

Annex 5:
CIC Circular dated December 29, 2005

F. No. 14/3/2005-CIC
CENTRAL INFORMATION COMMISSION
Block No. IV, 5th Floor
Old JNU Campus,
New Delhi – 110067

Date: 29/12/2005
To

Secretary
Ministries/Departments,
New Delhi

Sir,

Under Section 25 of the Right to Information Act, Central Information Commission has been entrusted with the responsibility of monitoring and reporting by preparing a report on the implementation of the provisions of this Act during that year and forward a copy thereof to the Central Government. Each Ministry or Department in relation to public authorities within their jurisdiction are expected to collect and provide such information to the Central Information Commission as is required to prepare a report under this Section and comply with the requirements concerning the furnishing of that information and copying records for purposes of this section. The report in respect of the year is expected to provide statutorily following information.

Number of requests received by each authority.

Number of decisions where applications were not entitled to access the documents pursuant to the requests the provisions of the Act under which these decisions were made and the number of times such provisions were invoked.

The number of appeals referred to Central Information Commission for review, the nature of appeals and the outcome of appeals.

Details of disciplinary action taken against any officer in respect of administration of this Act.

Amount of charges collected by each public authority under this Act.

The details to indicate efforts made by the public authorities to administer and implement the spirit and

Suitable suggestions for reform, including those required for development, improvement, modernization, reform for the amendment of the Act or other legislation or common law or any other matter relevant for operationalisation the Right to access the information.

2. As per Section 25(4) the Central Government is expected to cause a copy of the Report of the CIC to be laid before the House of Parliament. If, it appears to the Commission that the practice of a public authority in relation to exercise of its functions under this Act does not conform with the provisions or spirit of this Act, it may give the authority recommendation specifying the steps which ought in its opinion to be taken for promoting such conformity.

3. The Commission has decided that the above mentioned report would be prepared for each year ending in March so that it could be laid before the House Session of Parliament every year. It is, therefore, requested that each Ministry or Department, in relation to the public authorities within their jurisdiction, should place the requisite information in respect of each point mentioned above (section 25(3)) for each public authority under their jurisdiction at their website and this information should be updated every three months. The requisite information till December, 2005 may be placed on website by 31.1.2006 and this information for the period ending 31.3.2006 should be updated by 15.4.2006 and so on. Instead of sending hard copies of this information, the Commission should be informed of the fact that the requisite information has been placed and updated on website within 7 days of the due dates for the purpose mentioned above.

4. Besides providing the information listed in para 1, all Ministries/Departments are requested to conform by 15.1.2006 that they have met the obligations listed in Section 4 (1) of the Right to Information Act, 2005 and have placed the requisite information on their website. The details of the website may also be provided.

5. Any steps taken to comply with Section 4(2) of the Act may also be intimated in quarterly intimation mentioned in para 3 above.

6. The dates mentioned above may please be strictly adhered to.

Yours faithfully,

(S. C. Bhatia)
Deputy Secretary
Tel.: 26717352

Annex 6:
CIC Circular Dated April 10, 2006

No.14/3/2005-CIC

Central Information Commission
5th Floor, Block IV
Old JNU Campus
New Delhi-110067

April 10, 2006

To

The Secretary,
Ministry/Department of
New Delhi.

Sir,

Your kind attention is drawn to the letter of even number dated December 29, 2005. A copy of this is enclosed for ready reference.

2. In order to seek the above information, the Commission has decided to devise a common proforma for seeking an annual return that could be used for sending this information. A proforma prepared in this regard is enclosed as Annexure I. Every Ministry is requested to fill this proforma for all public authorities including Departments working with them. In column 2 of the proforma, details of each public authority may be given in each row. It may kindly be noted that besides providing information for the Ministry and its Departments, this proforma is to be used for providing information for all public authorities as defined under Section 2(h) of the Right to Information Act, 2005. Accordingly, every Ministry/Department will provide information for every public authority including Public Sector Undertakings, Autonomous Bodies set up under the Societies Act, Statutory Corporations, Boards, Constitutional Bodies like C&AG, Election Commission of India, Supreme Court, Delhi High Court, Lok Sabha, Rajya Sabha and NGOs financed by them or in their control etc. as per Section 2(h) of the Right to Information Act, 2005 in a single proforma.
3. Information for each public authority may be given in a single row. The name of the public authority will be mentioned in column 2, while the number of requests

- received under Right to Information Act will be shown in column 3. In column '4a' number of decisions where application for information sought was rejected may be filled in. In column '4b', total number of times provisions of the Act under which these rejections (including partial rejections) were made and number of times each these provisions was invoked has to be provided. Here all relevant Sections of RTI Act, 2005 have been listed for indicating number of times these were used for refusing information. If while rejecting request for application, more than one such Sections was used for refusing the information, each column of relevant sub Section may be filled to indicate its usage.`
4. In column 5, number of cases where disciplinary action was taken against any officer in respect of administration of this Act may be given. For each case a brief write up may be sent to the Commission. In column 6, the total amount of charges collected may be filled. This includes penalties and all kinds of fees, costs etc collected from the general public.
 5. Under Section 25 (3) (f) the Commission has been asked to report efforts made by the public authorities to administer and implement the spirit and intention of the Act. The Ministry/Department are requested to give a brief write up on efforts made by every public authority in this regard and as envisaged under various other Sections of the Act including Sections 4 and 26.
 6. The above proforma must reach the Commission by April30, 2006, failing which Commission's report to Parliament will reflect 'no information received'. It would therefore be desirable if this information is maintained on the Ministry's website and updated at every 3 months interval.
 7. In order to assure the Parliament that the Commission's report is backed by authenticated details in the public authorities, the Commission has decided that each CPIO and Appellate Authority should maintain details of application for information as indicated in [Form I](#) and [IA](#) respectively (copy enclosed). Each Appellate Authority will collect quarterly progress of CPIOs, against whose orders they decide the appeals, in [form II](#) (copy enclosed) and it will be collated at the level of Public authority for all the their CPIOs. [Form IIA](#) has been designed for the Public Authority to collect quarterly progress from all Appellate

Authorities. This should be reported to the Ministry, which along with public authority may place these details on their respective website. [Form III](#) has been suggested for each public authority to keep a quarter wise analysis of requests for information rejected in their organization. National Informatics Centre has been asked to prepare software for filling the data at CPIO and Appellate level, so that efforts required to collate this information will be minimum. As soon as it is ready, all the ministries and department will be informed. Please visit Commission's website <http://cic.gov.in> where all such details will be made available from time to time.

8. The receipt of this letter may be acknowledged.

Yours faithfully,

(P.K. GERA)
Joint Secretary & Registrar

**Annex 7:
CIC Circular Dated May 10, 2006**

**No.14 /3 /2005-CIC
CENTRAL INFORMATION COMMISSION
BLOCK IV, 5TH FLOOR, OLD JNU CAMPUS
NEW DELHI 110067.**

May 10, 2006

To

The Secretary,
Ministries/Departments,
New Delhi.

Sir,

According to Section 4 (4) of the Right to Information Act, 2005 subject to the available resources every Public Authority is expected to computerize all records within a reasonable time and place it on its website so that access to such records is facilitated.

2. In this connection, the National Informatics Centre (NIC) has developed a RTI web Portal <http://rti.gov.in>, which is a Central Repository of information about Public Information Officers (PIOs) and the Proactive Disclosures of various Public Authorities including State Governments made under Section 4 of the Act. The Portal has powerful 'Search' mechanism for accessing the desired information placed on the web. However this requires regular uploading/updation of information. With a necessary technical support from NIC Nodal Officers attached to your Ministry/Department this Portal can provide latest information placed on web to citizen who may thus avoid making requests under the Act.

3. A large number of Ministries/Departments (as listed in [Appendix 'A'](#)) have uploaded the CPIO's details on the Portal whereas this information pertaining to few Ministries/Departments ([Appendix 'B'](#)) is still pending. Similarly the Ministries and Departments listed in [Appendix 'C'](#) have uploaded 'Proactive Disclosure' details on the

RTI web portal while those listed in [Appendix 'D'](#) have not uploaded Proactive Disclosures in clear violation of the RTI Act, 2005. Even those Ministries/Departments which have uploaded information on RTI portal are not updating it regularly. The Commission has received complaints that email addresses of CPIOs have not been placed on the website as a result it becomes difficult for them to contact or send their requests to the CPIOs for information which should have been disclosed as a part of Proactive Disclosure under Section 4 of the Act. All Ministries/Departments may kindly ensure that email contact address of all CPIOs and Appellate authorities are placed on the website as a part of mandatory disclosure and all details are updated periodically.

4. It is in the interest of the Ministries and Departments to update RTI Portal as it is likely to reduce the volume of requests for information under RTI Act. All Ministries and Departments were requested to designate a Nodal Officer for implementation of RTI Act. Please communicate his/her contact details to the Commission so that he/she could regularly be contacted for updating the information on regular basis.

5. In order to facilitate filing of Annual Returns to the Commission of information sought vide letter of even number dated April 10, 2006, NIC has developed a web based facility for filing these returns with the Commission. An Icon 'File Annual Returns' has been placed on the website of the Commission i.e. cic.gov.in and at above mentioned RTI portal. By clicking this Icon, at that the bottom of window a link to the 'Manual' has been placed. This manual in a users' friendly way provides guidance for filling the details. Passwords for all Departments and Ministries have been set as 'nic' which Nodal Officer of the Ministry may change it at the earliest to prevent its misuse. If there is a need felt for training for using this software, Technical Director of attached NIC office of your Ministry/Department may be contacted. For any query on this software please feel free to contact Ms Nidhi Sr. System Analyst on phone 011-23092776 or email nidhiph@nic.in

6. Your cooperation is solicited on filing the Annual returns by May 20, 2006, after which the Commission may have to report 'No information received' from the Ministry/Department on its Annual Report to Parliament.

Yours faithfully,

(P.K. Gera)
Joint Secretary
Tel.No.26167932