

SECTION -4, RTI ACT

Section- 4(1) Every public authority shall—

- (a) maintain all its records duly catalogued and indexed in a manner and the which facilitates the right to information under this Act and ensure that records that are appropriate to be computerised are, within a reasonable and subject to availability of resources, computerised and connected through network all over the country on different systems so that access to such records facilitated;
- (b) Publish the following :
- (i) the particulars of its organisation, functions and duties;
  - (ii) the powers and duties of its officers and employees;
  - (iii) the procedure followed in the decision making process, including channels of supervision and accountability;
  - (iv) the norms set by it for the discharge of its functions;
  - (v) the rules, regulations, instructions, manuals and records, held by it or under its control or used by its employees for discharging its functions;
  - (vi) a statement of the categories of documents that are held by it or under its control;
  - (vii) the particulars of any arrangement that exists for consultation with, or representation by, the members of the public in relation to the formulation of its policy or implementation thereof;
  - (viii) a statement of the boards, councils, committees and other bodies consisting of two or more persons constituted as its part or for the purpose of its advice, and as to whether meetings of those boards, councils, committees and other bodies are open to the public, or the minutes of such meetings are accessible for public;
  - (ix) a directory of its officers and employees;
  - (x) the monthly remuneration received by each of its officers and employees, including the system of compensation as provided in its regulations;
  - (xi) the budget allocated to each of its agency, indicating the particulars of all plans, proposed expenditures and reports on disbursements made;

- (xii) the manner of execution of subsidy programmes, including the amounts allocated and the details of beneficiaries of such programmes;
- (xiii) particulars of recipients of concessions, permits or authorisations granted by it;
- (xiv) details in respect of the information, available to or held by it, reduced in an electronic form;
- (xv) the particulars of facilities available to citizens for obtaining information, including the working hours of a library or reading room, if maintained for public use;
- (xvi) the names, designations and other particulars of the Public Information Officers;
- (xvii) such other information as may be prescribed and thereafter update these publications every year;

- (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.

(2) Every public authority to take steps in accordance with the requirements of clause (b) of sub-section (1) to provide as much information suo-motu to the public at regular intervals through various means of communications, including internet, so that the public have minimum resort to the use of this Act to obtain information.

(3) Every information shall be disseminated widely and in such form and manner which is easily accessible to the public.

(4) All materials shall be disseminated taking into consideration the cost effectiveness, local language and the most effective method of communication in that local area and the information should be easily accessible, to the extent possible in electronic format with the Central Public Information Officer or State Public Information Officer, as the case may be, available free or at such cost of the medium or the print cost price as may be prescribed.

Explanation - "disseminated" means making known or communicated the information to the public through notice boards, newspapers, public announcements, media broadcasts, the internet or any other means, including inspection of offices of any public authority.

Suo-Motu Disclosure – Key features as mentioned in DoPT OM dated 15.04.2013.

Every public authority is required to take steps to provide as much information *suo motu* to the public at regular intervals through various means of communication, so that the public have minimum resort to use the Act to obtain information.

2. Following further guidelines have been provided in this regard :

- i. 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. However information about procurement which fall within the purview of Section 8 of the RTI Act would be exempt.
- ii. Public Private Partnerships - If Public services are proposed to be provided through a Public Private Partnership (PPP), all information relating to the PPPs must be disclosed in the public domain by the Public Authority entering into the PPP contract/concession agreement. The documents exempted from disclosure under the provisions of RTI Act would not be disclosed *suo motu*.
- iii. 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. This 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.
- iv. RTI Applications - To disclose RTI applications and appeals received and their responses, on the websites, with search facility based on key words.
- v. To proactively disclose the C&AG & 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, C&AG 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.
- vi. Citizens Charter should be proactively disclosed and six monthly report on the

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performance against the benchmarks set in Citizens Charter should also be displayed on the website.

- vii. 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.
- viii. To 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. The disclosures may be updated once every quarter.
- ix. 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. This would not apply to security and intelligence organizations.
- x. All entitlements to citizens and all transactions between the citizen and government be gradually made available through computer based interface. Websites should contain detailed information from the point of origin to the point of delivery of entitlements/services provided to citizens. Orders of the public authority should be uploaded on the website immediately after they have been issued. Website should contain all the relevant Acts, Rules, forms and other documents which are normally accessed by citizens.
- xi. Websites should have detailed directory of key contacts, details of officials of the Public Authority.
- xii. Every webpage displaying information or data proactively disclosed under the RTI Act should, on the top right corner, display the mandatory field 'Date last updated (DD/MM/YY)'.  
4
- xiii. 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.
- xiv. Defining the services and goods provided directly (or indirectly through an, other agency/contractor).

- xv. 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), should be given.
- xvi. Laying down individual responsibility for providing the goods and services (who is responsible for delivery/implementation and who is responsible for supervision).
- xvii. Keeping in view of the technical nature of the government budgets, it is essential to prepare simplified versions of budgets which can be understood easily by general public and place them in public domain.
- xviii. 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 Department.
- xix. Wherever required by law or executive instructions, sector specific allocations and achievements must be highlighted where feasible.
- xx. Guidelines for Section 4(1)(b)(xiv) – details in respect of information, available to or held by it, reduced in an electronic form.
- xxi. 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.
- xxii. Getting proactive disclosure package audited by Third Party .