

No.A.60011/22/2014-FTS-216004/2014-RTI Cell

Government of India  
Ministry of Health & Family Welfare  
Department of Health & Family Welfare  
(RTI Cell)

Nirman Bhawan, New Delhi-110108  
Dated: 21 October, 2014

**OFFICE MEMORANDUM**

**Subject: - Implementation of Suo-Motu disclosure under Section 4 of RTI Act, 2005 – issue of guidelines regarding.**

The undersigned is directed to forward a copy of DOP&T's OM No. 1/6/2011-IR dated 22/09/2014 on the above mentioned subject.

2. Attention is invited to RTI Cell's OM No. A-60012/12/2012-RTI Cell dated 25/04/2012 and OM No. A-60011/22/2012-RTI Cell dated 14/05/2013, 25/03/2014, 30/05/2014 (copies enclosed) whereby all the Senior Officers/Appellate Authorities/CPIOs and other equivalent officers of this Department had been requested for implementation of the Suo-Motu guidelines of DOPT and also asked to submit their report to RTI Cell within a period of one month. However, it has been observed that even after one year, these guidelines have not been complied by most of the Divisions/Sections and others have not uploaded, the complete information of their Division/Section concerned, as the Web-page of this Department is not reflecting the complete Suo-Motu information of the work being done by each of the Divisions/Sections of this Ministry.

3. All the Joint Secretaries, therefore, are requested to kindly issue necessary instructions to all the Appellate Authorities (Directors/DS level/CPIOs) under their control for full implementation of DOPT's guidelines by uploading the Suo-Motu information of their Division/Section concerned (copy enclosed) on the website of the Ministry of Health and Family Welfare i.e. [www.mohfw.nic.in](http://www.mohfw.nic.in) reference URL-E-Citizen/Tender → Right to Information → RTI Act for Ministry and also advise them to send a copy of the same to RTI Section to enable them to submit a report to the Secretary (MoHFW) for his review. For uploading the information on the Ministry's website, please contact Shri G. Narayan, Director (BoP) and Web Information Manager.

*(Signature)*  
(Rajeev Kumar)  
Director

All Joint Secretaries under the Ministry of Health and Family Welfare, Nirman Bhawan (As per list enclosed).

Copy forwarded:

1. All Nodal Officers of Autonomous Organization/PSUs under Department of Health and Family Welfare, New Delhi. *with a request to bring the enclosed guidelines to the concerned CPIOs in your offices.*
2. DGHS, Nirman Bhawan, New Delhi with a request to bring the enclosed guidelines to the notice of all concerned officers in Directorate and subordinate officers for compliance and further necessary action.
3. NIC for uploading this D.O. letter on the website / portal of the Ministry of Health and Family Welfare.

Dy. NO 6911 A-II  
18/11/2014

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AS PER RTI ACT; THE FOLLOWING INFORMATION ARE TO BE UPLOADED ON MINISTRY OF HEALTH & FAMILY WELFARE'S WEBSITE

S.No.	Item Name	Action to be taken	concerned section
1	Particulars of Ministry of Health & Family Welfare's organisation, functions and duties	<b>COMPENDIUM OF MANUALS</b> Otherwise <b>THE GOVERNMENT OF INDIA (ALLOCATION OF BUSINESS) RULES -</b> MINISTRY OF HEALTH AND FAMILY WELFARE (SWASTHYA AUR PARIVAR KALYAN MANTRALAYA) Directory of MOHFW	IWSU
	Who is who in the Department	Directory of MOHFW	General Section
2	Powers and duties of officers and employees	<b>Organisational Set-Up</b>	Establishment Section
3	Procedure followed in the decision making process including channels of supervision and accountability	Organogram	Establishment Section
4	Norms set by Ministry for the discharge of its functions	<b>Induction material</b>	IWSU
5	The rules, regulations, instructions, manuals and records, held by Ministry of Health & Family Welfare or under its control or used by its employees for discharging its functions		All Sections/Divisions
6	Statement of the categories of documents that are held by Ministry of Health & Family Welfare or under its control	Annual Report	CDN-I & NRHM-II
7	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	<ul style="list-style-type: none"> <li>• PMO Reference</li> <li>• Annual Report</li> <li>• Public Grievance</li> <li>• National Health Policy</li> <li>• Policy Matter</li> <li>• Medical Education Policy</li> </ul>	CDN I Section CDN I Section & NRHM-II Welfare & PG BoP CGHS(P) ME(P-I)

8	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 meeting of those boards, councils, committees and other bodies are open to the public, or the minutes of such meetings are accessible for public	<ul style="list-style-type: none"> <li>• Boards- National Board, of Examination</li> <li>• Council:- <ul style="list-style-type: none"> <li>(i) Medical Council of India</li> <li>(ii) Dental Council of India</li> <li>(iii) Nursing Council of India</li> <li>(iv) Pharmacy Council of India</li> </ul> </li> <li>• Committees:- <ul style="list-style-type: none"> <li>(i) NRHM</li> <li>(ii) PNDD</li> </ul> </li> </ul>	ME-I  ME.P-II Dental Section Nursing Section PMS Section  NRHM-I, & II PNDD Section  General Section
9	Directory of the Ministry's Officers and employees	latest directory of officers and employees of Ministry of Health &FW	General Section
10	Monthly remuneration received by each of officers and employees	Salary details of employees	-Cash (H) &Cash(FW)-
11	The budget allocated to the Ministry, plans, expenditures, disbursements made etc.	<ul style="list-style-type: none"> <li>• Detail Demand for grants</li> <li>• outcome budget</li> <li>• Details of provision for payment grants-in-aid to non governmental bodies</li> </ul>	Budget Section BoP NGO Division, PNDD, Family Planning
12	Execution of subsidy programmes, including the amounts allocated and details of beneficiaries of such programmes	Programmes under viz funds are released	VBD Section, NCD Section, PH-I Section, PNDD, Family Planning, NRHM and all section concerned
13	Particulars of recipients of concessions, permits or authorizations granted by the Ministry	Programmes under viz. Funds are released	VBD Section, NCD Section, PH-I Section, PNDD, Family Planning, NRHM and all section concerned
14	Information held by the Ministry in the electronic form	<ul style="list-style-type: none"> <li>• Annual report</li> <li>• Details Demands for Grants</li> <li>• Outcome Budget</li> <li>• RFD</li> <li>• RAN</li> </ul>	-CDN.I, Budget,  BoP BoP Grant Section

15	Particulars of facilities available to citizens for obtaining information including the working hours of a library or reading room, if maintained for public use	Information Facilitation Counter	W&PG
16	The names, designations and other particulars of the Public Information Officers	List of CPIOs	-RTI Cell
17	Such other information as may be prescribed	<ul style="list-style-type: none"> <li>• Other information</li> <li>• Matter related to Public Grievance</li> </ul>	- All Sections/Divisions - W&PG Section
18	Information related to procurement	Procurement	EPW
19	Public Private Partnerships		Health Insurance
20	Transfer Policy and Transfer Orders	Administrative matter	Estt. Vigilance & CHS
21	RTI applications	RTI applications and their replies	all Sections/Divisions
22	CAG&PAC Paras		Budget
23	Citizens Charter		Welfare & PG
24	Discretionary and Non-discretionary grants		Grants Section
25	Foreign tours of PM/Minister	Foreign / Domestic Tour	IH/IC

S.No. 8(F.P)

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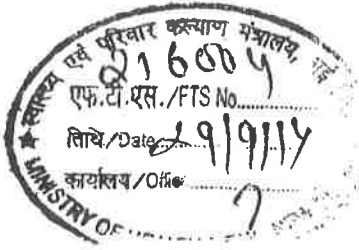
No 1/6/2011-IR

Government of India

Ministry of Personnel, PG & Pensions  
Department of Personnel Training

North Block, New Delhi-110001

Dated 22<sup>nd</sup> September, 2014



**OFFICE MEMORANDUM**

**Sub: Guidelines on implementation of suo-motu disclosure under Section 4 of RTI Act, 2005 — Compliance of.**

Attention is invited to this Department's O.M. of even no. dated 15.4.2013 and subsequent reminder dated 10.12.2013 on the subject mentioned above.

2. In that O.M., it was mentioned that each Ministry/Public Authority shall ensure that the guidelines for suo motu disclosure under RTI are fully operationalised within a period of 6 months from the date of their issuance i.e. 15.04.2013. It was also mentioned that the Action Taken Report on the compliance of guidelines should be sent, alongwith the URL link, to the DoPT and the Central Information Commission soon after the expiry of the initial period of the 6 months. It has been noticed that most of the Ministries/Departments/Public Authorities have not sent the compliance report/Action Taken Report to this Department and Central Information Commission.

3. It was required that each Ministry/Public Authority should get its proactive disclosure package audited by third party every year and such audit should be communicated to the CIC through publication on their own website. It has been noticed that most of the Ministries/Public Authorities have not yet got their proactive disclosure package audited by a third party.

4. It is once again requested that the guidelines mentioned in O.M. dated 15.4.2013 be complied with and the proactive disclosure package be got audited by a third party. The compliance report may be sent to this Department, and the Central Information Commission, at the earliest.

*Dr Health & Family Welfare*

*(Mamta Kundra)*  
Joint Secretary  
Tel. 2309 4276

1. All the Ministries / Departments of the Government of India.  
2. Union Public Service Commission /Lok Sabha Sect/ Rajya Sabha Secretariat/Cabinet Secretariat/ Central Vigilance Commission/ President's Secretariat/ Vice-President's Secretariat/ Prime Minister's Office/ Planning Commission/Election Commission.  
3. Central Information Commission/ State Information Commissions.  
4. Staff Selection Commission, CGO Complex, New Delhi.  
5. O/o the Comptroller & Auditor General of India, 10, Bahadur Shah Zafar Marg, New Delhi.  
6. All officers/Dress/Sections, DOP&T and Department of Pension & Pensioners Welfare.

Copy to: Chief Secretaries of all the States/UTs

469713

**No.A-60012/12/2012-RTI Cell**  
**Government of India**  
**Ministry of Health & Family Welfare**  
**Department of Health & Family Welfare**  
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**Nirman Bhawan, New Delhi**  
**the 25<sup>th</sup> April, 2012**

**OFFICE MEMORANDUM**

**Subject: Maintenance of records in consonance with Section 4 of the RTI Act-reg.**

The undersigned is directed to invite attention of all Senior Officers/Appellate Authorities/CPIOs in the Ministry to the provisions of Section 4 of RTI Act, 2005.

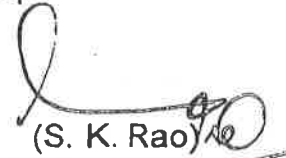
2. **This Section provides that "every public authority shall maintain all its records duly catalogued and indexed, providing as much information suo motu to the public in accordance with the requirements of clause (b) of sub-section (1) and dissemination of every information widely and in such form and manner which is easily accessible to the public"**

3. It has been observed that the above said provisions are not being complied with in the Ministry.

4. It is also brought to notice of all concerned that the Central Information Commission has also highlighted this fact in a case that "the systematic failure in maintenance of records is resulting in supply of incomplete and misleading information and that such failure is due to the fact that the public authorities do not adhere to the mandate of Section 4(1)(a) of the RTI Act." "The Commission has also pointed out that such a default could qualify for payment of compensation to the complainant. Section 19(8)(b) of the Act gives power to the Commission to require the concerned public authority to compensate the complainant for any loss suffered. Proper maintenance of records is vital for the success of the Right to Information Act but many public authorities have not paid due attention to the issue despite instructions issued by DOP&T".

5. All the Senior Officers/Appellate Authorities/CPIOs and other equivalent officers are requested to comply with the provisions of Section 4 of the RTI Act. By implementation of this provision maximum information of the Ministry would be available on the website/ internet link of the Ministry and would help in reducing the number of application under the RTI Act and facilitate the work of CPIOs and FAAs.

6. A report of compliance of the aforesaid provisions of RTI Act is required to be furnished by every CPIO to RTI Cell within a period of one month.

  
(S. K. Rao)  
Joint Secretary

1. All Senior Officers in the Ministry.
2. All Appellate Authorities (Directors/DS or equivalent Officers), D/o H&FW.
3. All the CPIOs in Department of Health & Family Welfare.

**Copy forwarded for taking similar action to:-**

DGHS, M/o Health & Family Welfare, Nirman Bhawan.

Govt No 2

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**No.A-10011/22/2012-RTI Cell**  
**Government of India**  
**Ministry of Health & Family Welfare**  
**Department of Health & Family Welfare**  
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Nirman Bhawan, New Delhi  
the 13 May, 2013  
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**OFFICE MEMORANDUM**

**Subject: Implementation of Suo-Motu disclosure under Section 4 of RTI Act, 2005 - issue of guidelines regarding.**

The undersigned is directed to forward a copy of DOP&T's OM No.1/6/2011-IR dated 15.4.2013 under which they have circulated the detailed guidelines for Implementation of Suo-Motu disclosure under Section 4 of RTI Act, 2005 for compliance.

It is highlighted that based on the report of the Task Force constituted by the Government, DOP&T have issued the detailed guidelines for strengthening compliance with provisions for *suo-motu* or proactive disclosure as given in Section 4 of the RTI Act, 2005. Further, DOP&T have directed to ensure that these guidelines / directions / instructions are fully operationalized within a period of 6 months from the date of their issue.

Attention is also invited to RTI Cell's OM No.A-60012/12/2012-RTI Cell dated 25.4.2012 (copy enclosed for ready reference) requesting all the Senior Officers / Appellate Authorities/CPIOs and other equivalent officers to comply with the provisions of Section 4 of the RTI Act and submit a report of compliance of the aforesaid provisions of RTI Act by every CPIO to RTI Cell within a period of one month. But no significant progress has achieved so far.

All CPIOs/First Appellate Authorities are requested that necessary steps may kindly be taken immediately to comply with the enclosed guidelines so that the compliance report could be sent to DOP&T and CIC by the stipulated time.

**Encl.: 16 pages**

  
**(G R Khetarpal)**  
**Deputy Secretary & Nodal Officer (RTI)**

All Appellate Authorities (Directors/DS or equivalent Officers), D/o H&FW.  
All CPIOs in Department of Health & Family Welfare.

**Copy forwarded to:**

1. All Joint Secretaries/CCA/EA/CD(Stats)/DDG(Stats)/ Deputy Commissioners/ Assistant Commissioner/Joint Directors
2. All Heads of Autonomous Bodies/PSUs under Department of Health & Family Welfare
3. DGHS, Nirman Bhawan, New Delhi – with a request to bring the enclosed guidelines to the notice of all concerned officers in Directorate and sub-ordinate offices for compliance and further necessary action.
4. NIC for uploading this OM on the Website/portal of M/o H&FW.

S.N. 4

No.A.60011/22/2012-RTI Cell  
Government of India  
Ministry of Health & Family Welfare  
(RTI Cell)  
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Nirman Bhawan, New Delhi-110011

Dated 25/3/14

**OFFICE MEMORANDUM**

**Subject: Implementation of Suo-Motu disclosure under Section 4 of the RTI Act, 2005**

Reference is invited to this Ministry's O.M of even number dated 14.05.13 wherein all the Appellate Authorities/CPIOs were requested to comply with the guidelines/directions/instructions of Suo Motu disclosure under Section 4 of the RTI Act, 2005 as per DoPT's O.M No.1/6/2011-IR, dated 15.4.13. It has been observed that some of the CPIOs/Appellate Authorities of this Ministry have not yet uploaded information of Suo-Motu under Section 4 of the RTI Act, 2005

2 All CPIOs/Appellate Authorities are once again requested that necessary steps may kindly be taken immediately to comply with the DoPT's guidelines of Suo Motu disclosure under Section 4 of the RTI Act, 2005

  
(G.R.KHETARPAL)

Deputy Secretary to the Govt. of India  
Tel.No.011-23062791

All Appellate Authorities under Ministry of Health &FW, Nirman Bhawan, New Delhi  
All CPIOs under Ministry of Health &FW, Nirman Bhawan, New Delhi



Sl. No 6 75

D. NO. A 60011/22/2012-RTI Cell  
Government of India  
Ministry of Health and Family Welfare  
Department of Health and F.W.  
RTI Cell

Nirman Bhawan, New Delhi-110108.  
Dated: 12.05.2014

OFFICE MEMORANDUM


**Subject: Suo-Motu disclosure under Section 4 of the RTI Act, 2005- DoPT's guidelines regarding.**

The undersigned is directed to refer to the guidelines of Department of Personnel & Training (DOPT)'S circulated vide O.M. No. 1/6/2011-IR dated 15.04.2013 (copy enclosed) on the above subject whereby Section 4(1)(b) of the RTI Act lays down the information which should be disclosed by Public Authorities on a Suo Motu or proactive basis. Section 4(2) and Section 4 (3) prescribe the method of dissemination of this information. The purpose of Suo Motu disclosures under Section 4 is to place large amount of information in the public domain on a proactive basis to make the functioning of the Public Authorities more transparent and also to reduce the need for filling individual RTI applications.

The DOP&T vide their aforesaid OM dated 15.4.2013 had circulated the guidelines and directed all the Public Authorities to ensure that these guidelines are fully operational within a period of 6 months from the date of its issue.

Accordingly, the RTI cell had requested all the senior Officers/Appellate Authorities/CPIOs and other equivalent officers of this Department vide their O.M of even no. dated 14.06.2013 (copy enclosed) for implementation of the said guidelines of DOPT and also asked to submit their report to RTI Cell within a period of one month. However, it has been observed that even after one year, these guidelines have not been complied by some of the Divisions/Sections and others have not uploaded, the complete information of their Division/Section concerned, as the Web-page of this Department is not reflecting the complete Suo-Motu information of the work being done by each of the Divisions/Sections of this Ministry.

2. All the Joint Secretaries, therefore, are requested to kindly issue necessary instruction to all the Appellate Authorities (Directors/DS level/CPIOs) under their control for fully implementation of DOPT's guidelines by uploading the Sou-Motu information of their Division/Section concern on the website of the Ministry and also advise them to send a copy of the same to RTI Section to enable them to submit a report to the Secretary (MoHFW) for his review.

  
(G R KHETARPAL)  
Director (CDN)

All Joint Secretaries under the Ministry of Health and F.W., Nirman Bhawan (As per list enclosed).

Copy forwarded:

1. All Nodal Officers of Autonomous Organization /PSUs under Department of Health and F.W., New Delhi.
2. DGHS, Nirman Bhawan, New Delhi with a request to bring the enclosed guidelines to the notice of all concerned officers in Directorate and subordinate officers for compliance and further necessary action.
3. NIC for uploading this D.O. letter on the website / portal of the Ministry of Health & F.W.

dal Officers of Autonomous organisations/PSUs

1.	Dr.A.C.Dhariwal, Director. Directorate of National Vector Borne. Disease Control Programme, 22, Sham Nath Marg, Delhi-54
2.	Shri A.K.Adhikari, Director, Central Food Laboratory, 3, Kyd Street Kolkatta-700016 West Bengal
3.	Shri G.P.Sharma. Director Food Research & Standarisation Laboratory Indirapuram Ahinsakhand -2 Near CISF Ghaziabad-201014
4.	Dr. D.Ram, Director Central Institute of Psychiatry Kanke, Ranchi-834006 Jharkhand
5.	Shri T.S. Ravi Kumar Jawaharlal Institute of Post Graduate Medical Education and Research. Institution of National Importance. Dhanvantri Nagar. Puducherry-605006
6.	Shri Rakesh Kumar Rishi Budget & Finance Officer Central Drugs Laboratory 3. Kyd Street Kolkatta-700016 West Bengal
7.	Mrs. Archana Mudgal, Registrar-Cum-Secretary, Pharmacy Council of India, Combined Council Building, Kotla Road, Awam-E-Galib Marg, Temple Lane, New Delhi-2

	<p>Shri Yogesh Chawla, Director, Old SHE Building, Kairon Block, PGIMER, Sector-12 . Chandigarh-160012.</p>
10	<p>Dr.B.Sekar Director Pasteur Institute of India PII, Coonoor, Nilgris-643103</p>
11	<p>Shri A.G.Ahangar. Director, North Eastern Indira Gandhi Regional Institute of Health &amp; Medical Sciences Dhankheti, Opp. Law College, Shillong-793001</p>
12	<p>Shri J.K. Das Director, National Institute of Health &amp; Family Welfare, New Mehrauli Road, Munirka, New Delhi-57</p>
13	<p>Dr.P.Satish Chandra, Director, National Institute of Mental Health &amp; Neuro Sciences (NIMHANS), NIMHANS, Bangalore-560029</p>
14	<p>Shri S.K.Sharma Budget &amp; Finance Officer National Institute of Biological, A-32, Sector-62, Institutional Area, Noida, U.P-201307</p>
15	<p>Dr. Anurag Agarwal, Director National Board of Examinations, Ansari Nagar Ring Road, New Delhi-29</p>
16	<p>Shri Shikhar Ranjan, Law Officer, Medical Council of India, Pocket No.14, Sector-8, Dwarka, New Delhi</p>

17	Dr.Rohit Sarin, Director, Lala Ram Sarup Institute of Tuberculosis & Allied Diseases, Sri Aribindo Marg, New Delhi-110 030
18	Prof. S. Ram, Director & Senior Professor. International Institute of Population Sciences. Govandi Station Road. Chembur. Deonar. Mumbai-400088
19	Shri T. Dileep Kumar, Secretary Indian Nursing Council Combined Council Building. Kotla Road, Awam-E-Galib Marg, Temple Lane, New Delhi-2
20.	Dr.M.Ayyappan. Chairman & Managing Director. Hindustan Latex Ltd.. Latex Bhawan. Poojappura. Thrivanthapuram-695012
21	Shri Gyanesh Pandey, Chairman & Managing Director. HSCC India Ltd. E-6(A), Sector-I, NOIDA (U.P.)
22	Mrs.Alka Mehta Assistant Secretary Dental Council of India, Temple Lane, Kotla Road, New Delhi
23	Dr. Aniruddh Dam, Public Information Officer Chintranjan National Cancer Institute. 37, S.P. Mukherjee Road, Kolkata-700026
24	Dr.S.R.Savithri, Director, Chief Principal Information Officer, All India Institute of Speech and Hearing Manasa Gangothri, Mysoore-570006
25	Prof. M.C. Mishra Director All India Institute of Medical Sciences, Ansari Nagar Road, New Delhi-110029

	Hon'ble Secretary National Academy of Medical Sciences Ansari Nagar, Mahatma Gandhi Marg, New Delhi-29
27	Shri Chandan Kumar Finance & Accounts Officer Indian Pharmacopoeia Commission Sector-23, Rajnagar, Ghaziabad-201002
28	Dr. L.S. Chauhan National Centre for Disease Control, Directorate General Health Service, 22. Sham Nath Marg, New Delhi-54
29	Dr. Madhumita Dobe, Director Professor All India Institute of Hygiene & Public Health 110, Chittranjan Avenue, Kolkata-700073, West Bengal
31	Shri Partho Gogoi, Govt. Analyst cum Director in Charge Office of the Regional Drugs Testing Laboratory, Directorate General Health Services, Sixmile, Guwahati-781037
32	Dr. P.K. Nayak Nodal Officer Ram Manohar Hospital Baba Kharak Singh Marg, C.P. New Delhi-1
33	Dr. K.T. Bhowmik Additonal M.S VMMC & Safdarjung Hospital Safdarjung Enclave, New Delhi-29
34	Shri B.L.Meena Deputy Director(Admn) Directorate General Health Service Lady Hardinge Medical College & Smt S.K.Hospital, New Delhi
35	M.S. Vinod Kotwal Director Food Safety & Standards Authority of India, FDA Bhawan, Near Bal Bhawan, Kotla Road, New Delhi-2
36	Shri Jitendra Singh Deputy Director Directorate General Health service (Attached Office) Nirman Bhawan, New Delhi
37	Dr. Atul Sachdeva Government Medical Colege & Hospital Sector-32, Chandigarh - 160030
38	Prof.S.Sekharjit, Director Regional Institute of Medical Sciences, Lamphelpat, Imphal

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

North Block, New Delhi  
Dated the 15<sup>th</sup> April, 2013

OFFICE MEMORANDUM

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

Section 4(1)(b) of the RTI Act lays down the information which should be disclosed by Public Authorities on a *suo motu* or proactive basis. Section 4(2) and Section 4(3) prescribe the method of dissemination of this information. The purpose of *suo motu* disclosures under Section 4 is to place large amount of information in public domain on a proactive basis to make the functioning of the Public Authorities more transparent and also to reduce the need for filing individual RTI applications.

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

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

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

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3	Guidelines for certain clauses of Section 4(1)(b) to make disclosure more effective	7
4	Compliance with provisions of <i>suo motu</i> disclosure	12





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

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

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

#### 1.1 Information related to Procurement

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

#### 1.2 Public Private Partnerships

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

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

### **1.3 Transfer Policy and Transfer Orders**

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

### **1.4 RTI Applications**

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

### **1.5 CAG & PAC paras**

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

### **1.6 Citizens Charter**

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

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## 1.7 Discretionary and Non-discretionary grants

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

## 1.8 Foreign Tours of PM/Ministers

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

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

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

## 2.0 Guidelines for digital publication of proactive disclosure under Section 4

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

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

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

- e) Websites should have detailed directory of key contacts, details of officials of the Public Authority.
- f) It is obligatory under Section 4(1)(b)(xiv) of the RTI Act for every Public Authority to proactively disclose 'details in respect of the information, available to or held by it, reduced in an electronic form'. The website should therefore indicate which digitally held information is made available publicly over the internet and which is not.
- g) As departments reorganize their systems and processes to enable themselves for electronic service delivery, it is recommended that the requirement of bringing due transparency as provided in the RTI Act is given adequate consideration at the design stage itself.
- h) To maintain reliability of information and its real time updation, information generation in a digital form should be automatically updated on the basis of key work outputs, like a muster roll and salary slip (NREGA in Andhra Pradesh) or formalization of a government order (Andhra Pradesh). Such an approach will lead to automation of proactive disclosure.
- i) Information must be presented from a user's perspective, which may require re-arranging it, simplifying it etc. However, original documents in original formats should continue to be made available because these are needed for community monitoring of government's functioning.
- j) The 'National Data Sharing and Accessibility Policy' by the Department of Science and Technology is based on the principle that all publicly funded information should be readily available. The policy has been notified in March, 2012 and the schedule should be strictly adhered to.
- k) Information and data should be presented in open data formats whereby it can be pulled by different Application Protocol Interfaces to be used in different fashions more appropriate to specific contexts and needs. Information/ data can, for instance, be presented in powerful visual ways using visualisation techniques. Such visual representation of information/ data can give insights that may remain largely

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

- 1) Every webpage displaying information or data proactively disclosed under the RTI Act should, on the top right corner, display the mandatory field 'Date last updated (DD/MM/YY)'.

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

3.1 The elements of information listed in the various sub-clauses of Section 4(1)(b) must be disclosed in an integrated manner. For example, the functions and responsibilities of a public authority cannot be understood in isolation from the powers and functions of its employees, the norms that inform its decision making processes and the rules, instructions and manuals that are used in the discharge of its functions. Description of one element presupposes the existence of another. So every public authority must endeavour to integrate the information mentioned in these sub-clauses while preparing voluntary disclosure materials.

3.2 Considering that disclosure in regard to certain sub-clauses have been relatively weak, detailed guidelines for four sub-clauses are given below:

**3.3 Guidelines for section 4(1)(b)(iii) - "the procedure followed in the decision-making processes, including channels of supervision and accountability".**

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

3.3.2 Additionally, in the routine work of governance, government functionaries are required to make decisions in a discretionary manner but broad guiding principles are laid down in some rule or the other. For example, the General Financial Rules lay down procedures for a variety of operations relating to government finances. How sanction must be accorded for incurring expenditure; how losses to government must be reported; how responsibility for losses may be fixed on any government servant; how budgets, demand for grants are prepared and submitted; how public works must be sanctioned and executed; how commodities and services may be procured by a public authority; are all explained in these manuals which are updated from time to time. The challenge is to present a simplified version of the decision-making procedure that is of interest to a common citizen.

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

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



(e) In the event of a public authority altering an existing decision-making process or adopting an entirely new process, such changes must be explained in simple language in order to enable people to easily understand the changes made.

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

3.4.1 Primarily, the intention of this clause is that every public authority should proactively disclose the standards by which its performance should be judged. Norms may be qualitative or quantitative in nature, or temporal or statutory norms. In order to ensure compliance with this clause, public authorities would need to disclose norms for major functions that are being performed.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

**5.0 Nodal Officer**

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

**6.0 Annual Reports to Parliament/Legislatures**

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

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