

**Government of West Bengal
Public Works Department
Establishment Branch
Khadya Bhawan
11A, Mirza Ghalib Street, Kolkata -87.**

No.: 308 PW/ O/E-IV/2R-07/19

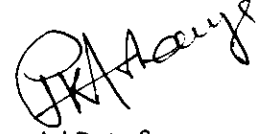
Dated: 12.02.2019

From: The Officer on Special Duty &
Ex-Officio Assistant Secretary &
State Public Information Officer
P.W.D.

To: The State Public Information Officer (All)
Under Public Works Department.

Sub: Guidelines to SPIOs by the West Bengal Information Commission.

The undersigned is directed to refer to the above mentioned subject and to send the guidelines of the West Bengal Information Commission as extracted from their letter no. 4075-S dated 14.11.2018 for his information and necessary action through the Website of this department.



Officer on Special Duty &
Ex-Officio Assistant Secretary
&
State Public Information Officer
P.W.D.

Extracts from D.O. No.25/SCIC/WB/2018 dtd.30.10.2018 are reproduced below.

The Commission has observed that a number of the Public Information Officers (PIOs) who are not Government employees, especially of the Public Authorities in reorganizations that are Government-aided, such as schools and colleges, have poor knowledge of the law. Since the largest number of appeals and complaints come from the organizations under the School Education department, it would be helpful if the PIOs are provided training, which, given their geographically decentralized nature, would be better organized at the district or sub-divisional level. Special attention also may be provided by the Municipal Affairs and Urban Development department to the functioning of the Right to Information Act, 2005 in Municipalities, as this department has the second largest number of complaints and appeals.

Many PIOs who are Government officials are also found to be sometimes wanting due to their perfunctory knowledge of the law and procedures. It is necessary for the Government to provide adequate training and to provide each and every one of them with a simple manual in Bengali/Nepali.

Another major area where improvements are possible is that of suo moto disclosures. Section 4(1) of the Right to Information Act, 2005 states "It shall be the endeavour of every public authority ... to provide as much information suo moto to the public at regular intervals through various means of communication ...so that the public have minimum resort to the use of this Act to obtain information." Many departments do not provide information as mandated on their websites and even when they do, this is often not updated. It is necessary that all Acts, Rules, Regulations, Administrative Instructions and Manuals be placed in the respective websites.

The Public Authority also has a duty to designate an officer as Records Officer and disciplinary action can be resorted to by fixing responsibility to a specific official to preserve specific information. I am informed that there is currently no such Act in West Bengal to regulate the administration, preservation and disposal of records as well as their

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systematic transfer to the archives, although the Higher Education department (as it deals with State Archives) had taken up the matter about a decade back.

While some Acts implemented by different departments have the provision of preserving and providing information, the Records Manual, 1943 followed in some district Collectorate offices is of a vintage era. There is a need to update all Record Manuals and to implement the same by creating a cadre of Record-keeping officials.