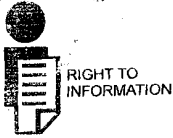


SSO/Computer Cell



SIKKIM INFORMATION COMMISSION

LOWER SECRETARIAT
OPP. SUPER MARKET, GANGTOK-737101



GOVT. OF SIKKIM

PHONE NO: 03592-205710, 203677
FAX NO: 03592-208526

No.: 143...../SICI.2015.....

Dated: 16.1.06.12015..

To,
The Public Authority under RTI Act, 2005,
State of Sikkim,

Subject: Time-bound implementation of Sec. 4 and other obligations under the RTI Act, 2005 by all Public Authorities.

Sir/Madam,

Please refer to this Commission's letter No: 398/SIC/2013 dated: 31.10.2013 regarding the subject cited above vide which request was made to use latest technologies to discharge transparency commitment including progressive digitalization of data/use of other available technologies to not only make transparency of functioning but also to create right conditions for the public to access information through painless and efficient processes as mandated under Section 4 of the RTI Act, 2005. All the Public Authorities are obligated under the Act to undertake proper and improved record management practices and time bound suo – moto disclosure so that the public have access to most information held by Public Authorities.

Section 4 enjoins Public Authorities to undertake the above said tasks within 120 days of the commencement of the Act i.e. 15th June, 2005. But it is observed with regret that very few Public Authorities have made some efforts in this direction. In this regard, your kind attention is drawn to Office order issued by your office designating one Transparency officer in the department whose responsibility is to oversee the implementation of Section 4 – obligation by Public Authorities, to be the interface for the SIC, help promote congenial conditions for positive and timely response to RTI – requests by SPIOs and to be a contact point for the public in all RTI related matters.


You are therefore, requested to kindly issue necessary instructions to the concerned Transparency officer to ensure that all the key requirements of Section 4 are fully met in a systematic manner and through time bound action.

It is once again reiterated and emphasized 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 – moto to the public at regular intervals through various means of communication including internet so that the public have minimum resort to the use of this Act to obtain information.

You are further requested to kindly have the necessary action initiated at the earliest possible in conformity to the matrix of disclosure set out in Section 4 and also for furnishing compliance report to this office within a month please. It is informed that non – compliance of any order/judgement of the Commission will attract penalty as per the recent judgement passed by the Central Information Commission.

Thanking You,

Yours faithfully,


Secretary
Sikkim Information Commission
Gangtok, Sikkim

Copy for information to:

1. P.A to Hon'ble CIC for information of Hon'ble CIC.
2. Principal P.S to Chief Secretary for information of Chief Secretary.
3. Secretary, D.O P.T.

CHAPTER II
RIGHT TO INFORMATION AND OBLIGATIONS OF
PUBLIC AUTHORITIES

3. **Right to information.**—Subject to the provisions of this Act, all citizens shall have the right to information.

4. **Obligations of public authorities.**—(1) Every public authority shall—

- (a) maintain all its records duly catalogued and indexed in a manner and the form which facilitates the right to information under this Act and ensure that all records that are appropriate to be computerised are, within a reasonable time and subject to availability of resources, computerised and connected through a network all over the country on different systems so that access to such records is facilitated;
- (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;
 - (vi) a statement of the categories of documents that are held by it or under its control;
 - (vii) the particulars of any arrangement that exists for consultation with, or representation by, the members of the public in relation to the formulation of its policy or implementation thereof;
 - (viii) a statement of the boards, councils, committees and other bodies consisting of two or more persons constituted as its part or for the purpose of its advice, and as to whether meetings of those boards, councils, committees and other bodies are open to the public, or the minutes of such meetings are accessible for public;
 - (ix) a directory of its officers and employees;
 - (x) the monthly remuneration received by each of its officers and employees, including the system of compensation as provided in its regulations;
 - (xi) the budget allocated to each of its agency, indicating the particulars of all plans, proposed expenditures and reports on disbursements made;
 - (xii) the manner of execution of subsidy programmes, including the amounts allocated and the details of beneficiaries of such programmes;

- (xiii) particulars of recipients of concessions, permits or authorisations granted by it;
 - (xiv) details in respect of the information, available to or held by it, reduced in an electronic form;
 - (xiv) the particulars of facilities available to citizens for obtaining information, including the working hours of a library or reading room, if maintained for public use;
 - (xvi) the names, designations and other particulars of the Public Information Officers;
 - (xvii) such other information as may be prescribed;
- and thereafter update these publications every year;
- (c) publish all relevant facts while formulating important policies or announcing the decisions which affect public;
 - (d) provide reasons for its administrative or quasi-judicial decisions to affected persons.

(2) It shall be a 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.

(3) For the purposes of sub-section (1) every information shall be disseminated widely and in such form and manner which is easily accessible to the public.

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

Explanation.--For the purposes of sub-sections (3) and (4), "disseminated" means making known or communicated the information to the public through notice boards, newspapers, public announcements, media broadcasts, the internet or any other means, including inspection of offices of any public authority.

5. Designation of Public Information Officers.—(1) Every public authority shall, within one hundred days of the enactment of this Act, designate as many officers as the Central Public Information Officers or State Public Information Officers, as the case may be, in all administrative units or offices under it as may be necessary to provide information to persons requesting for the information under this Act.

(2) Without prejudice to the provisions of sub-section (1), every public authority shall designate an officer, within one hundred days of the enactment of this Act, at each sub-divisional level or other sub-district level as a Central