

**THIRD PARTY AUDIT REPORT
OF
BHARAT DYNAMICS LIMITED
ON
PROACTIVE DISCLOSURE UNDER RTI ACT, 2005

DECEMBER 2019**



**GOVERNMENT OF INDIA
MINISTRY OF DEFENCE
DEPARTMENT OF DEFENCE PRODUCTION
NATIONAL ACADEMY OF DEFENCE PRODUCTION
AMBAJHARI
NAGPUR-440021**

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PREFACE

1. The Constitution of India has established the sovereign and democratic Republic. Democracy requires an informed citizenry. Transparency of information in government is vital to its functioning as it aids in containing corruption and holds the governments and their instrumentalities accountable to the governed. The RTI Act 2005 was enacted to provide for a practical regime of right to information for citizens to secure access to information under the control of Public Authorities (PA), in order to promote transparency and accountability in the working of every Public Authority.
2. The RTI Act stipulates two ways by which information needs and the right to information of the citizens can be satisfied:-
 - (i) One is to file an RTI application seeking information within the time frame specified in the RTI Act through the Public Information Officer (PIO) of the organization concerned. This mode puts an onus for incurring cost on the citizen for seeking information and on Public Authorities for receiving, processing and responding to the request for the information. This is a costly and time consuming method of seeking and furnishing information.
 - (ii) The alternative mode is for pro active and suo-motu disclosure. Section 4(1)(b), 4(1)(c) and 4(1)(d) of the RTI Act lists categories of information which Public Authorities are required to disclose suo-motu without any request from the citizens. These statutory provisions cast a duty on the part of the Public Authority to proactively publish such information.
3. Looking into the relevance and importance of suo motu disclosure, Department of Personnel & Training (DOPT) has issued detailed guidelines on implementation of suo-motu disclosure under section 4 of RTI Act 2005 vide Office Memorandum No.1/6/2011-IR dated 15th April, 2013. The said guidelines issued by Department of Personnel & Training (DOPT) have four chapters viz:-
 - (a) Suo-motu disclosure of more items under Section 4
 - (b) Guidelines for digital publication of pro active disclosure under Section 4
 - © Guidelines for certain clauses of Section 4(1)(b) such as Section 4(1)(b)(iii), 4(1)(b)(xi), 4(1)(b)(xiv) etc., to make suo-motu disclosures more effective
 - (d) Compliance with provisions of suo-motu disclosure
4. Regarding compliance mechanism, DOPT OM dated 15 April 2013 stipulates as under:-
 - (i) Each Public Authority shall ensure that these guidelines are fully operationalized within the specified time limit.
 - (ii) The Action Taken Report (ATR) on the compliance of these guidelines should be sent to the Department of Personnel & Training (DOPT) and Central Information Commission (CIC).
 - (iii) Each Public Authority should get its pro active disclosure package audited through third party every year.
 - (iv) Third party audit of the suo-motu disclosure should cover compliance with the proactive disclosures prescribed in the guidelines Section 4 of the RTI Act **including adequacy of the items** included in the package. The audit should examine whether there are any other types of information which could be pro actively disclosed.

5. Such audit should be done annually and should be communicated to the Central Information Commission (CIC) and published on the web site of the Public Authority concerned. All Public Authorities are required to pro actively disclose the names of the third party auditors on their web sites. The Central Information Commission (CIC) is required to examine the third party audit reports and offer advice/recommendations to the concerned Public Authority. DOPT has issued reminders for compliance of the requirement for conducting third party audit vide its reminders dated 10 Dec 2013 and 22nd Sept 2015.
6. Vide F.No.1/1/2013-IR, dated the 9th July,2015, DOPT further directed as under:
 - (i) The direction given by DoPT in their guidelines for implementation of Section 4 of the RTI Act which required **appointment of a Joint Secretary rank officer as the Nodal Officer should be followed in letter and spirit.**
 - (ii) All Ministries/Departments/ Organisations themselves must encourage suo-motu disclosure of relevant information.
 - (iii) **RTI requests and their replies be published on the websites of the Departments so that duplicity of requests is avoided.**
 - (iv) All Departments **must make an analysis of information which is sought most often from applicants and provide it on their website as suo-motu disclosure.**
7. Vide F. No. 1/34/2013-IR dated 30/6/2016, DOPT further directed as under:
 - (i) The Public Authorities shall constitute Consultative Committees consisting of office bearers of key stakeholder, association on rotational basis to have a systematic and regular interaction between the officials of the Public Authorities to advice what information to be uploaded suo motu.
 - (ii) 'Information and Facilitation Centres' (IFCs) may be set up in each public authority, where public dealing is involved to educate the citizens about the information / documents available on the website of the department concerned and to provide printed publications to the citizens the categories of information that are frequently being sought under the RTI Act and provide copies of information as per RTI Rules,2012.
 - (iii) In each public authority, a committee of PIOs and FAAs with rich experience of dealing with RTI applications and appeals is set up to identify the categories of information that are frequently asked by applicants. Such information must be disclosed in the public domain to make it more user friendly and should also be reviewed at regular intervals.
 - (iv) Information that is proactively disclosed must be properly categorized and organised in such a manner that it facilitates easy retrieval. Information on the website must be organised in a searchable and retrievable database to enable people to access the records. The Nodal Officer of each Public authority be made responsible for this.
 - (v) Web site, and other medium and publication of each public authority, relating to Section 4 compliance must carry the date (where appropriate for each bit of information) on which the information was uploaded/printed.

- (vi) The task of undertaking transparency audits may be given to the respective Training Institutes under each Ministry/Department/Public Authority and across the States and Union Territories.
- 8. Vide Letter No. 13(116)/2013-D (Coord/DDP) dated 7th August 2019, Department of Defence Production (DDP) directed National Academy of Defence Production (NADP) to conduct third party audit of proactive disclosure packages of the sixteen (16) Public Authorities under the department.
- 9. In this back ground, NADP has conducted the third party audit of Bharat Dynamics Limited Hyderabad and the data collected, data analyzed and conclusion/recommendations are given in subsequent Chapters.

COMPOSITION OF AUDIT TEAM**MENTOR/GUIDE**

Shri C B S Markam, Sr. Principal Director, NADP

TEAM

Shri B Pattanaik, Additional Principal Director, NADP

CHAPTER-1 INTRODUCTION

1.1 The proactive disclosure of information by each Public Authority relating to its functions, as prescribed under the Right to Information Act, has been emphasized as the primary duty of the Public Authorities without waiting for the citizens to file RTI application for seeking information. In accordance with this, a number of category of information has been prescribed in section 4(1)(b), (c) and (d) to be disclosed suo motu. There are sixteen (16) specific categories of information which are mentioned in section 4(1)(b) and each of those categories contains various items making it elaborate and exhaustive. The 17th item under section 4(1)(b)(xvii) provides for "such other information as may be prescribed" also needs to be disclosed suo motu.

1.2 The seventeen categories of information mentioned in section 4(1)(b) are as under:-

- (i) the particulars of its organization, 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;
- (xin) particulars of recipients of concessions, permits or authorizations 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;

1.3 Sections 4(1)(c) and 4(1)(d) of the RTI Act mandates as under;

- i) Publish all relevant facts while formulating important policies or announcing the decisions which affect public;
- ii) Provide reasons for its administrative or quasi-judicial decisions to affected persons

1.4 Section 4(2), 4(3) and 4(4) prescribes the method of dissemination of information.

1.5 After promulgation of RTI Act, large volumes of information has been put in public domain by Public Authorities. However, to augment the quality and quantity of information to be put in public domain, DOPT came out with the guidelines for implementation of suo motu disclosure under section 4 of the RTI Act vide its OM No. 16/2011-IR dated 15th April 2013. Salient features of these guidelines are re-produced below:-

A. Guidelines on suo-motu disclosure under Section 4 of the RTI Act

1.5.1 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 make 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.

1.5.1.1 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. All information discloseable as per Ministry of Finance, Department of Expenditure's OM No. 10/1/2011-PPC dated 30th November, 2011 on Mandatory Publication of Tender Enquiries on the Central Public Procurement Portal and OM No.10/3/2012-PPC dated 30th March, 2012 on implementation of comprehensive end-to-end e-procurements should be disclosed under Section 4. However, information about procurement which fall within the purview of Section 8 of the RTI Act would be exempt.

1.5.1.2 Public Private Partnership

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, 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 PPP project may also be disclosed in a periodic manner alongwith the purpose of making such payment.

1.5.1.3 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 web site 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.

1.5.1.4 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.

1.5.1.5 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. However, CAG paras dealing with information about the issue 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.

1.5.1.6 Citizen Charter

Citizens Charter prepared by the Ministry/Department, as part of the Result Framework documents of the department/organization should be proactively disclosed and bi-annually report on the performance against the benchmarks set in Citizens Charter should also be displayed on the website of Public Authorities.

1.5.1.7 Discretionary and Non-discretionary grants

All discretionary /nondiscretionary grants /allocation to State governments/NGOs /other institutions by Ministry /Department should be placed on the web site 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 web site. Disclosures would be subject to provisions of Section 8 to 11 of the RTI Act.

1.5.1.8 Foreign Tours of PM/Ministers

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.

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 and above to the Government of India and Heads of Departments, since 1st January, 2012. The disclosure 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 organizations 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

1.5.2.1 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 clear guidelines for web-based publication of information of disclosure.

1.5.2.2 The **Department of Information Technology** has been working on setting of technical standards for government web sites 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, in its guidelines available on www.egovstandards.gov.in/sites/default/files/GOI_Web_Guidelines.pdf; 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 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 rearranging it, simplifying it etc. However, 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 visualization 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/video recordings etc. may be useful. All such different media and forms should be used for proactive disclosure. **Every webpage displaying information or data proactively disclosed under the RTI Act should, on the top right corner, display the last updated date/month/year (DD/MM/YY).**

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

- (l) 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.

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

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

(I) All 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 TOB would be linked to a specific decision-making chain. All government officers have to follow laid down office procedure manual or other rules which give 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 these manuals. These descriptions constitute the elements of decision making processes in general.

(II) Additionally, in the routine work of governance, government functionaries are required to make decision 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 procedure for a variety of operations relating to government finances. Flow 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.

(III) **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, 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.

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

- (I) 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.
- (II) 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.
- (III) 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 provide 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 (on line), 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 good 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).

1.5.3.3 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"

- (I) 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 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) Fund 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 websites of the 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.

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

(I) 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.

(II) 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; name of the person, with designation, responsible for maintaining the record; and the life span of the record, as prescribed in the relevant record retention schedule.

D. Compliance with Provisions of suo motu (proactive) disclosure under the RTI Act

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

(II) 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.

(III) 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.

(IV) **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.

(V) 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.

(VI) 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.

(VII) 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.

(VIII) **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.

1.6 Vide F.No.1/1/2013-IR, dated the 9th July, 2015, DOPT further directed as under:

1.6.1 The direction given by DoPT in their guidelines for implementation of Section 4 of the RTI Act which required appointment of a Joint Secretary rank officer as the Nodal Officer should be followed in letter and spirit.

1.6.2 All Ministries/Departments/ Organisations themselves must encourage suo-motu disclosure of relevant information and publish of RTI requests and their replies on the websites of the Departments so that duplicity of requests is avoided.

1.6.3 All Departments must make an analysis of information which is sought most often from applicants and provide it on their website as suo-motu disclosure.

1.7 Vide F. No. 1/34/2013-IR dated 30/6/2016, DOPT further directed as under:

1.7.1 The Public Authorities shall constitute Consultative Committees consisting of office bearers of key stakeholder, association on rotational basis to have a systematic and regular interaction between the officials of the Public Authorities to advice what information to be uploaded as suo motu.

1.7.2 'Information and Facilitation Centres' (IFCs) may be set up in each public authority, where public dealing is involved to educate the citizens about the information / documents available on the website of the department concerned and to provide printed publications to the citizens the categories of information that are frequently being sought under the RTI Act and provide copies of information as per RTI Rules, 2012.

1.7.3 In each public authority, a committee of PIOs and FAAs with rich experience of dealing with RTI applications and appeals is set up to identify the categories of information that are frequently asked by applicants. Such information must be disclosed in the public domain to make it more user friendly and should also be reviewed at regular intervals.

1.7.4 Information that is proactively disclosed must be properly categorized and organised in such a manner that it facilitates easy retrieval. Information on the website must be organised in a searchable and retrievable database to enable people to access the records. The Nodal Officer of each Public authority be made responsible for this.

1.7.5 Web site, and other medium and publication of each public authority, relating to Section 4 compliance must carry the date (where appropriate for each bit of information) on which the information was uploaded/printed.

1.7.6 The task of undertaking transparency audits may be given to the respective Training Institutes under each Ministry/Department/Public Authority and across the States and Union Territories.

1.8 As directed by the Department of Defence Production vide Letter No. 13(116)/2013-D (Coord/DDP) dated 7th August 2019, the mandate of National Academy of Defence Production (NADP), is to conduct the third audit in a transparent manner while conforming to the statutory provisions and DOPT directions.

1.9 Thus the **objectives of the third party audit** would be as under:

- (a) To study/scrutinise the information disclosed proactively by the Public Authority under Section 4 of the RTI Act.
- (b) To examine the level of compliance by the Public Authority with the detailed guidelines issued by DOPT regarding implementation of suo motu disclosure under Section 4 of the RTI Act.
- © To assess the adequacy and quality of disclosures made under the Act and under the guidelines
- (d) To help identify information gaps in such disclosures.
- (e) To suggest appropriate measures for better compliance with provisions of the Act and for making the implementation of the guidelines more effective.

CHAPTER-2 PROCEDURE ADOPTED

2.1 To begin with, the existing and available literature on the subject including the following documents, were examined and analysed as points of reference:-

- (a) Section 4(1), (2), (3) & (4) of the RTI Act
- (b) DOPT OM No.1/6/20114R dated 15 April 2013, F.No.1/1/2013-IR dated 9 July 2015 & F. No. 1/34/2013-IR dated 30 June 2016

2.2 After examining the available literature, an exhaustive check list, laying down parameters on the requirement of proactive/suo motu disclosure by the Public Authorities, was prepared. **Copy of the format/check list is placed at Annexure-1.** As may be seen, the parameters runs from Sl. No 1 to 37 and also contain a number of points of requirement worked out under each of these parameters to make the disclosure complete, systematic and organised so that common man can easily understand and retrieve desired information as per his requirement.

2.3 Parameters and the requirements generated, were then applied to the proactive disclosure details available on the web site (<https://bdl-india.in>) of the Public Authority (**Bharat Dynamics Limited Hyderabad**).

2.4 After the initial application of the check list on the web site, it was considered necessary to visit the organization and discuss with the officials about their current disclosure and the areas requiring improvement.

2.5 Accordingly, the public authority was visited on 24th and 27th December 2019 and detailed discussions were held with Sri A K Maiti, GM and Nodal Officer and other officers of Bharat Dynamics Limited Hyderabad. Website and RTI Portal was perused and data related to the RTI Tab was collected and the checklist was completed. A copy of the checklist indicating data collected and analysis is available in the Chapter-3 of the report.

2.6 The data so collected were then analyzed and areas for improvement were identified. The subsequent chapters of this report provide the details of data analysis and the areas requiring improvement and finally the conclusions/recommendations of the auditor.

CHAPTER-3
DATA COLLECTED

| | |
|--|--|
| Name of Public Authority being Audited: | Bharat Dynamics Limited Hyderabad-58 |
| Website: | https:// bdl-india.in |

| Sl.No | Parameter | Requirement | Qualitative Observations/Remarks |
|---|--|---|---|
| Information to be disclosed under Section 4(1)(b) of the RTI Act 2005 | | | |
| (1) | Particulars of its organization, functions and duties [Sec 4(1)(b)(i)] | <p>Name and address of organization Head of the organization Vision, Mission Key Objectives Functions and duties Organization chart----- -----</p> <p>Other details like genesis, inception formation of the department and the HoDs from time to time as well as the Committees/ Commissions constituted from time to time Link to branches/Regional centres</p> | <p>Available To be added Available Available Available Higher level Organisation Chart is available. Detailed organisation chart of the lower levels of the organisation i.e. HoD's & below to be added</p> <p>More information about the organisation is available in the website. Link may be provided under the RTI Tab.</p> |
| (2) | Powers and duties of its officers and employees [Sec 4(1)(b)(ii)] | <p>Powers and duties of officers Powers and duties of employees Rules/ orders under which powers and duties are derived and exercised. [To be laid down in easy and understandable manner] Delegation of Powers Work allocation, job description and/or duty lists</p> | <p>Brief of the power distribution structure is available. Detailed powers and duties of each level (Division wise) are to be added. Powers and duties of employees are also to be added. Rules and orders and policy documents related to powers and duties in the form of manuals etc, are to be added. Delegation of powers and work allocation to be added.</p> |
| (3) | Procedure followed in | Process and channel for decision | General summary of the |

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| | the decision making process, including channels of supervision and accountability [Sec 4(1)(b)(iii)] | making- Decision making charts / flow chart Final decision making authority Flow chart explaining the process of decision making Related provisions, acts, rules etc. Time limit for taking a decision, wherever applicable Delegation of Power-Rules/ procedures Major output /tangible results/services/goods | process of decision making, is available. A broad flow chart indicating decision making channel in the company has been provided. Flow chart of the decision making process in respect of each Division/department to be prepared and added. A Tabular Format indicating the level of disposal and channel of submission of different types of activity (Division Wise), is to be prepared and added. |
| (4) | Norms set by it for the discharge of its functions [Sec 4(1)(b)(iv)] | Nature of functions/services offered Norms/ standards for functions/ service delivery Process by which the services can be accessed Time- limits for achieving the targets Process of redressal of grievance Reference document prescribing the norms Citizen Charter | Citizen Charter detailing the norms of performance etc, is available under the RTI Tab. |
| (5) | Rules, regulations, instructions, manuals and records, held by it or under its control or used by its employees for discharging its functions [Sec 4(1)(b)(v)] | Title and nature of the record/ manual/ instruction The Acts/ Rules /manuals, Office memorandum etc Summary of contents of above for easy understanding of public | List of Manuals/Rules/Orders/Policy Documents is available. PDF format of these documents are to be provided. |
| (6) | Statement of the categories of documents that are held by it or under its control [Sec 4(1)(b)(vi)] | Title of the documents Category of documents Custodian of the documents | Different types of documents have been listed. For easy understanding, the information may be disclosed in Tabular Format (Title, Category, Custodian etc.). |
| (7) | Particulars of any arrangement that exists for consultation with, or representation by, the | Relevant rule, circular etc for consultation. Arrangement adopted for consultation with or representation by the members of | Not Applicable. |

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| | members of the public in relation to the formulation of its policy or implementation thereof [Sec 4(1)(b)(vii)] | the public in the functional areas of the organization. Days or time specified for visitors | |
| (8) | 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 [Sec 4(1)(b)(viii)] | Names of the Boards, Councils, Committees etc. Composition Powers and functions Whether their meetings are open to the public? Whether the minutes of the meeting are open to the public. Link to the source where the minutes if open to the public are available and the process of access by the common citizen. | Details of various committees/board/councils are to be provided. BDL has indicated that the minutes of meetings of the Board of Directors and the Committees are not open to public, being commercially confidential. |
| (9) | Directory of its officers and employees [Sec 4(1)(b)(ix)] | Name, designation and Division Location, Telephone (both office & Residence) , and email | Details of information of higher level officers are available. Information of all employees are to be added. |
| (10) | Monthly remuneration received by each of its officers and employees, including the system of compensation as provided in its regulations [Sec 4(1)(b)(x)] | Name & Designation of the employee Monthly remuneration System of compensation as provided by in its regulations | Pay scales of all categories are available. Remuneration of all are to be provided. |
| (11) | Budget allocated to each of its agency, indicating the particulars of all plans, proposed expenditures and reports on disbursements made [Sec 4(1)(b)(xi)] | Details of budget in simple form which can be easily understood by the non-professional and layman Funds allotted to branches/regional centres Outcome budget -Providing clear picture regarding the actual achievement vis-a-vis the targets. Periodic monitoring Reports Revised budget, if any Report on expenditure made and location where the related reports available | NA |

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| (12) | Manner of execution of subsidy programmes, including the amounts allocated and the details of beneficiaries of such programmes [Sec 4(1)(b)(xii)] | Name of the programmes or activities Objective of the programmes Procedure to avail benefits Duration of the programme/scheme Physical and financial targets of the programme Nature/scale of subsidy/amount allotted Eligibility criteria for grant of subsidy Details of beneficiaries of subsidy programme | NA |
| (13) | Particulars of recipients of concessions, permits or authorizations granted by it [Sec 4(1)(b)(xiii)] | Concessions, permits or authorizations granted by Public Authority For each concessions- permit or authorization granted Eligibility criteria Procedure for getting the concession/ grant and /or permits or authorizations Name and address of the recipients given concessions/ permits or authorization Date of award of concessions/permits or authorizations | NA |
| (14) | Details in respect of the information, available to or held by it, reduced in an electronic form [Sec 4(1)(b)(xiv)] | List of documents available in electronic form The data about digitalized records / files / reports /information 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; life span of the record. | Records in electronic form to be made available in Tabular Form (Name of the record, Categorisation 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; life span of the record) |

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| (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 [Sec 4(1)(b)(xv)] | Name & location of the facility- Computerized Information and Facilitation Counter (IFC) The address and location of the facility and the contact details Working hours of the facility and the details of information made available Fee/ charges to get the copies of the document Facility for inspecting the documents which are not available electronically should also be provided | May explore the possibility of having an IFC. |
| (16) | Names, designations and other particulars of the Public Information Officers [Sec 4(1)(b)(xvi)] | Name & Designation of PIOs and Appellate Authority Their Contact details -phone number & email Details of Nodal Officer Details of link PIOs and first Appellate Authority | Details of APIOs, PIO are available. Details of Nodal Officer are to be added. |
| (17) | Such other information as may be prescribed; and thereafter update these publications every year [Sec 4(1)(b)(xvii)] | Annual Report Annual Returns FAQs Citizens charter of the Public Authority Grievance redressal mechanisms List of completed schemes/ projects/programmes Success of stories List of schemes/ projects/programmes underway Audit paras along with ATR Any other information. Frequently Asked Information | Other information may be added or which are available in the website may be linked to RTI Tab here like the following: Annual Report Annual Returns List of completed schemes/ projects/programmes Success of stories List of schemes/ projects/programmes underway Audit paras along with ATR |
| Miscellaneous – Section 4 (1)©, (d) and Section 4(3), 4(4) | | | |
| (18) | Publish all relevant facts while formulating important policies or announcing the decisions which affect public [Sec 4(1)(c)] | Are important policies/decisions which affect the public, informed to them? | NA |
| (19) | Provide reasons for its administrative or | Are reasons of quasi judicial decisions communicated to | BDL has indicated that it is provided whenever required |

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| | quasi-judicial decisions to affected persons [Sec 4(1)(d)] | affected persons? | |
| (20) | Every information shall be disseminated widely and in such form and manner which is easily accessible to the public [Sec 4(3)] | Website Notice Board Newspapers Public Announcements Media Broadcasts Internet Any other means including inspection | Website is functional. |
| (21) | 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, available free or at such cost of the medium or the print cost price as may be prescribed [Sec 4(4)] | Whether Information Manual / Handbook (Departmental Handbook on RTI) available or not Whether available free of cost or at a reasonable price, or not. | A RTI Manual/Handbook on RTI pertaining to BDL may be prepared in English, Hindi & Regional language and made available under RTI Tab for easy access to the common man. |
| Additional Information to be disclosed under DOPT No.1/6/2011-IR Dated the 15th April, 2013 guidelines- SuoMotu disclosure of more items under Sec 4 | | | |
| (22) | Information related to Procurement | Tender- Notices/Enquiries and corrigenda there on. Details of awarded contracts - detailing the name of the supplier of goods/services being procured or work contract Rate and total amount at which such procurement or work contracts were awarded. | Substantial information is available in the website. Link can be provided under the RTI Tab. |
| (23) | Public Partnerships | Details of the Special Purpose Vehicle (SPV), if any set up Detailed project reports Concession agreement Operation and maintenance | Nil |

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| | | manual Other documents generated as part of the implementation of the Public Private Partnership project | |
| (24) | Transfer Policy and Transfer Orders | Transfer policy for different Grades/Cadres Transfer orders | Transfer policy/guidelines are to be added. Transfer orders are to be provided. |
| (25) | RTI Applications | RTI applications and appeals received and their responses (except relating to personal information) to be Loaded on the websites Search facility based on keywords | To be added subject to the provisions of Section 8 of the RTI Act. |
| (26) | CAG & PAC paras | CAG and PAC- ATR of those which have been laid on the table of both the houses of Parliament | To be added whenever applicable |
| (27) | Citizen's Charter | Citizen's Charter RFD (Result Framework Document) Bi-annual reports on the performance against the bench marks set in citizen's charter | Citizen Charter is available. |
| (28) | Discretionary and Non-discretionary grants | Details of discretionary grants/ allocation Annual accounts of legal entities that are provided grants by Public Authorities | NA |
| (29) | Foreign Tours of PM/Ministers and officials | The details of Foreign & domestic visits undertaken by the officials of the rank of JS to the Govt of India and HODs Details to be included therein: Purpose of Visit Place of visit Period No. of People included with official delegation Expenditure incurred on such tours Report submitted on completion of tours | Temporary Duty details of officers of the rank of Joint Secretary to Govt. Of India and above are to be disclosed. |
| Form of disclosure | | | |
| (30) | Form of accessibility of Information Manual/Handbook | Electronic or printed or both | RTI Manual / Handbook is to be prepared and made available. |
| (31) | Language in which | English / Hindi/Vernacular/ Local | NA |

| | | | |
|---|---|--|---|
| | Information Manual/Handbook is available | Language | |
| (32) | When was the Information Manual/Handbook updated | Annual updating is required and the date of last update needs to be displayed. | NA |
| Gude lines issued by DOPT Vide F. No. 1/34/2013-IR dated 30/6/2016 | | | |
| (33) | Public Authorities shall constitute Consultative Committees consisting of office bearers of key stakeholder, association on rotational basis to have a systematic and regular interaction between the officials of the Public Authorities to advice what information to be uploaded as suomotu. | | Consultative Committee is constituted and the recommendations of the committee are to be implemented. |
| (34) | 'Information and Facilitation Centres' (IFCs) may be set up in each public authority | | Feasibility of establishing IFC is to be explored. |
| (35) | Committee of PIOs and FAAs is set up to identify the categories of information that are frequently asked by applicants. Such information must be disclosed and should also be reviewed at regular intervals | | Committee of PIO and FAA has been set up. The recommendations of the committee are to be implemented. |
| | Information must be properly categorized and organised in such a manner that it facilitates easy retrieval. Information on the website must be organised in a searchable and retrievable database to enable people to access the records. | | DOPT instructions regarding website designing / management is to be followed. |

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| | The Nodal Officer of each Public authority be made responsible for this. | | |
| | Web site, and other medium and publication must carry the date (where appropriate for each bit of information) on which the information was uploaded/printed | | Date of updation of disclosure of information is to be invariably mentioned. |

CHAPTER-4

ANALYSIS OF DATA COLLECTED

On analysis of the data collected, following areas for improving contents (quantity) and the quality of the disclosure have been identified:

1. Particulars of its organization, functions and duties [Sec 4(1)(b)(i)]:
 - (i) Name and address of organization, Vision, Mission, Key Objectives etc., are available. Organisation Chart of Top Management is available.
 - (ii) Detailed organisation chart of the lower levels of the organisation i.e. HoDs & below to be added.
 - (iii) More information about the organisation is available on the website. Link may be provided under the RTI Tab.
2. Powers and duties of its officers and employees[Sec 4(1)(b)(ii)]:
 - (i) Brief of the power distribution structure is available.
 - (ii) Detailed powers and duties of each level (Division wise) are to be added.
 - (iii) Powers and duties of employees are also to be added.
 - (iv) Rules and orders and policy documents related to powers and duties in the form of manuals etc, are to be added.
 - (v) Delegation of powers and work allocation to be added.
3. Procedure followed in the decision making process, including channels of supervision and accountability[Sec 4(1)(b)(iii)]:
 - (i) General summary of the process of decision making, is available. A broad flow chart indicating decision making channel in the company has been provided.
 - (ii) Flow chart of the decision making process in respect of each Division/department to be prepared and added.
 - (iii) A Tabular Format indicating the level of disposal and channel of submission of different types of activity (Division Wise),is to be prepared and added.
4. Norms set by it for the discharge of its functions[Sec 4(1)(b)(iv)]:

Citizen Charter detailing the norms of performance etc, is available under the RTI Tab.
5. Rules, regulations, instructions, manuals and records, held by it or under its control or used by its employees for discharging its functions[Sec 4(1)(b)(v)]:
 - (i) List of Manuals/Rules/Orders/Policy Documents is available.
 - (ii) PDF format of these documents are to be provided.
6. Statement of the categories of documents that are held by it or under its control[Sec 4(1)(b)(vi)]:
 - (i) Different types of documents have been listed.
 - (ii) For easy understanding, the information about documents may be disclosed in Tabular Format (Title, Category, Custodian etc.).
7. 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 [Sec 4(1)(b)(vii)]

Not Applicable.

8. 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[Sec 4(1)(b)(viii)]:

- (i) Details of various committees/board/councils are to be provided.
- (ii) BDL has indicated that the minutes of meetings of the Board of Directors and the Committees are not open to public, being commercially confidential.

9. Directory of its officers and employees[Sec 4(1)(b)(ix)]:

- (i) Details of information of higher level officers are available.
- (ii) Information of all employees is to be added.

10. Monthly remuneration received by each of its officers and employees, including the system of compensation as provided in its regulations[Sec 4(1)(b)(x)]:

- (i) Pay scales of all categories are available.
- (ii) Details of remuneration of all employees are to be provided.

11. Budget allocated to each of its agency, indicating the particulars of all plans, proposed expenditures and reports on disbursements made[Sec 4(1)(b)(xi)]:

Not Applicable.

12. Manner of execution of subsidy programmes, including the amounts allocated and the details of beneficiaries of such programmes[Sec 4(1)(b)(xii)]:

Not Applicable.

13. Particulars of recipients of concessions, permits or authorizations granted by it[Sec 4(1)(b)(xiii)]:

Not Applicable.

14. Details in respect of the information, available to or held by it, reduced in an electronic form [Sec 4(1)(b)(xiv)]:

Records in electronic form are to be made available in Tabular Form with the following details: - (Name of the record, Categorisation 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; life span of the record etc.).

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[Sec 4(1)(b)(xv)]:

Even though there is no public dealing; BDL may explore the possibility of having a computerised Information and Facilitation Center (IFC).

16. Names, designations and other particulars of the Public Information Officers [Sec 4(1)(b)(xvi)]:

Names, designations and other particulars of the Public Information Officers are available.

Details of Nodal Officer are to be provided.

17. Such other information as may be prescribed; and thereafter update these publications every year[Sec 4(1)(b)(xvii)]:

Other information may be added or which are available in the website may be linked to RTI

Tab here like the following:

Annual Report

Annual Returns

List of completed schemes/ projects/programmes

Success of stories

List of schemes/ projects/programmes underway

Audit paras along with ATR

18. Publish all relevant facts while formulating important policies or announcing the decisions which affect public [Sec 4(1)(c)]:

Not Applicable.

19. Provide reasons for its administrative or quasi-judicial decisions to affected persons[Sec 4(1)(d)]:

It is provided whenever it is required.

20. Every information shall be disseminated widely and in such form and manner which is easily accessible to the public[Sec 4(3)]:

Website is functional.

21. Whether Departmental RTI Manual/Handbook is available free of cost [Sec 4(4)]:

A RTI Manual/Handbook on RTI pertaining to BDL may be prepared in English, Hindi & Regional language and made available under RTI Tab for easy access to the common man.

22. Information related to Procurement:

Substantial information is available in the website. Link can be provided under the RTI Tab.

23. Public Private Partnerships:

NIL.

24. Transfer Policy and Transfer Orders:

Transfer policy/guidelines are to be added.

Transfer orders are to be provided.

25. RTI Applications:

RTI applications and appeals received and their responses (except relating to personal information) to be uploaded on the websites with search facility based on keywords.

26. CAG & PAC paras:

CAG and PAC paras and Action Taken Report (ATR), which have been laid on the table of both the houses of Parliament, may be added.

27. Citizen's Charter:

Citizen Charter is available.

28. Discretionary and Non-discretionary grants:
Not Applicable.

29. Foreign Tours of PM/Ministers and officials:

Temporary Duty details of officers of the rank of Joint Secretary to Govt. Of India and above are to be provided.

30. Form of accessibility of Information Manual/Handbook:

RTI Manual / Handbook is to be prepared and made available.

31. Language in which Information Manual/Handbook is available:

Since RTI Manual is not available, Not Applicable

32. When was the Information Manual/Handbook updated:
Not Applicable.

33. Constitution of Consultative Committees to advice which information to be disclosed suo motu:

Consultative Committee has been constituted and the recommendations of the committee are to be implemented.

34. Information and Facilitation Centres:

Even though there is no public dealing; BDL may explore the possibility of having a computerised Information and Facilitation Centre (IFC).

35. Committee of PIOs and FAAs to identify Frequently Asked Information to upload them:

Committee of APIO, PIOs and FAAs has been constituted. Recommendations of the committee are to be implemented.

36. Organisation and categorisation of information on the website in a searchable and retrievable database:

DOPT instructions regarding website designing / management is to be followed.

37. Nodal Officer:

As mandated by DOPT instructions, the Nodal Officer should be minimum in the rank of Joint Secretary to the Government of India.

38. Mention of date of updation of information on the website:

Date of updation of disclosure of information is to be invariably mentioned.

CHAPTER-5

CONCLUSION AND RECOMMENDATION

A perusal of the website of the Bharat Dynamics Limited indicates that substantial amount of information is available. However, there is always scope for improvement. In order therefore to make the website more user friendly and citizen centric, the following conclusion/observations may be considered for implementation:-

- a) Detailed organisation charts of the lower levels of the organisation i.e. HoDs & below are to be made available.
- b) Detailed powers and duties of each level (Division wise) of officers are to be added. Powers and duties of employees are also to be provided. Delegation of powers and work allocation are to be added.
- c) Rules and orders in PDF format, related to powers and duties, are to be provided.
- d) Flow chart of the decision making procedure in respect of each Division/department is to be prepared and added.
- e) A Tabular Format indicating the level of disposal and channel of submission of different types of activity (Division Wise), is to be prepared and added.
- f) Information about category of documents may be disclosed in Tabular Format (Title, Category, Custodian etc.) for easy understanding.
- g) Name and designation etc, of all employees are to be displayed.
- h) Monthly remuneration of all are to be provided.
- i) Information related to records in electronic form are to be made available in Tabular Form (Name of the record, Categorisation 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; life span of the record etc.)
- j) Even though there is no public dealing, BDL may explore the possibility of having an Information Facilitation Centre (IFC). That will add more credibility to the DPSU's image as a more transparent organisation.
- k) Other information (Annual Report, Annual Returns, List of completed schemes/ projects/programmes, Success of stories, List of schemes/ projects/programmes underway, Audit paras along with ATR) may provided.
- l) A RTI Manual/Handbook on RTI pertaining to BDL may be prepared in English, Hindi & Regional language and made available under RTI Tab, for easy access of complete information about the company in a single document, to the common man.
- m) Transfer policy/guidelines are to be provided. Transfer orders are to be provided.
- n) RTI applications and appeals received and their responses (except relating to personal information) to be uploaded on the websites with search facility based on keywords.
- n) Action Taken Report (ATR) on CAG and PAC paras (of those which have been laid on the table of both the houses of Parliament) may be displayed.
- o) Temporary Duty details of officers of the rank of Joint Secretary to Govt. Of India and above are to be disclosed.
- p) The recommendations of the consultative committee are to be implemented.
- q) The recommendations of the committee of APIOs, PIOs and FAAs are to be implemented.
- r) DOPT instructions regarding website designing / management is to be followed. Information displayed in the website should indicate the last date of updation prominently in a DD/MM/YY format.
- s) In order to facilitate citizens' requirement, all information which are to be disclosed suo-motu, should be either available under RTI heading or should be accessible through a link to the RTI heading/tab.

ANNEXURE-1

CHECK LIST

| Sl.No | Parameter | Requirement | Qualitative Observations/Remarks |
|--|---|---|----------------------------------|
| Information to be disclosed under Section 4(1)(b) of the RTI Act 2005 | | | |
| (1) | Particulars of its organization, functions and duties [Sec 4(1)(b)(i)] | Name and address of organization Head of the organization Vision, Mission Key Objectives Functions and duties Organization chart Other details like genesis, inception formation of the department and the HoDs from time to time as well as the Committees/ Commissions constituted from time to time Link to branches/Regional centres | |
| (2) | Powers and duties of its officers and employees [Sec 4(1)(b)(ii)] | Powers and duties of officers Powers and duties of employees Rules/ orders under which powers and duties are derived and exercised. [To be laid down in easy and understandable manner] Delegation of Powers Work allocation, job description and/or duty lists | |
| (3) | Procedure followed in the decision making process, including channels of supervision and accountability [Sec 4(1)(b)(iii)] | Process and channel for decision making- Decision making charts / flow chart Final decision making authority Flow chart explaining the process of decision making Related provisions, acts, rules etc. Time limit for taking a decision, wherever applicable Delegation of Power-Rules/ procedures Major output /tangible results/services/goods | |
| (4) | Norms set by it for the discharge of its functions [Sec 4(1)(b)(iv)] | Nature of functions/services offered Norms/ standards for functions/ service delivery Process by which the services can be accessed | |

| | | | |
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| | | Time- limits for achieving the targets Process of redressal of grievance Reference document prescribing the norms | |
| (5) | Rules, regulations, instructions, manuals and records, held by it or under its control or used by its employees for discharging its functions [Sec 4(1)(b)(v)] | Title and nature of the record/ manual/ instruction The Acts/ Rules /manuals, Office memorandum etc Summary of contents of above for easy understanding of public | |
| (6) | Statement of the categories of documents that are held by it or under its control [Sec 4(1)(b)(vi)] | Title of the documents Category of documents Custodian of the documents | |
| (7) | 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 [Sec 4(1)(b)(vii)] | Relevant rule, circular etc for consultation. Arrangement adopted for consultation with or representation by the members of the public in the functional areas of the organization. Days or time specified for visitors | |
| (8) | 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 [Sec 4(1)(b)(viii)] | Names of the Boards, Councils, Committees etc. Composition Powers and functions Whether their meetings are open to the public? Whether the minutes of the meeting are open to the public. Link to the source where the minutes if open to the public are available and the process of access by the common citizen. | |
| (9) | Directory of its officers and employees [Sec 4(1)(b)(ix)] | Name, designation and Division Location, Telephone (both office & Residence) , and | |

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| | | email | |
| (10) | Monthly remuneration received by each of its officers and employees, including the system of compensation as provided in its regulations [Sec 4(1)(b)(x)] | Name & Designation of the employee Monthly remuneration System of compensation as provided by in its regulations | |
| (11) | Budget allocated to each of its agency, indicating the particulars of all plans, proposed expenditures and reports on disbursements made [Sec 4(1)(b)(xi)] | Details of budget in simple form which can be easily understood by the non-professional and layman Funds allotted to branches/regional centres Outcome budget -Providing clear picture regarding the actual achievement vis-a-vis the targets. Periodic monitoring Reports Revised budget, if any Report on expenditure made and location where the related reports available | |
| (12) | Manner of execution of subsidy programmes, including the amounts allocated and the details of beneficiaries of such programmes [Sec 4(1)(b)(xii)] | Name of the programmes or activities Objective of the programmes Procedure to avail benefits Duration of the programme/scheme Physical and financial targets of the programme Nature/scale of subsidy/amount allotted Eligibility criteria for grant of subsidy Details of beneficiaries of subsidy programme | |
| (13) | Particulars of recipients of concessions, permits or authorizations granted by it [Sec 4(1)(b)(xiii)] | Concessions, permits or authorizations granted by Public Authority For each concessions- permit or authorization granted Eligibility criteria Procedure for getting the concession/ grant and /or permits or authorizations Name and address of the recipients given concessions/ permits or authorization Date of award of concessions/permits or | |

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| | | authorizations | |
| (14) | Details in respect of the information, available to or held by it, reduced in an electronic form [Sec 4(1)(b)(xiv)] | <p>List of documents available in electronic form</p> <p>The data about digitalized records / files / reports / information which shall include the name of the record;</p> <p>any categorization or index used;</p> <p>subject matter and other information;</p> <p>division/section/unit/office where the record is normally held;</p> <p>the person with designation responsible for maintaining the record;</p> <p>life span of the record.</p> <p>Details of information not available in electronic form.</p> <p>Orders of Public Authorities</p> <p>All relevant Acts, Rules, forms and other documents which are normally accessed by citizens</p> <p>Entitlements/services provided</p> <p>Directory of key contacts, details of officials</p> <p>All publicly funded information</p> <p>Visual presentation</p> <p>Date of last updated information.</p> | |
| (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 [Sec 4(1)(b)(xv)] | <p>Name & location of the facility- Computerized Information and Facilitation Counter (IFC)</p> <p>The address and location of the facility and the contact details</p> <p>Working hours of the facility and the details of information made available</p> <p>Fee/ charges to get the copies of the document</p> <p>Facility for inspecting the documents which are not available electronically should also be provided</p> | |
| (16) | Names, designations and other particulars of the Public Information Officers [Sec 4(1)(b)(xvi)] | <p>Name & Designation of PIOs and Appellate Authority</p> <p>Their Contact details -phone number & email</p> <p>Details of Nodal Officer</p> | |

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| (17) | Such other information as may be prescribed; and thereafter update these publications every year [Sec 4(1)(b)(xvii)] | Annual Report Annual Returns FAQs Citizens charter of the Public Authority Grievance redressal mechanisms List of completed schemes/ projects/programmes Success of stories List of schemes/ projects/programmes underway Audit paras along with ATR Any other information. Frequently Asked Information | |
| (18) | Publish all relevant facts while formulating important policies or announcing the decisions which affect public [Sec 4(1)(c)] | Are important policies/decisions which affect the public, informed to them? | |
| (19) | Provide reasons for its administrative or quasi-judicial decisions to affected persons [Sec 4(1)(d)] | Are reasons of quasi judicial decisions communicated to affected persons? | |
| (20) | Every information shall be disseminated widely and in such form and manner which is easily accessible to the public [Sec 4(3)] | Website Notice Board Newspapers Public Announcements Media Broadcasts Internet Any other means including inspection | |
| (21) | 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, available free or at | Whether Information Manual / Handbook (Departmental Handbook on RTI) available or not Whether available free of cost or at a reasonable price, or not. | |

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| | such cost of the medium or the print cost price as may be prescribed [Sec 4(4)] | | |
| Additional Information to be disclosed under DOPT No.1/6/2011-IR Dated the 15th April, 2013 guidelines- SuoMotu disclosure of more items under Sec 4 | | | |
| (22) | Information related to Procurement | Tender- Notices/Enquiries and corrigenda there on. Details of awarded contracts - detailing the name of the supplier of goods/services being procured or work contract Rate and total amount at which such procurement or work contracts were awarded. | |
| (23) | Public Private Partnerships | Details of the Special Purpose Vehicle (SPV), if any set up Detailed project reports Concession agreement Operation and maintenance manual Other documents generated as part of the implementation of the Public Private Partnership project | |
| (24) | Transfer Policy and Transfer Orders | Transfer policy for different Grades/Cadres Transfer orders | |
| (25) | RTI Applications | RTI applications and appeals received and their responses (except relating to personal information) to be Loaded on the websites Search facility based on keywords | |
| (26) | CAG & PAC paras | CAG and PAC- ATR of those which have been laid on the table of both the houses of Parliament | |
| (27) | Citizen's Charter | Citizen's Charter RFD (Result Framework Document) Bi-annual reports on the performance against the bench marks set in citizen's charter | |
| (28) | Discretionary and Non-discretionary grants | Details of discretionary grants/ allocation Annual accounts of legal entities that are provided grants by Public | |

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| | | Authorities | |
| (29) | Foreign Tours of PM/Ministers and officials | <p>The details of Foreign & domestic visits undertaken by the officials of the rank of JS to the Govt of India and HODs</p> <p>Details to be included therein:</p> <p>Purpose of Visit</p> <p>Place of visit</p> <p>Period</p> <p>No. of People included with official delegation</p> <p>Expenditure incurred on such tours</p> <p>Report submitted on completion of tours</p> | |
| Form of disclosure | | | |
| (30) | Form of accessibility of Information Manual/Handbook | Electronic or printed or both | |
| (31) | Language in which Information Manual/Handbook is available | English / Hindi/Vernacular/ Local Language | |
| (32) | When was the Information Manual/Handbook updated | Annual updating is required and the date of last update needs to be displayed. | |
| Guide lines issued by DOPT Vide F. No. 1/34/2013-IR dated 30/6/2016 | | | |
| (33) | Public Authorities shall constitute Consultative Committees consisting of office bearers of key stakeholder, association on rotational basis to have a systematic and regular interaction between the officials of the Public Authorities to advice what information to be uploaded as suomotu. | | |
| (34) | ' Information and Facilitation Centres ' (IFCs) may be set up in each public authority | | |
| (35) | Committee of PIOs and FAAs is set up to | | |

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| | identify the categories of information that are frequently asked by applicants. Such information must be disclosed and should also be reviewed at regular intervals | | |
| (36) | Information must be properly categorized and organised in such a manner that it facilitates easy retrieval. Information on the website must be organised in a searchable and retrievable database to enable people to access the records. The Nodal Officer of each Public authority be made responsible for this. | | |
| (37) | Web site, and other medium and publication must carry the date (where appropriate for each bit of information) on which the information was uploaded/printed | | |

ANNEXURE-2

Extracts of Section 4(1)(b), (c) and (d) of RTI Act, 2005**4. Obligations of Public Authorities – (1) Every Public Authority shall -**

(b) Publish within one hundred and twenty days from the enactment of this Act.-

- (i) the particulars of its organization, 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 authorizations 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 or 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;

- (c) publish all relevant facts while formulating important policies or announcing the decisions which affect public;
- (d) provide reasons for its administrative or quasi-judicial decisions to affected persons.

ANNEXURE-3

DOPT OM No.1/6//2011-IR dated 15th April 2013 regarding implementation of suo motu disclosure under Section 4 of RTI Act, 2005-Issue of guidelines regarding

1. 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 application.
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 setup 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 representative of civil society organizations active in the field of Right to Information, for strengthening compliance with provisions for suomotu 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.
4. Guidelines for Central Government Ministries/Departments are on:-
 - i. Suo motu disclosure of more items under Section 4.
 - ii. Guidelines for digital publication of proactive disclosure under Section
 - iii. Detailing of Section 4(1)(b)(iii), 4(1)(b)(iv), 4(1)(b)(xi) and 4(1)(b)(xiv)
 - iv. Compliance mechanism for suo motu disclosure (proactive disclosure) under the RTI Act, 2005.
5. The above guidelines are enclosed. However, it may be kept in mind that proactive disclosure should be done in the local language so that it remains accessible to public. It should be presented in a form that is easily understood and if technical words are used they should be carefully explained. As provided in section 4, disclosure should be made in as many mediums as feasible and disclosures should be kept up to date. The disclosure of information may be made keeping in mind the provisions of Section 8 to 11 of the RTI Act.
6. Central Government Ministries'/Departments should undertake suo motu disclosure and ensure compliance based on these guidelines.

The enclosed guidelines may be brought to the notice of all for compliance.

Sd/-
(Manoj Joshi)
Joint Secretary
Tele: 23093668

Guidelines on suomotu disclosure under Section 4 of the RTI Act

1.0 Suomotu 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 30th November, 2011 on Mandatory Publication of Tender Enquiries on the Central Public Procurement Portal and O.M. No. 10/3/2012- PPC dated 30th 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.

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 1st 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 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. 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 keywork 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 rearranging 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.
- 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/YYYY)'.**

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 areas 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 tooor 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.

ANNEXURE-4

F.No.1/1/2013-IR
Government of India
Ministry of Personnel, Public Grievances and Pensions
(Department of Personnel & Training)
North Block,
New Delhi, dated the 9th July, 2015.

Subject: 76th Report of the Department Related Parliamentary Standing Committee on Personnel, Public Grievances, Law and Justice —Recommendation regarding suo-motu disclosure under Section 4 of Right to Information Act, 2005.

Reference is invited to this Department's Office Memorandum No.1/6/2011-IR, dated the 15th April, 2013 wherein all Ministries / Departments were advised to appoint a senior officer not below the rank of a Joint Secretary and not below the rank of Additional HoD in case of attached offices for ensuring compliance with the proactive disclosure guidelines. Subsequently, vide O.M.No.1/1/20-13-IR dated 21st October, 2014, all Ministries / Departments were requested to take action to upload the replies to RTI applications and first appeals on their respective websites. In this context, the Department Related Parliamentary Standing Committee on Personnel, Public Grievances, Law and Justice has, in Para 4.40 of its 76th Report, inter-alia, made the following observation / recommendations:

"The direction given by DoPT in their guidelines for implementation of Section 4 of the RTI Act which required appointment of a Joint Secretary rank officer as the Nodal Officer should be followed in letter and spirit. The Committee feels that all Ministries/Departments/Organisations themselves must encourage suo-motu disclosure of relevant information. The Committee suggests the publishing of RTI requests and their replies on the websites of the Departments so that duplicity of requests is avoided. All Departments must make an analysis of information which is sought most often from applicants and provide it on their website as suo-motu disclosure."

2. The above mentioned recommendations of the Department Related Parliamentary Standing Committee on Personnel, Public Grievances, Law and Justice are hereby brought to the notice of all Ministries/ Departments and Public Authorities for strict compliance.

(Devesh Chaturvedi)
Joint Secretary to the Government of India

ANNEXURE-5

F. No. 1/34/2013-IR
Government of India
Ministry of Personnel, Public Grievances and Pensions
(Department of Personnel & Training)
North Block, New Delhi
Dated the 30th June, 2016
OFFICE MEMORANDUM

Subject: Report of the Committee set up under the chairmanship of Dr. Devesh Chaturvedi, Joint Secretary, DoPT to examine the recommendations of the Committee of Experts on suo motu disclosure under Section 4 of the RTI Act, 2005.

A Committee of Experts consisting of Shri A.N. Tiwari, former Chief Information Commissioner and Dr. M.M. Ansari, Information Commissioner of Central Information Commission was constituted to recommend, inter-alia, measures to further strengthen implementation of Section 4 of the RTI Act, 2005. The Committee submitted its Report which has been accepted by the Government and an OM dated 29th June 2015 was issued to all public authorities to follow the recommendations of the Committee. Thereafter, DOPT has issued instructions to all Public Authorities in this regard vide O.M. No. 1/1/2013-IR dated 9th July, 2015 that the Departments must make an analysis of information which is sought most often from applicants and provide it on their website as suo-motu disclosure.

2 Competent Authority has further directed that:

(1) The Public Authorities shall constitute **Consultative Committees** consisting of office bearers of key stakeholder, association on rotational basis to have a systematic and regular interaction between the officials of the Public Authorities to advise what information to be uploaded as suomotu.

(2) **'Information and Facilitation Centres' (IFCs)** may be set up in each public authority, where public dealing is involved to educate the citizens about the information / documents available on the website of the department concerned and to provide printed publications to the citizens the categories of information that are frequently being sought under the RTI Act and provide copies of information as per RTI Rules, 2012.

(3) In each public authority, a **committee of PIOs and FAAs** with rich experience of dealing with RTI applications and appeals is set up to identify the categories of information that are frequently asked by applicants. Such information must be disclosed in the public domain to make it more user friendly and should also be reviewed at regular intervals.

(4) Information that is proactively disclosed must be properly categorized and organised in such a manner that it facilitates easy retrieval. **Information on the website must be organised in a searchable and retrievable database to enable people to access the records. The Nodal Officer of each Public authority be made responsible for this.**

(5) Web site, and other medium and publication of each public authority, relating to Section 4 compliance **must carry the date (where appropriate for each bit of information) on which the information was uploaded/printed.**

(6) The task of undertaking transparency audits may be given to the respective Training Institutes under each Ministry/Department/Public Authority and across the States and Union Territories.

(Gayatri Mishra)
Director(IR)
Telefax : 23092755

To
All Ministries / Departments.