

# Report

on

## 'Proactive Disclosure Package'

### Audited by third Party under Section 4 of the Right to Information Act, 2005.

In response to Letter number 03/20-IH(12)/Pers.& Trg. - 2020/2200

Dated 13/02/2020

U.T. Administration, Chandigarh.

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The Chief Electoral Officer  
U.T Chandigarh

The Department of Personnel and Training, U.T. Administration Chandigarh had requested the Institute vide letter number 03/20-IH(12)/Pers.& Trg. - 2020/2200 dated 13/02/2020 to conduct a 'Proactive Disclosure Package' audited by third Party under Section 4 of the Right to Information Act, 2005. Institute could not take up the project in February/March as Government of India declared lockdown due to Covid-19.

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. Based on Section 4(1)(b) of Right to Information Act, 2005, any Public authority is supposed to share a specific information on the public domain within 120 days of the enactment of the Act. 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 applications.

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 out 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.

The Chief Electoral Officer, U.T. Chandigarh, was the 9<sup>th</sup> department where audit of section 4(1)b of RTI Act, 2005 was done by getting information through self structured questionnaire.

The main objectives of Chief Electoral Officer, U.T. Administration, Chandigarh are as follows:

- To conduct the General Election to Lok-Sabha.
- To enroll eligible electors and prepare the E-Roll.
- To prepare Elector Photo Identity Card for the public.
- To provide other E-Roll services and create awareness to the public.

The details of the questionnaire and the scoring pattern is as under:

The scoring Parameters consisted of 100 marks which were further divided into six parts. The total weightage allotted to these parts were 100 marks only. The following parts are written as under:

### **First Part : Organization and Functions**

The first part of the questionnaire was further divided into twelve sub-parts and each part consists of 5 to 8 questions i.e.

- 1.1 Particulars of its organization, functions and duties [Section 4(1)(b)(i)].
- 1.2 Power and duties of its officers and employees [Section 4(1)(b)(ii)].
- 1.3 Procedure followed in Decision making process [Section 4(1)(b)(iii)].
- 1.4 Norms of discharge of functions [Section 4(1)(b)(iv)].
- 1.5 Rules, regulations, instructions manual and records for discharging functions [Section 4(1)(b)(v)].
- 1.6 Categories of documents held by the authority under its control [Section 4(1)(b)(vi)].
- 1.7 Boards, Councils, Committees and other Bodies constituted as part of the Public Authority [Section 4(1)(b)(viii)].
- 1.8 Directory of officers and employees [Section 4(1)(b)(ix)].
- 1.9 Monthly Remuneration received by officers and employees including system of compensation [Section 4(1)(b)(x)].
- 1.10 Name, Designation and other particulars of public information officers [Section 4(1)(b)(xvi)].
- 1.11 Number of employees against whom Disciplinary action has been proposed/ taken [Section 4(2)].
- 1.12 Programs to advance understandings of RTI [Section 26].

### **Second Part: Budget and Programme**

This part consists of the following six parts and contains 5 to 8 questions in each part.

- 2.1 Budget allocated to each agency including all plans, proposed expenditure and reports on disbursements made etc. [Section 4(1)(b)(xi)].
- 2.2 Foreign and domestic sources during 2019-20.

- 2.3 Manner of execution of subsidy programme [Section 4(i)(b)(xii)].
- 2.4 Discretionary and non-discretionary grants during 2019-20.
- 2.5 Particulars of recipients of concessions, permits of authorizations granted by the public authority Manner of execution of subsidy programme [Section 4(i)(b)(xiii)].
- 2.6 Comptroller Audit General and Public Accounts Committee Paras.

### **Third Part: Publicity Band Public interface**

Publicity Band Public interface further contains five sub parts and consists of the following questions .

- 3.1 Particulars of any arrangement for consultation with or representation by the members of the public in relation to the formulation of policy or implementation thereof [Section 4 (1)(b)(vii)]
- 3.2 Are the details of policies/ decisions, which affect public, informed to them [Section 4(1)(c)].
- 3.3 Dissemination of information widely and in such form and manner which is easily accessible to the public [Section 4(3)].
- 3.4 Form of accessibility of information manual /handbook [Section 4(1)(b)].
- 3.5 Whether information manual/handbook available free of cost or not [Section 4(1)(b)].

### **Fourth Part: E-Governance**

E-Governance consists of seven parts. Every part contain 5 to 8 questions which are as follows:

- 4.1 Language in which Information Manual/Handbook available.
- 4.2 When was the information Manual/Handbook last updated?
- 4.3 Information available in electronic form [Section 4(1)(b)(xiv)].
- 4.4 Particulars of facilities available to citizens for obtaining information [Section 4(1)(b)(xv)].
- 4.5 Such other information as may be prescribed under [Section 4(i)(b)(xvii)].
- 4.6 Receipt and Disposal of RTI applications and appeals.
- 4.7 Replies to questions asked in the parliament, if any [Section 4(1)(d)(2)].

### **Fifth Part: Information as may be prescribed.**

The fifth Part of the questionnaire consists of only one question and it was further divided into five sub parts.

5. Such other information as may be prescribed

**Sixth Part: Information disclosed on own initiative.**

This part also contains only one question on, items/ information disclosed so that public have minimum resort to use of RTI Act to obtain information.

The Chief Electoral Officer, U.T. Chandigarh sent the report vide letter number Elec-2020/UTC/1279 dated 24<sup>th</sup> July, 2020 and sent revised report after audit vide letter number Elec-2020/UTC/1382 dated 7 August, 2020. It has been verified from the website and found that they have uploaded the RTI information on <http://chandigarh.gov.in>

The Chief Electoral Officer, U.T. Chandigarh, has maintained a user friendly website. They mentioned each and every information regarding their department which gave a quick overview about the objectives of the department. They had used simple language which is easily understandable by any user. Right to Information Act, 2005 is also available on their website i.e. <http://ceochandigarh.gov.in>. Under RTI Act, the Chief Electoral Officer, U.T. Chandigarh has updated the whole Transparency Audit Form along with annexures and all the necessary information under Section 4 of RTI Act, 2005.

The scoring of the report sent by the department of Chief Electoral Officer, U.T. Chandigarh was calculated by using the following format:

**RESULT AND DISCUSSIONS**

**Table I  
AUDIT OF PART I (Organization and Function)**

S. No.	Item	Details of disclosure	Weightage to the Variables
1.1	Particulars of its organization, functions and duties [Section 4(1)(b)(i)]	(i) Name of the Organization and its website	0.16
		(ii) Head of the organization	0.16
		(iii) Vision, Mission and Key objectives	0.16
		(iv) Function and duties	0.16
		(v) Organization Chart	0.16

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)	0.16
		(ii) Power and duties of other employees	0.16
		(iii) Rules/ orders under which powers and duty are derived and Exercised	0.16
		(v) Work allocation	0.16
1.3	Procedure followed in decision making process [Section 4(1)(b)(iii)]	(i) Process of decision making. Identify key decision making points	0.16
		(ii) Final decision making authority	0.16
		(iii) Related provisions, acts, rules etc.	0.16
		(iv) Time limit for taking a decisions, if any	0.16
		(v) Channel of supervision and accountability	0.16
1.4	Norms for discharge of functions [Section 4(1)(b)(iv)]	(i) Nature of functions/ services offered	0.16
		(ii) Norms/ standards for functions/ service delivery	0.16
		(iii) Process by which these services can be accessed	0.16
		(iv) Time-limit for achieving the targets	0.16
		(v) Process of redress of grievances	0.16
1.5	Rules, regulations, instructions manual and records for discharging functions [Section 4(1)(b)(v)]	(i) Title and nature of the record/	0.20
		(ii) List of Rules, regulations, instructions manuals and records.	0.20
		(iii) Acts/ Rules manuals etc.	0.20
		(iv) Transfer policy and transfer orders	0.20

1.6	Categories of documents held by the authority under its control [Section 4(1)(b)(vi)]	(i) Categories of documents	0.41
		(ii) Custodian of documents/categories	0.41
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.	0.10
		(ii) Composition	0.10
		(iii) Dates from which constituted	0.10
		(iv) Term/Tenure	0.10
		(v) Powers and functions	0.10
		(vi) Whether their meetings are open to the public?	0.10
		(vii) Whether the minutes of the meetings are open to the public are available ?	0.10
		(viii) Place where the minutes if open to the public are available ?	0.10
1.8	Directory of officers and employees [Section 4(1)(b)(ix)]	(i) Name and designation	0.41
		(ii) Telephone , fax and email ID	0.41
1.9	Monthly Remuneration received by officers & employees including system of compensation [Section 4(1)(b)(x)]	(i) List of employees with Gross	0.41
		(ii) System of compensation as provided in its regulations	0.41
1.10	Name, designation and other particulars of public information officers [Section 4(1)]	(i) Name and designation of the public information officer (PIO), Assistant Public Information (s) & Appellate Authority	0.41
		(ii) Address, telephone numbers and email ID of each designated	0.41

	(b) (xvi)]	official.	
1.11	No. Of employees against whom Disciplinary action has been proposed/ taken (Section 4(2))	No. of employees against whom disciplinary action has been	0.41
		(i) Pending for Minor penalty or major penalty proceedings	
		(ii) Finalised for Minor penalty or major penalty proceedings	0.41
1.12	Programmes to advance understanding of RTI (Section 26)	(i) Educational programmes	0.20
		(ii) Efforts to encourage public authority to participate in these programmes	0.20
		(iii) Training of CPIO/APIO	0.20
		(iv) Update & publish guidelines on RTI by the Public Authorities concerned	0.20
	Total		9.7/10

Part I consisted of organizational characteristics and functions of various officers/officials in hierarchy. The total marks allotted to this part were 10. These 10 marks were further divided into 12 variables. Weightage given to the variables was according to their sub-parts. E.g. from variable 1.1 to 1.4 weightage given to each variable was 0.16 and variable 1.5 was given 0.6 marks consisting of 3 sub parts. Similarly, the rest of the variables were also marked according to their sub-parts. The information provided by the department in this part was **fully met** as this part scored 9.7 out of 10 marks.

**Table II**  
**AUDIT OF PART II (Budget and Programme)**

S. No.	Item	Details of disclosure	Weightage to the Variables
2.1	Budget allocated to each agency including all plans, proposed expenditure and reports on	(i) Total Budget for the public authority	0.33
		(ii) Budget for each agency and plan & programmes	0.33
		(iii) Proposed expenditures	0.33
		(iv) Revised budget for each agency, if any	0.33



	disbursements made etc. [Section 4(1)(b)(xi)]	(v) Report on disbursements made and place where the related reports are available	0.33
2.2	Foreign and domestic tours during 2019-20	(i) Budget	0.55
		(ii) Foreign and domestic Tours by ministries 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	0.55
		(iii) Information related to procurements a) Notice/tender enquires, and corrigenda if any thereon, b) Details of the bids awarded comprising the names of the suppliers of goods/ services being procured, c) The works contracts concluded – in any such combination of the above- and d) The rate /rates and the total amount at which such procurement or works contract is to be executed.	0.55
2.3	Manner of execution of subsidy programme [Section 4(i)(b)(xii)]	(i) Name of the programme of activity	0.20
		(ii) Objective of the programme	0.20
		(iii) Procedure to avail benefits	0.20
		(iv) Duration of the programme/scheme	0.20
		(v) Physical and financial targets of the programme	0.20
		(vi) Nature/ scale of subsidy /amount allotted	0.20
		(vii) Eligibility criteria for grant of subsidy	0.20
		(viii) Details of beneficiaries of subsidy programme (number, profile etc)	0.20
2.4	Discretionary and non-discretionary grants.	(i) Discretionary and non-discretionary grants/ allocations to State Govt./ NGOs/other institutions	0.83

		(ii) Annual accounts of all legal entities who are provided grants by public authorities	
2.5	Particulars of recipients of concessions, permits or authorizations granted by the public authority [Section 4(1) (b) (xiii)]	(i) Concessions, permits or authorizations granted by public authority	0.83
		(ii) For each concessions, permit a) Eligibility criteria b) Procedure for getting permits of authorizations c) Name and address of the recipients given concessions/ permits or authorisations d) Date of award of concessions/permits of authorizations	0.83
2.6	CAG & PAC paras	CAG and PAC paras and the action taken reports (ATRs) after these have been laid on the table of Administrator, U.T., Chandigarh.	1.66
	<b>Total</b>		<b>9.88/10</b>

Part II consisted of Budget and programmes of the department. It was divided into six sub parts. 10 marks were allotted to this part. The total marks obtained in this part by the department were 9.88 out of 10 marks. The department **fully achieved** the result in part II, under *suo motu* disclosure of Information under Section 4 of Right to Information Act, 2005.

**Table III**  
**AUDIT OF PART III (Publicity Band Public interface)**

S. No.	Item	Details of disclosure	Weightage to the Variables
3.1	Particulars for any arrangement for consultation with or	Arrangement for consultations with (i) Relevant Acts, Rules, Forms and other documents which are normally accessed by citizens	2.5

	<p>representation by the members of the public in relation to the formulation of policy or implementation thereof</p> <p>[Section 4(1)(b)(vii)]</p>	<p>(ii) Arrangements for consultation with or representation by</p> <p>a) Members of the public in policy formulation/ policy implementation</p> <p>b) Day &amp; time allotted for visitors</p> <p>c) Contact details of Information &amp; Facilitation Counter (IFC) to provide publications frequently sought by RTI applicants</p> <p>Public- private partnerships (PPP)</p> <p>(i) Details of Special Purpose Vehicle (SPV), if any</p> <p>(ii) Detailed project reports(DPRs)</p> <p>(iii) Concession agreements.</p> <p>(iv) Operation and maintenance manuals</p> <p>(v) Other documents generated as part of the implementation of the PPP</p> <p>(vi) Information relating to fees, tolls, or the other kinds of revenues that may be collected under authorization from the government</p> <p>(vii) Information relating to outputs and outcomes</p> <p>(viii) The process of the selection of the private sector party (concessionaire etc.)</p> <p>(ix) All payment made under the PPP project</p>	<p>2.5</p>
3.2	<p>Are the details of policies / decisions, which affect public, informed to them [Section 4(1) (c)]</p>	<p>Publish all relevant facts while formulating important policies or announcing decisions which affect public to make the process more interactive;</p> <p>(i) Policy decisions/ legislations taken in the previous one year</p> <p>(ii) Outline the Public consultation process</p> <p>(iii) Outline the arrangement for consultation before formulation of policy.</p>	<p>1.66</p> <p>1.66</p> <p>1.66</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 (i) Internet (website)	5
3.4	Form of accessibility of information manual/handbook [Section 4(1)(b)]	Information manual/handbook available in (i) Electronic format	2.5
		(ii) Printed format	2.5
3.5	Whether information manual/handbook available free of cost or not [Section 4(1)(b)]	List of materials available (i) Free of cost	2.5
		(ii) At a reasonable cost of the medium	2.5
<b>Total</b>			<b>25/25</b>

Part III indicated the Publicity Band Public Interface of the department. This part consisted of 5 variables and weightages allotted to variables in this part were 25. In this part the department scored 25 marks out of 25 which showed that the department provided relevant information with regard to publicity band and public interface and the result was **fully met**.

**Table IV**  
**AUDIT OF PART IV(E-Governance)**

S.No.	Item	Details of disclosure	Weightage to the Variables
4.1	Language in which Information Manual/Handbook Available	(i) English	1.4
		(ii) Vernacular/ Local Language	1.4
4.2	When was the information Manual/Handbook last updated?	Last date of Annual Updation	2.8
4.3	Information	(i) Details of information available in electronic form	.93

	available in electronic form [Section 4(1)(b)(xiv)]	(ii) Name/ title of the document/record/ other information	.93
		(iii) Location where available	.93
4.4	Particulars of facilities available to citizen for obtaining information [Section 4(1)(b)(xv)]	(i) Name & location of the facilities	.7
		(ii) Details of information made available	.7
		(iii) Working hours of the facility	.7
		(iv) Contact person & contact details (Phone, fax, email)	.7
4.5	Such other information as may be prescribed under section 4(i)(b)(xvii)	(i) Grievance redressal mechanism	.35
		(ii) Details of applications received under RTI and information provided	.35
		(iii) List of completed schemes/projects/Programmes	.35
		(iv) List of schemes/ projects/programme under way	.35
		(v) Details of all contracts entered into including name of the contractor, amount of contract and period of completion of contract	.35
		(vi) Annual Report	.35
		(vii)Frequently Asked Question(FAQs)	.35
		(viii) Any other information	.35
4.6	Receipt & Disposal of RTI applications & appeals	(i) Details of applications received and disposed	1.4
		(ii) Details of appeals received and orders issued	1.4
4.7	Replies to questions asked in the parliament, if any. [Section 4(1)(d)(2)]	Details of questions asked and replies given	2.8
	<b>Total</b>		<b>19.59/20</b>

Part IV demonstrated E-governance. Weightages assigned to this part were 20. This part contained 7 sub-parts and scoring of each variable was calculated accordingly. The department scored 19.59 out of 20 marks which indicated that the result remained **fully met**.

**Table V**

**AUDIT OF PART V (Information may be prescribed)**

S. No.	Item	Details of disclosure	Weightage to the Variables
5	Such other information as may be prescribed	(i) Name & details of (a) Current CPIOs & First Appellate Authority (FAAs) Earlier CPIO & First Appellate Authority (FAAs) from 1.1.2015	2
		(ii) Details of third party audit of voluntary disclosure	2
		(a) Dates of audit carried out (b) Report of the audit carried out	
		(iii) Appointment of Nodal Officers not below the rank of Joint Director/ Additional Director (a) Date of appointment (b) Name & Designation of the officers	2
		(iv) Consultancy committee of key stake holders for advice on <i>suo-motu</i> disclosure	2
		(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	2
		(a) Dates from which constituted (b) Name & Designation of the Officers	
<b>Total</b>		<b>10/10</b>	

The Part V dealt with the information on name and details of current Central Public Information Officers and First Appellate Authority, details of third party audit of voluntary disclosure, appointment of Nodal Officers etc. 10 marks were allotted to this part. Part V consisted of 5 sub-parts. 10 out of 10 marks were obtained by the department in this part. The reason for such good marks is attributed to the fact that the information provided by the department in all the parts was properly met.

**Table VI**

**AUDIT OF PART VI (Suo motu disclosure of Information under section 4 of RTI Act, 2005/ Information Disclosed on own Initiative)**

S. No.	Item	Details of disclosure	Weightage to the Variables
6.1	Item / information disclosed so that public have minimum resort to use of RTI Act to obtain information		25
	<b>Total</b>		<b>25</b>

Part VI indicated one question pertaining to *suo motu* disclosure of Information under section 4 of RTI Act, 2005/ information disclosed so that public had a minimum resort to use RTI Act to obtain information. Weightages assigned to this part were 25 and the department provided full information with regards to this part. Hence, in this part also, the department scored full marks and the requirements of the institute in this part were **fully met**.

**SUMMARY AND RECOMMENDATIONS**

**Table VII**

**Total marks obtained pertaining to each section.**

Sr.no	Activity	Marks Allotted	Marks Obtained	Results
1.	Organization and Functions	10	<b>9.7</b>	Fully met
2.	Budget and Programme	10	<b>9.88</b>	Fully met
3.	Publicity band Public interface	25	<b>25</b>	Fully met
4.	E-Governance	20	<b>19.59</b>	Fully met
5.	Information as may be prescribed	10	<b>10</b>	Fully met
6.	Information disclosed on own initiative	25	<b>25</b>	Fully met
	<b>Grand Total</b>	<b>100</b>	<b>98.2</b>	

The above table indicates the total marks obtained by the Chief Electoral Officer, U.T. Chandigarh relating to each section. The explanation of which is discussed below:

In organizational characteristics and functions of various officers/ officials in hierarchy, the department scored 9.7 out of 10 marks which indicated that the department provided information pertaining to their organization and its functions which was **fully met**. In Budget and Programme, the department scored 9.88 out of 10 marks which indicated that the department uploaded information with regards to budget and programme which was **fully met**. In the third part i.e. Publicity band Public interface, the department scored 25 out of 25 marks which indicated that the department provided relevant information relating to publicity band and public interface and the result remained **fully met**. In the next part that dealt with E-Governance, the department got 19.59 out of 20 marks which indicated that the result was **fully met**. In part V i.e. Information as may be prescribed, the department again scored 10 out of 10 marks. The reason for such good marks is attributed to the fact that the information provided by the department in this part was **properly met**. In the last part, which dealt with Suo motu disclosure of Information under section 4 of RTI Act, 2005/Information disclosed on own initiative, the department had given relevant information for the convenience of the litigants on their official website and thus scored 25 out of 25 marks in this part. Hence, in this part the department scored full marks and the requirements of the institute in this part were **fully met**. The department obtained an aggregate of 98.2 out of 100 marks, which indicated that the department had furnished relevant information pertaining to almost every domain mentioned in the questionnaire. It was also found that the department used user friendly language and had also uploaded Transparency Audit form along with annexures timely on <http://ceochandigarh.gov.in>