

Information Technology Enabled RTI Act, 2005 at State Council For Technical Education & Vocational Training, Odisha – A Government Public Service redefined

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ABSTRACT: *The paper is based on the project that is envisaged for S.C.T.E. & V.T, Odisha¹ at Bhubaneswar in Khordha District in India. Often many students, parents & citizens come to this office to know some information related to their files pending with S.C.T.E & V.T, Odisha or in some cases they want information of a file for their RTI application, grievances or court cases. In such cases the file has to be traced for exact location and department/section with whom it is pending. To improve S.C.T.E.V.T, Odisha services and to bring transparency in Administration Right to Information act is an effective tool. RTI Act is for providing right to information for citizens to secure access to information under the control of Public Authorities herein, the S.C.T.E. & V.T, Odisha, in order to promote transparency and accountability in the public authority. This provides power to the citizen to get information that he desires. The service related to the dissemination of information under the RTI Act under every Public Authority is Time-Consuming, Arduous and Demanding. This paper is an attempt to introduce Information Technology Enabled Services (ITeS) in RTI 2005 so that a common man can at least get a feel and idea of the act. In order to achieve this, a computer system with touch recognition system as the ATM machine could be installed at the entrance of S.C.T.E.V.T, Odisha Office, Bhubaneswar and customized software would be developed for the common man so as to enable him to see the status of any file pending with authorities and details thereupon. With this touch screen the arrangement would be done that any person seeking some information can approach to the touch screen and get the information in nutshell. As it is our experience that such kind of touch screen operations are easy to handle and any common man can use it effectively as practically it is in operation at the Railway Stations, Airports, and Banks. Installing touch screen for such purposes would be a first attempt at the S.C.T.E.V.T, Odisha and in entire state of Odisha and the experiment is successful and it can be replicated anywhere in the state.*

KEYWORDS - *Information Technology Enabled Public Services, ITePS, RTI Act, RTI, e-Governance, SCTEVT, File Management System*

I. Introduction

The State Council For Technical Education & Vocational Training, Odisha¹ (S.C.T.E & V.T, Odisha) is one and only office established as an examining body in entire State of Odisha, India. This office deals with conduct of Diploma & ITI semester examination, provides certification of Diploma & ITI pass-outs and plays instrumental role in implementing important schemes of Diploma in Engineering and Non-engineering examination of Odisha. The Vice-Chairman and Controller of Examination are in the Examination administration and decision-maker of the S.C.T.E & V.T, Odisha's score administration. Not only he is the head of this office in the entire district state of Odisha but also, in so far as the needs and requirements of the Examination Administration is concerned, he is expected to control the working of the examinations of Private & Government Polytechnics and ITI s both. Undoubtedly, the official work implementation is pivotal on creation of file for each subject and RTI applications of citizens requires the creation of a file for each application till the case is disposed off. Apart from all routine work, the disposal of applications creates tremendous pressure on the Public Information Officer, First Appellate Authority and Assistant PIO as it is time-bound or else PIO has to pay fine upto Rupees 25,000 if information is delayed beyond 30 days after the receipt of the application. This is the juncture where this paper will have the endeavor to relieve the PIO and the SCTE&VT, Odisha office by the use of IT enabled Public Services (ITePS) for the citizens.

II. RTI ACT, 2005 in India

The RTI Act, 2005 is in itself a marvelous tool for obtaining information by the citizen of India. Earlier into past, one citizen was not provided with the right to obtain information from any files of Government offices and faced hardship to pave his way for getting his work done for the want of appropriate information. Now he can peacefully seek his information from the office files, notes, documents, circulars, resolutions, notices, orders by this RTI Act.

- 2.1 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.⁴

More elaborately, "Right to information" means the right to information accessible under this Act which is held by or under the control of any public authority and includes the right to-

- (i) inspection of work, documents, records;
- (ii) taking notes, extracts or certified copies of documents or records;
- (iii) taking certified samples of material;
- (iv) obtaining information in the form of diskettes, floppies, tapes, video cassettes or in any other electronic mode or through printouts where such information is stored in a computer or in any other device;⁵

- 2.2 Filing of RTI application by a person to obtain any information using this Act requires a point-wise application in writing or using any electronic method in English or Hindi or any vernacular language or the official language of the area in which the application is submitted with the fees mentioned by the Central Government or the State Government as it may be. The RTI application should contain all the particulars of information sought. If the person is illiterate, differently-abled or such, the PIO should provide him/her all due assistance to prepare the application by hearing orally. The applicant is not required to state any reasons or his personal details except his address for communication. If any Public authority receives a RTI application asking for information which available with another Public Authority, he has to forward the application within stipulated time of 5 days from the receipt of application.

- 2.3 Disposal of application after receipt is 30 days under provision made under the sub-section (1) of Section 7 of the RTI Act, 2005 subject to the proviso to sub-section (2) of section 5 or the proviso to sub-section (3) of section 6, the Central PIO OR State PIO. The PIO should respond expeditiously as possible and within 30 days of the request made by receiving the fee or reject the application but all within the time period of 30 days.

Deemed denial of the information condition is achieved if the PIO do not supply the information within 30 days without giving any kind of communication such as to deposit fees, charging of extra fees, supply of part of the information requested etc. He has to then supply the information free of charge to the information seeker, However, supply of information is made free of charge to the persons of Below Poverty Line category.

- 2.4 Rejection of the RTI application is made under sub-section (1) of Section 7 taking into consideration of the reasons specified in section 8 and 9 of the RTI Act, 2005, but, communicate such reasons of rejection to the RTI applicant. The PIO has to specify the period within which the appeal shall be made, along with the particulars of the First Appellate Authority (FAA).

- 2.5 Information not to be disclosed and exempted are categorically mentioned under the RTI Act. Information which are prejudicially affect the sovereignty and integrity of India, the security, strategic, scientific or economic interest of the State, relation with foreign state or lead to incitement of an offence.

Information which have expressly forbidden to be published by the court of Law or tribunal or the disclosure of which may constitute contempt of court are not to be provided. The disclosure of information of which would cause a breach of privilege of Parliament or the State Legislature is not

provided. Information which includes commercial confidence, trade secrets or intellectual property, the disclosure of which would harm the competitive position of a third party is barred from disclosure under the RTI Act. Information available to a person in his fiduciary relationship, unless the competent authority is satisfied that the larger public interest warrants the disclosure of such information. Information received in confidence from foreign government are not disclosed. All information which would impeach the process of investigation or apprehension or prosecution of offenders are not disclosed. Cabinet papers including records of deliberations of the Council of Ministers, Secretaries and other officers are excluded from disclosure. Information which related to personal information and the information has no relationship to any public activity or interest is debarred for disclosure. Notwithstanding anything in the Officials Secrets Act, 1923 (19 of 1923) nor any of the exemption permissible in accordance with sub-section(1), a public authority may allow access to information if the public interest in the disclosure outweighs the harm to the protected interest. Any information relating to any event or matter which has occurred 20 years before the date on which any request is made under Section 6 will be computed and the decision of Central Government is final subject to usual appeals provided for this act.

- 2.6 RTI Act and Penalty are hands in hand together. It means that if a CPIO or the SPIO has refused to receive an RTI application without any reasonable cause or has not furnished the information asked for by the applicant, the Central Information Commission or the State Information Commission may decide the imposition of fine to the tune of Rupees 250 per day of delay after 30 days of receipt of the RTI application to a maximum of Rupees 25000. The CPIO or the SPIO is given a reasonable time to be heard before the commission before any such penalty is levied on them.

III. INFORMATION TECHNOLOGY ENABLED PUBLIC SERVICES IN GOVERNMENT

Information Technology Enabled Public Services (shortly referred as ITePS); by the Government is the practice now-a-days for providing better services within no delay time of implementation of different schemes. ITePS is the buzzword of the Government for transparency and quick delivery of services to citizens. A Government cannot sit idle by doing its work on flat files. Although the flat files are difficult to become obsolete in any office, a simultaneous spurt of ITePS are announced everyday by the Central Government and the State Government to make its action more prominent and visible among its citizens. The citizens are also involved more and more in the ITePS since this has eased their life to a great extent.

Government of India has approved a National e-Governance plan (NeGP) with a vision to 'make all Government services accessible to the common man in his locality, through common service delivery outlets and ensure efficiency, transparency and reliability of such services at affordable costs to realize the basic needs of the common man'. And this is possible only by use of Information Technology and Communication Technology platforms available in the country.

Odisha state under Indian Government has been in the forefront to embrace the technology driven services in many areas even it faced with difficulties in delivering effective services to citizens due to limited resources and outreach, low literacy levels and geographical factors.

IV. FILE MANAGEMENT AT S.C.T.E & V T, ODISHA

The office manages its work relating to examination, issue of certificates, establishment matters, pay disbursement and RTI related application through creation of flat files and disposal to higher officers. The file thus created is endorsed to officials at different levels till it reaches the decision making by the Vice Chairman. After the decision of the Vice Chairman is written on the page of the file, it travels back to the type section for typing of the final draft and again sent to the VC for getting the signature on it. It takes days, months or even years till a outcome of a file comes into public or its final shape. It may so happen that the file may be lost somewhere in the middle and the decision keeps on pending

The RTI application disposal also moves in the above manner till the information, what is asked for comes to the hands of the applicant. The PIO and APIO are officers posted to some other post and they are only designated as PIO or APIO or FAA for providing information to the citizen. The PIO's job can be visualized as an additional work and often the flood of application of the information outweighs the normal work of the section. This phenomenon often topples the schedule of dates available in the RTI Act and for this PIO may have the difficulty in facing charges.

V. FILE MANAGEMENT SYSTEM – AN ANALYSIS

The File Management System (FMS) of S.C.T.E&V/T,Odisha for RTI related filing system should be developed with a good basic, it ensures that everyone involved will have a better understanding of the FMS project. Planning is required as it provides direction and authority for such matters.

The plan should be visualized with the following objective in mind. It should be logically arranged as :

- a. Assign responsibility and gain support
- b. Collection of information from Inventory and records available
- c. Analyse records to develop the File Management System
- d. Implementation of the FMS
- e. Provide training to users
- f. Monitor and Improve the FMS

The first step to start implementation of the new system FMS at SCTE&VT,Odisha office is to gain wholehearted support from administration of SCTE&VT,Odisha and the users. When administrative support is received it ensures cooperation from all front inside the office. The responsibility of such task will generally be assigned to one staff with adequate knowledge of Information Technology most properly the MIS Manager or the Programmer of the SCTE&VT,Odisha office.

The changes from a manual filing system of RTI to an IT-enabled Filing System should start with the inventory of the office. A detailed list of all files in the office is the inventory for the purpose and without compiling the inventory it is just difficult to start the changeover from manual filing system to an IT-enabled FMS.

Next is the creation of a map of the room to be inventoried. The map is a guide to computers, filing cabinet, shelves and desks along with other areas where information is stored. The inventory should contain the important aspect of a file as a file number and the date it is created. Within a room, the inventory should start from one end to the other say for example we may start along the perimeter of the room and then go to the center. The files stored under the filing cabinet or on the top of the filing cabinet should not be left out. Lastly, we must inventory the computers installed in the room. This completes making the inventory.

After the files are inventoried, one has to go for different aspect of the files such as What files are created, Why a file is created, How a file is called upon for use are the important points to be analyzed before creating a filing system. The following analysis of the file is required :

1. Who creates the file and Who uses the file
2. How are files/records requested and how often
3. Volume of file/record created
4. Upto what time the file remains current
5. How many persons need access to records
6. How much space and equipment are available to store files /records
7. Which files is confidential and its legal aspect
8. Which files are vital

There are no specific or correct answers to the above questions but a common sense approach is required to create an effective FMS for the RTI matters. The most efficient and effective FMS on RTI matters will be simplest and which is easily understandable by the citizen.

The primary and secondary classification of RTI files is required to be done as classification is a vital tool of analysis. The primary classification may be as follows:-

1. RTI MD File - Details of Mandatory disclosure under Sec 4 of RTI Act
2. RTI FA Files - Registration of RTI application of citizens (inward) Form A
3. RTI FB Files - RTI Fee Files
4. RTI FC Files - RTI Rejection files
5. RTI FD Files - RTI First Appeal Files
6. RTI FE Files - RTI Second appeal File
7. RTI ID Files - Information Dispatch file of RTI applications
8. RTI IC Files - Intra-Section Correspondence
9. RTI CF files - RTI Court Cases

Within the above nine primary classifications, files are sorted into record series. A record is created in a file by seeing its subject or function. The paper filing system of S.C.T.E.& V.T, Odisha basing on its record series and not by its individual folders.

Record and file retention are a major subject at the office and by taking into account the RTI Act all records which are available 20 years back from the current date of application are to be maintained.

The other important aspect to look into is correspondence and email coming to the office. Correspondence may include inward and outward letters and memoranda and often are filed in chronological order. It can be retrieved by looking into its arrival or transmission from the office. Emails are similar and are stored as per its date and time and not the content.

Now, the analysis is complete and we can design our FMS for IT-Enabled RTI Act for S.C.T.E&V.T,Odisha first on paper and then implement by the help of IT enabled public service system. Rapid retrieval and disposition of the RTI information is to be the 'mantra' of the FMS project for S.C.T.E.& V.T, Odisha. So files needs to be arranged in such a manner that the citizen can get their information fast. There may be different arrangements of the records and file such as : Chronological, Alphabetic, Geographical, Numerical, Serial Number (Preprinted) and Digit-filing (uses student number, enrolment number, RTI application number where large number of records are created).

We have to pick-up the best suited record and file arrangements for S.C.T.E& V.T, Odisha which is in this case -the Digit filing system. This system to be implemented should be centralized as the Centralised FMS would have the following advantages ;

1. Required information is available in one location
2. Greater control over files and records
3. Easier to maintain files as there will be consistency and uniformity
4. Less equipment is required so less cost involved
5. Duplicate files are eliminated
6. Information relating to a specified subject is located in a central place
7. Consumption of time for retrieval is much less
8. Manpower to handle files is considerably reduced cutting costs
9. Training related issues for FMS is minimal and not extensive
10. Smooth change-over

VI. IMPLEMENTATION OF IT- ENABLED FILE MANAGEMENT SYSTEM FOR RTI

The FMS should be implementation in stages as it is a labor intensive one. The records and files in RTI as well as information available in the office of the S.C.T.E & V.T,Odisha is huge and it would be difficult to implement in-Toto. The steps in the implementation of the FMS project would be as follows :

1. Storing and sorting paper files into primary classification scheme
2. Storing and sorting electronics file into directories
3. Storing and sorting paper files into record/file series
4. Storing and sorting electronic files into folders
5. Arrangement of files into each record series
6. Assigning a physical location to each primary classified file series and its attached record series
7. Creating and re-label the folders to reflect the new FMS
8. Customized software design for the new FMS, in modules for implementation in stages
9. Purchasing new file system storage and equipment like servers, computer storage, Touch screen systems like ATM machines , dedicated electrical systems

VII. CONCLUSION

The question for fast disposal of information in the RTI application cases by the use of IT enabled Public Services on RTI was the key point of our study at the S.C.T.E & V.T, Odisha. We undertook extensive study on how file management done at the office and how that can be transformed to aIT enabled. This will work faster since citizen have mobile, laptop, smartphones, tablets and computers and are using it extensively. The software can be developed for the individual case which can retrieve the information faster for citizens which will create a relaxed atmosphere for the PIOs of the office as the system will be able to dispatch the information from the centralized repository to the RTI section. Further, the information which reaches the PIO, can be sent taking help of the IT enabled Public Service designed for this specific purpose.

Improvements would be clearly visible for the RTI applicant, PIO, APIO,FAA and the citizen as information seeker. The array of improvement would be as follows ;

- Immediate issue of a RTI application no. and dispatch to citizen's mobile through SMS
- As per schedule, the application would fetch the information from the central repository if available.
- Improves dissemination of information requested with lesser time

- Releases the designated-PIO for his routine work in the office
- Elimination of fine as PIO will not jump the time limit of 30 days specified under the Section 19 of the RTI Act
- Elimination of First Appeals on application
- Elimination of Second Appeals on application
- Fast disposal of information meaning faster revenue generation in terms of fees
- Repeat supply of information is ruled-out as the supplied information would be on the IT Enabled Public Service system for RTI of SCTE&VT, Odisha
- Information seeker would get queries answered by the system by touch of menu available
- Contact hours between citizen and PIO/APIO/FAA reduced increasing efficiency at office
- Create a satisfied citizen as information seeker

VIII. FIGURES

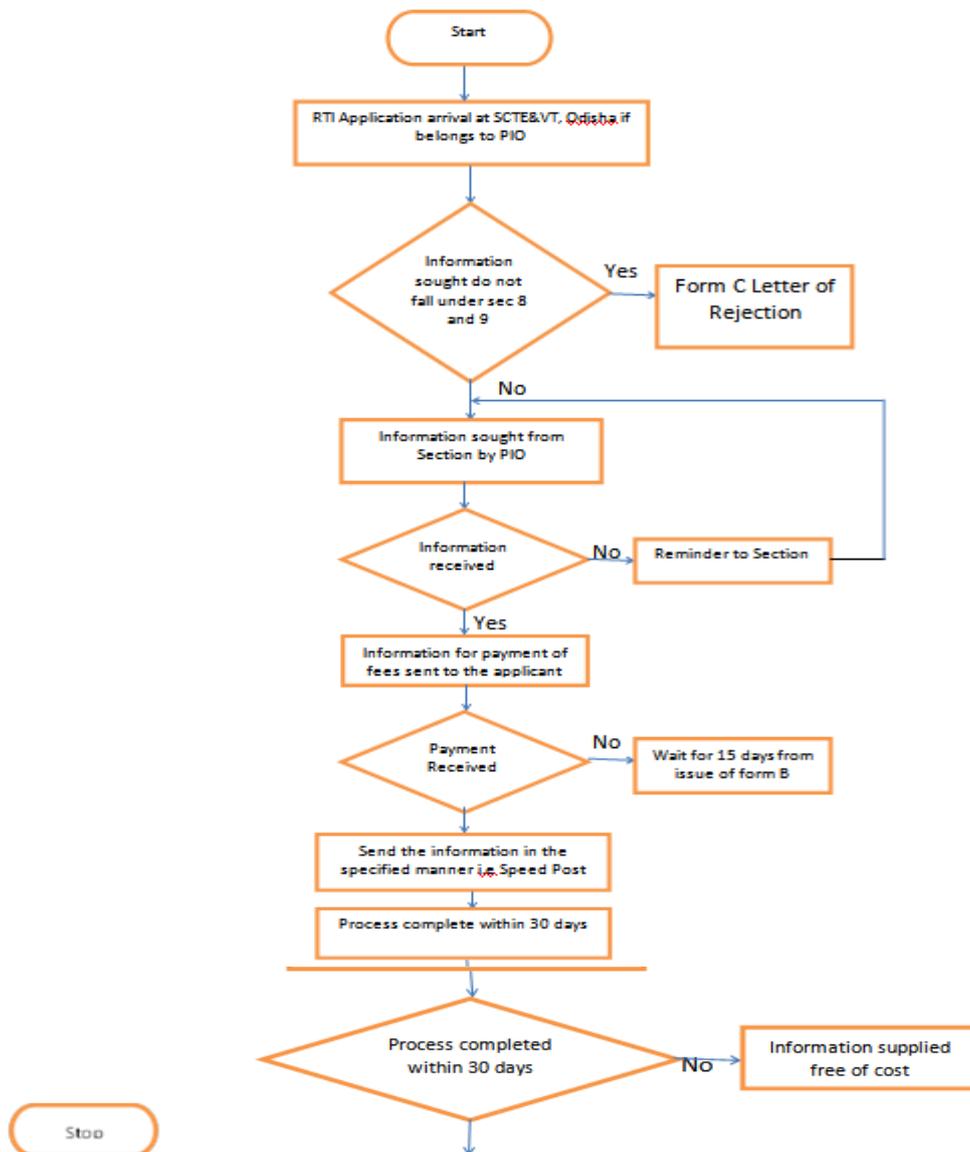
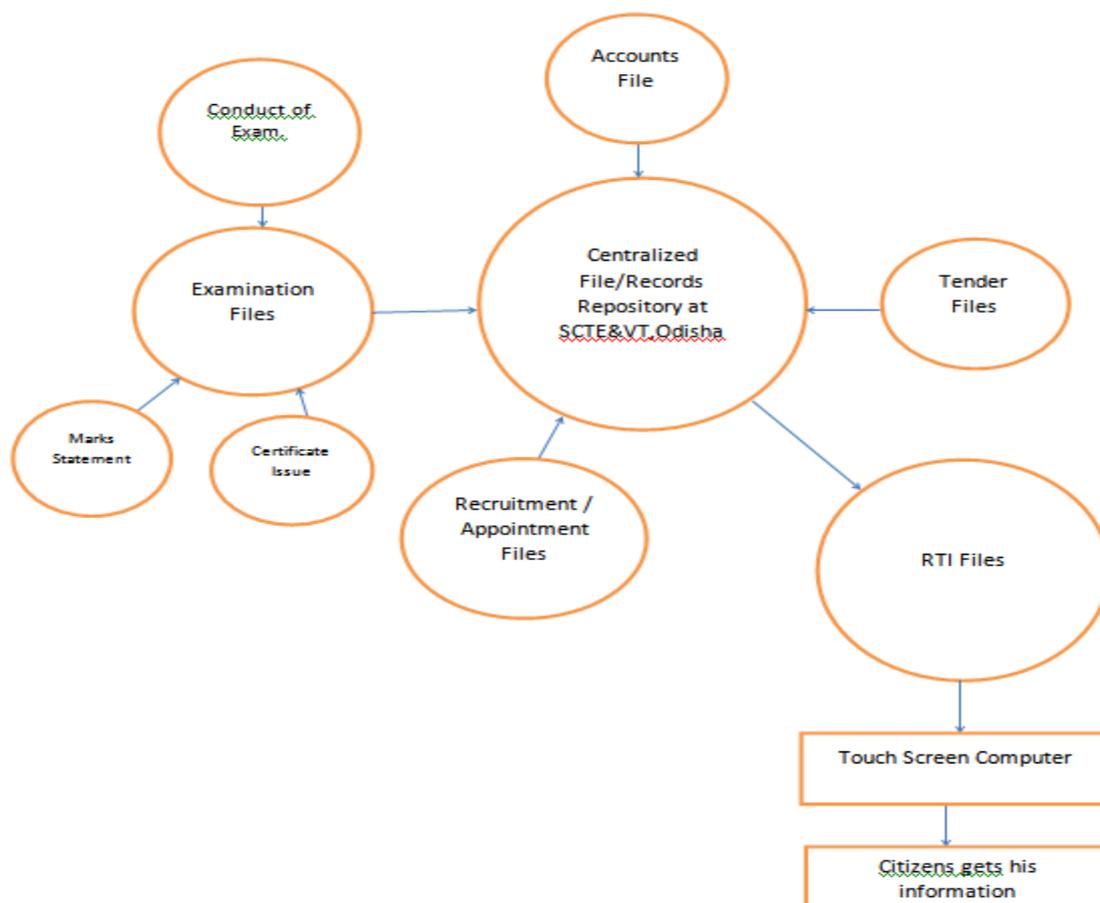


Fig.-1



Fig

.-2 (File Management System – Redefined)

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