

Right to information and its impact on Access to Archives - Issues and challenges before the Archivists & Record Managers – A case Study of India

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India is one of the largest democracies in the world having elected governments, based on democratic principles for the people by the people and of the people. The citizens of the country draw their strength from the Constitution of India, which is considered to be one of the largest written constitutions in the world. The Preamble of the Constitution declares India, a Sovereign Socialist Secular Democratic Republic and secures to all its citizens Justice (social, economic and political), Liberty (of thought, expression, belief, faith and worship), Equality (of status and of opportunity) and Fraternity (assuring the dignity of the individual and the unity and integrity of the Nation).

2. Besides the preamble, in the Part III of the Constitution it has given Indian citizens certain Fundamental Rights too, which however does not explicitly talks about '**Right to Know**'. Some authorities believed that it is embodied in the preamble itself when it refers to Liberty of thought and expression. Article 19(1) of the Constitution guarantees the fundamental rights to free speech and expression. Hence it is considered that the Right to information becomes a constitutional right, being an aspect of the right to free speech and expression and which also includes the right to receive and collect information.

3. It is only in 1975 that the Supreme Court delivered a landmark Judgment which held that "the people have a right to know every public act, everything that is done in a public way, by their public functionaries"[\[1\]](#)

ACCESS TO ARCHIVES

4. Historically speaking in case of India, the Indian Official Secret Act of 1889 was the first step which regulated the disclosure of state information in British India. The Act was amended from time to time before enacting the Official Secret Act of 1923 after passing the Bill in the Legislature. The Act was rather to prevent disclosure of information by an official than to disclose. The law secured information related to security of the State, sovereignty of

the country, friendly relations with foreign states and contains provisions which prohibit disclosure of even non classified information. Even the Indian Evidence Act of 1872 and Civil Service Conduct Rules too had imposed some restrictions on Government officials for not disclosing any information to the public. In view of these regulations, the Judgment of the Supreme Court as referred above gains further significance that in a democratic country like India every citizen should have certain rights to know as to what is being done by the Public Authorities.

5. Archives and Archival organisations have played a vital role in the public life of the people and society at large since ages in managing the memory of the mankind and the nations The British Govt. had been very conservative in giving access to Govt. records. For technical guidance relied mainly on British experts and were expected to follow the lead of the British govt. in their archival policy, then to use local expertise and had no committee of experts to help them to deal with the subject professionally till the setting up of Indian Historical Records Commission (IHR), in 1919 by a Resolution of the British Govt. of India. IHR since then has been a national organisation of individuals and institutions engaged in the study, upkeep and preservation of records and historical manuscripts. It was more an official body and was broad based gradually making it a more representative body by giving representation to provinces and States, representative of association of historians, Universities and Archivists before 1947[2].

6. It was only through the efforts of IHR that research students' right of access to historical records in official custody was first recognised and in 1939 the govt. decided to throw open all their non-current non- confidential records to *bona fide* research students, much left to the discretion of the Keeper of Records. First records of pre 1860 period and subsequently up to 1880 were given access to bona fide students who were recommended by the Head of a University Department and not all citizens of the Country. In the beginning it was not free of cost. The research students had to pay an inspection fee of Rs. 5/-, an examination fee of Rs. 2/- per ten typed foolscap pages of transcript with a minimum of Rs 15/- and typing charges – all excerpts were required to be submitted in typescript – were regarded as prohibitive, for official rate far exceeded the rates that were current in the market. Research students with limited means could hardly afford it hence proved vexatious. Even some portions of the excerpts were expunged if found otherwise or without any understanding of the issue or subject as they were scrutinised by officials who were not

having historical training hence influencing the historical findings. Further months elapsed before they were released [3].

7. Different practices were followed in different regions. These conditions were not binding on the Provinces. The rules governing access to public records were further liberalised in 1947 and all pre- 1902 official records were made available for research. To facilitate research and for providing a more in depth reference media for use of these records, a pilot project of preparing Indexes was initiated. It was started with Land Revenue Records and other series were taken up subsequently. Such indexes were prepared by Provincial Records Rooms also at Bombay, Madras etc. A *Manual of Rules Regulating Access to Archives in India and Europe* was also published for the benefit of the researchers.

8. With Independence India was declared a democratic Republic where people should have full right to access the public records created by the Public authorities. Access Rules were further liberalised. Scrutiny of excerpts was done away with, first 40 year old records and subsequently as per Archival Policy Resolution of 1972 and Public Record Act of 1993 & Public Record Rules 1997; 30 year old records in public domain were thrown open for consultation by the bona-fide researchers. The only restrictions in force are related to sensitive zones and border areas. The Director General, NAI have the discretion to take a decision in such matters in consultations with the concerned Ministries and Dept's. As for private papers and Microfilms collections conditions imposed by the donor regulates access to these collections. Now with the Right to Information Act, 2005, any Indian citizen can access not only archival information by proving one's identity but also from current active records of Ministries/Dept.'s or any other Public Authority under the Law. Foreign nationals are required to submit a letter of introduction from their sponsoring University/ Institution as well as a letter of introduction from the diplomatic mission of their country in India to access information in Archives.

9. A set of Rules have been framed as prescribed under Public Record Act & Rules for the security and servicing of records to users of Archives in line with Right to Information, facilitating their consultation in a well equipped research room and supply of copies in any form including digital at minimum (actual) cost as per prescribed rates. Many of the states Archives working on the model of NAI either have their own Public Record Act (10 states out of 29) or have Archival Policy Resolutions to regulate their Archives and Record management practices while trying to have their own archival law.

10. So far as records of non- government sector are concerned, there are requirements under different laws(as amended from time to time) giving certain mandate and guidelines with period of preservation of records and accessibility for a certain period or indefinitely like under the Companies Act of 1956 and as amended from time to time, Non-Banking Financial Company (NBFC) Directions, Income Tax Act 1961, Central Excise, Service Tax, Security and Exchange Board of India (SEBI) Regulations, Institute of Chartered Accountants of India (ICAI) decision of 1957, etc.

11. Under the Company's Act, the books and papers of amalgamated/transferred companies must not be disposed of without the prior permission of Central Government. Every Company (not being an NBFC) accepting public deposit must maintain a Registrar of Deposits for 8 calendar years from the financial year in which the latest entry is made in the Register. However, Register and Index of members are to be maintained permanently. Register and Index of Debentures must be maintained for 15 years. After redemption of debentures, copies of Annual Returns and Certificates attached are maintained for 8 years from the date of filing with Registrar of Companies (ROC). Under Income Tax Act, Balance Sheets are preserved for a period of 8 years. Records prescribed by SEBI under relevant regulations must be maintained for a minimum period of 5 years, venture capital funds and mutual funds for a minimum period of 8 years for Registrar and Transfer Agents and Bankers to issue records must be maintained for a minimum period of 3 years. Chartered Accountants should preserve records relating to audit and other work done by them, online correspondence and other papers for a minimum period of 10 years.

12. Hence, not many of the business records are able to survive for archiving. But the question is - are these records accessible for research and reference purpose and for information of the people in general? The answer is a big 'No'. They are not and we need to explore these issues in more detail to make such records available for research purposes and for information of the people in general. For contemporary history, they are the best available source material of research on business history or socio-economic aspects of a developing democratic society like that of India available in archives of Reserve Bank of India, State Bank of India and other Banks and Corporate Houses like Tata's, Birla's, Ambani's, Godrej and many more. Every citizen has a right to know and these archives should provide them access to information.

13. Looking at some international practices, we find Sweden one of the Scandinavian country, has been enjoying the Right to Know since 1810 and replaced in 1949 by a new Act which enjoyed the sanctity of being a part of the country's Constitution itself, giving every Swedish citizen access to all documents kept by the State or municipal agencies. Some of the Commonwealth Countries too have passed laws providing right of access to administrative information like Canada, Australia and New Zealand. USA, France and Scandinavian countries have also passed similar laws but with some restrictions. Among the developing countries also, similar trends are to be seen as in South Africa, Ethiopia, Malaysia and likewise.

14. U.S. Freedom of Information Act ensures openness in administration, enabling the public to ask for information about issues as varied as deteriorating civil amenities, assets of senators and utilization of public funds.^[4] Freedom of Information Act passed by the American Congress in 1966, which became effective in July 1967 and after further amendment in 1986, the Act was known as Freedom of Information Reform Act. It is one of the finest examples of a democratic country having given its citizens access to information as a matter of right while at the same time restricting access to classified information relating to national security, internal personnel rules and practices or otherwise exempted under other laws, confidential business information from the private sector sources, law enforcement investigatory records, government regulated financial institutions, geological geophysical data on oil and natural gas wells, etc. If a person would like to access the withheld information, one can file an administrative appeal, if denied may go for judicial appeal in the US District Courts where onus of justifying withholding of information lies with the Government. However, the law does not apply to elected officials or the Federal Judiciary.

15. In case of India, before the enactment of the Right to Information Act of 2005, the story is different but equally interesting. It is the non-government sector that had played a more proactive role in giving the law its present shape. Even though the Indian Constitution has given some Fundamental Rights to its citizens it is the moral duty of the Govt. to ensure that the Fundamental Rights of the Indian citizens are not infringed. They should have a right to know as to what is happening in the Government and other sectors being the stakeholders. Practically it was seen that a common man has been denied some information as and when they approach the public authorities. Even though the civil society had been aware about their rights and duties, the people's movement for Right to Information only gained momentum in the 1990s with the active role played by certain non-government organizations,

in particular in the rural sector with the belief that Right to Information will ensure their participation in the governing process as well. Some of the social activists consider the struggle for RTI as second freedom struggle for information as a tool in their hand to fight for their rights with the Govt. India is one of the few developing countries who have provided statutory support to the RTI. Besides people's campaign, Government was also active and deliberations were going on at higher level. One such Chief Ministers conference was held in 1997 to deliberate on the need of such a law which can provide every Indian citizen access to information of any Public Authority while promoting transparency and accountability in their governing process.

16. The beginning was made by one such organization **Mazdoor Kisan Shakti Sangthan (MKSS)** an organisation of workers and peasants while fighting to ensure payment of minimum wages for daily wage workers in the State of Rajasthan. Subsequently, they also fought on issues such as accountability, transparency, etc., directly related to the problems of corruption and inactivity on the part of Government functionaries. It was a silent revolution going on in the country and gained momentum by the end of the 20th century. **The National Campaign for People's Right to Information (NCPRI)** another organisation was founded in 1996 comprising of members such as social activists, lawyers, professionals, retired civil servants and academicians. One of its primary objective being **to campaign for a national law facilitating the exercise of the Fundamental Right to information.**

17. With the great efforts of these organizations and the Govt. of the day a working group was constituted with Mr.H.D.Shourie, a journalist with the task of drafting the legislation. In due course on the basis of their draft with some changes Freedom of Information Bill 2000 was introduced which became a law known as Freedom of Information Act 2002. However, the Act was not enforced in the absence of any rules for implementing the law.

18. Another point to be noted is that before the centre could enact a law many of the State Govt's. has successfully enacted RTI laws including Jammu & Kashmir. (Goa 1997, Tamil Nadu 1997, Rajasthan 2000, Karnataka 2000, Delhi 2001, Maharashtra 2002, Assam 2002, Madhya Pradesh 2003, J&K 2004). The Maharashtra and Delhi State level enactments are considered to have the most widely used laws to access the information.

19. NCPRI again in August 2004 submitted some amendments to the National Advisory Council to the Freedom of Information Act of 2002 in order to make the Act more effective and strong based on extensive discussions held with civil society groups working on transparency and other related issues in response to the undertaking given by the UPA Govt. in their Common Minimum Programme that the **“Right to Information Act will be made more progressive, participatory and meaningful”**.^[5] Subsequently NCA endorsed most of the suggested amendments and they formed the basis of subsequent Right to Information Bill introduced in Parliament on 22.12.2004. Because of certain weaknesses, the bill was referred to the Standing Committee of the Parliament and Group of Ministers.

20. Besides MKSS some other NGOs were active like **Parivartan** in Delhi as they were fighting against corruption and successfully demonstrated mismanagement in Public Distribution Scheme by using their RTI. Likewise, there were other success stories spreading awareness among masses and compelling the Govt. to initiate reforms to remove anomalies in the system.

21. As an outcome of the joint efforts of the NGOs and the Government, the Central Right to Information Bill was introduced in the Parliament in May 2005 after over a 100 amendments introduced by the Government to accommodate the recommendations of the Parliamentary Committee and Group of Ministers. After its approval by both the Houses of the Parliament and the President of India the Act was promulgated on 12 October 2005. The Act became directly effective and is perhaps the only law which was implemented without framing of the Rules.

The Right to Information Act 2005 – Highlights

The Department of Personal & Training, under Ministry of Personal, Grievance and Pension is the Nodal Dept. to implement the Act.

22. In the preamble of the RTI Act itself, it states that “it is 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.....”. The Act comprises of 31 Sections and 2 Schedules. The RTI Act is broadly divided into four parts:

- (I) Right to information and obligations of public authorities
- (II) Central Information Commission

- (III) State Information Commissions
- (IV) Powers and functions of the Information Commissions, appeals and penalties etc.

23. Relevant sections pertaining to records management are 4(i)(b), 4(4) ,10(2)(a), 18(3)(d), 18(4), 19(8)(iv), 26(1)(c).

24. Besides defining Information, Public Authorities their obligations, what to disclose, what not to disclose, has also elaborated the regulatory mechanism to ensure the implementation of the Act by providing a statutory Body the Central Information Commission(CIC) at the centre and State Information Commission(SICs) in 29 respective States, with powers to take to task the public functionaries and the authorities in case of non-compliance with its provisions in order to secure the Right to Information given to every Indian citizen under the Act.

25. Not only Act talks about right and access to information under Section 4(1)(a) of the Act while elaborating obligations of the public authorities have also taken care of record management practices by including provisions to ensure on the part of public authorities to :

- 'maintain all records by the public authorities duly indexed, catalogued, computerized and connected through network all over the country on different systems so that access to such records is facilitated';

26. Hence while ensuring the compliance of the above provisions of the law it will also include action on the part of the public authority to not only manage information but also provide means and measures of storing and retrieving information for further dissemination and access.

RTI AND MANAGEMENT ISSUES

27. If we critically review the existing record management practices and the effectiveness and efficiency of the public services across the range of government functions, we find that much will depend upon the availability of and access to information held in public records. Hence there is need to address emerging information management issues along with ongoing challenges and opportunities offered by modern technology in the form of e-records covering all activity areas of Govt. and the society as they are all concerned about record keeping issues. Further for successful implementation of RTI, we need to

implement first the Public Record Act (PRA) and Public Record Rules (PRR) of 1993 and 1997 in true spirit.

28. The PRA has empowered the Central Govt. and National Archives of India (NAI) as its nodal agency to regulate the management, administration and preservation of public records of all the Ministries/Departments and offices of the Central and Union territory administrations, PSUs, statutory bodies and corporations, commissions and committees constituted by the Central Govt. and Union territory administrations. NAI is the archival authority under the Act governing record management practices by statutory provisions of the PRA and the Ministries/Departments, PSUs and other offices of the Union Govt. of India

29. Theoretically Law has facilitated the government to legislate through force of law preservation of records and management of information contained therein. It has become more meaningful and NAI can regulate preservation of records in all the three stages from current to semi and non-current and to receive records as per right and as legitimate authority and to provide access to people as per procedures laid down under PRA and Rules. But practically the story is different. NAI has not been that successful that it should have been. It still remains more a recommending body in the absence of any Regulatory Mechanism to take to task the defaulter Ministries and Dept.'s for non compliance of the various provisions of the Public Record Act. If we analyse the Annual Reports of NAI for the last 10 years, we will find that initially 10-15% of the Ministries and Dept.'s were responding to NAI submitting compliance Reports but now it has gone down to 3-4% only. The Act needs drastic amendments and currently, the NAI has already submitted its report to the Ministry of Culture (August 2011) for amendment of PRA and Rules of 1993 and 1997 in harmonization with the RTI Act and the IT Act of 2000 as submitted by the Review Panel and the Consultative Committee constituted for the purpose by the Govt. of India.

30. With the enactment of RTI there is need to amend the PRA in harmonization with RTI for providing access not only to bona-fide research scholars but also to every Indian citizen. The move has already started and access is being given to any user visiting Archives on production of an ID proof. Besides, lot of responsibility has come on the shoulders of the Archivist and the Records Managers in the Public Authorities generating information and at the same time need to bring transparency in their working. Hence record management practices should be such that it supports decision making by making information easily

available to all the public functionaries and the users when it is required in order to perform their action and take decisions. We need to assist the citizens as record managers in accessing records when they want as records are the building blocks for right to information. Records also provide reliable evidence of an organization activities and focus to explain and justify decisions actions and use of resources by the organization.

31. Records Management not only minimizes risks associated with non availability of information but also ensures maintenance of records so that record of significant govt. functions and activities are permanently preserved in the public record office.

32. It is universally acknowledged that proper information management is the main stay of good governance and RTI is a vital tool to ensure transparency and accountability in the functioning of the Govt. while at the same time it ensures efficiency in the administration as records management is one of the important components of office administration. There is need of administrative reforms for good governance as an impact of RTI. Appointment of 2nd Administrative Reforms Commission (ARC) under Mr. V. Moilley in August 2005 initiated the process of administrative reforms by the Govt. of India. The Commission completed its activities in May 2009 and submitted 15 reports on administrative reforms. Some of them are Ethics in Governance (Feb. 2007), Local Governance: An inspiring journey into the future (Oct. 2007), Promoting e-Governance: the smart way forward (Dec. 2008), Citizen Administration- the heart of Governance (Feb. 2009), Strengthening Financial Management Systems (April 2009), etc. **The title of the Report of the Commission “Right to Information- Master Key to Good Governance”, itself amplifies the spirit of recommendations made by the commission. Out of 60, 42 recommendations have been accepted by the Government for appropriate implementation.** Necessary steps have been initiated by the Govt. to bring in necessary amendments in the existing Laws, Rules and Regulations, Manuals and procedures.

33. Dr. S.K.Kataria observes in his book `Right to Information Lessons and Implications ‘that the phase before October was an era of Choric Organisation in Govt. Sector where chaos and order co-existed’.[\[6\]](#) He feels that it is too early to assess the impact of RTI in terms of administrative reforms. As per NAI experience it is observed that RTI has forced public authorities to look into their office working and streamline their record management practices.

34. Some of the recommendations of the Commission include repeal of Official Secret Act of 1923 by merging a chapter in the National Security Act, amendment of Section 123 of the Evidence Act of 1872, amendment of Central Civil Service Conduct Rules, amendment of Manual of Office Procedure and Manual of Departmental Security Instructions, organizing information and record keeping, Public Record Offices should be established as an independent authority in Govt. of India and in all States within 6 months by integrating restructuring the multiple agencies currently involved in record keeping, public record office should function under overall supervision and guidance of CIC/SIC. The recommendation for earmarking 1% of the funds of all Flagship Programmes for a period of 5 years for as a onetime measure by the Govt. of India for updating records, improving infrastructure, creating manuals and establishing the Public Record Offices, etc. was not accepted as updating of records, improving of infrastructure and creating manuals is a continuing process for which no separate funds are needed to be earmarked. [7]

35. The Central Secretariat Manual of Office Procedure and the Manual of Departmental Security Instructions have been amended appropriately. In case of having the Public Record Offices under CIC/SIC the Government was not in favour of setting up of new independent authority but preferred to strengthen existing bodies involved in records management such as National Archives of India & DOPT by providing more funds and technical expertise besides strengthening the PRA of 1993 for enforcing discipline in record management.

36. The importance of records management has been realized by countries all over the world and necessary laws on public records has been enacted by majority of them in order to streamline their records management practices for the benefit of the administrators and the users. Amongst SWARBICA member countries, it is noted that India, Pakistan, Sri Lanka and Bangladesh have enacted legislation to regulate the management, administration and preservation of public records in their respective countries and also to make them accessible under the law as a part of rights of the people. The concept note of the Brussels Conference also has emphasised on this aspect that people should have right to access information held by public bodies. By 1990 there were 13 countries before we see a great movement in India. Now there are about 70 such countries and many other countries are also actively considering providing access to information to their citizens. In the beginning it was expected to give access to information held by public authorities as part of their administrative governance but now in the private and public sector, banking sector and a number of international financial institutions have adopted policies to disclose information in public domain.

37. In the interaction which have been taking place between the stakeholders and the civil society due importance is being given to the implementation of PRA and Rules for successful implementation of RTI besides bringing in administrative reforms. If we look at the summary of the proceedings of such a meet organized by DOPT, the nodal Dept. to implement the RTI Act in India on 31.3.2010, '**Brainstorming with Civil Society Organisations**', Secretary CIC highlighted three basic issues which are critical to the successful implementation of RTI.[8]

i. Availability and access to information within a public authority through proper record management, thereby expects the public authority to streamline their record management practices as desired under Section 4 of RTI in a more serious innovative and efficient manner. Referring to DGA's NAI report for implementation of the PRA and Rules noted that only 10% of the public authorities bothered to respond thereby emphasizing implementation of the PRA and Rules as a crucial factor in implementation of RTI Act.

ii. Section 4(1)(b) has not been fully complied with by the public authorities and requires not only suo moto declaration of information but its updation as well on regular basis.

iii. The manner in which information is made available is also equally crucial as more than 90% of the population does not have access to internet, etc.

38. Dr. V.Vijay Kumar, National Law School of India, Bangalore University has rightly observed that there is need to consider if some of the provisions of Public Records Act could be incorporated in RTI Act of 2005 or in the relevant rules to further reinforce implementation of RTI Act or to amend the PRA itself to further strengthen it.[9]

39. Another point need to be looked into is whereas RTI is applicable all over India except J&K but PRA does not apply to State Governments. The major flaw that we find in the PRA is the absence of any regulatory mechanism for implementing the PRA unlike RTI. Under the Act many public authorities are expected to fulfil the mandate of the law keeping in view their substantive activities in compliance with provisions of both the laws.

40. Another issue, rather a challenge is management of information being generated in the form of electronic records and how to make it accessible by having RTI friendly e-record management system. The upper most requirement at present is perhaps well defined rules for

implementing all the sections relating to RTI and in particular 4(1)(a, c & d) if possible to merge the Office of Public Record Officer and of Public Information Officer (PIO) under PRA and Rules and RTI respectively. There is need to fix up responsibilities of record managers as well at the bureau/division/section level as is done in case of PIO for management of information in their current files on the basis of standardized record management practices based on manual of office procedure, their documentation practices while complying with the provisions of PRA and Rules and the RTI.

41. Likewise we need to prepare a road map for implementing the Electronic Records Management as part of e-governance process giving its citizens the choice of which and where they can access government information and services. IT Act of 2000 (Section 4 &5) recognizes authenticity of electronic record, electronic form (material), digital signatures, electronic messages, besides conventional documents. **State Data Center (SDC)** has been identified as one of the important element of the core infrastructure for supporting e-governance initiatives of National e-Governance Plan (N eGP) of the Govt. of India.

42. Under NeGP it is proposed to create State Data Centres (SDCs) for the States as well to consolidate services, applications and infrastructure to provide efficient electronic delivery of G2G, G2C, and G2B services. These services can be rendered by the States through common delivery platform seamlessly supported by core connectivity infrastructure such as State Wide Area Network (SWAN) and Common Service Centre (CSC) connectivity extended up to village level. SDC would provide many functionalities and some of the key functionalities are Central Repository of the State, Secure Data Storage, Online Delivery of Services, Citizen Information/Services Portal, State Intranet Portal, Disaster Recovery, Remote Management and Service Integration etc. SDCs would also provide better operation and management control and minimize overall cost of data management, IT resource management, deployment and other costs. There is need of Integrating Records Management in ICT Systems. Modules may be developed as helping tools for public authorities to follow and could even provide good practice indicators in this field. A good work has been done by **International Records Management Trust based in** London in this area and developed modules which can be shared by all the countries through their website <http://www.irmt.org/> or email info@irmt.org. They did a case study in India-Karnataka State in June 2007 named Fostering Trust and Transparency in Governance thereby investigating and addressing the requirement for Building Integrity in Public Sector Information System in the ICT Environment.

43. Department of Information Technology (DIT) has formulated the guidelines to provide technical and financial assistances to the States for setting up State Data Centre. These guidelines also include the implementation options that can be exercised by the State to establish the SDC. Besides office automated management, electronic support system is also equally required to ensure easy storage, processing and quick retrieval of information by all relevant functionaries leading to overall efficiency and productivity in management. Applications for electronic records management supporting office procedures are being adopted as per given manuals and guidelines though in a very formative stage. So far as e-filing system in the Government of India offices is concerned the **Central Secretariat Manual of e-Office Procedure** has been released in February 2012 by the Ministry of Personnel, Public Grievances and Pensions, Department of Administrative Reforms and Public Grievances. The manual discusses in detail the working of an office in an e-environment and as part of the e-record management for providing access to information in compliance of RTI Act.

44. National Informatics Centre(NIC)^[10] has also developed **Document Management Information System (DMIS) and Records Management Information System (RIMS)** for the purposes and are using these in departmental offices.

45. For access and digital preservation of information contained in Govt. of India records in the custody of public authorities, a software programme '**Archival Information Management System**' (AIMS) has been developed by NAI to make information available and accessible online. Reference Media of more than 22.00 lac files is already available on intranet for reference and use by the scholars and other users.

46. 40,00,000 pages of records have been scanned for preparing digital images by using Archive Writer - a new technique for digitizing the documents and then converting the digital images into microfilms thereby ensuring their digitization and storage for security purpose.

47. The data of reference media of records will be uploaded on NAI website in association with NIC. Government of India has initiated the process. The work of creating data base of other important records is in progress. *[65,000 records of Ministry of External Affairs available in NAI has already been uploaded in the MEA website www.indiandiplomacy.in] The time limit for microfilming of the entire collection of records/files available in NAI is estimated to be 14 years. (So far 2.44 crores of pages have been*

microfilmed available in 18,000 rolls) The new technology of preparing first digital images for immediate access and then convert these images in to Microfilm for Disaster Recovery Management will be initiated in this year.

48. Further depending upon the frequently consulted records by users of Archives, records/ files will be identified and digitized in phased manner in the project mode.

49. NAI has signed a MOU with C-DAC, Pune the nodal agency to implement the National Digital Preservation Programme a national initiative of Department of IT, M/o Information and Communication Technology, as a project for a period of four years. Under this Project, NAI will be able to develop its own digital preservation capabilities in fulfilment of the mandate of the Public Records Act of 1993 (which is being amended) to take care of the electronic Archives as well so far as Government electronic records are concerned, being generated in various Ministries/Departments of the Government of India electronically in a big way. With the active collaboration with C-DAC, Pune, NAI, will be able to develop the software **“Digital Archival and Preservation System for Government Archives and Development of Repository Portal”** for providing access to the users. For skill development of its people and of the Ministries/Departments, NAI will also develop a course curriculum on the basis of this software for digital preservation in various Government Ministries/Departments while they are being processed and when finally they reach Archives. For this uphill task, NAI will also be sharing its metadata and images of archival data for development of the software and testing the tools at C-DAC, Pune. Till date approximately 2500 records of Home Political have been ingested into the digital preservation system developed by CDAC and the work is in progress.

Conclusion

50. RTI Act is in operation for over 8 years and has benefitted many including the poor and underprivileged. The Act has adequate teeth to bring in transparency and reduce corruption. At the same time it can not be denied that it has not yet reached that stage of implementation that had been envisioned. Still a matter of pride that we have an instrument in our hands – which has the potential to bring in more transparency and reduce corruption in our systems.

51. To have a sense of achievement it has been analysed that we have been able to implement the basic canons of the Act and an Institutional mechanism is in place for use by the citizens and public authorities. CIC/SIC's are in place and are very much vibrant institution as a check and balance. Civil Society organisations and the media in particular are very active in ensuring the implementation of the law. Training of Centre and State Govt. functionaries is a continuous process to enable them to discharge their duties as Public Information Officers successfully. DOP&T as the nodal dept. aims to bring more transparency in public affairs and formulates and implements policies related to RTI with a Mission to support high standards of Transparency, accountability and Zero tolerance of corruption in public affairs. The Dept. Also promotes as to how to improve public access to information through Information and Communication Technology. RTI Portals has been set up at the Centre and the States enabling submission of request and dissemination of information, publication of Compendium of Best Practices on RTI from all over the Country for sharing with everyone, mass awareness programme for the people, enabling environment and capacity building, development of web based applications for public authorities and CIC/SIC's to improve their efficiency, and above all developing RTI friendly Record Management Guidelines in coordination with Dept. of Information Technology and National Archives of India.

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9. I bid.
10. NIC - The **National Informatics Centre (NIC)** <http://www.nic.in>

The **National Informatics Centre (NIC)** is the premier science & technology organization of India's Union Government in informatics services and information-and-communication- technology (ICT) applications. The NIC is a part of the Indian Ministry of

Communications and Information Technology's Department of Electronics & Information Technology.

It has played a pivotal role in steering e-governance applications in the governmental departments at national, state and district levels, enabling the improvement in, and a wider transparency of, government services. Almost all Indian-government websites are developed / managed by NIC.

Further Readings and References

1. CIC Website cic.gov.in
2. DOPT website persmin.gov.in/doptasp
3. RTI Portal rti.gov.in