

PARLIAMENTARY QUESTIONS & REPLIES

**REVIEW OF IMPLEMENTATION OF RTI ACT, 2005.**

Q1. Please provide following information related to the implementation of the RTI Act in your organization during past 3 years (2019, 2020 & 2021):

(i) The number of requests made:

2019-20	2020-21	2021-22
189	165	186

(ii) The number of requests where first appeal was preferred by the applicant:

2019-20	2020-21	2021-22
17	19	22

(iii) The number of appeals referred to the Central Information Commission, for review, the nature of such appeals and the outcome of those appeals:

2019-20	2020-21	2021-22
1	Nil	5

Out of Six Second Appeals before the Hon'ble Central Information Commission, three are service related information, one is Co-Operative Society related, one is recruitment related and one is covid related issue. The Hon'ble CIC has upheld the decision of the First Appellate Authority in four appeals and in other two appeals has directed to provide the information. Accordingly, information's are furnished.

(iv) Particulars of any disciplinary action taken against any officer in respect of the administration of the RTI Act, on the orders of the CIC, first appellate authority or any other authority; and

Nil

(v) Year-wise amount of charges collected under the Act (copy of charges levied by your organization for furnishing of various types of information under the Act may also be provided).

Year	Application Fee	Cost collected	Total
2019-20	560	0	560
2020-21	610	96	706
2021-22	510	68	578

Q2. Please provide details of CPIOs/PIOs/APIOs of your organization (including HQ and branch/subordinate offices) appointed under Section 5 of the Act.

NAME	CONTACT DETAILS	OFFICE ADDRESS
Shri BISHNU PRASAD PARIDA Sr. Manager (HR), Central Public Information Officer (CPIO)	+91 80 22963390 +91 80 22963220 office.cpio@beml.co.in	BEML Ltd 'BEML Soudha', 23/1, 4th Main, SR Nagar, Bangalore - 560 027.
Shri ABENEZER SAMIR KHESS General Manager (HR), Central Assistant Public Information Officer (CAPIO)	+91 8153 263213 ek@beml.co.in	BEML Limited, KGF Complex, BEML Nagar Post, Kolar Gold Fields - 563 115.
Smt. NEENA SINGH General Manager (HR), Central Assistant Public Information Officer (CAPIO)	+91 80 25022679 +91 80 25245545 rk@beml.co.in	BEML Limited, Bangalore Complex, Post Box No.7501, New Thippasandra Post, Bangalore - 560 075.
Shri R NAGARAJA Dy. General Manager (HR), Central Assistant Public Information Officer (CAPIO)	+91 821 2400214 +91 821 2402345 tk@beml.co.in	BEML Limited, Mysore Complex, Belavadi Post, Mysore - 570 018.
Shri S BENEDICT ALWIN Senior Manager (HR), Central Assistant Public Information Officer (CAPIO)	+91 80 22963543 +91 80 22963537 mk@beml.co.in	BEML Limited, Marketing Division, 5th Floor, Unity Buildings, J.C. Road, Bangalore - 560 002.
Smt. R DEVI NAIR Sr. Manager (HR), Central Assistant Public Information Officer (CAPIO)	+91 491 2569868 +91 491 2567488 pk@beml.co.in	BEML Limited, Palakkad Complex, KINFRA Park, Menon Para Road, Kanjikode East, Palakkad - 678 621.



Shri R THIRUPATHI Manager (HR), Central Assistant Public Information Officer (CAPIO)	+91 80 22963212 +91 80 22963235 kpe@beml.co.in	BEML Limited, 'BEML Soudha', 23/1, 4th Main, SR Nagar, Bangalore - 560 027.
Shri P ANBAZHAGAN Dy. General Manager (HR), Appellate Authority (AA)	+91 80 22963288 office.aa@beml.co.in	BEML Limited, 'BEML Soudha', 23/1, 4th Main, SR Nagar, Bangalore - 560 027.
Shri DEBI PRASAD SATPATHY Chief General Manager (HR), Transparency Officer (TO)	+91 80 22963183 k@beml.co.in	BEML Limited, 'BEML Soudha', 23/1, 4th Main, SR Nagar, Bangalore - 560 027.

Q3. Based on the nature of RTI requests received by your organization in the recent past, broadly under what categories [such as personnel matters, business area (public authority's core function), procurement, others etc.] the RTI requests received may be classified? Whether those areas have been identified and analysed under which the RTI requests are increasing? If so, whether such information has been made available on the organization's website under *suo motu* disclosures?

Ans. Categories of information sought by citizens are mainly pertaining to (a) Employee personal information (b) Commercial purchase and tenders for procurement (c) Manpower related (d) CSR activities done by the company (e) Welfare benefits provided by the company (f) Details pertaining to recruitment of personnel.

The information pertaining to recruitment of personnel, CSR activities, manpower related data, pay scales and benefits, tender related information is uploaded in our company website and periodically updated for easy access of the same by the citizen / information seekers. In case of information relating to the third party, the same is dealt as per the provisions of RTI Act.

Q4. How many requests (percentage of total request received) have been rejected by your organization during the year 2021 citing various provisions of the RTI Act? Whether internal steps such as training, sensitizing PIOs, better mechanism/ process to access information etc. are being taken by your organization to minimize such rejection?

Ans. 24% Applications are rejected during the year 2021 (Total RTI Applications 186 out of which 45 rejected). The RTI applications received are closely monitored to ensure disposal within the stipulated time by having regular review of the applications received. Further, all CPIOs and information holders are being sensitized to provide the information promptly. The CPIO & CAPIOs are trained about the RTI Act and also various case studies to examine the RTI Applications and to provide information as per the provisions of the RTI Act, 2005.

Q5. How many appeals during past 3 years have been upheld in favour of the applicant by the CIC when both CPIO and first appellate authority have rejected the RTI request? Please furnish details. Based on this information do you feel that first appeal is effectively implemented in your public authority?

Ans. 2019-20 – Nil,  
2020-21 – Nil and  
2021-22 – 2 cases

(1)The appellant has sought his own personal information of his service records and the same was rejected by CPIO & the First Appellate Authority on the grounds that the information sought was his own personal information which he is fully aware of and does not exhibit any larger public interest. However, CIC has directed to furnish the information to the appellant and the same was provided.



- (2) The appellant has sought information related to Circulars, General Bulletins etc., issued by the Company regarding Covid regulations. The CPIO & the First Appellate Authority had rejected the application, as the appellant was serving as an Executive in the Company and fully aware of the Circulars and GBs issued by the Company which is displayed in the Notice Boards, circulated through internal communications to all Employees / Executives. As per the directives of the Hon'ble CIC, the copies were provided to the appellant.

It is submitted that out of 540 RTI Applications during past 3 years 58 Appellants have preferred first appeal before the First Appellate Authority. Further, out of 58 First Appeals, 6 appeals were filed before Hon'ble CIC and Hon'ble CIC upheld decision of the CPIO & First Appellate Authority in four appeals, which established that the first appeal is effectively implemented in our Organization.

- Q6. Section 4(1)(a) of the RTI Act says "*maintain all its records duly catalogued and indexed in a manner and the form which facilitates the RTI under the Act*". Whether your organization is conforming to such requirements of the Act and whether practices / procedures of your organization have been revisited to in order to synchronize with such requirements of the Act?

Ans. Yes. The provisions pertaining to obligations of Public Authority under Sec.4(1)(a) of RTI Act are complied with and records are duly catalogued and indexed for the easy access of the public as applicable. The company is having the Record Retention Policy and the records are maintained as per the Policy therein.

- Q7. Section 4(1)(a) of the RTI Act says that "*..ensure all records that are appropriate to be computerised are, within a reasonable time and subject to availability of resources, computerised and connected through a network all over the country on different systems so that access to such records is facilitated*". Have you analysed what kinds of data are appropriate to be computerised and placed on your website? Please describe the steps taken by your

organization in this regard and your future action plan for computerization?

Ans. Yes. The provisions pertaining to obligations of Public Authority under Sec.4(1)(a) of RTI Act are complied with and information which are to be displayed such as Employee Personal data, CSR details, Recruitment data, Procurement data, Company financials, Grievance mechanism etc., are computerized and posted in the Company website [www.bemlindia.in](http://www.bemlindia.in).

Q8. Section 4(1)(b) of the Act prescribes certain requirements for the public authorities as listed below. Kindly complete the table below:

Requirements Under 4(1)(b) Clauses	Published Y/N	Frequency of updation?	Who is responsible for updation?	Setup system for Feedback/Social Audit (Y/N)
(i) To (xvii)	Yes	As and when required.	CPIO	No

Q9. Section 4(1)(c ) of the Act says “publish all relevant facts while formulating important policies or announcing decisions which affect the public”. What are the three most important policies formulated in your Organization in the recent past? Are these three policies published on the website? Were the relevant facts published while the above mentioned policies were being formulated?

Ans. Whenever major policies are formulated which affect the public in general viz., CSR related, Grievance related, Procurement related, the details are published in the Company website. Recently, the CSR policy has been amended and the same is published in the Company website for the information of the Public. Further, Recruitment related details and Personal Information’s related to employees data are also posted in the Company website.

Q10. Section 4(1)(d) of the Act says “provide reasons for its administrative or quasi-judicial decisions to affected persons”. List three decisions of



the recent past where the affected persons have been given reasons of the decisions?

Ans. There is no such cases. The decision of the CPIO and the First Appellate Authority is always guided by the provisions of RTI Act, 2005, particularly in all the cases of rejection of the application, the Applicant is informed about the reasons of rejection appropriately.

Q11. Section 4(2) of the Act says “*provide as much information suo motu to the public at regular intervals through various means of communication, including internet, so that the public have minimum resort to the use of this Act to obtain information*”. Name any three proactive disclosures that your organization has done other than the requirements under section 4(1)(b)?

Ans. This Public Authority has complied with guidelines issued by DoPT. The information as per Sec.4(1)(b) also posted on Company website ([www.bemlindia.in](http://www.bemlindia.in)) for information of all concerned. Other than 4(1)(b) information such as Procurement Tenders details, Manpower details and CSR activities, Welfare activities, Swachhatha action, Make in India, Yoga related, Covid majors are also Company website for the information of the Public.

Q12. To ensure implementation of various provisions of Section 4 of the RTI Act, 2005, guidelines have been issued *vide* DoPT's O.M. No. 1/6/2011-IR dated 15.04.2013 and were subsequently amended in 2016 and 2019. These guidelines, *inter-alia*, provide for third party audit of proactive disclosure by Public Authority. Whether your organization has carried out any third party audit so far? If so, the details therefor and if not, the reasons thereof.

Ans. Yes. Third party audit carried out through M/s National Academy of Defence Production during the year 2019-20.

Q13. Whether facility to file online RTI application through DoPT's 'RTI Online portal' (<https://rtionline.gov.in/>) has been made available to the applicants with respect to your organization? If no, reasons for the same may be furnished.

Ans. Yes. Facility for the applicants to file online RTI Application through DoPTs RTI Online portal is made.

Q14. Whether training programmes are being imparted by your organization to the CPIOs/Appellate Authorities/employees in general on various aspects of the Act? Please furnish details.

Ans. Yes. The CPIO/CAPIOs are trained about the provisions of the RI Act and also they are informed about various case laws, CIC judgements from time to time.

Q15. Based on the experience of last 15 years on implementation of the RTI Act in your organization, what are your suggestions for improvements in the Act?

Ans. Provisions are required to be made in the RTI Act for not considering applications related to own personal information's, seeking repeated information's, grievances, clarifications etc., which does not exhibit larger public interest.

Q16. What are your suggestions for improvements in the RTI data reporting mechanism?

Ans. Nil

Q17. Do you feel that by implementing the RTI Act, your organization has obtained the goodwill of the public; and the transparency & accountability of your organization has increased?

Ans. Yes. The transparency and the accountability has certainly increased.

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