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AUDIT REPORT OF THE  
NATIONAL INSTITUTE OF WIND ENERGY  
(MINISTRY OF NEW AND RENEWABLE ENERGY)  
PROACTIVE DISCLOSURE UNDER RTI ACT, 2005  
JUNE 2019

Audit conducted by



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## FOREWORD

Hon'ble President Shri Ram Nath Kovind inaugurating the 13th Annual Convention of the Central Information Commission observed that RTI Act has contributed to the deepening of our democracy and has helped add to the knowledge base of our citizens. He stated that free flow of information is the essence of democracy. For the people of a free and free-spirited country, information is power. He said that the citizens have a right to know how they are being governed, how public money is being spent, how public and national resources are being deployed, how public services are being delivered, and how public works and welfare programmes are being carried out. He further stated that the Right to Information builds on these principles. It creates a pedestal for transparent and participatory governance.

2. Keeping in view the importance of Right to Information Act, 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 a large number of training programmes on various facets of RTI Act for different levels of officers. ISTM has rich experience of conducting the third party audit of pro-active suo motu disclosure on the websites made by the public authorities especially Central Ministries / Departments.

3. Consequent to the issue of DoPT guidelines for third party audit on suo motu disclosure vide OM No. 1/6/2011-IR dated 15<sup>th</sup> April, 2013, ISTM received requests from various public authorities for conducting third party audit. In the year 2015 based on the request of National Institute of Wind Energy (NIWE), Chennai ISTM has taken up the third party audit of suo motu disclosure of the organization and report was submitted on August, 2015. It is observed that NIWE has improved substantially its suo motu disclosures based on the suggestions given by ISTM consultancy team. As per the DOPT instructions, third party audit of suo motu disclosure is required to be done annually. Accordingly, NIWE has again approached ISTM to conduct the third party audit. As such, the consultancy team of ISTM has extensively revisited the suo motu disclosures of the organization and submitted the report.

4. I am happy to state that the study team has come out with a comprehensive report on the current status of proactive disclosure of National Institute of Wind Energy, Chennai and provided suggestions for further improvement. I am sure the report submitted by the study team will go a long way in strengthening the suo motu disclosure of National Institute of Wind Energy, Chennai to further meet the information needs of the citizens.



(Sunita H Khurana)  
Director

## PREFACE

The Right to Information Act was enacted in 2005 to ensure smoother, greater and more effective access to information. This act provides an effective framework for effectuating the right of information recognized under article 19 of the Constitution. The preamble of the Act states that the object to be achieved of the RTI Act as:

“An Act to provide for setting out the practical regime of right to information for citizens to secure access to information under the control of public authorities, in order to promote transparency and accountability in the working of every public authority, the constitution of a Central Information Commission and State Information Commissions and for matters connected therewith or incidental thereto.

Whereas the Constitution of India has established democratic Republic. And whereas democracy requires an informed citizenry and transparency of information which are vital to its functioning and also to contain corruption and to hold Governments and their instrumentalities accountable to the governed;”

2. Chapter II of the Act containing sections 3 to 11 deals with right to information and obligations of public authorities. Section 4 deals with obligations of public authorities to maintain the records in the manner provided and publish and disseminate the information in the manner provided. The effect of the provisions of section 4 of the Act is that Information which promotes *transparency and accountability* in the working of every public authority and disclosure of which may also help in containing or discouraging corruption. As such a duty has been cast on public authorities to publish a set of information regularly to meet the information needs of the citizens. It has been observed that if proactive disclosures by the public authorities are adequate as prescribed in the act, the number of RTI applications filed will be reduced.

3. 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 15<sup>th</sup> April, 2013. The said guidelines issued by Department of Personnel & Training (DOPT) have four chapters viz:-

- (i) Suo motu disclosure of more items under section 4
- (ii) Guidelines for digital publication of proactive disclosure under section 4
- (iii) 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
- (iv) Compliance with provisions of suo motu disclosure

4. 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 proactive disclosure package audited through third party every year.
- (iv) Third party audit of the suo motu disclosure should cover compliance with the proactive 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 proactively disclosed.

5. Such audit should be done annually and should be communicated to the Central Information Commission (CIC) and published on the website of the public authority concerned. All public authorities are required to proactively disclose the names of the third party auditors on their websites. DOPT has issued reminders for compliance with the requirement for conducting third party audit vide its reminders dated 10<sup>th</sup> December, 2013 and 22<sup>nd</sup> September, 2015

6. In this background ISTM has again conducted the third party audit of NIWE for the year 2018-19 and the data collected, analysed and recommendations are given in subsequent Chapters.

## COMPOSITION OF AUDIT TEAM

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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(1)(b) and each of those categories contains various items making it elaborate and exhaustive. The 17<sup>th</sup> item under section 4(1)(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 the organization, its functions and duties;
- (ii) the powers and duties of the 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; and
- (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; and
- (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 these guidelines are re-produced below:-

#### **1.4.1. Guidelines on suo motu disclosure under section 4 of the RTI Act**

##### **1.4.1.1. 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 also under the suo motu disclosure provisions of section 4:-

##### **(i) 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-procurement should be disclosed under section 4. At present the limit is fixed at Rs.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 exempted.

**(ii) 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 alongwith the purpose of making such payment.

**(iii) 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 views over 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.

**(iv) 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.

**(v) 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 exempted.

**(vi) Citizen Charter**

Citizens Charter prepared by the Ministry / Department, as part of the Result Framework 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.

**(vii) 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 website 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.

**(viii) 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. 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.

#### **1.5. Guidelines for digital publication of proactive disclosure under section 4**

1.5.1. 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.

1.5.2. 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](http://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 what words can. All such different media and forms should be used for proactive disclosure; and
- (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).

## **1.6. Guidelines for certain clauses of section 4(1)(b) to make disclosure more Effective**

**1.6.1.** 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 disclose 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.

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

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

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.

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 flowchart or in a simple bullet-pointed format in a text-box. The exceptional circumstances when such standard decision-making processes may be over ridden 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; and
- (e) In the event of a public authority altering an existing decision-making processor adopting an entirely new process, such changes must be

explained in simple language in order to enable people to easily understand the changes made.

#### **1.6.2.2. Guidelines for section 4(1) (b) (iv)- “the norms set by it for the discharge of its functions”**

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.

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.

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; and
- (f) Laying down individual responsibility for providing the goods and services (who is responsible for delivery / implementation and who is responsible for supervision).

**1.6.2.3. 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”**

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 12 monthly expenditure reports of such subsidiary authority may be uploaded on the website of the principal public authority; and

- (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.

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

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.

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. At the outset the consultancy team critically examined the existing and available literature on the subject including following documents:-

- (a) Section 4(1)(b), 4(1)(c), 4(1)(d)& 4(2), 4(3) & 4(4) of the RTI Act
- (b) DoPT OM No.1/6/2011-IR dated 15<sup>th</sup> April, 2013, OM No. 1/34/2013-IR dated 29<sup>th</sup> June, 2015 and OM No.1/34/2013 dated 16<sup>th</sup> March, 2016
- (c) Previous studies conducted by ISTM for audit of suo motu disclosure of the following Ministries during the year 2009-10 are as under:-
  - (i) Department of Higher Education;
  - (ii) Ministry of Corporate Affairs;
  - (iii) Ministry of Tourism;
  - (iv) Ministry of Tribal Affairs;
  - (v) Ministry of Health & Family Welfare(NRHM);
  - (vi) Ministry of Civil Aviation;
  - (vii) Ministry of Power;
  - (viii) Ministry of Panchayati Raj;
  - (ix) Ministry of Agriculture and Cooperation;
  - (x) Ministry of Earth Sciences;
  - (xi) Ministry of Telecom;
  - (xii) Ministry of New & Renewable Energy;
  - (xiii) Ministry of Urban Development;
  - (xiv) Ministry of Textiles; and
  - (xv) 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;
- (g) Third party audit of Department of Industry Policy & Promotion, Ministry of Commerce & Industry, Govt. of India, conducted by Institute of Secretariat Training and Management, Govt. of India in May, 2016;
- (h) Third party audit of National Bureau of Plant Genetic Resources, Ministry of Commerce & Industry, Govt. of India, conducted by Institute of Secretariat Training and Management, Govt. of India in May, 2016;
- (i) Third party audit of Ministry of Home Affairs, Govt. of India, conducted by Institute of Secretariat Training and Management, Govt. of India in May, 2016;
- (j) Third party audit of Ministry of Road Transport & Highways, Govt. of India, conducted by Institute of Secretariat Training and Management, Govt. of India in July, 2016;
- (k) Third party audit of Department of Administrative Reforms and Public Grievances, Ministry of Personnel, Public Grievances and Pensions, Govt. of India, conducted by Institute of Secretariat Training and Management, Govt. of India in September, 2016;
- (l) Third party audit of Bharatiya Nabhikiya Vidyut Nigam Limited (BHAVINI), Department of Atomic Energy, Govt. of India, conducted by Institute of Secretariat Training and Management, Govt. of India in December, 2016;
- (m) Third party audit of Indian Institute of Technology, Delhi (IIT-Delhi) conducted by Institute of Secretariat Training and Management, Govt. of India in February, 2017;
- (n) Third party audit of Indian Space Research Organisation, Department of Space, Government of India conducted by Institute of Secretariat Training and Management, Government of India in May, 2017; and
- (o) Third party audit of Central Administrative Tribunal, Principal Bench, conducted by Institute of Secretariat Training and Management, Govt. of India in April, 2018



- (p) Third party audit of Kamrajar Port Limit, Ennore, Chennai, conducted by Institute of Secretariat Training and Management, Govt. of India in January, 2019

**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. Section 4(1) (b), (c), (d) and other related information can be grouped under six categories; namely,

- (i) Organisation and function,
- (ii) Budget and programmes,
- (iii) Publicity and public interface,
- (iv) E. governance,
- (v) Information as prescribed and
- (vi) Information disclosed on once own initiative.

Each of the categories are further divided into 114 sub parameters. Copy of the format is placed at **Annexure-1**.

**2.3.** After the initial application of the check list on the website of National Institute of Wind Energy, Chennai, 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 K. Govindarajulu, Joint Director visited the NIWE and discussed in detail the suo motu disclosure currently being done by NIWE, Chennai and the areas for further improvement with the DDG(F&A) and his team of officers. Copy of the preliminary audit checklist was handed over to the officers of the NIWE, Chennai to enable them to do the needful improvements of their suo moto disclosures.

**2.5.** Subsequently, the data was collected and analyzed and appropriate conclusions drawn to identify the areas for improvement. The subsequent chapters of the report provide the analysis of data and conclusion/recommendation of the committee.

## CHAPTER-3

### DATA COLLECTED

Name of the public authority being audited :	National Institute of Wind Energy, Pallikaranai, Chennai, Tamil Nadu 600100
Website	<a href="http://niwe.res.in/">http://niwe.res.in/</a>

#### 1. Organisation and Function

S.No.	Item	Details of disclosure	Remarks/Reference points(Fully met/partially met/not met - Not applicable will be treated as fully met / partially met)
1.1	Particulars of Its organization, functions and duties [Section 4(1)(b)(i)]	(i) Name and address of the Organization	Available
		(ii) Head of the organization	Available
		(iii) Vision, Mission and Key objectives	Available
		(iv) Function and duties	Available in brief under the link 'About us'
		(v) Organization Chart	Available
		(vi) Any other details- the genesis, inception, formation of the department and the HoDs from time to time as well as the committees/Commissions constituted from time to time have been dealt	Available
1.2	Power and duties of its officers and employees [Section 4(1)(b)(ii)]	(i) Powers and duties of officers (administrative, financial and judicial)	Available
		(ii) Power and duties of other employees	Available
		(iii) Rules / orders under which powers and duty are derived and Exercised	Available
		(iv) Work allocation	Available
1.3	Procedure followed in decision making process [Section 4(1)(b)(iii)]	(i) Process of decision making Identify key decision making points	<b>Key decision making points have been identified with time limits. However, a synoptic note indicating the channels of supervision and accountability needs</b>
		(ii) Final decision making authority	
		(iii) Related provisions, acts, rules etc.	

		(iv) Time limit for taking a decision, if any	<b>be added to make the disclosures more transparent.</b>
		(v) Channels of supervision and accountability	
1.4	Norms for discharge of functions [Section 4(1)(b)(iv)]	(i) Nature of functions/ services offered	<b>It is observed from the information available in the preceding paras that procedure followed in decision making and norms for discharge of support functions like pay and allowances etc. have been indicated. However, the same information about substantive functions of the organisations has not been provided. For e.g. one of the objectives of the organisation to accord approval / certification etc., the procedure and norms for discharging these functions have not been provided. NIWE need to revisit the objectives of the organisations and provide the detailed procedure and norms for discharging their functions provided in the objectives.</b>
		(ii) Norms / standards for functions / service delivery	
		(iii) Process by which these services can be accessed	
		(iv) Time-limit for achieving the targets	
		(v) Process of redress of grievances	Available as part of Citizen Charter. <b>This may be linked in the home page of website prominently.</b>
1.5	Rules, regulations, instructions manuals and records for discharging functions [Section 4(1)(b)(v)]	(i) Title and nature of the manual / instruction / rules etc.	Available
		(ii) List of Rules, regulations, instructions manuals and records.	Available
		(iii) Acts / Rules manuals etc.	Available
		(iv) Transfer policy and transfer orders	Not applicable
1.6	Categories of documents held by the authority under its control [Section 4(1)(b)(vi)]	(i) Categories of documents	Available.
		(ii) Custodian of documents / categories	<b>Not available. Division wise custodian details needs to be indicated.</b>

1.7	Boards, Councils, Committees and other Bodies constituted as part of the Public Authority [Section 4(1)(b)(viii)]	(i) Name of Boards, Council, Committee etc.	Available
		(ii) Composition	Available
		(iii) Dates from which constituted	Available
		(iv) Term / Tenure	Available
		(v) Powers and functions	Available
		(vi) Whether their meetings are open to the public?	Not applicable
		(vii) Whether the minutes of the meetings are open to the public?	Not applicable
		(viii) Place where the minutes if open to the public are available?	Not applicable
1.8	Directory of Officers and employees [Section 4(1)(b)(ix)]	(i) Name and designation	Available
		(ii) Telephone, fax and email ID	Available
1.9	Monthly remuneration received by officers & employees including system of compensation [Section 4(1)(b)(x)]	(i) List of employees with Gross monthly remuneration.	Available
		(ii) System of compensation as provided in its regulations	<b>Not mentioned. In case anything available that needs to be indicated.</b>
1.10	Name, designation and other particulars of public information officers [Section 4(1)(b)(xvi)]	(i) Name and designation of the public information officer (PIO), Assistant Public Information(s) & Appellate Authority	Available
		(ii) Address, telephone numbers and email ID of each designated official.	Available
1.11	Programmes to advance understanding of RTI (Section 26)	(i) Educational programmes	Available
		(ii) Efforts to encourage public authority to participate in these programmes	Available
		(iii) Training of CPIO/APIO	Available
		(iv) Update & publish guidelines on RTI by the public authorities concerned	--

1.12	Transfer policy and transfer orders [F No. 1/6/2011-IR dt. 15.4.2013]		Not applicable
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## 2. Budget and Programme

S.No.	Item	Details of disclosure	Remarks/Reference Points (Fully met/partially met/not met – Not applicable will be treated as fully met / partially met)
2.1	Budget allocated to each agency including all plans, proposed expenditure and reports on disbursements made etc. [Section 4(1)(b)(xi)]	(i) Total Budget for the public authority (ii) Budget for each agency and plan & programmes (iii) Proposed expenditures (iv) Revised budget for each agency, if any (v) Report on disbursements made and place where the related reports are available	Available upto 2017-18. <b>May be updated upto 2018-19</b>
2.2	Foreign and domestic tours (F No. 1/8/2012-IR dt. 11.9.2012)	(i) Budget (ii) Foreign and domestic Tours by ministers and officials of the rank of Joint Secretary to the government and above, as well as the heads of the Department. a. Places visited b. The period of visit c. The number of members in the official delegation d. Expenditure on the visit	Expenditure details are available. Available upto 2017-18. Needs to update. <b>May be updated upto 2018-19.</b>
2.3	Information related to procurements	(i) Notice/tender enquires, and corrigenda if any thereon, (ii) details of the bids awarded comprising the names of the suppliers of goods/services being procured, (iii) the works contracts concluded – in any such combination of the above – and the rate/rates and the total amount at which such procurement or works contract is to be executed	Available

2.4	Manner of execution of subsidy programme [Section 4(1)(b)(xii)]	(i) Name of the programme of activity	Not applicable
		(ii) Objective of the programme	
		(iii) Procedure to avail benefits	
		(iv) Duration of the programme / scheme	
		(v) Physical and financial targets of the programme	
		(vi) Nature / scale of subsidy / amount allotted	
		(vii) Eligibility criteria for grant of subsidy	
		(viii) Details of beneficiaries of subsidy programme (number, profile etc)	
2.5	Discretionary and non-discretionary grants [F No. 1/6/2011-IR dt. 15.4.2013]	(i) Discretionary and non-discretionary grants / allocations to State Govt / NGOs / other institutions	Not applicable
		(ii) Annual accounts of all legal entities who are provided grants by public authorities	Not applicable
2.6	Particulars of recipients of concessions, permits of authorizations granted by the public authority [Section 4(1)(b)(xii)]	(i) Concessions, permits or authorizations granted by public authority	Not applicable
		(ii) For each concessions, permit or authorization granted <ul style="list-style-type: none"> <li>a. Eligibility criteria</li> <li>b. Procedure for getting the concession / grant and / or permits of authorizations</li> <li>c. Name and address of the recipients given concessions / permits or authorisations</li> <li>d. Date of award of concessions / permits of authorizations.</li> </ul>	
2.7	CAG & PAC paras [F No. 1/6/2011-IR dt. 15.4.2013]	CAG and PAC paras and the action taken reports (ATRs) after these have been laid on the table of both houses of the parliament	Nil status displayed.

### 3. Publicity and Public interface

S.No.	Item	Details of disclosure	Remarks / Reference Points (Fully met/partially met / not met – Not applicable will be treated as fully met / partially met)
3.1	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  [Section4(1)(b)(vii)] [F No. 1/6/2011-IR dt. 15.4.2013]	Arrangement for consultation with or representation by the members of the public (i) Relevant Acts, Rules, Forms and other documents which are normally accessed by citizens	Not applicable
(ii) Arrangements for consultation with or representation by a. Members of the public in policy formulation / policy implementation b. Day & time allotted for visitors c. Contact details of Information & Facilitation Counter (IFC) to provide publications frequently sought by RTI applicants		Not applicable	
Public-private partnerships (PPP): (i) Details of Special Purpose Vehicle (SPV), if any		Not applicable	
(ii) Detailed project reports (DPRs)		Not applicable	
(iii) Concession agreements.		Not applicable	
(iv) Operation and maintenance manuals		Not applicable	
(v) Other documents generated as part of the implementation of the PPP		Not applicable	
(vi) Information relating to fees, tolls, or the other kinds of revenues that may be collected under authorisation from the government		Not applicable	
(vii) Information relating to outputs and outcomes		Not applicable	
(viii) The process of the selection of the private sector party (concessionaire etc.)		Not applicable	
(ix) All payment made under the PPP project	Not applicable		

3.2	Are the details of policies / decisions, which affect public, informed to them [Section 4(1)(c)]	Publish all relevant facts while formulating important policies or announcing decisions which affect public to make the process more interactive; (i) Policy decisions/legislations taken in the previous one year	Not applicable
		(ii) Outline the Public consultation process	Not applicable
		(iii) Outline the arrangement for consultation before formulation of policy	Not applicable
3.3	Dissemination of information widely and in such form and manner which is easily accessible to the public [Section 4(3)]	Use of the most effective means of communication (i) Internet (website)	Available
3.4	Form of accessibility of information manual / Handbook [Section 4(1)(b)]	Information manual / handbook available in (i) Electronic format	Available
		(ii) Printed format	Available
3.5	Whether information manual / handbook available free of cost or not [Section 4(1)(b)]	List of materials available (i) Free of cost	Available at home page.
		(ii) At a reasonable cost of the medium	

#### 4. E. Governance

S.No.	Item	Details of disclosure	Remarks/Reference Points (Fully met/partially met/not met – Not applicable will be treated as fully met / partially met)
4.1	Language in which Information Manual / Handbook Available [F No. 1/6/2011-	(i) English	<b>Date of updation needs to be mentioned.</b>
		(ii) Vernacular / Local Language	<b>Needs to be developed in the local language.</b>



	IR dt. 15.4.2013]		
4.2	When was the information Manual / Handbook last updated? [F No. 1/6/2011-IR dt. 15.4.2013]	Last date of Annual updation	<b>Date of updation needs to be mentioned.</b>
4.3	Information available in electronic form [Section 4(1)(b)(xiv)]	(i) Details of information available in electronic form	Newsletter, tender notification, circular etc.
		(ii) Name / title of the document/ record / other information	Available
		(iii) Location where available	Link available
4.4	Particulars of facilities available to citizen obtaining information for [Section 4(1)(b)(xv)]	(i) Name & location of the facility	Available
		(ii) Details of information made available	Available
		(iii) Working hours of the facility	<b>Time and place for obtaining information in person and contact person details may be indicated in the Citizen Charter.</b>
		(iv) Contact person & contact details (Phone, fax email)	
4.5	Such other information as may be prescribed under section 4(1)(b)(xvii)	(i) Grievance redressal mechanism	Available
		(ii) Details of applications received under RTI and information provided	Available upto 2017-18 under the link "right to information" sub link "RTI application".
		(iii) List of completed schemes / projects / programmes	Available
		(iv) List of schemes / projects / programme underway	Available
		(v) Details of all contracts entered into including name of the contractor amount of contract and period of completion of contract	Available
		(vi) Annual Report	Updated upto 2017-18
		(vii) Frequently Asked Questions (FAQs)	Available under link "Downloads" sub link FAQ.
		(viii) Any other information such as (a) Citizen's Charter (b) Result Framework Document (RFD) (c) Six monthly reports on	Available under the link "Downloads" sub link "Citizen charters". Available under the link "Downloads" sub link "RFD" Available under the link

		the performance against the benchmarks set in the Citizen's Charter	"Downloads" sub link "RFD"
4.6	Receipt & Disposal of RTI applications & appeals [F No. 1/6/2011-IR dt. 15.4.2013]	(i) Details of applications received and disposed	Available under the link "Downloads" sub link "RTI"
		(ii) Details of appeals received and orders issued	Available under the link "Downloads" sub link "RTI"
4.7	Replies to questions asked in the parliament [Section 4(1)(d)(2)]	Details of questions asked and replies given	<b>Not mentioned. Needs to be indicated.</b>

### 5. Information as may be prescribed

S.No.	Item	Details of disclosure	Remarks/Reference Points(Fully met/partially met/not met - Not applicable will be treated as fully met / partially met)
5.1	Such other information as may be prescribed [F No. 1/2/2016-IR dt. 17.8.2016, F No. 1/6/2011-IR dt. 15.4.2013]	(i) Name & details of (a) Current CPIOs & FAAs (b) Earlier CPIOs/FAAs from 1.1.2015	Available. <b>However, details of link CPIO and FAA need also be indicated.</b>
		(ii) Details of third party audit of voluntary disclosure (a) Dates of audit carried out (b) Report of the audit carried out	Available under the link "Downloads" sub link "Audit report of proactive disclosure under RTI Act 2005"
		(iii) Appointment of Nodal Officers not below the rank of Joint Secretary / Additional HoD (a) Date of appointment (b) Name & Designation of the officers	Available
		(iv) Consultancy committee of key stake holders for advice on suo motu disclosure (a) Dates from which constituted (b) Name & Designation of the officers	<b>Details not available.</b>
		(v) Committee of PIOs/FAAs with rich experience in RTI to identify frequently sought information under RTI (a) Dates from which constituted	<b>Details not available.</b>

		(b) Name & Designation of the officers	
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6. Information disclosed on own initiative

S.No.	Item	Details of disclosure	Remarks/Reference Points (Fully met/partially met/not met – Not applicable will be treated as fully met / partially met)
6.1	Items / information disclosed so that public have minimum resort to use of RTI Act to obtain information.		Information about the damages occurred to equipment's, records and furniture etc. due to the unprecedented floods during 2 <sup>nd</sup> - 4 <sup>th</sup> December 2015 at NIWE, Chennai has been disclosed.
6.2	Guidelines for Indian Government Websites (GIGW) is followed (released in February, 2009 and included in the Central Secretariat Manual of Office Procedures (CSMOP) by Department of Administrative Reforms and Public Grievances, Ministry of Personnel, Public Grievance and Pensions, Govt. of India)	(i) Whether STQC certification obtained and its validity. (ii) Does the website show the certificate on the website?	Needs to be disclosed.

## CHAPTER-4

### ANALYSIS OF DATA COLLECTED

On analysis of the data collected through the questionnaire and two meetings held with the Officers of National Institute of Wind Energy, Chennai in the month of January and February, 2019. The observations drawn on the basis of analysis on respective areas are as given below:-

#### **4.1 Particulars of its organizations, functions and duties (Section 4(1) (b)(i))**

The information under this section is available and functions and duties have been indicated briefly under the link 'About us'.

#### **4.2 Powers & Duties of its officers & employees (Section 4(1) (b) (ii))**

The Powers and duties of officers are available.

#### **4.3 Procedure followed in the decision making process (Section 4(1)(b) (iii))**

Key decision making points have been identified with time limits. However, a synoptic note indicating the channels of supervision and accountability needs be added to make the disclosures more transparent.

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

It is observed from the information available, that procedure followed in decision making and norms for discharge of support functions like pay and allowances etc. have been indicated. However, the same information about substantive functions of the institute has not been provided. For example, one of the objectives of the institute is to accord approval / certification etc., the procedure and norms for discharging of this function have not been provided. NIWE needs to revisit the objectives of the institute and provides the detailed procedure and norms for discharging their substantive functions as provided in the objectives of the institute.

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

All required information is available. However, as NIWE has no branch / sub office, the requirement of transfer policy is not applicable.

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

Not available. Division wise custodian details needs to be indicated.

**4.7 Boards, Councils, Committees and other Bodies constituted as part of the public authority functioning (Section 4 (1) (b) (viii))**

Required information is available. However, the requirement of meetings / minutes of meeting of the NIWE to remain open to the public has been indicated as not applicable. Since, these meetings are appropriately not considered to have a public interface.

**4.8 Directory of officers and employees (Section 4(1) (b) (ix))**

Names, Designations, Telephone No, FAX No. and Email ID of the officers and employees are available.

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

List of employees with gross monthly remuneration is disclosed. However, the system of compensation as provided in its regulations has not been mentioned. If applicable, the same needs to be disclosed.

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

Required information is available.

#### **4.11 Programmes to advance understanding of RTI (Section 26)**

Information regarding educational programmes / training of CPIO / APIO being organized by NIWE is available. However, the efforts need to be increased to ensure that every officer / employee of NIWE participate atleast in one day programme / training every year to keep them updated about the latest developments on RTI.

It is observed that guidelines issued by DoPT are available on the website. However, it is advisable that NIWE uses those guidelines as a template and published updated guidelines which are NIWE specific

#### **4.12 Transfer policy and transfer orders**

As already mentioned in para 1.5 above as NIWE has no branch / sub office the requirement of transfer policy is not applicable.

#### **4.13 Budget allocated to each agency including all plans, proposed expenditure and reports on disbursements made etc. (Section 4(1)(b)(xi))**

Information disclosed upto 2017-18. However, it needs to be updated showing budget related information upto 2018-19

#### **4.14 Foreign and domestic tours**

Available upto 2017-18. Needs to be updated upto 2018-19.

#### **4.15 Information related to procurements**

All required information is available.

#### **4.16 Manner of execution of subsidy programmes (Section 4(1)(b) (xii))**

Not applicable to National Institute of Wind Energy.

#### **4.17 Discretionary and non-discretionary grants**

Not applicable to National Institute of Wind Energy.

**4.18 Particulars of recipients of concessions, permits of authorizations granted by the public authority (Section 4(1)(b)(xii))**

Not applicable to the organization.

**4.19 CAG & PAC paras**

NIWE has indicated Nil against the CAG & PAC paras. In case anything in future comes regarding CAG & PAC paras the same need be disclosed.

**4.20 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**

Not applicable in the Institute.

**4.21 Are the details of policies / decisions, which affect public, informed to them**

Not applicable for National Institute of Wind Energy, as their functions do not involve formulating policies / legislations etc.

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

Available in website and on notice board.

**4.23 Form of accessibility of information manual / Handbook**

As already mentioned NIWE needs to prepare organization specific manual / handbook on RTI and make arrangements for its accessibility using internet and other modes.

**4.24 Whether information manual / handbook available free of cost or not**

Information manual relating to the functions of NIWE is available at home page of the website.

#### **4.25 Language in which Information Manual/ Handbook Available**

Information Manual / Handbook available in English it need be developed in the local language also. Moreover, date of last updation needs to be periodically mentioned on the website.

#### **4.26 When was the information Manual/ Handbook last updated?**

Date of updation is not mentioned. Date is required to be mentioned periodically

#### **4.27 Information available in electronic form**

Newsletter, Tender, Notification, Circulars are available in the electronic form and the location where these are available is also indicated by making the link available.

#### **4.28 Particulars of facilities available to citizen for obtaining information**

Name and location of the facility is available on the website. However, time and place for obtaining information in person and also the contact details of concerned official may also be indicated in the Citizen Charter.

#### **4.29 Such other information as may be prescribed under section**

Grievance redressal mechanism applicable in the organization available. Similarly, list of completed schemes / projects etc. is also available. Details of application received and information provided has been updated upto 2017-18 under the link 'Right to Information' sub link 'RTI applications'.

List of ongoing schemes, details of all contracts entered into by the institute and annual report upto 2017-18 are available. FAQs available under link 'Download' sub link 'Citizen Charter'. RFD six monthly report of the performance are available under the link 'Downloads' sub link 'RFD'

#### **4.30 Receipt & Disposal of RTI applications & appeals**

Details of RTI applications / appeals received and disposed are available under the link 'Downloads' sub link 'RTI'



#### **4.31 Replies to questions asked in the parliament**

No information is available. Needs to be indicated if applicable.

#### **4.32 Such other information as may be prescribed**

The following details have been disclosed

- a. Current and former CPIOs / FAAs from 1.1.2015
- b. Details of third part audit available under the link 'Downloads' sub link 'Audit report of proactive disclosure...'
- c. Details of Nodal Officer.

However, details of consultancy committee of key stake holders of advice of suo motu disclosure and committee of PIOs and FAAs with experience in RTI to identify frequently sought information under the RTI Act has not been disclosed. NIWE need to constitute these committees and furnished the required information.

#### **4.33 Information disclosed on own initiative**

Items / information disclosed so that public have minimum resort to use of RTI Act to obtain information.

Information about the damages occurred to equipment's, furniture, vehicles, records, etc. due to the unprecedented floods during 2<sup>nd</sup> - 4<sup>th</sup> December 2015 at NIWE, Chennai has been disclosed.

#### **4.34 Guidelines for Indian Government Websites (GIGW) released in February, 2009 and included in the Central Secretariat Manual of Office Procedures (CSMOP) by Department of Administrative Reforms and Public Grievances, Ministry of Personnel, Public Grievance and Pensions, Govt. of India are being followed or not**

Details regarding STQC certification obtained and its validity are not available on the website. The same needs to be obtained and disclosed.

## CHAPTER-5

### CONCLUSION AND RECOMMENDATIONS

**5.1** A perusal of the website of National Institute of Wind Energy, Chennai indicates that a substantial amount of information is available. However, there is scope for improvement in terms of both quality and quantity of information in certain areas. Therefore, to make the website more user friendly and citizen centric, the following conclusion / observations may be considered for implementation.

- a) A synoptic note indicating the channels of supervision and accountability needs be added to the procedure followed in the decision making process to make the disclosures more transparent.
- b) It is observed from the information available regarding norms for discharge of functions that procedure followed in decision making and norms for discharge of support functions like pay and allowances etc. have been indicated. However, the same information about substantive functions of the institute has not been provided. For example, one of the objectives of the institute is to accord approval / certification etc., the procedure and norms for discharging of this function have not been provided. NIWE needs to revisit the objectives of the institute and provides the detailed procedure and norms for discharging their substantive functions as provided in the objectives of the institute.
- c) Division wise categories of documents held by NIWE along with details of custodian thereof needs to be worked out and disclosed.
- d) The system of compensation if applicable to the employees and officers of NIWE should be disclosed.
- e) NIWE may prepare institute specific guidelines for RTI users, using the DoPT guidelines as template and publish the guideline. Such guidelines should be updated periodically and date of updation should be indicated on the website.
- f) Budget related information for the year 2018-19 may be updated and disclosed.

- g) Details of foreign and domestic tours of the officers need to be updated upto 2018-19.
- h) NIWE needs to prepare organization specific manual / handbook on RTI and make arrangements for its accessibility using internet and other modes.
- i) Information manual / handbooks available in English needs to be developed and disclosed and the regional language of Chennai. Date of last updation of these manuals should be periodically mentioned on the website.
- j) Name and location of the facility is available on the website. However, time and place for obtaining information in person and contact details of the concerned official may also be indicated in the Citizen Charter.
- k) Details of parliamentary questions and response thereof if applicable need be disclosed.
- l) Details of consultancy committee of key stakeholders for advice on suo motu disclosure and committee of PIOs and FAAs with experience in RTI to identify frequently sought information under the RTI Act has not been disclosed. NIWE needs to constitute these committees and furnish the required information.
- m) Details regarding STQC certification obtained and its validity as per the guidelines for Indian Government websites needs to be obtained if not yet obtained and disclosed on the website.

**5.2** Overall initiative taken by the NIWE for proactive disclosure under RTI Act, 2005 is excellent.

## ANNEXURE-1

### A Framework for Transparency Audit

<b>Name of the public authority being audited :</b>	
<b>Website</b>	

The RTI Act under section 4 provides a comprehensive framework for promoting openness in the functioning of the public authorities.

While section 4 (1)(a) provides a general guideline for record management, so that the information could be easily stored and retained, the sub-sections b, c and d of Section 4 relate to the organizational objects and functions. Sub-sections (b), (c) and (d) of Section 4 of the RTI Act and other related information can be grouped under six categories; namely, 1. Organisation and function, 2. Budget and programmes, 3. Publicity and public interface, 4. E. governance, 5. Information as prescribed and 6. Information disclosed on own initiative

#### 1. Organisation and Function

S.No.	Item	Details of disclosure	Remarks/Reference Points (Fully met/partially met/not met – Not applicable will be treated as fully met / partially met)
1.1	Particulars of its organization, functions and duties [Section4(1)(b)(i)]	(i) Name and address of the Organization	
		(ii) Head of the organization	
		(iii) Vision, Mission and Key objectives	
		(iv) Function and duties	
		(v) Organization Chart	
		(vi) Any other details- the genesis, inception, formation of the department and the HoDs from time to time as well as the committees / commissions constituted from time to time have been dealt	
1.2	Power and duties of its officers and employees [Section	(i) Powers and duties of officers (administrative, financial and judicial)	
		(ii) Power and duties of other employees	

	4(1)(b)(ii)]	(iii) Rules / orders under which powers and duty are derived and Exercised	
		(iv) Work allocation	
1.3	Procedure followed in decision making process [Section 4(1)(b)(iii)]	(i) Process of decision making Identify key decision making points	
		(ii) Final decision making authority	
		(iii) Related provisions, acts, rules etc.	
		(iv) Time limit for taking a decision, if any	
		(v) Channels of supervision and accountability	
1.4	Norms for discharge of functions [Section 4(1)(b)(iv)]	(i) Nature of functions/ services offered	
		(ii) Norms / standards for functions / service delivery	
		(iii) Process by which these services can be accessed	
		(iv) Time-limit for achieving the targets	
		(v) Process of redress of grievances	
1.5	Rules, regulations, instructions manuals and records for discharging functions [Section 4(1)(b)(v)]	(i) Title and nature of the manual / instruction / rules etc.	
		(ii) List of Rules, regulations, instructions manuals and records.	
		(iii) Acts / Rules manuals etc.	
		(iv) Transfer policy and transfer orders	
1.6	Categories of documents held by the authority under its control [Section 4(1)(b)(vi)]	(i) Categories of documents	
		(ii) Custodian of documents / categories	
1.7	Boards, Councils, Committees and other Bodies constituted as part of the Public Authority [Section 4(1)(b)(viii)]	(i) Name of Boards, Council, Committee etc.	
		(ii) Composition	
		(iii) Dates from which constituted	
		(iv) Term/Tenure	
		(v) Powers and functions	
		(vi) Whether their meetings are open to the public?	

		(vii) Whether the minutes of the meetings are open to the public?	
		(viii) Place where the minutes if open to the public are available?	
1.8	Directory of Officers and employees [Section 4(1)(b)(ix)]	(i) Name and designation	
		(ii) Telephone, fax and email ID	
1.9	Monthly remuneration received by officers & employees including system of compensation [Section 4(1)(b)(x)]	(i) List of employees with Gross monthly remuneration.	
		(ii) System of compensation as provided in its regulations	
1.10	Name, designation and other particulars of public information officers [Section 4(1)(b)(xvi)]	(i) Name and designation of the public information officer (PIO), Assistant Public Information(s) & Appellate Authority	
		(ii) Address, telephone numbers and email ID of each designated official.	
1.11	Programmes to advance understanding of RTI (Section 26)	(i) Educational programmes	
		(ii) Efforts to encourage public authority to participate in these programmes	
		(iii) Training of CPIO/APIO	
		(iv) Update & publish guidelines on RTI by the public authorities concerned	
1.12	Transfer policy and transfer orders [F No. 1/6/2011-IR dt. 15.4.2013]		

## 2. Budget and Programme

S.No.	Item	Details of disclosure	Remarks/Reference Points (Fully met/partially met/not met – Not applicable will be treated as fully met / partially met)
2.1	Budget allocated to each agency including all plans, proposed expenditure and reports on disbursements made etc. [Section 4(1)(b)(xi)]	(i) Total Budget for the public authority	
		(ii) Budget for each agency and plan & programmes	
		(iii) Proposed expenditures	
		(iv) Revised budget for each agency, if any	
		(v) Report on disbursements made and place where the related reports are available	
2.2	Foreign and domestic tours (F No. 1/8/2012-IR dt. 1.9.2012)	(i) Budget	
		(ii) Foreign and domestic Tours by ministers and officials of the rank of Joint Secretary to the government and above, as well as the heads of the Department.	
		(iii) Places visited	
		(iv) The period of visit	
		(v) The number of members in the official delegation	
		(vi) Expenditure on the visit	
2.3	Information related to procurements	(i) Notice/tender enquires, and corrigenda if any thereon,	
		(ii) Details of the bids awarded comprising the names of the suppliers of goods / services being procured,	
		(iii) The works contracts concluded – in any such combination of the above – and the rate/rates and the total amount at which such procurement or works contract is to be executed	
2.4	Manner of execution of subsidy programme [Section 4(1)(b)(xii)]	(i) Name of the programme of activity	
		(ii) Objective of the programme	
		(iii) Procedure to avail benefits	
		(iv) Duration of the programme / scheme	
		(v) Physical and financial targets of the programme	

		(vi) Nature / scale of subsidy / amount allotted	
		(vii) Eligibility criteria for grant of subsidy	
		(viii) Details of beneficiaries of subsidy programme (number, profile etc)	
2.5	Discretionary and non-discretionary grants [F No. 1/6/2011-IR dt. 15.4.2013]	(i) Discretionary and non-discretionary grants / allocations to State Govt. / NGOs / other institutions	
		(ii) Annual accounts of all legal entities who are provided grants by public authorities	
2.6	Particulars of recipients of concessions, permits of authorizations granted by the public authority  [Section 4(1)(b)(xii)]	(i) Concessions, permits or authorizations granted by public authority  (ii) For each concessions, permit or authorization granted a) Eligibility criteria b) Procedure for getting the concession / grant and / or permits of authorizations c) Name and address of the recipients given concessions / permits or authorisations d) Date of award of concessions / permits of authorizations.	
2.7	CAG & PAC paras [F No. 1/6/2011-IR dt. 15.4.2013]	CAG and PAC paras and the action taken reports (ATRs) after these have been laid on the table of both houses of the parliament	

### 3. Publicity and Public interface

S.No.	Item	Details of disclosure	Remarks/Reference Points (Fully met/partially met/not met – Not applicable will be treated as fully met / partially met)
3.1	Particulars for any arrangement for consultation with or representation	(i) Arrangement for consultation with or representation by the members of the public (ii) Relevant Acts, Rules, Forms and other documents which are normally accessed by citizens	



	<p>by the members of the public in relation to the formulation of policy or implementation thereof [Section 4(1)(b)(ii)] [F No. 1/6/2011-IR dt. 15.4.2013]</p>	<p>(iii) Arrangements for consultation with or representation by a) Members of the public in policy formulation / policy implementation b) Day &amp; time allotted for visitors c) Contact details of Information &amp; Facilitation Counter (IFC) to provide publications frequently sought by RTI applicants</p>	
		<p>(iv) Public-private partnerships (PPP): Details of Special Purpose Vehicle (SPV), if any</p>	
		<p>(v) Detailed project reports (DPRs)</p>	
		<p>(vi) Concession agreements.</p>	
		<p>(vii) Operation and maintenance manuals</p>	
		<p>(viii) Other documents generated as part of the implementation of the PPP</p>	
		<p>(ix) Information relating to fees, tolls, or the other kinds of revenues that may be collected under authorisation from the government</p>	
		<p>(x) Information relating to outputs and outcomes</p>	
		<p>(xi) The process of the selection of the private sector party (concessionaire etc.)</p>	
		<p>(xii) All payment made under the PPP project</p>	
<p>3.2</p>	<p>Are the details of policies / decisions, which affect public, informed to them [Section 4(1)(c)]</p>	<p>(i) Publish all relevant facts while formulating important policies or announcing decisions which affect public to make the process more interactive; (ii) Policy decisions / legislations taken in the previous one year</p>	
		<p>(iii) Outline the Public consultation process</p>	
		<p>(iv) Outline the arrangement for consultation before formulation of policy</p>	

3.3	Dissemination of information widely and in such form and manner which is easily accessible to the public [Section 4(3)]	Use of the most effective means of communication a) Internet (website)	
3.4	Form of accessibility of information manual / Handbook [Section 4(1)(b)]	Information manual / handbook available in a) Electronic format	
		b) Printed format	
3.5	Whether information manual / handbook available free of cost or not [Section 4(1)(b)]	List of materials available a) Free of cost	
		b) At a reasonable cost of the medium	

#### 4. E. Governance

S.No.	Item	Details of disclosure	Remarks/Reference Points (Fully met/partially met/not met – Not applicable will be treated as fully met / partially met)
4.1	Language in which information Manual / Handbook Available [F No. 1/6/2011-IR dt. 15.4.2013]	(i) English	
		(ii) Vernacular / Local Language	
4.2	When was the information Manual / Handbook last updated? [F No. 1/6/2011-IR dt. 15.4.2013]	Last date of Annual updation	
4.3	Information available in electronic form [Section4(1)(b)(	(i) Details of information available in electronic form	
		(ii) Name / title of the document/ record / other information	

	xiv)]	(iii) Location where available	
4.4	Particulars of facilities available to citizen for obtaining information [Section 4(1)(b)(xv)]	(i) Name & location of the facility	
		(ii) Details of information made available	
		(iii) Working hours of the facility	
		(iv) Contact person & contact details (Phone, fax email)	
4.5	Such other information as may be prescribed under Section 4(1)(b)(xvii)	(i) Grievance redressal mechanism	
		(ii) Details of applications received under RTI and information provided	
		(iii) List of completed schemes / projects / programmes	
		(iv) List of schemes / projects / programme underway	
		(v) Details of all contracts entered into including name of the contractor amount of contract and period of completion of contract	
		(vi) Annual Report	
		(vii) Frequently Asked Questions (FAQs)	
		(ix) Any other information such as a) Citizen's Charter	
		b) Result Framework Document (RFD)	
c) Six monthly reports on the performance against the benchmarks set in the Citizen's Charter			
4.6	Receipt & Disposal of RTI applications & appeals [F No. 1/6/2011-IR dt. 15.4.2013]	(i) Details of applications received and disposed	
		(ii) Details of appeals received and orders issued	
4.7	Replies to questions asked in the parliament [Section 4(1)(d)(2)]	Details of questions asked and replies given	

5. Information as may be prescribed

S.No.	Item	Details of disclosure	Remarks/Reference Points (Fully met/partially met/not met – Not applicable will be treated as fully met / partially met)
5.1	Such other information as may be prescribed [F No. 1/2/2016-IR dt. 17.8.2016, F No. 1/6/2011-IR dt. 15.4.2013]	(i) Name & details of a) Current CPIOs & FAAs b) Earlier CPIOs / FAAs from 1.1.2015	
		(ii) Details of third party audit of voluntary disclosure a) Dates of audit carried out b) Report of the audit carried out	
		(iii) Appointment of Nodal Officers not below the rank of Joint Secretary / Additional HoD a) Date of appointment b) Name & Designation of the officers	
		(iv) Consultancy committee of key stake holders for advice on suo motu disclosure a) Dates from which constituted b) Name & Designation of the officers	
		(v) Committee of PIOs / FAAs with rich experience in RTI to identify frequently sought information under RTI a) Dates from which constituted b) Name & Designation of the officers	

6. Information disclosed on own initiative

S.No.	Item	Details of disclosure	Remarks/Reference Points (Fully met/partially met/not met – Not applicable will be treated as fully met / partially met)
6.1	Items information disclosed / so		

	that public have minimum resort to use of RTI Act to obtain information.		
6.2	Guidelines for Indian Government Websites (GIGW) is followed (released in February, 2009 and included in the Central Secretariat Manual of Office Procedures (CSMOP) by Department of Administrative Reforms and Public Grievances, Ministry of Personnel, Public Grievance and Pensions, Govt. of India)	(i) Whether STQC certification obtained and its validity. (ii) Does the website show the certificate on the website?	

## ANNEXURE-2

### 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 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.

## ANNEXURE-3

### DoPT OM No.1/6/2011-IR dated 15<sup>th</sup> 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 Commission, 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. O/o the Comptroller & Auditor General of India, 10, Bahadur Shah Zafar Marg, New Delhi.

## **Enclosure to DoPT OM No.1/6/2011-IR dated 15<sup>th</sup> April, 2013- regarding 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 take minimum recourse to the use of 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 with 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 30<sup>th</sup> November, 2011 on Mandatory Publication of Tender Enquiries on the Central Public Procurement Portal and OM No.10/3/2012-PPC dated 30<sup>th</sup> March, 2012 on implementation of comprehensive end-to-end e-procurement should be disclosed under section 4. At present the limit is fixed at Rs.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 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 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 website 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 issues 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 Framework 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 website 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 website. 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 1<sup>st</sup> January, 2012. The disclosures may be updated once in 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 media 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 websites 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 disclosures through websites 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 endeavour 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.

- (l) 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 has 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(1) (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 (online), 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 goods 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, 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 operationalized 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.



## राष्ट्रीय पवन ऊर्जा संस्थान NATIONAL INSTITUTE OF WIND ENERGY

(पूर्व में "पवन ऊर्जा प्रौद्योगिकी केन्द्र" Formerly "Centre for Wind Energy Technology")  
(नवीन और नवीकरणीय ऊर्जा मंत्रालय, भारत सरकार Ministry of New and Renewable Energy, Government of India)

NIWE/ADMN-33/4/2018-19

Date: 31.10.2018

To,  
The Institute of Secretariat Training & Management (ISTM),  
Department of Personnel & Training,  
Administrative Block, Opposite Bersarai Market,  
JNU Campus (Old), New Delhi- 110 067.  
Tel: 011-26185308

**Kind Attention: Shri K Govindarajulu, Joint Director**

Sir,

### **Sub: Audit of Proactive Disclosure Package under RTI Act - Reg.**

National Institute of Wind Energy (NIWE) has been established in Chennai in the year 1998, as an autonomous R&D Institution by the Ministry of New and Renewable Energy (MNRE), Government of India. It is a knowledge-based Institution of high quality and dedication, offers services and seeks to find complete solutions for the kinds of difficulties and improvements in the entire spectrum of the wind energy sector.

As per para 3 of OM No.1/6/2011-IR dated 22<sup>nd</sup> September 2014, Department of Personnel Training, GoI, each Public Authority should get its Proactive Disclosure Package audited by third party every year and such audit should be communicated to the CIC through Publication on their own website.

As per Section 4(2) and Section 4(3) of RTI Act, 2005 this Institute has uploaded *suo motu* disclosures in the public domain "<http://niwe.res.in/rti.php>". Based on the request by NIWE, ISTM had conducted the audit during year 2015 for the fee of Rs.85000/- (vide letter no. A-33039/7/2014-ISTM dated:10th July 2015).

We request you to kindly indicate your willingness to conduct the Audit for the current year on the same fees.

Yours faithfully,

D. LAKSHMANAN  
Deputy Director General (F&A)

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