



GOVERNMENT OF KERALA

**General Administration (Co-ordination) Department**

No. 8622/Cdn.5/2010/GAD. Dated, Thiruvananthapuram, 18<sup>th</sup> February, 2010.

**CIRCULAR**

**Sub:—Right to Information Act, 2005—Maintenance of records in consonance with Sections of the Act—Instruction—Regarding.**

**Ref:—**(1) G. O. (P) No. 367/2005/GAD dated 10-10-2005.  
(2) Circular No. 32942/Cdn. 5/08/GAD dated 8-7-2008.  
(3) Circular No. 85455/Cdn. 5/08/GAD dated 1-1-2009.  
(4) The Office Memorandum No.12/192/2009-IR dated 20-1-2010 from Government of India, Department of Personnel & Training, Ministry of Personnel, Public Grievances & Pensions.

Proper maintenance of records is vital for the success of the RTI Act, 2005. Section 4 of the Act requires every Public Authority to maintain all its records duly catalogued and indexed in a manner and form which would facilitate the right to information. Now, as per the Office Memorandum 4<sup>th</sup> cited the Government of India have pointed out a case, in which the Central Information Commission has highlighted that the failure in the systematic maintenance of records is resulting in supply of incomplete and misleading information and that this happens due to the non-adherence, of every Public Authority, to the mandate of Section 4 (1) (a) of RTI Act, 2005. It is also pointed out that such a default could qualify for payment of compensation to the complainant. Section 19 (8) (b) of the Act, which gives power to the Information Commission to require the concerned Public Authority to compensate the complainant for any loss or other detriment suffered.

Every Public Authorities, i.e. Departments, PSUs, Autonomous Bodies etc. as defined under section 2(h) of the RTI Act, are bound to take action as instructed under section 4 of the Act itself. As per the references 1-3 cited, Government had already issued instructions regarding the requirement of compliance to section 4 of the RTI Act, 2005.



However, Government would like to reiterate the instructions already issued in this matter and the Administrative Heads of the Public Authorities concerned are hereby directed to ensure that requirement of section 4 of the Act in general and clause (a) of sub-section (1) thereof in particular are met by all the Public Authorities coming under them without fail. It is also brought to the notice that the Officers concerned will be held personally responsible for any lapse in this matter.

**U. K. S. CHAUHAN,**  
*Secretary to Government (GAD).*

To

All Additional Chief Secretaries/Principal Secretaries/Secretaries to Government

The Secretary, Legislature Secretariat, Thiruvananthapuram (with C.L.)

The Secretary to Governor, Raj Bhavan, Thiruvananthapuram (with C.L.)

The Advocate General, Ernakulam (with C.L.)

The Secretary, Kerala Public Service Commission,  
Thiruvananthapuram (with C.L.)

The Secretary, State Information Commission, Kerala (with C.L.)

The Registrar, Kerala/Cochin/Calicut/Mahatma Gandhi/Kannur  
University (with C.L.)

The Registrar, Kerala Agriculture University, Mannuthy, Thrissur  
(with C.L.)

All Heads of Departments.

All District Collectors

The Chief Executives of all PSUs

The Chief Executives of all Autonomous Bodies

The Secretary, KSEB, Thiruvananthapuram

The Managing Director, Kerala State Road Transport Corporation,  
Thiruvananthapuram.

All Officers and Sections in Government Secretariat including Law  
and Finance

Stock File/Office Copy.

Copy to : The Secretary to Chief Minister

PS to Chief Minister

PS to Ministers

JS to Chief Secretary

PS to Speaker and Deputy Speaker

The Director, I&PRD (for giving wide publicity through internet  
and other media).

The Information Officer, I&PRD, Secretariat Annexe.