ROLE OF ICT FOR RECORD MANAGEMENT IN THE WAKE OF RTI ACT

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Abstract:

Right to Information (RTI) for accessing official information is one of the powerful tools bestowed to every citizen of India. It is a unique example in the developing world especially in the country with a population of about 1.21 billion. This right to citizens has been provided to make official working more transparent so as to minimize the secrecy and resultant corruption. The outcome of such a measure has been remarkable so far and increasing awareness is empowering more people to monitor the official working. Apart from the citizens' perspective, there also exists another viewpoint on RTI, which is of the officials catering to RTI needs. These people are generally critical to the RTI activists and the citizens who are demanding voluminous information in the pretext of RTI Act. This according to them is hampering the working efficiency of public offices because the limited number of employees is engaged in RTI related work. In this context, it is more important to concentrate on official record management especially with the use of ICT. This will make information readily available with the single click of button. This paper tries to explore all such possibilities. This will also prove helpful in guiding the public officials to plan and work on similar lines.

Key Words: *CIC, NIC, online, PIO, software, transparency*

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Introduction:

Right to Information (RTI) for accessing official information is one of the powerful tools bestowed to every citizen of India. It is a unique example in the developing world especially in the country with a population of about 1.21 billion. Governments and civil society organizations have shown ingenuity in promoting awareness about the RTI (Roberts, 2010). This right to citizens has been provided to make official working more transparent so as to minimize the secrecy and resultant corruption. The outcome of such a measure has been remarkable so far and increasing awareness is empowering more people to monitor the official working. Apart from the citizens' perspective, there also exists another viewpoint on RTI, which is of the officials catering to RTI needs. These people are generally critical to the RTI activists and the citizens who are demanding voluminous information in the pretext of RTI Act. This according to them is hampering the working efficiency of public offices because the limited number of employees is engaged in RTI related work. In this context, it is more important to concentrate on official record management especially with the use of ICT. This will make information readily available with the single click of button.

The use of Information Technology in acceptance or delivery of RTI applications is minimal in the Public Authorities. Isolated IT solutions have been developed by a few Departments independently but these systems are just restricted to tracking the status of RTI applications. There is a fair amount of IT usage at the SIC level. Central Information Commission and SIC Andhra Pradesh are the front runners in usage of IT (GOI, 2012). CIC has provided the facility of filing and tracking appeals and complaints online on its website. Similarly SIC Andhra Pradesh has also provided the facility for tracking of appeals and complaints online and through SMS. Barring a few states, most SICs have published their decisions on their websites.

Information provider survey (GOI, 2012) indicated that record management system plays a vital role in timely disposal of a RTI application. 38% of the PIOs cited record management system as a reason for delay in processing RTI requests. 79% of PIOs cited collection of information from field offices as a cause of delay. These findings point towards a weak record management system being followed where critical field level information is not available at the higher levels of hierarchy.

It is noticed that even in Central Government Ministries, the status of recordkeeping is a problem area. In most of the places, the current rules pertaining to record management only cater to categorization of records based on time period for storage before destruction. In most states, record keeping procedures have not been revised for decades. Most significantly the practice of cataloguing, indexing and orderly storage is absent, which is critical for quick-turnaround in case of information request under RTI Act. Even when records are stored, retrieval of intelligible information is a challenge. It is perhaps because of this situation that there is a tendency to give bulk unprocessed information rather than relevant and pertinent information.

Implementation of this Act is going to cause an information explosion of an unprecedented order and magnitude as the growth of information generation is going to be phenomenal. The activities will require a great number of information (requests, appeals, orders, documents etc.) to be recorded for the current and future use by the concerned authorities and citizens. These will further require the increased level of communication interfaces at various levels among PIOs, APIOs, Appellate Authorities, Information Commission and all the related Information Commissioners. Timely dissemination of information to all concerned is essential as violation of time duration attracts penalty under the act.

Provisions for ICT usage and avoiding time violations:

Ineffective record management system and collection of information from field offices are leading to delay in processing of RTI applications. As per Section 4 (1a) of the Act (Table 1), a Public Authority needs "to maintain all its records duly catalogued and indexed in a manner and form which facilitates the Right to Information under this Act and ensure that all records that are appropriate to be computerized are, within a reasonable time and subject to availability of resources, computerized and connected through a network all over the country on different systems so that access to such records is facilitated".

Table: 1 Obligations for ICT usage by the public authorities as per RTI Act 2005

Sr. No.	*Activity Detail*	*Provision of the RTI Act*
1.	*Maintain all its records duly catalogued and indexed in a manner facilitating the right to information and ensure the computerization of all such records and making them available on the countrywide network of connected systems*	*Section 4(1)(a) and 4(3)*
2.	*Publish various kinds of information as listed under Section 4(1)(b) of this act. They should publish all relevant facts while formulating important policies or announcing the decisions which affect public*	*Section 4(1)(b) , 4(1)(c) and 4(1)(d)*
3.	*Public Authority is required to provide as much information suo motu to the public at regular intervals through various means of communications , including internet in order to facilitate the public to have minimum resort to the use of this act to obtain information*	*Section 4(2))*
4.	*The word "disseminated" means making known or communicated the information to the public through Notice Boards, Newspapers , Public Announcements, Media Broadcasts , the INTERNET or any other means*	*Section 4(4)*
5.	*The request for information can be made either in writing or through electronic means in English , Hindi or the official language of that area in which application is being made along with any fees which may be applicable*	*Section 6(1) (a) and (b)*

Under RTI Act 2005, there are a host of activities for which a clear time duration is defined, i.e., the Public Authority has been expressly instructed to finish those activities within a stipulated time, failing which they will be liable for action by the Information Commission. Table 2 lists the major activity details along with time allowed in days and the provision of the act which is violated if not complied with.

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Table: 2 Time bound activity responses under RTI provisions

Sr. No.	Activity Detail	Time Allowed (Days)	Violation of the RTI Act(In case of time taken exceeds the time limit)
1.	Forwarding of the Request to another PIO	5	Section 6(3)
2.	Issue a written notice to the Third Party within five days from the receipt of the request ,if the request concerns the Third Party	5	Section 11(1)
3.	Receiving of the Third Party Reply	10	Section 11(2)
4.	Issue of the Order by the PIO	30	Section 7(1)
5.	First Appeal by the Citizen before the Appellate Authority	30	Section 19(1)
6.	Issue of the Order by the Appellate Authority	30	Section 19(6)
7.	Issue of the Order by the Appellate Authority with reasons of the delay to be recorded. (Maximum time)	45	Section 19(6)
8.	Request relates to the Life or Liberty of a person	2	Section 7 (1)
9.	Second Appeal by the Citizen before the Information Commission	90	Section 19(3)

For successful and effective implementation of the RTI Act 2005, it is necessary that the PIOs remain updated on all the latest developments regarding this Act. Regular Training and Orientation Sessions of the PIOs should be taken through Website, E-Learning and Video-Conferencing Sessions which can focus on the various orders and directions issued by the Government and the Information Commission from time to time. This way PIOs can also interact with each other and Information Commission and can share their knowledge and experiences.

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Public Authority (P.A.) should go for automation of the whole data collection, compilation and report generation processes progressively. Processes should be re-engineered and international best practices should be adopted by the P.A. Every P.A. should identity various forms, returns through which they collect progress statistics periodically from subordinate offices. Use of e-forms for electronic form processing is cost effective and time saving. P.A. should try to automate process by using e-forms which are equivalent of paper-forms. Data can be collected and processed quickly using e-forms, thus saving lot of time & money, errors or inaccuracies. It will speed up the whole process of the data collection to information dissemination.

Electronic Record Management System is essential requirement in the fast growing demand of information. All records need to be scanned and developed into an Electronic Document Management System which can be searched by Keywords, Phrases, date etc. An office manual can be developed on the Electronic Documents/Records Management System. This will save lots of time spent in searching of records. Making records available at the click of a button will also increase transparency. A policy needs to be developed for adding more & more documents/records into this System. The weeding out procedures on the records/documents also needs to be elaborated specifically in the manuals.

Regular use of e-mail for communication between different officials or different PAs will save time in serving the information needs of citizen. This will result in faster communication of documents and requests within the organization and thus save lots of time and efforts. Website needs to be developed to publish as much information on the website of the P.A. Internet is the best publishing medium where once published, information will remain forever until removed. Information is more beneficial if it is put in the local vernacular languages and Hindi. About 200 million mobile phone subscriber base in India, mobile and broadband penetration in rural areas is a very supporting factor to use ICT for RTI related issues. Repeated Orientation Sessions of the PIOs should be taken through E-Learning which can focus on the various orders and directions issued by the Government and the Information Commission from time to time. This way PIOs can also interact with each other and Information Commission and can share their knowledge and experiences. PAs should try to buildup a database of frequently asked questions (FAQ) for the citizens besides queries and their replies.

Conclusions:

The current record management guidelines at Centre and in most states are not adapted to meet the requirements specified under the RTI Act. There is lack of any electronic document management system in most departments. Majority of the PIOs do not even maintain the list of RTI applications electronically. A permanent mechanism with sufficient authority, expertise, and responsibility needs to be created in each Public Authority to coordinate and supervise proper record-keeping. It is appreciated that there may be resource constraints for a Public Authority to undertake comprehensive computerization, but the point which needs to be highlighted is that there has been limited effort being put into plan out the initiatives (with or without computerization) so as to achieve the goal within a reasonable time.

Digitalization of office record and data management will be requiring some computer softwares. Each office needs to identify their demands and accordingly prepare a plan for software. Support of National Informatic Centre (NIC) at state level can well meet this demand or central assistance from different departments can be used by outsourcing the software development through private software developers. Small and free softwares can be developed at office level by the IT staff through Microsoft Access itself. All this will need a right leadership and vision so that the information is kept in digital form in such a systematic form that appropriately matches the information requirements with minimum clicks.

The issue of implementation of the RTI Act at an operational level rest with the Public Authority. The appropriate Government and Information Commission can play only a facilitative and adjudicative role. Unless the Public Authorities assess the issues of implementation and identify resources required, there would not be any focus on implementation. The ARC report had mentioned that GoI may allocate one per cent (1%) of the funds of the 'Flagship Programmes' for a period of five years for improving the infrastructure requirements. Hopefully recommendations like this may have good effect on better ICT usage in coming years.

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