

GOVT. OF NCT OF DELHI
DEPARTMENT OF SOCIAL WELFARE
GLNS COMPLEX, DELHI GATE
NEW DELHI-110002
[ADMINISTRATION BRANCH]

F.No. 1(59)/2020/DSW/Estt/7599-7659

Dated: 30 SEP 2020

CIRCULAR

Sub: Appraisal/ Transfer of Non-Current Records of more than 25 years old of Department/ Offices under Govt. of NCT of Delhi.

Please find enclosed herewith a copy of letter no DA-E011(11)/1/2019-Records-1130 dated 11/09/2020 received from Secretary (ACL/ Archives) Department of Archives, Government of NCT of Delhi, New Delhi on the above cited subject regarding the Appraisal/ Transfer of Non-Current Records of more than 25 years old of Department/ Offices under Govt. of NCT of Delhi.


Section Officer (Admn-II)

Encl: As above.
DSW web site uploading

To

- Sr. System Analyst, DSW for uploading the circular on the Department website.

F.No. 1(59)/2020/DSW/Estt/7599-7659

Dated: 0 SEP 2020

Copy for information to:

- PA to Secretary (SW), GLNS Complex, Delhi Gate, Delhi.
- PA to Director (SW), GLNS Complex, Delhi Gate, Delhi.
- All DDs / DSWOs/DDO/HOO/Supdt./In-charge of Homes/ Institutions/ Schools.
- Guard File.

2/9 cc
1/10/20



अभिलेख-निर्देशान् रक्षामः

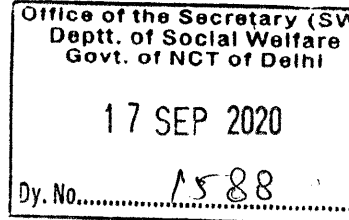
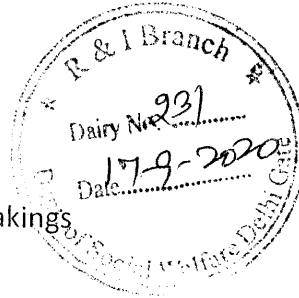
DEPARTMENT OF DELHI ARCHIVES
GOVERNMENT OF NCT OF DELHI
18-A, SATSANG VIHAR MARG,
SPL. INSTITUTIONAL AREA, NEW DELHI-110067
E-mail- ddarchives@nic.in
PHONE NO. :-26535611, 26962800

DA-E011(11)/1/2019-Records- 1130

Dated: 11-9-20

To,

Principal Secretaries/Secretaries/HODs
Department/Autonomous Bodies/Undertakings
Govt. of NCT of Delhi



DSW
DD(Admin.)
PS
17/9

Subject: Appraisal/Transfer of Non-Current Records of more than 25 years old of Departments/Offices under Govt. of NCT of Delhi.

Sir/Madam,

I am to inform you that as per the Clause (C) of the Sub-Section (1) of Section 6 of Public Records Act, 1993 to be read with Rule 5 (i) of Public Records Rules, 1997, appraisal of all the records which are more than 25 years old is to be done in consultation with Department of Delhi Archives and to transfer that record to this Department for permanent retention. Further, Sub-Rule (2) of Rule 9 of the said rules, also states that no public records which is more than 25 Years old shall be destroyed by any records creating agency unless it is appraised.

The Department has nominated Sh. Ajay Singh, Assistant Archivist, Grade-I as Nodal Officer to facilitate the appraisal/transfer of records.

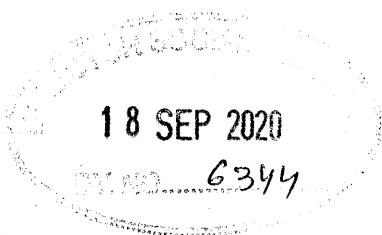
Name : Sh. Ajay Singh
Designation : Assistant Archivist, Grade-I
E-mail ID : ajay.singh21@gov.in
Mobile No. : 8527913973

You are, therefore, requested to send the details of the records of permanent nature lying in your Records Room as per the norms of Public Records Act, 1993 and Public Records Rules 1997 and transfer of these records to Delhi Archives for permanent preservation & maintenance being custodian of the records of the Govt. of NCT of Delhi. The necessary instructions may also be issued to all attached and subordinate offices, autonomous bodies, Public Sector Undertakings, etc. functioning under administrative control of your Department to provide the necessary information to this Department.

Sp. Dir. ma d. p.c.a. rly

for n/a
18.9.2020

Encl: As Above



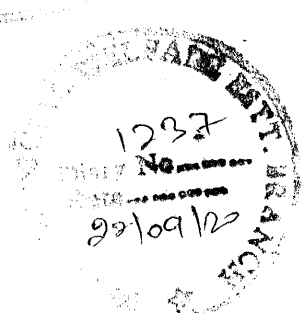
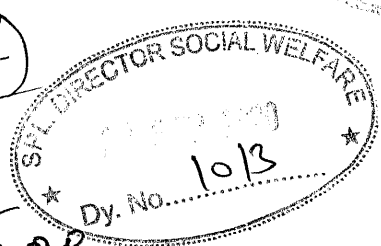
Yours faithfully,

(Signature)
9.9.2020

(MANISHA SAXENA)

Secretary (ACL/Archives)

10(A-F)
22/9/2020



4. Prohibition against taking of public records out of India.—No person shall take or cause to be taken out of India any public records without the prior approval of the Central Government :

Provided that no such prior approval shall be required if any public records are taken or sent out of India for any official purpose.

5. Records officer.—(1) Every records creating agency shall nominate one of its officers as records officer to discharge the functions under this Act.

(2) Every records creating agency may set up such number of record rooms in such places as it deems fit and shall place each record room under the charge of a records officer.

6. Responsibilities of records officer.—(1) The records officer shall be responsible for—

- (a) proper arrangement, maintenance and preservation of public records under his charge;
- (b) periodical review of all public records and weeding out public records of ephemeral value;
- (c) appraisal of public records which are more than twenty-five years old in consultation with the National Archives of India or, as the case may be, the Archives of the Union territory, with a view to retaining public records of permanent value;
- (d) destruction of public records in such manner and subject to such conditions as may be prescribed under sub-section (1) of section 8;
- (e) compilation of a schedule of retention for public records in consultation with the National Archives of India or, as the case may be, the Archives of the Union territory;
- (f) periodical review for downgrading of classified public records in such manner as may be prescribed;
- (g) adoption of such standards, procedures and techniques as may be recommended from time to time by the National Archives of India for improvement of record management system and maintenance of security of public records;
- (h) compilation of annual indices of public records;
- (i) compilation of organisational history and annual supplement thereto;
- (j) assisting the National Archives of India or, as the case may be, the Archives of

the Union territory for public records management;

(k) submission of annual report to the Director General or, as the case may be, head of the Archives in such manner as may be prescribed;

(l) transferring of records of any defunct body to the National Archives of India or the Archives of the Union territory, as the case may be, for preservation.

(2) The records officer shall act under the direction of the Director General or, as the case may be, head of the Archives while discharging the responsibilities specified in sub-section (1).

7. Records officer to take appropriate action in the event of unauthorised removal, destruction, etc., of public records in his custody.—(1) The records officer shall, in the event of any unauthorised removal, destruction, defacement or alteration of any public records under his charge, forthwith take appropriate action for the recovery or restoration of such public records.

(2) The records officer shall submit a report in writing to the Director General or, as the case may be, the head of the Archives without any delay on any information about any unauthorised removal, destruction, defacement or alteration of any public records under his charge and about the action initiated by him and shall take action as he may deem necessary subject to the directions, if any given by the Director General or, as the case may be, head of the Archives.

(3) The records officer may seek assistance from any government officer or any other person for the purpose of recovery or restoration of public records and such officer or person shall render all assistance to the records officer.

8. Destruction or disposal of public records.—(1) Save as otherwise provided in any law for the time being in force, no public record shall be destroyed or otherwise disposed of except in such manner and subject to such conditions as may be prescribed.

(2) No record created before the year 1892 shall be destroyed except where in the opinion of the Director General or, as the case may be, the head of the Archives, it is so defaced or is in such condition that it cannot be put to any archival use.

9. Penalty for contraventions.—Whoever contravenes any of the provisions of section 4 or section 8 shall be punishable with imprisonment for a term which may extend to five years or with fine which may extend to ten thousand rupees or with both.

10. Public records bearing security classification.—No public records bearing security classification shall be transferred to the National Archives of India or the Archives of the Union territory.

(m) "review" means periodical evaluation of recorded files on the expiry of the period of retention for determining their further retention or destruction, as the case may be;

(n) "Section" means the section of the Act;

(o) "Standing guard file" means a compilation of papers on a particular subject-matter consisting of copies of policy decision order, instructions or any another matter incidental thereto arranged in a chronological order;

(p) Words and expressions used herein and not defined but defined in the Act, shall have the meanings respectively assigned to them in the Act.

3. Nomination of records officer.—The records creating agency shall by an office order issued in pursuance of the provision of sub-section (1) of section 5 of the Act nominate one of its officers, not below the rank of grade of a Section Officer, as the Records Officer. A copy of such office order shall forwarded to the Director General or head of the Archives, as the case may be.

4. Maintenance of standing guard file.—The records officer shall be responsible for maintaining and keeping a standing guard file and proper record of the directions issued by the Director General or head of the Archives, as the case may be, in pursuance of the provisions of sub-section (2) of section 6 and shall produce the same for inspection as and when required by the Director General or head of the Archives, as the case may be.

5. Acceptance of public records of permanent nature.—(1) The Director General or head of the Archives, as the case may be, shall accept for deposit and preservation public records of permanent nature which have been retained after recording by the records creating agency in its records room for the last twenty five years or more.

(2) Records officer shall intimate to the Director General or head of the Archives, as the case may be, each year before 31st day of January, in Form-1, the particulars of all public records of permanent nature which are due for appraisal during the year.

(3) On receipt of an intimation under sub-rule (2), the Director General or head of the Archives, as the case may be, through his officers shall assist the records officer in conducting the appraisal of public records. When the appraisal is over, the records officer shall prepare, in triplicate, a transfer list in Form-2 of all public records and deposit the same for preservation with the Director General or head of the Archives, as the case may be who shall after his satisfaction, return one copy of the transfer

list to the records officer as a receipt of the public records.

(4) If the records officer after appraisal deems it necessary to retain any record or file of permanent nature beyond the period of twenty five years, he may do so for reasons to be recorded in writing and under intimation to the Director General or head of the Archives, as the case may be.

6. Withdrawal of public records.—(1) If public records deposited and preserved with the Director General or head of the Archives, as the case may be, is required by the records creating agency for any official purpose, then the records officer shall send a duly signed and stamped requisition slip in Form-3 to the Director General or head of the Archives as the case may be.

(2) The public records requisitioned under sub-rule (1) may be returned as soon as the purpose is achieved but shall not be retained beyond the period of six months by the records officer or the record creating agency.

7. Down-grading of classified records.—(1) The records creating agency shall by an office order authorise an officer not below the rank of the Under Secretary to the Government of India to evaluate and downgrade the classified records being maintained by it. A copy of such office order shall be forwarded to the Director General or head of the Archives as the case may be.

(2) The officer so authorised under sub-rule (1) shall evaluate the classified records every fifth year for the purpose of down-grading.

(3) After down-grading if the officer declares any record as of permanent nature, the same shall be deposited and preserved with the Director General or head of the Archives, as the case may be, after its appraisal.

(4) The records deposited under this rule can be requisitioned for any official purpose and returned to the Director General or head of the Archives, as the case may be, in the manner provided under rule 6.

(5) Every year in the last week of June and December, a half-yearly statement in Form-4 shall be furnished by the officer authorised under sub-rule (1) to the Director General or head of the Archives as the case may be, on the action taken for evaluation and downgrading the classified records.

8. Submission of Annual Report.—(1) The records officer nominated under rule 3 shall furnish to the Director General or head of the Archives, as the case may be, an Annual Report in Form-5 every year in the month of March of the following year.

(2) The Director General or head of the Archives, as the case may be, shall, thereafter, submit a report to the Government in the Ministry of Human Resource Development every year on the action taken by the Records Officer in pursuance to the provisions of clauses (a) to (1) of sub-section 1 of section 6 of the Act.

9. Destruction of Public Records.—(1) No public record shall be destroyed without being recorded and reviewed in the month of January every year, each records creating agency shall record after consulting the records retention Schedule all those files on which action has been completed. This work shall be accomplished in consultation with the records officer.

(2) No public records which is more than twenty five years old shall be destroyed by any records creating agency unless it is appraised.

(3) A list of all such public records which are proposed to be destroyed shall be prepared by the record creating agency in Form-6 and retained permanently for further reference.

(4) The records officer shall furnish a half yearly report in Form-7 on recording, indexing, reviewing and weeding of records to the Director General or head of the Archives, as the case may be.

(5) Records shall be destroyed either by burning or shredding in the presence of records officer.

10. Access to private records.—(1) Records acquired from private sources by way of gift or purchase or otherwise shall be made available for bona fide research subject to the conditions laid down by the donor.

(2) Research scholar shall submit an application in Form-8 to the Director General or head of the Archives, as the case may be, for permission to consult records. The Director General or head of the Archives, as the case may be, may refuse such permission in public interest and for reasons to be recorded on the said application.

(3) Wherever microfilm rolls may be available, the original records shall not be supplied for consultation to research scholars. No copy of any records shall be made by any one without the prior permission of the Director General or head of the Archives, as the case may be.

11. Access to public records.—(1) The public records accepted for deposit and preservation under sub-rule (1) of rule 5 shall be made available for bonafide consultation and research purposes subject to the provision of sub-section (1) of section 12 and the following conditions namely:—

(i) a person who intends to consult the public records shall apply to the Director General or head of the Archives, as the case may be, in Form-8. The Director General or

head of the Archives, as the case may be, may refuse such permission in public interest and for reasons to be recorded on the said application;

(ii) foreign national intending to consult the public records may be permitted only on the production of letters of introduction from their sponsoring institution and diplomatic Mission;

(iii) record, maps and cartographic records relating to the Ministry of External Affairs and Ministry of Defence, in respect of Arunachal Pradesh (including Eastern Section of the Sino-Indian border) Sikkim, Bhutan, Nepal, Tibet, China and Myanmar and areas comprising Pakistan and Balgladesh may be made available for consultation keeping in view the security and the defence of India or of any part of the territory thereof, Records relating to the Ministry of External Affairs, Home Affairs and Human Resource Development in respect of Jammu and Kashmir (including Gilgit and Chitral) may also be made available for consultation keeping in view the security and defence of India or of any part of the territory thereof;

Provided that the Director General or head of the archives, as the case may be, refuse such consultation:

(iv) wherever microfilm rolls may be made available, the original records shall not be supplied for consultation to research scholar;

(v) reprographic and transcription facilities may be made available on submission of an application in Form-9 and for such services the applicant shall have to make the payment of such service charges may be fixed by the Director General or head of the Archives, as the case may be, from time to time;

(vi) a person consulting public records for the purpose of research and publishes the work which is based upon the material taken from the said records may acknowledge the same.

(2) A person intending to consult the public records shall not,—

(a) write and put any marks or indications on public records;

(b) fold, tear, cut, crease, or otherwise damage or mutilate public records;

(c) remove any public records without obtaining the permission from the Director General or head of the Archives, as the case may be;