

**COUNCIL OF SCIENTIFIC & INDUSTRIAL RESEARCH
ANUSANDHAN BHAWAN, RAFI MARG, NEW DELHI-110001.**

No: 46-1(1)/2006-RTI

Dated: 11.1.2011

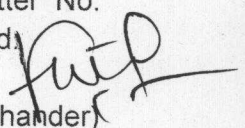
Office Memorandum

Sub: Appointment of Transparency Officer- reg.

As per the powers vested in the Central Information Commission by Section 19 (8)(a) of the RTI Act-05, the Commission has given direction to the Public Authority to set out the obligations in Section 4 of the RTI Act-05 to be discharged by the Public Authority as per the time-limits set out against each activity.

For the purpose of implementation of these obligations as set out in Section 4 of the Act, the Commission has further given direction to all the Public Authorities to designate one of their senior officers as Transparency Officer. The main function of the Transparency Officer may be summarized as - *to promote institutional transparency within the public authority through proactive and effective implementation of the provisions of section 4 of the RTI Act-05. These include effective record management, digitization of records, networking and incremental proactive disclosures. At the same time to ensure high priority and quality in disposing off the RTI applications.*

Accordingly, it has been decided to designate Shri R.P. Sharma Sr. DS (CO) as Transparency Officer for CSIR Hqrs. The details of role and function of the Transparency officer is explained in the DO letter No. CIC/AT/D/10/000111, dated 15.11.10 and DO letter No. CIC/AT/D/10/000111/2, dated 9.12.10 of the CIC. A copy of each of the same is enclosed.


(Subhash Chander)
Section Officer, RTI Cell

Shri RP Sharma, Sr. DS (CO)

CC:

1. PS to DG CSIR
2. PS to JS (Admn)
3. PS to FA
- ✓ 4. PS to CVO
5. CPIO
6. All HODs of CSIR Hqrs.
7. Head, HRDC, Ghaziabad,
8. Head, HRDG, CSIR Complex
9. Head, IPMD
10. Head, URDIP
11. Head, RAB
12. E-III Section
13. Office copy

14. IT Div. for uploading it on CSIR website. (along with end.).

CENTRAL INFORMATION COMMISSION
New Delhi

CIC/AT/D/10/000111
Dated 15.11.2010

Implementation of Section 4 of the RTI Act

Direction to Public Authorities u/s 19(8)(a) of RTI Act

Commission has been noting in its decisions that although the RTI Act has now been in place for five years, a key element of the law — voluntary disclosure by public authorities, enshrined in Section 4 of the Act — has not been fully implemented in letter and spirit. There are, no-doubt, departments and public authorities, which are more transparent and open than the others, but most do not conform to the matrix of disclosure set-out in Section 4.

2. Transparency has not become such a good idea because of the presence of the RTI Act, but it is good because transparency promotes good governance. Of the records, documents and files held by public authorities, a very large part can be made available for inspection, or be disclosed on request to the citizens, without any detriment to the interest of the public authority. This has not been done, or has still not been systematically addressed, largely because of an intuitive acceptance of secrecy as the general norm of the functioning of public authorities. This mental barrier needs to be crossed, not so much through talks and proclamation of adherence to openness in governance, but through tangible action — small things, which cumulatively promote an atmosphere of openness.

The second category could be some sort of a negative list — a list of documents which a public authority is not in a position to bring into the open-category straightaway, but would examine its disclosure under RTI Act.

- (iv) The record-management practice, as much as possible, should be technologically driven. Technology should be used for efficient and wide dissemination of information subject to availability of resources and know-how.

This is an additional requirement to the proper record-management practice commended by Section 4.

- (v) While Section 4 enjoins public authorities to perform certain tasks for voluntary disclosure of information within 120 days of the commencement of the Act, i.e. on 12th October, 2005, it allows them “reasonable time” for putting in place a good record management practice supported by technology.
- (vi) Section 4 also enjoins Public Authorities to update the proactive disclosures every year.

5. The time has come now when the public authorities must start a sustained drive to inform their governance practices with transparency and to take the series of small steps required to put in place a system which promotes it. Section 4 provides only a window to possible actions and, much more will need to be done in order to achieve the type of goals which are envisaged.

6. Therefore, by powers vested in the Commission by Section 19(8)(a) of the RTI Act, we direct that the obligations set out in Section 4 of the

II. Personnel related details and functions of public authorities:

The relevant portions of Section 4 calls upon public authorities to carry out the following:-

"b) publish within one hundred and twenty days from the enactment of this Act,—

- (i) the particulars of its organisation, functions and duties;*
- (ii) the powers and duties of its officers and employees;*
- (iii) the procedure followed in the decision making process, including channels of supervision and accountability;*
- (iv) the norms set by it for the discharge of its functions;*
- (v) the rules, regulations, instructions, manuals and records, held by it or under its control or used by its employees for discharging its functions;*
- (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;*

- (a) to oversee the implementation of the Section 4 obligation by public authorities, and to apprise the top management of its progress.
 - (b) to be the interface for the CIC regarding the progress of (a).
 - (c) help promote congenial conditions for positive and timely response to RTI-requests by CPIOs, deemed-CPIOs.
 - (d) to be a contact point for the public in all RTI-related matters.
- (iii) Names of the Transparency Officers shall be communicated to the Commission by public authorities.

9. Commission wishes to emphasise, that as laid-down in Section 4(2) of the RTI Act, it should be the constant endeavour of every public authority to take steps in accordance with the requirements of clause (b) of sub-section (1) to provide as much information suo-motu to the public at regular intervals through various means of communications, including internet, so that the public have minimum resort to the use of this Act to obtain information.

10. Unless the key requirements of Section 4 are fully met by the public authorities 'suo-motu', the objectives of this Act as enshrined in



सत्यमेव जयते

विपिन बिहारी श्रीवास्तव

B. B. Srivastava

सचिव / Secretary

केंद्रीय सूचना आयोग

Central Information Commission

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D.O.No. CIC/AT/D/10/000111/2

Dated: December 09, 2010

Dear Sir,

Subject :

1. Roles of CPIO and Transparency Officer (TO)
2. Level of Transparency Officer (TO)
3. Job Chart of Transparency Officer (TO)

Reference: D.O.No.CIC/AT/D/10/000111 dated 15.11.2010

Apropos the subject and reference cited, there has been requests for clarification, from some public authorities, regarding the role of the Transparency Officer (T.O.) vis-à-vis the CPIO, and the level of the Transparency Officer.

2. It is clarified that the institution of Transparency Officer is in fact an administrative arrangement for promotion of institutional transparency within the public authority through proactive and effective implementation of the provisions of Section 4 of the RTI Act, 2005. These include effective record management, digitization of records, networking and incremental proactive disclosures.

3. The CPIO and the Appellate Authority, on the other hand, are parts of the RTI-regime and, in that sense, are statutory officers under the RTI Act. Their functions shall be as defined in Sections 7 and 19(1) of the Act respectively.

4. Within the public authority, a CPIO will be free to seek guidance from the Transparency Officer about disclosure-norms — both in its general and specific aspects.

5. The level of Transparency Officer, in any public authority, may vary depending on the availability of personnel of a requisite level. However, to be effective, a Transparency Officer should be of sufficiently high seniority in the organization, having uninterrupted and free access to the head of the public authority. He should also be able to effectively communicate and liaise with Divisional Heads of the public authority.

महानिदेशक, सीएसआइआर
एवं सचिव डीएसआइआर का कार्यालय
जायरी संख्या... 2524
दिनांक... 15.12.2010

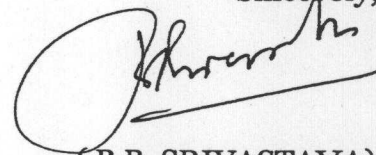
RTI (S)

सचिव, सी. एस. आइ. आर.

- viii. Work out, in consultation with the departmental officers, the parameters of record management- its classification and indexing, plan of action for digitization of documents and records, networking etc and oversee and help implement the functions laid down in section 4 (1) (a) and 4 (1) (b) of the RTI Act.
- ix. Prepare information matrix based on analysis of RTI applications filed before the public authority and response thereof and, suggest to the top management the need for process reengineering, wherever necessary, as well as work out modalities of suo motu disclosure of such information.
- x. Be responsible for creating condition(s) in the organisation to establish an information regime, where transparency/disclosure norms are so robust that the public is required to have only the minimum resort to the use RTI Act to access information.
- xi. Be responsible for operating a user-friendly website for various information relating to the public authority concerned, including inter alia search option.
- xii. With the help of the appropriate wing of the public authority, set-up arrangements for training of the personnel to promote among them higher transparency orientation away from intuitive reflex towards secrecy, now common.
- xiii. Establish dialogue with the top management and key officials of the public authority regarding prevention of unnecessary confidentiality classification of documents and records under the Official Secrets Act and to check over classification.

With regards

Sincerely,


(B.B. SRIVASTAVA)

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