ul style="list-style-type: none"> ▫ All the transfer orders of the different cadre/ grade of employees need to be uploaded.
21.	RTI Applications	<ul style="list-style-type: none"> ▫ Information not disclosed 	<ul style="list-style-type: none"> ▫ Compliance of this provision is not there. For that there is need to put the RTI Applications and appeals and their responses on website. ▫ Further as per requirement of the guidelines keyword search criteria is required to be generated on the website, to make the search easier.
22.	CAG & PAC paras	<ul style="list-style-type: none"> ▫ NIL-not applicable 	
23.	Citizen's Charter	<ul style="list-style-type: none"> ▫ Incomplete Disclosure ▫ Citizen's Charter has been disclosed 	<ul style="list-style-type: none"> ▫ The Six monthly reports on the performance benchmarks set in citizen's charter should also be displayed on the website as per the requirement of guidelines.
24.	Discretionary & Non-discretionary Grants	<ul style="list-style-type: none"> ▫ Information not disclosed 	<ul style="list-style-type: none"> ▫ Discretionary/ Non-discretionary grants/ allocations made to state governments/ NGOs / other institutions etc. should be disclosed. ▫ The annual accounts of these grantee institutions should be made available through publication directly or indirectly on website.

25.	Foreign/ Domestic Tour of Ministers / Officials	<p>▫ Disclosure incomplete.</p> <p>▫ Information is required to be uploaded quarterly since January 2012. The same for all the quarters since January 2012 has not been uploaded.</p> <p>▫ The details of Foreign & domestic visits undertaken by MoS and officials for the period uploaded includes following details:</p> <ul style="list-style-type: none"> ✓ Purpose of Visit ✓ Place of visit ✓ Period of Visit ✓ No. of People included ✓ Expenditure incurred 	<p>▫ Details of foreign visits MoS (PP) during the period January 1-June 30, 2012; three quarters of 2013 i.e April-June, 13; July-Sept. 2013; Oct.-Dec. 2013; and two quarters of 2014 i.e. Jan-March 2014 and April-June 2014 have not been disclosed.</p> <p>▫ Details of domestic visits MoS (PP)- all four quarters of 2012 disclosed. For 2013 only first two quarters has been disclosed –Jan-March 2013, April-June, 2013. The information for two quarters of 2013-July-Sept, 2013 and Oct-Dec, 2013 and two quarters of 2014 Jan-March, 2014 and April-June 2014 have not been disclosed.</p>	<p>▫ Details of foreign visits MoS (PP) during the period January 1-June 30, 2012; three quarters of 2013 i.e April-June, 13; July-Sept. 2013; Oct.-Dec. 2013; and two quarters of 2014 i.e. Jan-March 2014 and April-June 2014 have not been disclosed.</p> <p>▫ Details of domestic visits MoS (PP)- all four quarters of 2012 disclosed. For 2013 only first two quarters has been disclosed –Jan-March 2013, April-June, 2013. The information for two quarters of 2013-July-Sept, 2013 and Oct-Dec, 2013 and two quarters of 2014 Jan-March, 2014 and April-June 2014 have not been disclosed.</p>
Form of Disclosure				
26.	Form of accessibility of Information Manual/ Handbook u/s 4 (1)(b)	Electronic Format	<p>▫ Need to collate and digitalize the large quantum of information which is still not available on the website.</p> <p>▫ There is need to provide clarity to the public about the information which is still not held by the department in electronic form and how that information can be accessed by the citizenry.</p>	
27.	Language in which Information Manual/ Handbook available	Only in English	<p>▫ Need to make the information available in Hindi language also. Hindi Version of website is there; however, under the proactive disclosure most of the information is available in English except for few documents which can be accessed in Hindi.</p>	

28.	When was the information Manual/ Handbook last updated?	Information is not updated regularly.	<ul style="list-style-type: none"> ▫ Need for regular updating of information on the website atleast annually. The 'the date last updated' should be displayed as per the new guidelines.
29.	Dissemination of information widely and in such form and manner which is easily accessible to the public [Section 4 (3)]	Disclosure through website only.	

Chapter 3

Conclusions and Recommendations

Major Findings

1. The disclosure of seventeen categories of Information under Section 4(1)(b) of the RTI Act is incomplete and partial.
2. The compliance of the new guidelines on *suo-motu* disclosure is also partial and incomplete.
3. Information is not being updated regularly. Thus, Updation of Information is a major issue with proactive disclosure of Information by DoPT as well. The information requires regular updation atleast annually.
4. Information is presented in very technical manner which needs simplification from user's perspectives.
5. Website should indicate which information is digitally held over the website and which is not.
6. The Act requires that information should also be disclosed in Hindi and vernacular language besides English. But at present the information under proactive disclosure is mostly available in English.

Recommendations

For better implementation of the *suo-motu* disclosure of information following steps are required to be taken:

1. The information required to be proactively disclosed under the Act and guidelines should be disclosed completely and entirely in quality and quantity to enhance transparency and openness. Endeavour should be made that all publically funded information should be readily available.
2. The website should indicate the list of documents/ information which are digitally held and is made available publicly over the internet and which is not.
3. The department should make efforts to collect the large quantum of information and digitalize which is still not there on the website.
4. To maintain the reliability of information, timely updating of the information is must. Therefore, it is required that a system is created for automatic updation of information, based on key word outputs. The date of last updation should be displayed on the website. Different media and forms should be used for proactive disclosure.

5. Beside uploading the original documents there is also need to present the information from the user's perspective in a simplified manner. Different media and forms like flow charts, tabular presentation should be used for proactive disclosure.
6. The elements of information required to be proactively disclosed under section 4(1)(b) are inter-related the endeavor should be made to disclose them in an integrated manner.
7. A separate link has been created for proactive disclosure, which provides for limited access to information in form of manuals. However, a lot of other useful information is already there on the website which needs to be linked to *suo-motu* disclosure.
8. The chapter on RTI Act in the annual report of the department should include the details about the compliance with the proactive disclosure guidelines.