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AUDIT REPORT OF THE
NATIONAL BUREAU OF PLANT GENETIC RESOURCES
(MINISTRY OF AGRICULTURE) ON
PROACTIVE DISCLOSURE UNDER RTI ACT, 2005
MAY 2016



भारत सरकार

GOVERNMENT OF INDIA

INSTITUTE OF SECRETARIAT TRAINING & MANAGEMENT

DEPARTMENT OF PERSONNEL & TRAINING

ADMINISTRATIVE BLOCK, OLD JNU CAMPUS

NEW DELHI-110067

TELEPHONE: 26164285, TELEFAX: 26104183



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FOREWORD

Hon'ble Prime Minister of India Sh. Narendra Modi addressing the 10th Annual convention of Central Information Commission on 16th October, 2015 has said that secrecy in the functioning of Government organization has no place in this time and age. Prime Minister emphasized that RTI process should follow '3-T' mantra of timely, transparent and trouble free access to information to people. He noted that the Right to Information act has given the common man the right to question those in power and stressed on bringing transparency 'Proactively', saying the faster 'we move towards transparency' the stronger will be the faith in people in democracy.

2. Department of Personnel and Training, Ministry of Personnel, Public Grievances & Pensions, Government of India, has been laying down great emphasis on effective Proactive/suo motu disclosure as prescribed under Section 4 of the RTI Act. If the Public Authorities fulfill the requirements as per Section 4 of RTI Act 2005, then the requests for seeking information from these authorities under RTI Act are likely to be considerably less. In general, the Pro-active/suo-motu Disclosure made by the Public Authorities is below the expected level of disclosures. Therefore, to strengthen the pro-active/ suo motu disclosure, DOPT has come out with detailed instructions vide DOPT OM No. 1/6/2011-IR dated 15th April 2013. These above instructions stipulate that each Ministry/Public Authority shall ensure that these guidelines are fully operationalised within a period of six months from the date of their issue. The guidelines further say that the Action Taken Report (ATR) of the compliance should be sent to the DOPT and Central Information Commission (CIC) soon after the expiry of the initial period of six months. The guidelines lay down one of the most important mechanisms in terms of getting its pro-active disclosure package audited by the third party every year to ensure effective compliance of the guidelines.

3. The ISTM has been involved in capacity building of Civil Servants of various Public Authorities for effective implementation of the RTI Act, 2005 by conducting large number of training programmes on various facets on RTI Act for different levels of officers. ISTM has also developed training material and shared it with various Public Authorities to facilitate the implementation of the RTI Act. ISTM has rich

experience of conducting the third party audit of pro-active suo motu disclosure on the web sites made by the Public Authorities especially Central Ministries /Departments.

4. Consequent to the issue of DOPT guidelines on suo motu disclosure vide DOPT OM No. 1/6/2011-IR dated 15th April 2013, ISTM has received requests from various Public Authorities or conducting third party audit. Based on the requests, ISTM has taken up the third party audit of suo motu disclosure made by **National Bureau of Plant Genetic Resources (NBPGR)**, Ministry of Agriculture, Government of India.

5. I am happy to state that the team constituted for the study has come out with a report clearly indicating the information that has already been disclosed. It also includes suggestions for improvement in various areas. I am sure the reports submitted by the study team will go a long way in strengthening the suo motu disclosures of the NBPGR to further meet the information needs of the citizen.



(SUNITA H KHURANA)
DIRECTOR

PREFACE

1. In the case of SP Gupta vs Union of India the Hon'ble Supreme Court of India while emphasizing the need for openness in Government has observed "that the demand for openness in the government is based principally on two reasons. It is now widely accepted that democracy does not consist merely in people exercising their franchise once in five years to choose their rulers and, once the vote is cast, then retiring in passivity and not taking any interest in the government. Today it is common ground that democracy has a more positive content and its orchestration has to be continuous and pervasive. This means inter alia that people should not only cast intelligent and rational votes but should also exercise sound judgment on the conduct of the government and the merits of public policies, so that democracy does not remain merely a sporadic exercise in voting but becomes a continuous process of government – an attitude and habit of mind. But this important role people can fulfil in a democracy only if it is an open government where there is full access to information in regard to the functioning of the government."

2. The Right to Information Act 2005 is a small Act having only 31 sections. It has empowered every citizen of the country to seek and receive any information from any Public Authority in the country without assigning any reason for seeking the information. It is an attempt to move from opaqueness to transparency, ultimately leading to good governance. Broadly, there are following two ways by which information needs of the citizen can be:-

(i) One is to file an RTI application seeking information within the time frame specified in the RTI Act through the Public Information Officer of the organization concerned. This mode put 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 mode of seeking and furnishing information.

(ii) The alternative mode which is prescribed in the RTI Act is for pro active and suo-motu disclosure. Section 4 (i) (b), 4(i) (c) and 4 (i) (d) of the RTI Act-2005 lists categories of information which Public Authorities are required to disclose suo-motu without any request from the citizen. This is called duty to publish on the part of the Public Authority. Looking into relevance and importance of suo motu disclosure,

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
- (c) Guidelines for certain clauses of Section 4(1) (b) such as Section 4(i) (b) (iii), 4(i)(b)(xi) 4(1)(b) xiv etc to make suo-motu disclosures more effective.
- (d) Compliance with provisions of suo-motu disclosure

3. 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 pro active 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.

4. 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.

5. In view of the instructions stated above, National Bureau of Plant Genetic Resources (NBPGR), Ministry of Agriculture, Government of India has approached ISTM for conducting the third party audit. ISTM accepted the request of NBPGR and constituted a committee with the composition of one Faculty Member and one External Consultant for deciding the methodology, carrying out the third party audit and submitting reports to NBPGR, CIC, DOPT and ISTM.

6. In this back ground ISTM has conducted the third party audit of NBPGR and the data collected, data analyzed and conclusion of the recommendations are given in subsequent Chapters

COMPOSITION OF AUDIT TEAM

MENTOR/GUIDE

Dr. Sunita H Khurana, Director, ISTM

TEAM

- 1) Shri K. Govindarajulu, Joint Director, ISTM (e-mail. kg.rajulu@nic.in)
- 2) Shri Chandan Mukharjee, Deputy Director, ISTM (e-mail. chandan@nic.in)
- 3) Shri Mahabir Singh Kasana, External Consultant (Advocate, Master Trainer, Legal & HR Expert) (e-mail. mahabir.kasana@gmail.com)

SECRETARIAL ASSISTANCE

- 1) Ms. Gayatri Joshi, D.E.O

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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 large category of information has been prescribed in section 4(1) (b) (c) and (d) to be disclosed suo motu. There are 16 specific categories of information which are mentioned in section 4(i)(b) and each of those categories contains various items making it elaborate and exhaustive. The 17th item under section 4(i) (b) mentions that such other information as may be prescribed also needs to be disclosed suo motu. 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;
- (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 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;

1.2 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.

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

1.4 After promulgation of RTI Act, large volumes of information has been put in public domain by Public Authorities. However, the quality and quantity of the information disclosed has been criticized by the Civil Society and other stake holders as it leaves a lot more to desire. 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 the these guidelines are re-produced below:-

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

1.5.1 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:-

1.5.1.1 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-procurement should be disclosed under Section 4. At present the limit is fixed at R.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.

1.5.1.2 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 along with 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 Frame work 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/non discretionary 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.

1.5.1.9 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.

1.6 Guidelines for digital publication of proactive disclosure under Section 4

1.6.1 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.

1.6.2 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. There have been moves in some parts of the country to video record Gram Sabha meetings. A picture of 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 last updated date/month/year (DD/MM/YY).

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

1.7.1 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.

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

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

1.8.1 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

1.8.2 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. 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

In view of the above, the DOPT guidelines vide OM No. 1/6/2011-IR dated 16th April, 2013 gives the following details for decision making processes.

- (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.

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

1.9.1 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.

1.9.2 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.

1.9.3 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 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)

1.9.4 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”

1.9.4.1 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 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.

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

1.9.5.1 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.

1.9.5.2 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; 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.

CHAPTER-2

PROCEDURE ADOPTED

2.1 To begin with Committee/Team critically examined the existing and available literature on the subject including following documents:-

- (a) Section 4(1) of the RTI Act
- (b) DOPT OM No.1/6/2011-IR dated 15 April 2013
- (c) Previous studies conducted by ISTM for audit of suo motu disclosure of the following Ministries during the year 2009-10 are as under:-
 - Department of Higher Education
 - Ministry of Corporate Affairs
 - Ministry of Tourism
 - Ministry of Tribal Affairs
 - Ministry of Health & Family Welfare(NRHM)
 - Ministry of Civil Aviation
 - Ministry of Power
 - Ministry of Panchayati Raj
 - Ministry of Agriculture and Cooperation
 - Ministry of Earth Sciences
 - Ministry of Telecom
 - Ministry of New & Renewable Energy
 - Ministry of Urban Development
 - Ministry of Textiles
 - Ministry of Culture
- (d) Study conducted by Basic Management Services (BMS) training participants in the year 2007 for generating parameters for suo motu disclosure under Section 4(1) (b) (c) and (d) of the RTI Act.
- (e) Third party audit of Department of Personnel and Training, Govt of India, conducted by Indian Institute of Public Management in.2014

(f) Third party audit of National Institute of Wind Energy, Ministry of New and Renewable Energy, Govt of India, conducted by Institute of Secretariat Training and Management, Govt of India in August, 2015

2.2 After examining the available literature listed above, the study team developed an exhaustive check list of laying down parameters on the requirement of proactive/suo motu disclosure by the Public Authorities. Copy of the format/check lists developed by the audit team is placed at **Annexure-1**. As may be seen the parameters runs from S. No. 1 to 32 and the requirement worked out under each of these 32 parameters runs into 130 sub items.

2.3 The committee applied parameters and the requirements generated to the proactive disclosure done by the NBPGR on its web sites (www.nbpgr.ernet.in) and identified the area which requires further disclosure.

2.4 After the initial application of the check list on the web site of NBPGR, it was considered necessary to visit the organization and discuss with the officials there about their current disclosure and the areas requiring improvement. Accordingly, **Shri M.S. Kasana, External Consultant, ISTM** visited NBPGR on **7th December, 2015** and discussed in detail the suo motu disclosure currently being done by the NBPGR and the areas for further improvement. Copy of the checklist was handed over to the officers of the NBPGR to enable them to do self audit of their suo-moto disclosure. The following officials participated in the discussion:

- i) Dr. R.K. Tyagi, Head of Division & CPIO
- ii) Sh. Vivek Purwar, SAO, NBPGR
- iii) Ms. Amrita Negi, Assistant

2.5 Another meeting was held with the officers of **NBPGR** on **14th December, 2015** to check on the progress and clarify doubt if any. Subsequently on **9th February, 2016** details about the data collected by the study team of ISTM team on proactive disclosure made by **NBPGR** were emailed to them for comments if any. NBPGR has communicated their comments/observations on the data collected wide their mail dated **12th February, 2016**. The comments have been considered and factored into the report.

2.6 After adopting the detailed procedure, the data was collected on the designed format/check list. The completed format/ check list indicating the data so collected is given in subsequent chapters.

2.7 Based on the above, the data collected was analyzed and the areas for improvement were identified. The subsequent chapters of the report provide the analysis of data and conclusion/recommendation of the committee.

CHAPTER-3 DATA COLLECTED

Name of Public Authority being Audited:	National Bureau of Plant Genetic Resources, Indian Council of Agricultural Research, Ministry of Agriculture, Govt. of India, Pusa Campus New Delhi 110012
Website:	www.nbpg.ernet.in

Sl. No.	Parameter	Requirement	Qualitative Observations/Remarks
Information to be disclosed under Section 4(1)(b) of RTI Act			
1.	Particulars of its organization, functions and duties [Section 4(1) (b) (i)]	<ul style="list-style-type: none"> ▫ Name and address of the organization ▫ Head of the organization ▫ Key Objectives ▫ Functions and duties ▫ Organization chart ▫ Functional 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 	<p style="text-align: center;">✓</p> <p style="text-align: center;">✓</p> <p>Mandate is there but key objectives not there. Link to key objectives displayed on the home page of the organization has not been provided.</p> <p style="text-align: center;">✓</p> <p style="text-align: center;">NO</p> <p>Names of HOD from time to time not there No link to 10 Regional Centre. Link to the home page has not been given under the proactive disclosures.</p>
2.	Powers & Duties of its officers & employees [Section 4 (1) (b) (ii)]	<ul style="list-style-type: none"> ▫ Powers and duties of officers ▫ Powers and duties of other 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>Only structural chart is available other points are missing. Schemes and development programmes shown under research project on the home page of the NBPGR site has not been given under RTI disclosures.</p>

		<ul style="list-style-type: none"> ▫ Structural, positional and functional charts ▫ Schemes and development programmes 	
3.	Procedure followed in decision making process [Section 4(1) (b) (iii)]	<ul style="list-style-type: none"> ▫ 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 	<p>Only MOP is mentioned which may be applicable to the support services. Nothing mentioned about substantive functions. Not indicated</p> <p>-do-</p> <p>-do-</p> <p>-do-</p> <p>-do-</p>
4.	Norms for discharge of functions [Section 4(1) (b) (iv)]	<ul style="list-style-type: none"> ▫ Nature of functions/ services offered ▫ Norms/ standards for functions/ service delivery ▫ Process by which these services can be accessed ▫ Time- limits for achieving the targets ▫ Process of redressal of grievance ▫ Reference document prescribing the norms 	It only mentioned in generic terms nothing specific
5.	Rules, regulations, instructions, manuals and records for discharging functions [Section 4(1) (b) (v)]	<ul style="list-style-type: none"> ▫ 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 	<p>Title of support Acts</p> <p>Only Rules and Bye-laws of ICAR Society. No summary is available.</p>
6.	Categories of documents held by the authority under its	<ul style="list-style-type: none"> ▫ Title of the documents ▫ Category of documents ▫ Custodian of the documents 	No statement only Generic reference is available.

	control [Section 4(1) (b) (vi)]		
7.	Particulars for any arrangement for consultation with or representation by the members of the public in relation to the formulation of policy or implementation thereof [Section 4(1) (b) (vii)]	<ul style="list-style-type: none"> ◦ 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 	<p>No details</p> <p>Only Generic statement</p> <p>No details</p>
8.	Boards, Councils, Committees and other Bodies constituted as part of the Public Authority functioning [Section 4 (1) (b) (viii)]	<ul style="list-style-type: none"> ◦ 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. 	<p>(i) Quinquennial Review Team- applicable form 2008-2012 dated 10/01/2012</p> <p>(ii) Research Advisory Committee- Composition Powers and functions not available</p> <p>(iii) Institute Research Committee- Composition Powers and functions not available</p> <p>(iv) Institute Management Committee- List of IMC members. Tenure of member at serial no. 1, 3, 4, 5, 6 has expired on 12th September, 2015. Current position may be updated.</p> <p>(v) Institute Joint Staff Council- Only composition is given but powers and functions not given.</p> <p>(vi) Institute Grievance Cell- Position of 2012 need be updated giving their powers and functions.</p> <p>(vii) Women Complaint Committee- Composition available but powers and functions not given.</p> <p>Miscellaneous- Details about composition and functions of the Miscellaneous Committees like F. No.</p>

			CDN/2008/Committees dated 25 th March, 2015. I to XV available. No information available
9.	Directory of Officers and employees Section 4(1) (b) (ix)]	<ul style="list-style-type: none"> ◦ Name, designation and Division ◦ Location, Telephone (both office & Residence) , and email 	Telephone numbers and emails of many Officers/Employees are not available. The same may be loaded
10.	Monthly Remuneration received by officers & employees including system of compensation [Section 4 (1) (b) (x)]	<ul style="list-style-type: none"> ◦ Name & Designation of the employee ◦ Monthly remuneration ◦ System of compensation as provided by in its regulations 	Yadav Rashmi, Sr. Scientist. Kumari Jyoti, Sr. Scientist. There pay band and grade pay not available need be updated
11.	Budget allocated to each agency including all plans, proposed expenditures and reports on disbursements made etc. [Section 4(1) (b) (xi)]	<ul style="list-style-type: none"> ◦ Details of budget in simple form which can be easily understood by the non-professional and layman ◦ Funds allotted to branches/regional centers ◦ Outcome budget ◦ Providing clear picture regarding the actual achievement vis-à-vis the targets. ◦ Periodic monitoring Reports ◦ Revised budget, if any ◦ Report on expenditure made and location where the related reports available 	A scan copy of endorsement dated 16 th March, 2015 along with its two enclosures namely ICAR letter dated 10 th March, 2015 and also format I plan BE 2015-16 dated 20 th February, 2015 is available. It need be reproduced in simple form
12.	Manner of execution of subsidy programmers [Section 4(1) (b) (xii)]	<ul style="list-style-type: none"> ◦ Name of the programmes or activities ◦ Objective of the programmes ◦ Procedure to avail benefits ◦ Duration of the programme/scheme ◦ Physical and financial 	It is mentioned that there are no subsidy programs. As such not applicable.

		<p>targets of the programme</p> <ul style="list-style-type: none"> ◦ Nature/scale of subsidy/ amount allotted ◦ Eligibility criteria for grant of subsidy ◦ Details of beneficiaries of subsidy programme (Number profile etc.) 	
13.	<p>Particulars of recipients of concessions, permits or authorizations granted by the Public Authority [Section 4(1) (b) (xiii)]</p>	<ul style="list-style-type: none"> ◦ Concessions, permits or authorizations granted by Public Authority ◦ For each concessions, permit or authorization granted <ul style="list-style-type: none"> ✓ 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 	<p>Details about import permits for plant germplasm for researches issued by NBPGR not available. The website address http://www.nbpgr.ernet.in/geg is not opening with the remarks. "This page is not available".</p>
14.	<p>Information available in electronic form [Section 4(1) (b) (xiv)]</p>	<ul style="list-style-type: none"> ◦ 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; and life span of the record. ◦ Details of information not available in electronic form. ◦ Orders of Public 	<p>Disclosure does not meet the requirement of Section 4 (1) (b) (xiv). It is mentioned that the website of the organization may be referred for this information. However, the requisite information do not find the place on the website</p>

		<p>Authorities</p> <ul style="list-style-type: none"> ◦ All relevant Acts, Rules, forms and other documents which are normally accessed by citizens ◦ Entitlements/services provided ◦ Directory of key contacts, details of officials ◦ All publicly funded information ◦ Visual presentation ◦ Date last updated information. 	
15.	<p>Particulars of facilities available to citizens for obtaining information [Section 4 (1) (b) (xv)]</p>	<ul style="list-style-type: none"> ◦ 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 	<p>This section pertains to a suo-motu disclosure facilities available for accessing information by the citizens regarding substantive function of NBPGR. Details given relates to accepting RTI applications which is not the intention of this Section. Link to home page under library of NBPGR site has not been given in the RTI disclosure where few of these information's are available</p>
16.	<p>The Names, designation and other particulars of the PIOs Section 4(1) (b) (xvi)</p>	<ul style="list-style-type: none"> ◦ Name & Designation of PIOs and Appellate Authority ◦ Their Contact details – phone number & email ◦ Subject matter within their jurisdiction. ◦ Details of Nodal Officer ◦ Details of link PIOs and first Appellate Authority 	<p>Name and Designation of CPIO and PIO available. RTI Act suppurates CPIO, CAPIO there is no mention PIO as such this Office Order dated 20th April, 2015 need be updated by during details of CPIO and first Appellate authority and nominating there link CPIO and link first Appellate Authority. This office Order need be accordingly revised.</p>
17.	<p>Such other information as may be prescribed</p>	<ul style="list-style-type: none"> ◦ Annual Report ◦ Annual Returns ◦ FAQs ◦ Citizen's charter of the 	<p>ICAR letter dated 10th March, 2015 along with DOPT guideline dated 15th April, 2013 regarding</p>

	under Section 4(1) (b) (xvii)	<ul style="list-style-type: none"> 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 	<p>implementation of suo-motu disclosure under Section 4 of RTI Act is loaded. There is no need of loading this as it is an internal guidelines for the guidance of Public Authority.</p> <p>Link to Annual Reports has shown in the home page under publications of NBPGR site has not been given. Similarly link to citizen charter shown on the home page of NBPGR site has also not been given.</p>
Miscellaneous - RTI Act 4 (1) (c), (d), 4 (3), 4(4)			
18.	Are important policies or decisions which affect public informed to them? [Section 4 (1) (c)]	<ul style="list-style-type: none"> ◦ Publish all relevant facts while formulating important policies or announcing decisions which affect public. 	Not Applicable
19.	Are reasons for administrative or quasi-judicial decisions taken, communicated to affected persons [Section 4 (1) (d)]	<ul style="list-style-type: none"> ◦ Provide reasons for its administrative or quasi-judicial decisions to affected persons. 	Not Applicable
20.	Dissemination of information widely and in such form and manner which is easily accessible to the public [Section 4 (3)]	<ul style="list-style-type: none"> ◦ website ◦ Notice boards ◦ Newspapers ◦ Public announcements ◦ Media broadcasts ◦ Internet or ◦ Any other means including inspection 	✓
21.	Whether Information Manual/ Handbook available free of cost or not [Section 4 (4)]	<ul style="list-style-type: none"> ◦ Whether prepared or not ◦ Available free or at a reasonable cost of the media 	Some training manual available

Additional Category of Information to be disclosed under guidelines –*Suo Motu* disclosure of more items under Section 4

22.	Information related to Procurement	<ul style="list-style-type: none"> ◦ Tender- Notices/Enquiries corrigenda there on. ◦ Details of bid awards, 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. 	<p align="center">✓</p> <p>Link to home page under downloads on NBPGR site where bid awards are available has not been given.</p> <p align="center">✓</p>
23.	Public Private Partnership	<ul style="list-style-type: none"> ◦ 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 	No details available
24.	Transfer Policy and Transfer Orders	<ul style="list-style-type: none"> ◦ Transfer policy for different grades/Cadres ◦ Transfer orders 	<p align="center">x</p> <p align="center">x</p>
25.	RTI Applications	<ul style="list-style-type: none"> ◦ RTI applications and appeals received and their responses (except relating to personal information) ◦ Loaded on the websites, search facility based on keywords 	<p align="center">x</p> <p align="center">x</p>
26.	CAG & PAC paras	CAG and PAC- ATR of those which have been laid on the table of both the houses of Parliament	<p align="center">x</p>
27.	Citizen's Charter	<ul style="list-style-type: none"> ◦ Citizen's Charter ◦ RFD (Result Framework Document) ◦ Bi-annual reports on the performance against the bench marks set in citizen chart 	<p align="center">✓</p> <p align="center">✓</p> <p align="center">x</p>

28.	Discretionary & Non-discretionary Grants	<ul style="list-style-type: none"> o Details of discretionary grants/ allocation o Annual accounts of legal entities that are provided grants by Public Authorities 	<p style="text-align: center;">x</p> <p style="text-align: center;">x</p>
29.	Foreign/ Domestic Tour of Ministers / Officials	<ul style="list-style-type: none"> o The details of Foreign & domestic visits undertaken by the officials of the rank of JS to the Govt. of India and HODs <p>Details to be included therein:</p> <ul style="list-style-type: none"> ✓ 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 	x
Form of Disclosure			
30.	Form of accessibility of Information Manual/ Handbook [Section 4(4)]	<ul style="list-style-type: none"> o Electronic or printed or both. 	
31.	Language in which Information Manual/ Handbook available	<ul style="list-style-type: none"> o English / Hindi o Vernacular/ Local Language regional language. 	Language option is available
32.	When was the information Manual/ Handbook last updated?	<ul style="list-style-type: none"> o Annual updating is required and the date of last updated needs to be displayed. 	27 th March, 2015

CHAPTER-4

ANALYSIS OF DATA COLLECTED

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

- (1) Particulars of organization, functions and duties (Section 4(1) (b)(i))**
 - (i) Name and address of the organization and the head of the organization are available. Details about mandate are there. Link to key objectives as shown in the home page under about NBPGR (Mandate) of the Bureau site has not been given. Similarly information about regional stations as shown on the home page has not been linked.
 - (ii) Names of the HoDs of NBPGR from time to time has also not been displayed.
 - (iii) Organizational and Functional chart of the organization has not been displayed.

- (2) Powers & Duties of its officers & employees (Section 4(1) (b) (ii)**
 - (i) Structural chart is displayed but positional and functional chart are not displayed.
 - (ii) Link to schemes and development programmes as shown under research projects on the home page of the organization has not been given.
 - (iii) Details about powers and duties, work allocation, job description, delegation of powers and rules/orders under which powers and duties are exercised has not been given.

- (3) Procedure followed in the decision making process (Section 4(1)(b) (iii))**
 - (i) Details about process and channel for decision making regarding substantive functions of the organization has not been given.
 - (ii) No information about major output/tangible results/services etc. has been given.
 - (iii) Flow chart explaining decision making process, time limit and delegation of power etc regarding substantive functions has not been disclosed.
 - (iv) Process and channel for decision making is displayed, however, the, flow chart is not found.

(4) Norms for discharge of functions (Section 4(1) (b)(iv))

- i) Identified items under the heading 'requirement' has not been specifically displayed. Only generic information has been given.

(5) Rules, regulations, instructions, manuals and records (for discharging function- Section 4(1) (b) (v))

Title of supporting acts and rules and bye laws of ICR society has been displayed. Summary of contents of the said records, Acts etc. is required to be prepared and disclosed for easy understanding of public.

(6) Categories of documents held by the authority under its control (Section) 4(1) (b) (vi))

Only generic reference is available. Details regarding title of the documents, duly categorized and their custodian has not been disclosed.

(7) Particulars for any arrangement for consultation with or representation by the members of the public in relation to the formulation of policy or implementation therefore (Sec. 4(1) (b) (vii))

It was observed that the organization is not involved in policy formulation. However, they are involved in implementation of the research projects and accordingly they need to have some mechanism for allowing the members of public to visit them on some specific days or time. No such arrangement exists as of now.

(8) Boards, Councils, Committees and other Bodies constituted as part of the Public Authority functioning (Section 4 (1) (b) (viii))

The information under this head is not updated and complete as mentioned below:

- (i) **Research Advisory Committee-** Composition Powers and functions not available
- (ii) **Institute Research Committee-** Composition Powers and functions not available
- (iii) **Institute Management Committee-** List of IMC members. Tenure of member at serial no. 1, 3, 4, 5, 6 has expired on 12th September, 2015. Current position may be updated.

- (iv) **Institute Joint Staff Council**- Only composition is given but powers and functions not given.
- (v) **Institute Grievance Cell**- Position of 2012 need be updated giving their powers and functions.
- (vi) **Women Complaint Committee**- Composition available but powers and functions not given.
- (vii) No details have been given regarding the access of the meeting and/or their minutes to the public has been disclosed.

(9) Directory of Officers and employees Section 4(1) (b) (ix))

Telephone numbers and emails of many Officers/Employees are not available.

(10) Monthly remuneration received by officers & employees including system of compensation n (Section 4(1) (b) (x))

The pay band and grade pay for Yadav Rashmi, Sr. Scientist. Kumari Jyoti, Sr. Scientist has not been disclosed.

(11) Budget allocated to each agency including all plans, proposed expenditures and reports on disbursement made etc. (Section 4(1) (b) (xiii))

- i) A scan copy of endorsement dated 16th March, 2015 along with its two enclosures namely ICAR letter dated 10th March, 2015 and also format I plan BE 2015-16 dated 20th February, 2015 is available. It has not been summarized in simple form
- ii) Outcome Budget, Periodic monitoring report, Revised Budget and report on expenditure including the location where such reports are available has not been disclosed.

(12) Manner of execution of subsidy programmers (Section 4(1)(b) (xii))

It is mentioned that there are no subsidy programs. As such not applicable.

(13) Particulars of recipients of concessions, permits or authorizations granted by the Public Authority (Section 4(1) (b) (xiii))

Details about import permits for plant germplasm for researches issued by NBPGR not available. The website address <http://www.nbpg.ernet.in/geq> is not opening with the remarks. "This page is not available".

(14) Information available in electronic form (Section 4(1) (b) (xiv))

Disclosure does not meet the requirement of Section 4 (1) (b) (xiv). It is mentioned that the website of the organization may be referred for this information. However, the requisite information do not find the place on the website

(15) Particulars of facilities available to citizens for obtaining information (Section 4(1)(b) (xv))

This section pertains to a suo-motu disclosure facilities available for accessing information by the citizens regarding substantive function of NBPGR. Details given relates to accepting RTI applications which is not the intention of this Section. It was observed that link to library on the NBPGR website where information on these items is available has not been given.

(16) The names, designation and other particulars of the PIOs Section 4(1) (xvi)

- i) Name and Designation of CPIO and PIO available. RTI Act stipulates CPIO and CAPIO. There is no mention PIO as such Office Order dated 20th April, 2015 need be updated by providing details of CPIO and first Appellate authority.
- ii) Link CPIO and link first Appellate Authority details has not been given. This office Order need be accordingly revised.

(17) Such other information as may be prescribed under Section 4(1) (b) (xvii)

- i) ICAR letter dated 10th March, 2015 alongwith DOPT guideline dated 15th April, 2013 regarding implementation of suo-motu disclosure under Section 4 of RTI

Act is loaded. There is no need of loading this as it is an internal guidelines for the guidance of Public Authority.

- (ii) Link to home page of NBPGR "publications" where Annual Reports and Citizen Charter is displayed has not been given.

- (18) **Are important policies or decisions which affect public informed to them? Under Section 4(1)(c)**

Not applicable. Hence, required information under the above parameters has not been disclosed/displayed.

- (19) **Are reasons for administrative or quasi judicial decision taken communicated to affected persons (Section 4(1) (d))**

No information has been provided under this head.

- (20) **Dissemination of information widely and in such form and manner which is easily accessible to the public (Section 4 (3))**

Dissemination of information is done through web site, Notice boards, news papers, Public announcements, media broadcasts etc has not been observed to be used for dissemination of Information.

- (21) **Whether information Manual/Hand book available free of cost or not (Section 4 (4))**

Some training manual available. However availability of information manual/handbook free of cost or otherwise has not been disclosed.

- (22) **Information related to procurement**

Required details are available under Downloads of NBPGR website. However, link to the same from the RTI Proactive disclosure has not been shown.

- (23) **Public Private Partnership**

No details are available.

- (24) **Transfer Policy and Transfer Orders**

No details are available.

(25) RTI applications

No details are available.

(26) CAG & PAC paras

No details are available.

(27) Citizen's Chart

Link to Citizen's charter has not been provided. RFD (Result Frame work documents) has not been displayed. As regards six monthly reports on the performance against the bench marks set in citizen chart, the requisite detail has not been disclosed.

(28) Discretionary & Non discretionary Grants

No details are available.

(29) Foreign/Domestic tour of Ministers/officials

No details are available.

(30) From of accessibility of information Manual/Hand book (Section 4 (4))

No details are available.

(31) Language in which information Manual/Hand Book available

Language option is available

(32) When was the information Manual/Hand Book last updated

The Proactive disclosure under RTI indicates that it has been last updated on 27th March, 2015.

CHAPTER -5

CONCLUSION AND RECOMMENDATION

On critical examination of the data collected from the website of NBPGR and taking into consideration the feedback/comments received from them the following areas of improvement have been identified for disclosure under the mandatory RTI disclosure on the website of NBPGR:-

- a) The structural, positional and functional charts of the organization
- b) Link to key objectives which are currently shown on the home page under about NBPGR mandate
- c) Link to the regional stations as shown on the home page.
- d) Details of HoDs from time to time.
- e) Link to schemes and development programmes as shown under research projects on home page.
- f) Provide details about powers and duties, work allocation, job description, delegation of powers and rules/orders under which powers and duties are exercised by the officers of organization.
- g) Provide details about process and channel for decision making regarding substantive functions of the organization.
- h) Give information about major output/tangible results/services etc.
- i) Flow chart explaining decision making process, time limit and delegation of power etc regarding substantive functions.
- j) Provide summary of contents of acts and rules and bye laws of ICR society for easy understanding of public.
- k) Details regarding title of the documents, duly categorized and their custodian.
- l) Mechanism for the members of public to visit NBPGR on some specific days.
- m) Give Composition Powers and functions of Research Advisory Committee and Institute Research Committee
- n) Update details of Institute Management Committee regarding members whose tenure has expired.
- o) Give Powers and functions of Institute Joint Staff Council
- p) Update the current position of Institute Grievance Cell

- q) Provide powers and functions of Women Complaint Committee
- r) Provide details regarding the accessibility of the minutes of the meetings of various committees of the Institute.
- s) Update the directory of the officers/employees giving telephone numbers and emails of Officers/Employees.
- t) Update the pay band and grade pay for all officers so that monthly remuneration received are disclosed.
- u) Provide the summary of budget allocated to the organization showing details about plan, proposed expenditure and reports on disbursement made.
- v) Show Outcome Budget, Periodic monitoring report, Revised Budget and report on expenditure.
- w) Activate the website address <http://www.nbpgr.ernet.in/geq> where details about import permits for plant germplasm for researches issued by NBPGR are available.
- x) Disclose details about information available in electronic form as required under section 4(1) (b) (xiv).
- y) Provide particulars of facilities available to citizen for obtaining information. Provide the link to library on the NBPGR website
- z) Update details of CPIO and first CPIO and first appellate authority giving their officer telephone number, address and email details.
- aa) Give details about link CPIO and link first appellate authority and also nodal officer.
- bb) Provide link to home page of NBPGR "publications" where Annual Reports and Citizen Charter is displayed.
- cc) Create mechanism for providing reasons for administrative or quasi judicial decision taken communicated to affected persons (Section 4(1) (d))
- dd) Consider dissemination of information through notice boards, news papers, Public announcements, media broadcasts etc also besides website.
- ee) Develop information manual/handbook relating to NBPGR and create mechanism for making them available to the citizens free of cost or otherwise to enable the citizens to understand the functioning of the NBPGR
- ff) Provide link to the home page of the NBPGR website 'downloads' where the information relating to procurement is available

gg) Guidelines regarding implementation of suo motu disclosure under Section 4 of RTI Act, 2005 issued vide DOPT OM No.1/6//2011-IR dated 15th April 2013 on the following aspects need be implemented:

- i. Public Private Partnership
- ii. Transfer Policy and Transfer Orders
- iii. RTI applications and first appeals
- iv. CAG & PAC paras
- v. Discretionary and Non discretionary Grants
- vi. Foreign/Domestic tour of Ministers/officials

NBPGR may consider the areas of improvement listed above to strengthen their proactive disclosure to meet the requirement of section 4(1), (b), (c), (d) of the RTI Act and DOPT guidelines dated 15th April, 2013

Proforma/Checklist prepared by the team Institute of Training & Management, Government of India

Name of Public Authority being Audited:	National Bureau of Plant Genetic Resources, Indian Council of Agricultural Research, Ministry of Agriculture, Govt. of India, Pusa Campus New Delhi 110012
Website:	www.nbpgg.ernet.in

Sl. No.	Parameter	Requirement	Qualitative Observations/Remarks
Information to be disclosed under Section 4(1)(b) of RTI Act			
1	Particulars of its organization, functions and duties [Section 4(1) (b) (i)]	<ul style="list-style-type: none"> ▫ Name and address of the organization ▫ Head of the organization ▫ Key Objectives ▫ Functions and duties ▫ Organization chart ▫ Functional 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 	<p style="text-align: center;">✓</p> <p style="text-align: center;">✓</p> <p>Mandate is there but key objectives not there</p> <p style="text-align: center;">✓</p> <p style="text-align: center;">NO</p> <p>Names of HOD from time to time not there</p> <p>No link to 10 Regional Centre</p>
2	Powers & Duties of its officers & employees [Section 4 (1) (b) (ii)]	<ul style="list-style-type: none"> ▫ Powers and duties of officers ▫ Powers and duties of other employees ▫ Rules/ orders under which powers and duties are derived and exercised. To be laid down in easy and understandable manner ▫ Delegation of Powers 	<p>Only structural chat is available other points are missing.</p>

		<ul style="list-style-type: none"> ◦ Work allocation, job description and/or duty lists ◦ Structural, positional and functional charts ◦ Schemes and development programmes 	
3	Procedure followed in decision making process [Section 4(1) (b) (iii)]	<ul style="list-style-type: none"> ◦ 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 	<p>Only MOP is mentioned which may be applicable to the support services. Nothing mentioned about substantive functions.</p> <p>Not indicated</p> <p>-do-</p> <p>-do-</p> <p>-do-</p> <p>-do-</p>
4	Norms for discharge of functions [Section 4(1) (b) (iv)]	<ul style="list-style-type: none"> ◦ Nature of functions/ services offered ◦ Norms/ standards for functions/ service delivery ◦ Process by which these services can be accessed ◦ Time- limits for achieving the targets ◦ Process of redressal of grievance ◦ Reference document prescribing the norms 	It only mentioned in generic terms nothing specific
5	Rules, regulations, instructions, manuals and records for discharging functions [Section 4(1) (b) (v)]	<ul style="list-style-type: none"> ◦ 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 	<p>Title of support Acts</p> <p>Only Rules and Bye-laws of ICAR Society. No summary is available.</p>

6	Categories of documents held by the authority under its control [Section 4(1) (b) (vi)]	<ul style="list-style-type: none"> ◦ Title of the documents ◦ Category of documents ◦ Custodian of the documents 	No statement only Generic reference is available.
7	Particulars for any arrangement for consultation with or representation by the members of the public in relation to the formulation of policy or implementation thereof [Section 4(1) (b) (vii)]	<ul style="list-style-type: none"> ◦ 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 	No details Only Generic statement No details
8	Boards, Councils, Committees and other Bodies constituted as part of the Public Authority functioning [Section 4 (1) (b) (viii)]	<ul style="list-style-type: none"> ◦ 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. 	(i) Quinquennial Review Team- applicable form 2008-2012 dated 10/01/2012 (ii) Research Advisory Committee- Composition Powers and functions not available (iii) Institute Research Committee- Composition Powers and functions not available (iv) Institute Management Committee- List of IMC members. Tenure of member at serial no. 1, 3, 4, 5, 6 has expired on 12 th September, 2015. Current position may be updated. (v) Institute Joint Staff Council- Only composition is given but powers and functions not given. (vi) Institute Grievance Cell- Position of 2012 need be updated giving their powers and functions. (vii) Women Complaint Committee- Composition available but powers and functions not given.

			Miscellaneous- Details about composition and functions of the Miscellaneous Committees like F. No. CDN /2008 /Committees dated 25 th March, 2015. I to XV available. No information available
9	Directory of Officers and employees Section 4(1) (b) (ix)]	<ul style="list-style-type: none"> ◦ Name, designation and Division ◦ Location, Telephone (both office & Residence) , and email 	Telephone numbers and emails of many Officers/Employees are not available. The same may be loaded
10	Monthly Remuneration received by officers & employees including system of compensation [Section 4 (1) (b) (x)]	<ul style="list-style-type: none"> ◦ Name & Designation of the employee ◦ Monthly remuneration ◦ System of compensation as provided by in its regulations 	Yadav Rashmi, Sr. Scientist. Kumari Jyoti, Sr. Scientist. There pay band and grade pay not available need be updated
11	Budget allocated to each agency including all plans, proposed expenditures and reports on disbursements made etc. [Section 4(1) (b) (xi)]	<ul style="list-style-type: none"> ◦ Details of budget in simple form which can be easily understood by the non-professional and layman ◦ Funds allotted to branches/regional centers ◦ Outcome budget ◦ Providing clear picture regarding the actual achievement vis-à-vis the targets. ◦ Periodic monitoring Reports ◦ Revised budget, if any ◦ Report on expenditure made and location where the related reports available 	A scan copy of endorsement dated 16 th March, 2015 along with its two enclosures namely ICAR letter dated 10 th March, 2015 and also format I plan BE 2015-16 dated 20 th February, 2015 is available. It need be reproduced in simple form
12	Manner of execution of subsidy programmers [Section 4(1) (b) (xii)]	<ul style="list-style-type: none"> ◦ Name of the programmes or activities ◦ Objective of the programmes ◦ Procedure to avail benefits 	It is mentioned that there are no subsidy programs. As such not applicable.

		<ul style="list-style-type: none"> o Duration of the programme/scheme o Physical and financial targets of the programme o Nature/scale of subsidy/ amount allotted o Eligibility criteria for grant of subsidy o Details of beneficiaries of subsidy programme (Number profile etc.) 	
13	Particulars of recipients of concessions, permits or authorizations granted by the Public Authority [Section 4(1) (b) (xiii)]	<ul style="list-style-type: none"> o Concessions, permits or authorizations granted by Public Authority o For each concessions, permit or authorization granted <ul style="list-style-type: none"> ✓ 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 	Details about import permits for plant germplasm for researches issued by NBPGR not available. The website address http://www.nbpgr.ernet.in/geq is not opening with the remarks. "This page is not available".
14	Information available in electronic form [Section 4(1) (b) (xiv)]	<ul style="list-style-type: none"> o List of documents available in electronic form o 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 	Disclosure does not meet the requirement of Section 4 (1) (b) (xiv). It is mentioned that the website of the organization may be referred for this information. However, the requisite information do not find the place on the website

		<p>person with designation responsible for maintaining the record; and life span of the record.</p> <ul style="list-style-type: none"> ◦ Details of information not available in electronic form. ◦ Orders of Public Authorities ◦ All relevant Acts, Rules, forms and other documents which are normally accessed by citizens ◦ Entitlements /services provided ◦ Directory of key contacts, details of officials ◦ All publicly funded information ◦ Visual presentation ◦ Date last updated information. 	
15	<p>Particulars of facilities available to citizens for obtaining information [Section 4 (1) (b) (xv)]</p>	<ul style="list-style-type: none"> ◦ 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 	<p>This section pertains to a suo-motu disclosure facilities available for accessing information by the citizens regarding substantive function of NBPGR. Details given relates to accepting RTI applications which is not the intention of this Section.</p>

16	The Names, designation and other particulars of the PIOs Section 4(1) (b) (xvi)	<ul style="list-style-type: none"> ◦ Name & Designation of PIOs and Appellate Authority ◦ Their Contact details – phone number & email ◦ Subject matter within their jurisdiction. ◦ Details of Nodal Officer ◦ Details of link PIOs and first Appellate Authority 	Name and Designation of CPIO and PIO available. RTI Act stipulates CPIO and CAPIO. There is no mention PIO as such Office Order dated 20 th April, 2015 need be updated by providing details of CPIO and first Appellate authority and nominating there link CPIO and link first Appellate Authority. This office Order need be accordingly revised.
17	Such other information as may be prescribed under Section 4(1) (b) (xvii)	<ul style="list-style-type: none"> ◦ Annual Report ◦ Annual Returns ◦ FAQs ◦ Citizen's 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 	ICAR letter dated 10 th March, 2015 along with DOPT guideline dated 15 th April, 2013 regarding implementation of suo-motu disclosure under Section 4 of RTI Act is loaded. There is no need of loading this as it is an internal guidelines for the guidance of Public Authority.
Miscellaneous - RTI Act 4 (1) (c), (d), 4 (3), 4(4)			
18	Are important policies or decisions which affect public informed to them? [Section 4 (1) (c)]	<ul style="list-style-type: none"> ◦ Publish all relevant facts while formulating important policies or announcing decisions which affect public. 	Not Applicable
19	Are reasons for administrative or quasi-judicial decisions taken, communicated to affected persons [Section 4 (1)(d)]	<ul style="list-style-type: none"> ◦ Provide reasons for its administrative or quasi-judicial decisions to affected persons. 	No information has been provided under this head.

20	Dissemination of information widely and in such form and manner which is easily accessible to the public [Section 4 (3)]	<ul style="list-style-type: none"> ◦ website ◦ Notice boards ◦ Newspapers ◦ Public announcements ◦ Media broadcasts ◦ Internet or ◦ Any other means including inspection 	✓
21	Whether Information Manual/ Handbook available free of cost or not [Section 4 (4)]	<ul style="list-style-type: none"> ◦ Whether prepared or not ◦ Available free or at a reasonable cost of the media 	Some training manual available
Additional Category of Information to be disclosed under guidelines –Suo Motu disclosure of more items under Section 4			
22	Information related to Procurement	<ul style="list-style-type: none"> ◦ Tender- Notices /Enquiries corrigenda there on. ◦ Details of bid awards, 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. 	✓ Need be checked from NBPGR ✓
23	Public Private Partnership	<ul style="list-style-type: none"> ◦ 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 	No details available

24	Transfer Policy and Transfer Orders	<ul style="list-style-type: none"> o Transfer policy for different Grades/Cadres o Transfer orders 	<ul style="list-style-type: none"> x x
25	RTI Applications	<ul style="list-style-type: none"> o RTI applications and appeals received and their responses (except relating to personal information) o Loaded on the websites, search facility based on keywords 	<ul style="list-style-type: none"> x x
26	CAG & PAC paras	CAG and PAC- ATR of those which have been laid on the table of both the houses of Parliament	x
27	Citizen's Charter	<ul style="list-style-type: none"> o Citizen's Charter o RFD (Result Framework Document) o Bi-annual reports on the performance against the bench marks set in citizen chart 	<ul style="list-style-type: none"> ✓ ✓ x
28	Discretionary & Non-discretionary Grants	<ul style="list-style-type: none"> o Details of discretionary grants/ allocation o Annual accounts of legal entities that are provided grants by Public Authorities 	<ul style="list-style-type: none"> x x
29	Foreign/ Domestic Tour of Ministers / Officials	<ul style="list-style-type: none"> o The details of Foreign & domestic visits undertaken by the officials of the rank of JS to the Govt. of India and HODs <p>Details to be included therein :</p> <ul style="list-style-type: none"> ✓ 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 	x

Form of Disclosure			
30	Form of accessibility of Information Manual/ Handbook [Section 4(4)]	<ul style="list-style-type: none"> ▫ Electronic or printed or both. 	
31	Language in which Information Manual/ Handbook available	<ul style="list-style-type: none"> ▫ English / Hindi ▫ Vernacular/ Local Language regional language. 	Language option is available
32	When was the information Manual/ Handbook last updated?	<ul style="list-style-type: none"> ▫ Annual updating is required and the date of last updated needs to be displayed. 	27 th March, 2015

Extracts of Section 4(1)(b)(c) and (d) of RTI Act, 2005

4. (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.

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

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 set up a compliance mechanism to ensure that requirements under Section 4 of the RTI Act are met.

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

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

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

1. All the Ministries/Departments of the Government of India
2. Union Public Service Commissions, Lok Sabha Secretariat, Rajya Sabha Secretariat, Cabinet Secretariat Central Vigilance Commission, President's Secretariat, Vice President's Secretariat, Prime Minister's Office, Planning Commission, Election Commission
3. Central Information Commission
4. Staff Selection Commission, CGO Complex, New Delhi
5. Staff Selection Commission, CGO Complex, New Delhi
6. O/o the Comptroller & Auditor General of India, 10, Bahadur Shah Zafar Marg, New Delhi.

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

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

1.0 Suo motu disclosure of more items under Section (4)

Sub Section 4(2) of the RTI Act, 2005 requires every Public Authority to take steps in accordance with the requirements of clause (b) of sub section 4(1) to provide as much information suo-motu to the public at regular intervals through various means of communication, including internet, so that the public have minimum resort to use the Act to obtain information. Accordingly, the Public Authorities may proactively disclose the following items 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 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-procurement should be disclosed under Section 4. At present the limit is fixed at R.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 PPs 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 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 organization 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 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.

1.6 Citizen Charter

1.6.1 Citizens Charter prepared by the Ministry/Department, as part of the Result Frame work documents 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 /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.

1.8. 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 organizations 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 of disclosure.

2.2 The Department of Information Technology has been working on setting up 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, 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, originally 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. There have been moves in some parts of the country to video record Gram Sabha meetings. A picture of NREGA worksite, for instance, may tell much more than words can. All such different media and forms should be used for proactive disclosure.

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

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

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

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

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

3.3.1 All 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 scheme and development programme 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. Their 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 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. How sanction must be accorded for incurring expenditure; how losses to government must be reported; how responsibility for losses may be fixed on any government servant; how budgets, demand for grants are prepared and submitted; how public works must be sanctioned and executed; how commodities and services may be procured by a Public Authority, are all explained in these manuals which are updated from time to time. The challenge is to present a simplified version of the decision-making procedure that is of interest to a common citizen.

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

- (a) Every Public Authority should specifically identify the major outputs/tangible results/services/goods, 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(1q) (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 (o 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).

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 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, Scheduled Tribes and religious minorities should be specially highlighted. The sector-wise breakup of these targets and actual outcomes must be given in simplified form to enable the vulnerable segments of society to better understand the budgets of Public Authorities.

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

3.6.1 On the one hand, this clause serves as a means of proactively disclosing the progress made in computerizing information under Section 4(1) (a) of the RTI Act in a periodic manner, on the other, it provides people 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 operationalised within a period of 6 months from the date of their issue.

4.2 Proactive 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 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 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 of the HOD of the attached office, as the case may be. Nodal Officers of Ministry/Department and HOD separately should also ensure that the formation below the Ministry/Department/Attached Office also disclose the information as per the proactive disclosure guidelines.

6.0 Annual Reports of 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.

Speed post



राष्ट्रीय पादप आनुवंशिक संसाधन भूरो
ICAR-National Bureau of Plant Genetic Resources
पूसा कैंपस, नई दिल्ली - 110 012
Pusa Campus, New Delhi - 110 012



Phone: +91-011-25846268 (O)
FAX: +91-011-25846268, 25842495

E-mail: rkyagi@nbpgr.ernet.in

डा आर. के. त्यागी
Dr R.K. Tyagi
सी. पी. आई. ओ.

No.RTI/Quarterly RTI Return/Part-1/532
22.5.2016
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Sir,

As per RTI Act, 2005, Sec. 4, our institute, NBPGR, Pusa Campus, New Delhi-110012 has suo-moto disclosed information under Sec. 4 clause (b) of sub section (1) in the official website of the Bureau. We are, also, constantly taking steps to provide as much information suo-moto to the public at regular intervals through internet. However, as per D.O.P.T. circular No. 1/6/2011-IR dated 15.4.2013, the proactive disclosure package needs to be audited by third party every year.

Therefore, we request you to kindly depute/ nominate an official of your institute to do the auditing of the proactive disclosures of the Bureau. We would appreciate an early and positive reply from your side.

With regards


23/5/16
(R.K. Tyagi)

The Director,
ISTM, Administrative Block
Opposite Bersani Market
JNU Campus (Old)
New Delhi-110067

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22.5.16
JD/KRK

संस्थागत सूचनाओं के अन्तर्गत सूचनाओं का प्रसारण