

GOVERNMENT OF NATIONAL CAPITAL TERRITORY OF DELHI
ADMINISTRATIVE REFORMS DEPARTMENT
7th LEVEL, C WING, DELHI SECRETARIAT, NEW DELHI – 110002.

<http://ar.delhigovt.nic.in> email: arupdate@nic.in

No.F.13/1/2013-AR/03-72

Dated:01/01/2016

To

All Principal Secretaries /Secretaries /HODs of GNCTD
All Heads of Local Bodies/Autonomous Bodies/Undertakings/Institutions under Govt fo Delhi

- Sub:**
1. **Non-compliance of Section 4 (1) of RTI Act 2005.**
 2. **Role of Public Information Officer and Transparency Officer, Level and Job Chart of Transparency Officer**
 3. **Updating of RTI website of Delhi Government.**

Sir / Madam,

Your kind attention is invited to Section 4 (1) (b) of the RTI Act 2005 under which it is mandatory to publish 17 manuals on the website of the department concerned. It has been observed from the website of Delhi Government that many Departments of Govt. of NCT of Delhi has not yet complied or updated the requisite 17 manuals with the mandatory provisions under the said Act despite the several instructions issued by this Department from time to time.

2. By virtue of the powers vested in the Central Information Commission vide Section 19(8) of RTI Act, 2005, it has been directed that the obligations set out in Section 4 of RTI Act, 2005 be discharged by all public authorities as per the time limits set out against each activity-

(a) **Record Management:-** As per provisions of Section 4(1)(a) of RTI Act, 2005 all the records should be catalogued and indexed. But it has been observed that many departments has not complied/updated the said information. Further, your attention is also invited to the provisions of "Public Record Act, 1993". Which stipulates designation a Record Officer in each department, who should undertake all such activity. It is suggested that a "Record Officer" may also be nominated as per provisions of this Act, so that he/she can attend to Record Management.

(b) **Publish 17 Manuals:-** As per provisions of Section 4(1)(a) of RTI Act, 2005 all public authorities should have implementing these obligations after implementation of the Act in their department. But it has been found through the website of the department concerned that either they have not prepare the said manuals or not updating the same from time to time.

(c) **Designation of Transparency Officer:-** The Central Information Commission has also directed that each Public Authority shall designate one of their senior officers as "Transparency Officer" whose task it will be to oversee the implementation of Section 4 obligations by public authorities, to be interface for the CIC regarding its progress, help promote congenial conditions for positive and timely response to RTI requests by PIOs, deemed PIOs and to be a contact point for the public in all RTI related matters

d) **As per DOPT office Memorandum dated 06.10.2015** regarding guidelines for providing information to the RTI applicant, vide which they informed that the every public authority should contain the following information while replying RTI petitions.

- (ii) The name, designation, official telephone number and email ID of the CPIO.
- (iii) In case, the information requested for is denied, detailed reasons for denial quoting the relevant sections of the RTI Act, should be clearly mentioned.
- (iv) In case the information pertains to other public authority and the application is transferred under section 6(3) of the RTI Act, details of the public authority to whom the application is transferred should be given.
- (v) In the concluding para of the reply, it should be clearly mentioned that the First Appeal, if any, against the reply of the CPIO may be made to the First Appellate Authority within 30 days of receipt of CPIO.
- (vi) The name, designation, address, official telephone number and email ID of the First appellate authority should also be clearly mentioned.

Further it is pertinent to mention here that the benefits of proper implementation of the provisions of Section 4 are numerous. Most importantly, it is inextricably linked to the decrease in the number of RTI applications made to a particular Public Authority and consequently, it will reduce the pressure faced by a Public Information Officer.

All the Heads of Departments are requested to ensure strict compliance on the instructions/orders issued by CIC/DOPT as state above.

This may be given TOP PRIORITY and an action taken report may please be sent to this Department latest by 15th January, 2016.

Yours faithfully,


31/12/15
(DR. VASANTHA KUMAR N.)
SECRETARY (AR)
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