

**No.1/12/2010-IR**  
**Government of India**  
**Ministry of Personnel, PG & Pensions**  
**Department of Personnel & Training**

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**North Block, New Delhi**  
**Dated: 19<sup>th</sup> May, 2011**

**OFFICE MEMORANDUM**

Subject: Effective Implementation of RTI Act, 2005-Setting up of RTI Cells.

The undersigned is directed to refer to this Department's OM No.1/32/2007-IR dated 14<sup>th</sup> November, 2007 whereby all the public authorities with more than one Public Information Officer (PIO) were advised to create a Central Point within the organization to receive RTI applications and appeals and ensure quick distribution thereof. Experience of past five years has shown that there is a need to expand the scope of the Central Point so as to deal with the RTI related issues effectively.

2. In this context a RTI Cell has been set up in the Department of Personnel and Training (by reorganizing the staff in Administration Division) with the following functions:

- a) to receive RTI applications/ appeals/decisions of the Central Information Commission (CIC) and to route them to CPIOs /AAs;
- b) dispatch replies to RTI requests and appeals including the letters requiring the applicants to deposit additional fee;
- c) transfer applications not pertaining to the public authority to the concerned public authority;
- d) maintain lists of PIOs, First Appellate Authorities and their link officers; and
- e) coordinate the work relating to proactive disclosure, and the Annual Report of the Central Information Commission etc.

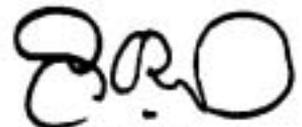
A copy of the OM No. 2/10/2010 dated 9<sup>th</sup> July, 2010 detailing the roles and functions of the RTI Cell is enclosed at Annexure I.

3. Subsequent to the setting up of the Cell, detailed instructions were issued to outline the procedures for handling RTI applications/ appeals vide OM No 2/10/2010 dated 16<sup>th</sup> July, 2010 (Annexure II). This cell has been functioning for the last 9 months and has resulted in better compliance with the provisions of the RTI Act, 2005.

4. It is recommended that Ministries/ Departments may set up RTI Cells to streamline the receipt and disposal of RTI Applications. They may use the arrangements made by DoPT vide OMs referred to above with suitable modifications.

5. Ministries/ Departments may also avail of a one-time grant of up to Rs. 50,000.00 for procuring a computer along with a printer and scanner facility for RTI Cells under the Centrally Sponsored Plan Scheme "Improving transparency and accountability through Effective Implementation of RTI" being implemented by this Department. Balance expenditure may be met by the Ministries /departments from their own funds. Central Public Authorities may send detailed proposals as per proforma in 'Annexure III' to Deputy Secretary (IR), Room No. 280, North Block, New Delhi -110001. Telefax: 23093074, email [osdrti-dopt@nic.in](mailto:osdrti-dopt@nic.in)

6. The status of setting up of RTI Cells by all Central Public Authorities may kindly be intimated to this department by 31<sup>st</sup> July, 2011



(K.G. Verma)  
Director  
Tel:23092158

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

No.2/10/2010-CR  
Government of India  
Ministry of Personnel, Public Grievances & Pensions  
Department of Personnel & Training  
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North Block, New Delhi  
Dated 9<sup>th</sup> July, 2010

**OFFICE MEMORANDUM**

**Subject:- Setting-up of RTI Cell in the Department of Personnel and Training : Composition and functions.**

In order to strengthen the system of RTI implementation in the Department of Personnel and Training, a RTI Cell has been set up. The RTI Cell shall act as a nodal point for all RTI implementation issues within the Department. The Cell is hosted in the Administration Division and is headed by Under Secretary(Administration) under overall supervision of Director(Administration).

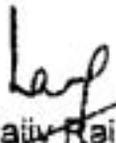
2. The RTI Cell will perform the following functions:
  - i. The Cell will be a single reference point to receive applications, appeals, complaints and decisions of the Central Information Commission;
  - ii. The Cell will ensure uploading of all applications, and appeals received by it on the RTI-MIS;
  - iii. All replies to RTI requests and appeals will be despatched by R&I Section through the RTI Cell. This will include letters for deposit of additional fee;
  - iv. The Cell will ensure uploading of all complaints and decisions of CIC on the DMIS (computerized diary system);
  - v. The Cell will segregate applications and appeals pertaining to life and liberty and forward the same to the concerned CPIO without delay so that they can be responded to within the time frame specified in the Act;
  - vi. The Cell will transfer applications not pertaining to this Department to the concerned public authority;

vii. Coordination for the Department regarding:

- Proactive disclosures under Section 4.
- Systemic changes that can be introduced to reduce the number of queries on a particular area/process;
- Formulation of FAQs on information that can be accessed from the Department;
- Information dissemination through the Information Facilitation Counter (IFC);
- Maintaining lists of CPIOs, FAAs and link officers;
- Annual Report of the CIC;

viii. Preparation of periodic monitoring reports regarding disposal of RTI requests/Appeals and compliance of CIC instructions.

3. All concerned are requested to provide necessary cooperation to the RTI Cell in discharge of its functions.

  
(Rajiv Rai)  
Director

All the CPIOs/officers/Desks/Sections in Department of Personnel & Training

Copy to :-

All the Appellate Authorities/Directors/DS of Department of Personnel & Training

Copy for information to :-

1. EO&SS
2. AS(S&V)
3. JS(E)
4. JS(AT&A)
5. JS(Trg.)
6. JS(Vig)
7. Secretary, PESB
8. PPS to Secretary(P)

IMMEDIATE

No.2/10/2010-CR  
Government of India  
Ministry of Personnel, Public Grievances & Pensions  
Department of Personnel & Training  
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North Block, New Delhi  
Dated 16<sup>th</sup> July, 2010

OFFICE MEMORANDUM

**Subject: Streamlining Receipt, Disposal and follow-up of RTI requests and Appeals.**

- 1.0 It is noted that the receipt, follow-up and monitoring system for RTI requests and appeals is not streamlined which has resulted in late disposal of such requests and on many occasions it has also invited displeasure of the Central Information Commissioner (CIC).
- 2.0 An RTI Cell has been set up under the charge of US (Administration) to coordinate all work relating to disposal of RTI request and appeals and its functions have been detailed vide OM No. 2/10/2010-CR dated 9<sup>th</sup> July, 2010. In continuation of the aforesaid OM detailed instructions for dealing with RTI Requests and appeals are given here under which need to be scrupulously followed by all concerned.
- 3.0 **Receipt of RTI Applications**
  - 3.1 RTI Requests are received in this Department through following means:
    - (a) Direct receipt in the Central Receipt (CR) Section;
    - (b) Directly received by the concerned CPIOs;
    - (c) Received by Senior Officers as reference from other Departments or from other Public Authorities especially, PMO and Cabinet Secretariat.
  - 3.2 As soon as any RTI application is received by any officer or in any office, it will be **immediately** sent to **SO (RTI Cell)**, along with the payment, if any, enclosed. **This will apply even to the applications received by the CPIOs.**
  - 3.3 RTI Cell will handle the applications in the following manner:

- (a) If an RTI request does not concern DOPT, it would immediately be sent to the concerned public authority. Such cases will be finalized by US (Administration), who may consult Director (Administration) as per need. However, such consultations should be done on an urgent basis and not in a routine manner.
- (b) In case, information pertains to DOPT and one other Public Authority, part that concerns the other Public Authority would be transferred to them by RTI Cell at the level of US (Administration).
- (c) In case, part of the information pertains to DOPT and remaining part pertains to more than one Public Authority, further processing will be made only regarding the part that concerns DOPT and as per existing instructions applicant will be informed to make a separate request to concerned Public Authorities at his/her own level.
- (d) RTI Cell would examine that correct fee (by correct mode) has been received. In case it is not so, the application would be returned with the remarks that it may be resubmitted along with correct fee (by correct mode).
- (e) For applications where correct fee has been submitted the fee will be deposited by RTI Cell and receipt obtained. Thereafter:
  - (i) If the RTI application concerns only one CPIO it would be marked to the concerned CPIO along with the fee receipt after making necessary entries into the RTI-MIS. Thereafter, the application would be handled under the relevant provisions of RTI Act by the concerned CPIO.
  - (ii) If the information sought from DoPT concerns more than one CPIO, the original application would be entered into the RTI-MIS and thereafter, separate copies would be marked to the relevant CPIOs who would then handle them as independent RTI application. In these cases the fee receipt will be sent to the CPIO dealing with the first part of query.
  - (iii) In all cases a unique RTI Registration number will be generated, which will enable monitoring till the application is disposed off. In case, parts of one application is being sent to more than one CPIO, unique number will be generated

for each of the parts. However, in such cases numbering would be such that it would be possible to link all the parts together.

3.4 It may be reiterated that vide Order No.2/3/2010-CR dated 7/6/2010, it has been laid down that no CPIO will refuse to accept an application which has been marked to them by the Coordination Section (now RTI cell). In case this happens, RTI Cell would immediately bring this to the notice of Director (Administration) who will take further necessary action urgently and if needed, bring it to the notice of the higher authorities as mentioned in the aforesaid Order. **Such cases of refusal by CPIO would be viewed extremely seriously and may result in disciplinary action.**

3.5 However, in case a CPIO is genuinely aggrieved with wrong marking of an RTI request, he will personally bring it to the notice of Director (Administration) who will either refuse the request or agree to transfer (in full or a part of) the RTI request to another CPIO (s). If a change is made, the application will be routed again through RTI cell which will make necessary corrections in the RTI-MIS. It is, however, reiterated that till the time the application (or a part thereof) is transferred to another CPIO by the RTI cell, the CPIO to whom it was originally marked will continue to remain responsible.

#### **4.0 Disposal of RTI applications by CPIOs**

- (a) The concerned CPIO would handle the RTI request as per the provisions of the Act/Rules and once the reply is ready to be sent, entry will be made into the RTI-MIS and the reply would be uploaded. An intimation will automatically reach the RTI cell, as soon as the above is done. **RTI cell will not dispatch RTI letters / replies unless this intimation is received through the system.**
- (b) After relevant entry is made in the RTI-MIS, the CPIO will keep the reply in the envelope and details of the RTI Registration no. and nature of reply etc. would be superscribed on the envelope. Director (Administration) will be providing special envelopes (called RTI envelopes) to all CPIOs and AAs and all correspondence with applicants will be mailed in these envelopes.

- (c) These envelopes will be sent to the RTI Cell who will thereafter ensure dispatch of these replies through R&I cell as per the established procedure and make necessary entry into the RTI-MIS regarding dispatch date and means.
- (d) In order to ensure that the time limits for disposal of applications are met, CPIOs (and AAs) are required to send the replies to RTI cell **at least 2 days** before the deadline.
- (e) It is possible that additional fee is required to be paid before a request can be entertained. The concerned CPIO will make relevant entry into the RTI-MIS which would result in a standard letter being generated through the software giving full details of the RTI query as well as additional fee to be deposited. This letter will be sent to RTI Cell for further dispatch. Such additional fee whenever received (either directly by the CPIO or through CR Section) will again be sent to RTI Cell who will thereafter deposit this with the Cash Section and update the RTI-MIS accordingly. Thereafter, the intimation of receipt of additional fee will be sent to the concerned CPIO for further action in the matter.
- (f) In some cases, an interim reply is sent to the applicant. Although these communications will also be dispatched through RTI Cell, no entry into the RTI-MIS will be made regarding such interim replies.

## **5.0 Receipt and Disposal of RTI Appeals**

The system for receiving and handling the appeals will be simpler as in such cases the name of the Appellate authority (AA) is known to the RTI applicant and no payment of fee is involved.

- (a) As and when an appeal is received by an AA, s/he will make necessary entry into the RTI-MIS and will handle it as per the provisions of the Act/ Rules.
- (b) If any appeal is received directly in the CR Section or by an officer who is not the concerned AA, all such references will be sent to the RTI Cell who will make necessary entry into RTI MIS and forward it to the concerned AA for taking necessary action.
- (c) In case appeal is received through e-mail, a print out will be taken and entry will be made into the RTI-MIS and thereafter it would be handled like any other appeal received through post.

- (d) On disposal of appeals, procedure for handling them would be the same as detailed for disposal of RTI applications.

## 6.0 Monitoring of RTI applications and appeals

Time limits have been prescribed under the RTI act and rules regarding disposal of RTI applications and appeals and all the CPIOs and AAs are expected to adhere to them. RTI cell would generate:

- (a) Exception reports of cases where disposal has not been made within 25 days of the receipt of RTI request and appeals. These would be posted on the Intra-MOP, so that JSs and other supervisory officers may also follow up with the concerned CPIO.
- (b) A monthly report of all RTI requests received and disposed off during the month with a comparative picture. These reports will also be posted on the Intra-MOP.
- (c) A quarterly report regarding disposal and receipts including CPIO wise analysis of disposal.
- (d) Annual Reports as prescribed by the CIC.

7.0 This system of centralized management of RTI applications/ appeals will be followed by all divisions located in North Block. As far as offices located in JNU Campus (Training Division) or Lok Nayak Bhawan are concerned, they will continue to handle the RTI requests and appeals as per current arrangements. However, all the applications and appeals would necessarily be entered into the RTI-MIS so that correct picture of receipts and disposals for the department may always be assessed.

8.0 **These instructions will come into effect from 1 August 2010.** Prior to that, brief training session will be organized by the RTI cell with the cooperation of NIC, to demonstrate the working of the RTI-MIS and to remove doubts, if any, about the procedure detailed above.

9.0 These instructions issue with the approval of Secretary (P).



(Harish Chander)  
Under Secretary (Admn)

All the CPIOs/officers/Desks/Sections in Department of Personnel & Training

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All the Appellate Authorities/Directors/DS of Department of Personnel & Training

Copy for information to :-

1. EO&SS
2. AS(S&V)
3. JS(E)
4. JS(AT&A)
5. JS(Trg.)
6. JS(Vig)
7. Secretary, PESB
8. PPS to Secretary(P)

**Application Proforma**  
**Centrally Sponsored Scheme on Improving Transparency and Accountability**  
**in government through effective implementation of**  
**Right to Information**

To be submitted in Five copies.

The format given below should neatly typed on separate sheets given item-wise information

Application in an incomplete form will not be entertained

<b>A</b>	
1	Component for which assistance sought
	<b>Setting up of RTI Cells</b>
2	Public Authority (Min/Deptt/ Attached / Subordinate Office)

<b>B. Details of Institution</b>	
1	Name of the Institution
2.	Particulars of the Institution
i	Complete postal address
3	Particulars of Nodal Officer
i	Name
ii	Designation
iii	Tel and Fax No. (Including mobile No.)
iv	E-mail id

<b>C. Details of Expenditure</b>	
1	Date of Setting up of RTI Cell
2.	Details of items to be procured
3.	Detailed estimates of expenditure
4.	Total amount of grant required
5.	<b>CSPMS details of Public Authority.</b>

<b>D. Documents required</b>	
1	Copy of order setting up the RTI Cell
2	An undertaking that once the estimates of expenditure are approved as reasonable and the grant assessed on the basis of these estimates, they shall not be modified by the institution without prior approval of the sanctioning authority of the grant