

**Office of Development Commissioner (MSME).  
(Ministry of Micro, Small & Medium Enterprises)**

**Right To Information Act, 2005**

**Introduction**

Right To Information is an Act to provide for freedom to every citizen to secure access to Information under the control of public authorities, consistent with Public interest, in order to promote openness, transparency and accountability in administration and in relation to matters connected therewith or incidental thereto.

**The Right to Information Bill** was passed by the Parliament on 13<sup>th</sup> May 2005. The Bill got the Presidential assent on 15<sup>th</sup> June to become the Right to Information, Act, 2005. 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, in order to promote transparency and accountability in the working of every public authority.

Informed citizenry and transparency of information are vital to the functioning of democracy. The Act provides for a system of accountability of the Government towards those who are governed and would benefit in increasing transparency and containing corruption.

The actual practice of the Act is likely to conflict with other public interests including efficient operations of the Governments, optimum use of limited fiscal resources and the preservation of confidentiality of sensitive information; but the need is to harmonize this conflicting interest while preserving the paramountcy of the democratic ideals.

In an effort to bring about transparency and accountability and to implement the provisions of the Right to Information Act, DC(MSME) has made an attempt to provide certain information to citizens to empower them to exercise their Right to Information. DC(MSME) has also designated CPIOs in all its field offices and autonomous bodies for dissemination of information. These organizations will have their separate set up for public to gain information on issues pertaining to the unit.

The DC(MSME), through a network of field offices and autonomous bodies plays an important role in the promotion and development of micro, small & medium enterprises.

For facilitating the supply of Information to the citizen the DC(MSME) and its field offices have already setup Information Facilitation Counters in their office.

In case the Information is not available in the manual as well as at the counter, the said information can be sought under the Right to Information Act by applying in the prescribed format. The format along with the prescribed fees may be deposited at the counters. The receipt will then be forwarded to the concerned Central Public Information officer / Assistant Public Information officer and a date for receiving the Information would be given to the applicant.

In case the Information cannot be made available, the cause for not making available such Information would be given to the applicant in the prescribed period. If unsatisfied with the reply the applicant can seek redressal of his grievance from the appellate authority designated for the purpose.

**Fees:**

For providing information, this office charges a fee at the rate of Rupees two per page for printed Information. Rupees fifty per floppy and Rupees hundred in case of Information sought on CD's. In case Information is sought in form of Videocassettes, the charges would be Rs. 500/-.

However, as under the RTI Act no fees will be charged for the persons below poverty line. The request for obtaining information under subsection (1) of section 6 shall be accompanied by the application fees of Rupees ten by way of cash against proper receipt or by demand draft or bankers cheque payable to the PAO (SSI), New Delhi (for the Hqrs. Office and field offices in the northern region)/Mumbai (for field offices in the central and western region)/Kolkata (for field offices in the eastern and north-eastern region)/Chennai (for field offices in the southern region), as the case may be. In respect of autonomous bodies, the payment may be made directly to the Accounts Officer concerned in the respective autonomous body.

**Office of Development Commissioner (Micro, Small & Medium Enterprises)**  
**– Functions and Duties**  
**(Under section 4(1)(b)(i) of Right to Information Act, 2005)**

**General:**

1. The DC(MSME), headed by the Additional Secretary & Development Commissioner (MSME), is one of the apex bodies of the Government of India, Ministry of Small Scale Industries, to assist the Government in formulation of policies and programmes, projects, schemes, etc., for the promotion and development of small scale industries in the country and also coordinating and monitoring the implementation of these policies and programmes, etc. Promotion and development of small-scale industries is primarily the responsibility of the States and Union Territories (UTs) and the role of the Central Government (including the DC(MSME)) in this field is to aid and assist the States/UTs in this endeavour.
2. DC(MSME) functions through a network of MSMEDIs (formerly SISIs), Branch MSMEDIs (formerly Branch SISIs), MSME Testing Centres (formerly RTCs), MSME Testing Stations (formerly FTSs) and autonomous bodies. It renders services such as: -
  - Advising the Government in policy formulation for the promotion and development of small scale industries and small scale service and business entities (collectively referred to as small enterprises) and for their graduation to medium enterprises.
  - Providing techno-economic and managerial consultancy, common facilities and extension services to small enterprises.
  - Providing facilities for technology up gradation, modernization, quality improvement and infrastructure of/for small enterprises.
  - Developing human resources through training and skill up gradation of small entrepreneurs as well as its own manpower.
  - Providing economic information services to the Government and small enterprises.
  - Maintaining liaison with other Central Ministries, Planning Commission, State Governments and other organisations concerned with development of small enterprises.
3. Over the years, DC(MSME) has served a useful purpose as a catalyst of growth of small enterprises through its countrywide and varied network of specialized field organizations. A list of field organizations under DC(MSME) is given in Annexure II & I.

**National Board for Micro, Small and Medium Enterprises (NBMSME)**

1. To examine the factors addecting the promotion and development of Micro, Small & Medium Enterprises and review the policies and programmes of the Central Government in regard to facilitating the promotion and development and enhancing the competitiveness of such enterprises and the impact therof on such enterprises.
2. The Minister in-charge of the Ministry of MSME, Government of India is the Ex Officio Chairman of the Board. The Board comprises Industry Ministers of State Governments, Secretaries of

various Departments of Government of India, and heads/senior representatives of financial institutions, public sector undertakings, industry associations and eminent experts in the field and meets periodically.

### **MSME Development Institute (Formerly Small Industries Service Institutes (SISIs))**

There are 30 MSME Development Institute (Formerly SISIs) and 28 Branch MSME Development Institute (Formerly SISIs) set up in State capitals and other industrial cities all over the country. The main activities of these institutions are as follows:

- Assistance/consultancy to prospective entrepreneurs.
- Assistance/consultancy rendered to existing units.
- Preparation of State Industrial Profiles.
- Preparation/updation of District Industrial Potential Surveys.
- Project profiles.
- Entrepreneurship development programmes.
- Motivational campaigns
- Production index
- Management development programmes
- Skill development programmes
- Energy conservation
- Pollution control
- Quality control & up gradation
- Export promotion
- Ancillary development
- Common facility workshop/lab.
- Preparation of directory of specific industry
- Intensive technical assistance
- Coordination with District Industries Centres
- Linkage with State Govt. functionaries
- Market surveys
- Other action plan activities assigned by Headquarters

2. MSME Development Institute (Formerly SISIs) and its Branches have common facility workshops in various trades. There is at present 42 such common facility workshops attached to MSME Development Institute (Formerly SISIs)/ MSME Development Institute (Formerly Branch SISIs.)

3. List of MSME Development Institute (Formerly SISIs), MSME Development Institute (Formerly Branch SISIs), MSME Testing Centres (Formerly RTCs) and autonomous bodies under DC(MSME) are given at Annexure I to III.

### **MSME Testing Centres (Formerly RTCs)**

MSME Testing Centres at New Delhi, Mumbai, Kolkata and Chennai offer testing facilities to the small scale units engaged in the production of different products including the export worthy products. These Centres are equipped with modern sophisticated indigenous and imported machinery and equipment for testing in various disciplines of mechanicals, chemical, metallurgical and electrical industries. These Centres provides performance testing, type testing, acceptance testing, calibration services and development of processes for various products. These Centres are accredited to Bureau of Indian Standards, National Thermal Power Corporation, Pollution Control Board and National Board of Accreditation for Laboratories and Calibration.

## **Functions**

These Testing Centres besides rendering testing facilities, assist in:-

- Quality up gradation aspects.
- Training testing and quality control
- Consultancy in testing and quality management.
- Process quality control system

## **MSME Testing Stations (Formerly Field Testing Stations (FTSs))**

Field Testing Stations at Jaipur, Bhopal, Kolhapur, Bangalore, Hyderabad, Changanacherry and Pondicherry provide testing services & quality up gradation for testing of various products like chemicals, dye-stuffs, lamps, rubber products, electric motors & pumps, castings & forgings, paints & varnishes, domestic electrical appliances, etc.

**Address of office of MSME Development Institute**

**MSME-Development Institute**

**CHHATTISGARH**

MSME - Development Institute (Formerly SISI)  
Ministry of MSME, Govt. of India,  
Near Urkura Railway Station,  
Bhanpuri Industrial Area  
Birgaon, Raipur(C.G.)- 493221  
Phone No: 0771-2562312  
Email Office : [dcdi-raipur@dcmsme.gov.in](mailto:dcdi-raipur@dcmsme.gov.in)

## **The powers and duties of MSME Development Institute officers and employees (Under section 4(1) (b) (ii) of Right to Information Act, 2005)**

The Transaction of Business Rules seeks to define the authority, responsibility and obligations of each department in the matter of disposal of business allotted to it. While providing that the business allotted to a department will be disposed of by, or under the direction of, the Minister-in-charge, these rules also specify:

- (a) cases or classes of cases to be submitted to the President, the Prime Minister, the Cabinet or its committees for prior approval; and
- (b) The circumstances in which the department primarily concerned with the business under disposal will have to consult other departments concerned and secure their concurrence before taking final decisions.

**II.** O/o DC(MSME) was set up in 1954 to serve as the apex and nodal agency for formulation and implementation of policies and programmes for the promotion and development of small scale industries sector and is an attached office under the Ministry of Small Scale Industries. The Development Commissioner (MSME) heads it. It carries out its functions through a network of field institutions such as MSME, MSMEs Testing Centres (formerly RTCs) etc. DC(MSME) is the Head of Department. He is the Principal Adviser to the Ministry of MSME on all matters of policy pertaining to MSME sector. Some of his powers have been delegated to Additional Development Commissioner (ADC) and Joint Development Commissioner (JDC)/Director (Administration.) in Hqrs. Office.

Each MSME/Dis/TCs is headed by an officer of the rank of Director (Deputy Secretary level in Government of India), declared as Head of Office for that particular office.

The Head of Department /Head of Office are responsible to carry out the main functions of office as per the directions of the Government.

**III.** O/o DC(MSME) carries out both technical and non-technical functions. Accordingly, it recruits both technical and non-technical officers. The structure of technical posts in DC(MSME) is as under:

- 1. ADC (Technical)
- 2. Director
- 3. Joint Director
- 4. Deputy Director
- 5. Assistant Director (Grade.II)
- 6. Investigator
- 7. Skilled Worker (Grade.I)
- 8. Skilled Worker (Grade.II)

**IV** The financial powers of Head of Department and Head of Office are outlined in Delegation of Financial Power Rules (DFPR), 1978. The General Financial Rules lay down the procedure to be followed for exercising the powers available in DFPR. The administrative powers are contained in Financial Rules/Service Rules, Leave Rules, etc.

These rules are available at the websites of the Ministry of Finance and Department of Personnel and Training.

The administrative and financial powers in the day-to-day management of the office are vested with Head of Department /Head of Office. The technical officers in DC(MSME) enjoy neither financial

powers nor administrative powers unless otherwise they are declared as Head of Department/Head of Office. The duties of the technical officers are as under:

**(i) ADC (Technical) :**

1. To provide effective management control at appropriate level over various technical cadres/Division and 58 field institutions of the Organization.
2. To frame and finalise the plan schemes concerning MSMEs, for obtaining approval of SFC/EFC/CCEA.
3. To monitor the implementation of plan scheme by various Technical Division of the Organization.
4. To act as a member of the Governing Council of the 18 autonomous bodies.
5. To scrutinize the plan proposals of the autonomous bodies, before putting up for Govt.'s approval.
6. To monitor the implementation of plan schemes by 18 autonomous bodies.
7. To review the performance of autonomous bodies periodically.
8. To process cases regarding appointments of Chief Executive Officers of the autonomous bodies for Govt.'s approval.
9. To scrutinize the management related proposals/technical proposals received from autonomous bodies, before putting up for approval of AS & DC (MSME) in his capacity as Chairman, Governing Council.
10. To represent Ministry of MSME on High Level Technical Committees constituted by other administrative ministries.
11. To render technical opinion to the administrative Ministries in the matter of foreign collaboration proposals, import of technology, Project import Certification, Evaluation of input output norms for exports.
12. To support and provide technical assistance to the administrative Ministries in the matter of Parliament Questions, rationalization of tariffs and fiscal incentives, inter-action with various Development councils, Apex Level Confederation like CII etc.
13. To carry out special studies on specific project or group of industries for the purpose of upgradation of technology, quality improvement, energy conservation, pollution control, utilization of waste material through recovery and the like.
14. To render advice and assistance as needed by the entrepreneurs, financial Institutions and trade promotional bodies etc.

**(ii) Director:**

1. To advise in formulation of policies for the promotion and development of small scale sector, viz. policy for reservation/de-reservation, technology upgradation, programmes, quality management systems, energy conservation, pollution control, Government purchase programmes, raw material assistance and marketing supports, etc.
2. Planning and executing work related to Entrepreneurs Development Programmes, Vendor Development Programmes, and Sub-contracting Exchanges etc. through DC(MSME)'s outfits.
3. Planning and creating technical documents and data base to small scale industries entrepreneurs, viz. Project Profiles, Industry Studies, Cluster Studies, source of supplies of various inputs for small scale industries sector etc.
4. Planning and implementation of Ozone Depleting Substance (ODS) phase out programme as per the Montreal Protocol for small scale industries sector in association with Ministry of Environment & Forest.
5. Coordinating with Bureau of Indian Standards in formations/amendment of standard. Also monitoring Quality Control Order on Electrical Appliances.
6. Assisting and coordinating with small-scale industries sector and its associations on rationalization of tariffs, be it excise duty or custom duty or other taxes.

7. Appraisal of Industrial License, Foreign Collaborations, Industrial Entrepreneurship Memorandum (IEM), Foreign Investment Promotion Board, 100% Export Oriented Unit (EOU) proposals from small scale industries angle.
8. Technical advice on Export Import policy, Input-Output norms, Import License & Advance License mainly concerning small-scale sector.
9. Entrepreneur's guidance on technology related issues.

**(iii) Joint Director /Deputy Director:**

1. To maintain close contact with the Small Scale Industries and advise the industry in various areas of production, marketing, technology upgradation, credit facilities, energy conservation, pollution control, etc.
2. To conduct various entrepreneurship development programmes, skill development programmes, management development programmes, motivational campaigns, training programmes for the purpose of development of entrepreneurship.
3. To organize local meets towards promotion of MSME products and vender development.
4. To prepare input/output norms.
5. To prepare and evaluate quality standard.
6. To prepare Project Profiles.
7. To participate in expert committees.

**(iv) Assistant Director (Grade I)/(Grade II):**

1. To advise the Industry on various promotional aspects i.e. providing project profiles for setting up of small-scale units.
2. To conduct industrial trainings for Entrepreneurship Development & advising the industry regarding modern industrial management techniques and quality standards, Intellectual Property Rights etc.
3. Implementation of Policies and schemes in regard to development of small-scale sector.
4. To maintain close coordination with Industry i.e. Small Scale Sector at large and State Governments, District Industry Centres etc. and to suggest improved techniques of production, quality and proper handling of material and improved method of working to small scale units.

**(v) Investigator/Skilled Workers etc.**

To collect data from industries and operate various mechanical machines in the workshops/Labs attached to MSMEDIs/TCs/TSSs.

**V Following are the non-technical posts in DC(MSME) and the duties attached thereto:-**

- (a) **Additional Development Commissioner (ADC)** - is in charge of Economic Analysis/Statistics & Data Bank and Planning Wings of DC(MSME). ADC is entrusted with the maximum measure of independent functioning and responsibility in respect of all business falling within his wings subject to the general responsibility of DC (SSI) for the administration of the wing as a whole.
- (b) **Joint Development Commissioner (JDC)/Director** – He acts on behalf of DC(MSME). He holds charge of Divisions and is responsible for the disposal of the business being dealt within the Divisions under his charge. He should ordinarily be able to dispose of the majority of the cases coming upto him on his own. He will use his discretion in taking orders of the DC(MSME) on more important cases either orally or by submission of paper



(c) **Joint Director / Deputy Director** – Work comes to him from the Divisions under his charge. As Branch Officer he disposes of as many cases as possible at his own level but he takes the orders of Director/JDC or higher officers on important cases.

(c) **Section Officer** –

(d)

**A. General Duties -**

- (i) Distribution of work among the staff as evenly as possible.
- (ii) Training, helping and advising the staff.
- (iii) Management and co-ordination of the work.
- (iv) Maintenance of order and discipline in the section.
- (v) Maintenance of a list of residential addresses of the Staff.

**B. Responsibilities relating to Dak –**

- (i) To go through the receipts;
- (ii) To submit receipts which should be seen by the Branch Officer or higher officers at the dak stage;
- (iii) To keep a watch on any hold up in the movement of dak; and
- (iv) To scrutinize the section diary once a week to know that it is being properly maintained.

**C. Responsibilities relating to issue of drafts:**

- (i) To see that the draft is letter-perfect, i.e., all corrections have been made before it is marked for issue;
- (ii) To indicate whether a clean copy of the draft is necessary;
- (iii) To indicate the number of spare copies required;
- (iv) To check whether all enclosures are attached;
- (v) To indicate priority marking;
- (vi) To indicate mode of dispatch.

**D. Responsibilities for efficient and expeditious disposal of work and checks on delays :**

- (i) To keep a note on important receipt with a view to watching the progress of action;
- (ii) To ensure timely submission of arrear and other returns;
- (iii) To undertake inspection of Assistants' tables to ensure that no paper or file has been overlooked;
- (iv) To ensure that cases are not held up at any stage;
- (v) To go through the list of periodically returns every week and take suitable action on items requiring attention during next week.

**E. Independent disposal on cases:**

He should take independently action of the following types: -

- (i) Issuing reminders;
- (ii) Obtaining or supplying factual information of a non-classified nature;
- (iii) Any other action, which a Section Officer is authorized to take independently.

**F. Duties in respect of recording and indexing:**

- (i) to approve the recording of file and their classification;
- (ii) to review the recorded file before destruction;
- (iii) to order and supervise periodic weeding of unwanted spare copies;
- (iv) Ensuring proper maintenance of registers required to be maintained in the section.

- G. Ensuring proper maintenance of reference books, office orders, etc. and keeping them up-to-date.**
- H. Ensuring neatness and tidiness in the section.**
- I. Dealing with important and complicated cases him.**
- J. Ensuring strict compliance with Departmental Security instructions.**

**(e) Assistant/Upper Division Clerk: -**

He works under the orders and supervision of the Section Officer and is responsible for the work entrusted to him.

Where the line of action on a case is clear or the Branch Officer or higher officers have given clear instructions, he should put up a draft without much noting. In other cases, he will put up a note keeping in view the following points:-

- (i) To see whether all facts as are open to check have been correctly stated;
- (ii) To point out any mistakes or mis-statements of the facts;
- (iii) To draw attention where necessary to precedents or rules and regulations on the subject;
- (iv) To put up the guard file, if necessary, and supply other relevant facts and figures;
- (v) To bring out clearly the question under consideration and suggest a course of action wherever possible.

**(f) Private Secretary/Personal Assistant/Stenographer: -**

He should keep the officer free from the worries of a routine nature by mailing correspondence, filing papers, making appointments, arranging meetings and collecting information. He should be skilled in human relations. An officer has to depend on his Personal Assistant for routine jobs so as to have more time to devote himself to the work in which he has specialized. The Personal Assistant should earn the trust of his officer for being entrusted with confidential and secret papers. He is the keeper of secrets and an assistant to the boss. He should be popular with the persons who come in contact with his boss officially or who are helpful to his boss or who have dealings with the boss as professional men.

Some of the more specific functions are enumerated below –

- (i) Taking dictation in shorthand and its transcription in the best manner possible.
- (ii) Fixing up of appointments and if necessary canceling them.
- (iii) Screening the telephone calls and the visitors in a tactful manner.
- (iv) Keeping an accurate list of engagements, meetings, etc., and reminding the officer sufficiently in advance for keeping them up.
- (v) Maintaining in proper order the papers required to be retained by the officer.
- (vi) Keeping a note of the movement of files passed by his officer and other officers, if necessary.
- (vii) Destroying by burning the stenographic record of the confidential and secret letters after they have been typed and issued.
- (viii) Carrying out the corrections to the officer's reference book.
- (ix) Relieving the boss of much of his routine work and generally assisting him in such a manner as he may direct.

**(g) Lower Division Clerk – Lower Division Clerks are ordinarily entrusted with work of routine nature, for example – registration of dak, maintenance of section diary, file**

register, file movement register, indexing and recording, typing, comparing, dispatch, preparation of arrears and other statements, supervision of correction of reference book, and submission of routine and simple draft, etc.

**The procedure followed in the decision making process including channel of supervision and accountability**  
**(Under section 4(1) (b) (iii) of Right to Information Act, 2005)**

The term decision has been defined as the act of deciding. The decision-making is thus a deliberate act. It may have short range or long-range ramifications.

In order to carry out the functions, an officer is to do a lot of decision-making in financial, administrative and policy matters including technical nature. For efficient management of the office, it is necessary that there exist a system to ensure speedy and correct decision making process. Some procedures have to be observed for this. These principles/procedures are: -

**1. General Principles -**

- 1) An officer will himself initiate action on as many receipts as possible, keeping in view the priority requirements.
- 2) Number of levels at which a case is examined will be reduced to the minimum.
- 3) Paper work will be kept at an essential minimum.
- 4) Least possible time will be taken for examination and disposal of cases.
- 5) While disposing of cases, an officer will aim at optimizing the quality as well as the quantity of work performed by him.

**2. Action by dealing hand – The dealing hand will –**

- 1) Go through the receipts and separate urgent receipts from the rest.
- 2) Enter the receipts in the assistant's diary.
- 3) Deal with the urgent receipts first.
- 4) Check enclosures and if any is found missing, initiate action to obtain it.
- 5) See whether any other section is concerned with any part or aspect of a receipt and, if so, send copies or relevant extracts to that section for necessary action.
- 6) Bring the receipts on to a current file if one already exists or open a new file.
- 7) File papers in chronological order from left to right.
- 8) Assign the receipt page number(s) and a serial number.
- 9) Docket the receipts and reproduce on the notes portion of the file remarks, if any, made by an officer on the receipt.
- 10) With the help of file registers, indexes, precedent book, standing guard files, reference folders, locate and collect other files or papers, if any, referred to in the receipt, or having a bearing on the issues raised therein.
- 11) Identify and examine the issues involved in the case and record a note.
- 12) Arrange and reference papers in the case properly.
- 13) Where necessary, attach a label indicating the urgency grading appropriate to the case.
- 14) Put up the case to the appropriate higher officer; and
- 15) Indicate the date of submission in the assistant's diary.

**3. Action by Section In-charge – The Section in-charge will –**

1. Scrutinize the note of the dealing hand.
2. Finally dispose of routine cases.
3. Take intermediate routine action.
4. Records, where necessary, a note setting out his own comments or suggestions; and
5. Submit the case to the appropriate higher officer.

**4. Examination by section –** When the line of action on a receipt is obvious or is based on a clear precedent or practice, or has been indicated by a higher officer, and a communication has to issue, a

draft will be put up without any elaborate note. In other cases, the section, while putting up a case, will

1. See whether all the statements, so far as they are open to check, are correct;
2. Point out mistakes, mis-statements, missing data or information, if any;
3. Draw attention, where necessary, to the statutory or customary procedure and point out the relevant law and rules;
4. Furnish other relevant data or information available in the department, if any;
5. State the questions for consideration and being out clearly the points requiring decision;
6. Draw attention to precedents;
7. Evaluate relevant data and information; and
8. Suggest, where possible alternative courses of action for consideration.

**5. Standard Process Sheets** - For dealing with cases of repetitive nature, e.g., sanctioning of leave/GPF advances, forwarding of applications, etc., standard process sheets given in the Handbook of House Keeping Jobs issued by the Department of Administrative Reforms and Public Grievances are being used. No notes will be recorded in such cases. In respect of substantive matters, dealt with by the departments standard process sheets on similar lines are being used.

**6. Level of disposal and channel of submission –**

(1) An officer above the level of Section Officer will take action on a case in accordance with the departmental instructions prescribing the level of final disposal and channel of submission for each category of cases.

(2) As far as possible it will be ensured that the number of level is reduced to minimum.

(3) Wherever level jumping is done in accordance with the departmental instructions in respect of any category of cases, each such case will pass through on its return, all the levels in the prescribed channel of submission.

**7. Direct submission of cases by senior assistants -**

(1) An assistant in a conventional section who has more than five years service in the grade including at least six months in the concerned section can submit all his cases direct to the Branch Officer. In appropriate cases, assistants with less than five years service in the grade is also permitted to submit cases direct to Branch Officer.

(2) All the cases directly submitted by assistants to the Branch Officer will, as a rule, go back to the assistants through the Section Officer. The Section Officer is free to bring to the notice of the Branch Officer any omission or flaws in the submission of cases or the decisions taken and thus give an opportunity to the Branch Officer to reconsider the matter.

**8. Examination by Officer -**

(1) An officer will regularly discuss with his staff to decide the course of action to be taken on various cases. Normally, a single note will be put up to the decision making level after the line of action is decided.

(2) For dealing with important problem solving issues, the technique of paper rating may be used. This involves entrusting an officer or a Group of Officers with preparing a comprehensive paper which will be put up straight to the decision making level. The paper will contain the background to the problem, issues arising out of it, precedents if any, analysis of all relevant facts and recommendations.

**9. Departure from normal procedures or rules –** In every case where a major or minor infraction, other than trivial, of the existing procedures or rules is sought to be made, it shall be the responsibility of the decision making authority to ensure that reasons are set out in writing, warranting such a departure from the rules or procedures.

**10. Running summary of facts –** To facilitate consideration and to obviate repeated recapitulation, a running summary of facts will be prepared and placed on the file in a separate folder labeled as such in

every case in which it is evident that such a summary would contribute to its speedy disposal. This summary will also include the advice or views of other departments consulted in the matter but not opinions of individual officer within a department. It should be kept up-to-date, whenever further developments take place.

## **11. Guidelines for noting –**

- (1) All notes will be concise and to the point. Lengthy notes are to be avoided.
- (2) The verbatim reproduction of extracts from or paraphrasing of the paper under consideration, fresh receipt, or any other part of correspondence or notes on the same file, should not be attempted.
- (3) When passing orders or making suggestions, an officer will confine his note to the actual points he proposes to make without reiterating the ground already covered in the previous notes. If he agrees to the line of action suggested in the preceding notes, he will merely append his signature.
- (4) Any officer, who has note upon a file on which a running of facts is available will, in drawing attention to the facts of the case, refer to the appropriate part of the summary without repeating it in his own note.
- (5) Relevant extracts of a rule or instruction will be placed on the file and attention to it will be drawn in the note, rather than reproducing the relevant provisions in the note.
- (6) Unless a running summary of facts is already available on the file or the last note on the file itself serves that purpose, a self-contained summary will be put up with every case submitted to the Minister. Such a summary will bring out briefly but clearly relevant facts, including the views expressed on the subject by other departments, if any, consulted in the matter and the point or points on which the orders of the Minister are sought.
- (7) If apparent errors or mis-statements in a case have to be pointed out or if an opinion expressed therein has to be criticized, care should be taken to couch the observations in courteous and temperate language free from personal remarks.
- (8) When a paper under consideration raises several major points which require detailed examination and respective orders, each point (or group of related points) will be noted upon separately in sectional notes; such notes will each begin with a list of the major points dealt with therein.
- (9) Notes and orders will normally be recorded on note sheets.
- (10) The dealing hand will append his full signatures with date on the left below his note. An officer will append his full signatures on right hand side of note with name, designation and date.
- (11) A note will be divided into serially numbered paragraphs of easy size, say ten lines each. Paragraphs may preferably have brief titles. The first paragraph will give an indication of the evidence and the conclusions reached. The final paragraph should weigh the arguments and make recommendation for action.

## **12. Modification of notes or orders**

- (1) Senior officers should not require any modification in, or replacement of, the notes recorded by their junior once they have been submitted to them. Instead the higher officers should record their own notes giving their views on the subject, where necessary, correcting or modifying the facts given in earlier notes. In any case the replacement or modification of the notes, which have already been recorded on a file, when the file has been further noted upon by others, should not be permitted.

(2) Pasting over a note or a portion of it to conceal what has been recorded is not desirable. Where a note recorded in the first instance requires any modification on account of additional facts or any error having come to notice a subsequent note may be recorded keeping the earlier note intact.

(3) Where a final decision already communicated to a party is found later on to have been given on a mistaken ground or wrong facts or wrong interpretation of rules due to misunderstanding, such a withdrawal may have also legal implications. In all such cases, in addition to consulting the Ministry of Law, wherever necessary, such a withdrawal should be permitted only after the approval of an officer higher than the one who took the original decision, has been obtained and reasons for the reversal or modification of the earlier decision have been duly recorded on the file.

### **13. Noting on files received from other departments.**

(1) If the reference seeks the opinion, ruling for concurrence of the receiving department and requires detailed examination, such examination will normally be done separately through routine notes and only the final result will be recorded on the file by the officer responsible for commenting upon the reference. The officer to whom such a note is submitted will either accept that note or record a note of his own. In the former case he may direct that the note in question or a specified portion thereof may be reproduced on the main file for communication to the department concerned. In the latter case, he will record a suitable note on the main file itself. In either case, a copy of the note recorded on the main file will be kept on the routine notes for retention in the receiving department before the file is retained to the originating department.

(2) The department will open subject wise files each year in which such routine notes will be kept. The inter-departmental note recorded on the file of the originating department will bear the subject file number to facilitate filing of papers and their retrieval for future reference.

(3) Where the reference requires information of a factual nature or other action based on a clear precedent or practice, the dealing hand in the receiving department may note on the file straight away.

(4) Where a note on a file is recorded by an officer after obtaining the orders of a higher officer, the fact that the views expressed therein have the approval of the latter should be specifically mentioned.

### **14. Aids to processing**

(1) To facilitate processing of cases, each section will develop and maintain the following records for important subjects dealt with by:-

- a) Standing guard files;
- b) Standing notes,
- c) Precedent book;
- d) Standard process sheets; and
- e) Reference folders containing copies of circulars etc.

(2) Apart from copies of acts, rules, orders and instructions concerning subjects dealt with by it, each section maintains, for ready reference, the Constitution of India and certain acts, rules and instructions of a general nature.

(3) The documentation-cum-reference system will include reference material peculiar to the needs of the functional sections and consciously developed information system to act as an aid to policy formulation, review and operational decisions.

## **15. Oral discussions**

(1) All points emerging from discussions between two or more officers of the same department and the conclusions reached will be recorded on the relevant files by the officer authorizing action.

(2) All discussions/instructions/decisions, which the officer recording them considers to be important enough for the purpose, should be got confirmed by all those who have participated in or are responsible for them. This is particularly desirable in cases where the policy of the Government is not clear or where some important departure from the prescribed policy is involved over where two or more levels differ on significant issues or the decision itself, though agreed upon by all concerned is an important one.

## **16. Oral instructions by higher officers**

(1) Where an officer is giving direction for taking action in any case in respect of matters on which he or his subordinate has powers to decide, he shall ordinarily do so in writing. If, however, the circumstances of the case are such that there is no time for giving the instructions, he should follow it up by a return confirmation at his earliest.

(2) An officer shall, in the performance of his official duties, or in the exercise of the powers conferred on him, act in his best judgement except when he is acting under instructions of an official superior. In the latter case, he shall obtain the direction in writing wherever practicable before carrying out the instructions, and where it is not possible to do so, he shall obtain return confirmation of the directions as soon, thereafter as possible. If the officer giving the instructions is not his immediate superior but one higher to him in the hierarchy, he shall bring such instructions to the notice of his immediate superior at the earliest.

## **17. Oral orders on behalf of or from Minister**

(1) Whenever a Member of the personal staff of a Minister communicates to any officer an oral order on behalf of the Minister, it shall be confirmed by him in writing immediately thereafter.

(2) If any officer receives oral instructions from the Minister or from his personal staff and the orders are in accordance with the norms, rules, regulations or procedures they should be brought to the notice of the Secretary (or head of the department where the officer concerned is working in or under a non-secretariat organization).

(3) If any officer receives oral instructions from the Minister or from his personal staff and the orders are not in accordance with the norms, rules, regulations or procedures, he should seek further clear orders from the Secretary (or the head of the department in case he is working in or under a non-secretariat organization). About the line of action to be taken, stating clearly that the oral instructions are not in accordance with the norms, rules, regulations or procedures.

## **18. Confirmation of oral instructions –**

(1) If an officer seeks confirmation of an oral instruction given by his superior, the latter should confirm it in writing whenever such confirmation is sought.

(2) Receipt of communications from junior officers seeking confirmation of oral instructions should be acknowledged by the senior officers or their personal staff, or the personal staff of the Minister, as the case may be.

**19. Examination and progressing of cases in which two or more authorities are consulted –** Where two or more State Governments, Central Departments or other authorities are simultaneously consulted,



the examination and, where necessary, tabulation of the replies will ordinarily be started as soon as replies begin to arrive and not held over till the receipt of all the replies or the expiry of the target date.

## **20. Filing of papers –**

(1) Papers required to be filed will be punched on the left hand top corner and tagged on to the appropriate part of the file, viz., notes, correspondence, appendix to notes and appendix to correspondence in chronological order, from left to right, the latest being at the bottom.

(2) Normally, each part of the file will be placed in a separate file cover. Where, however, 'notes' and 'correspondence' are not bulky, both may be placed in a single file cover by tagging the correspondence portion onto the right side of the cover and the notes portion onto the left side of the same cover. Similarly, both the appendix to notes and appendix to correspondence may be filed in a single file cover, if they are not bulky.

(3) Routine receipts and issues (e.g., reminders, acknowledgements) and routine notes will not be allowed to clutter up the file. They will be placed below the file in a separate cover and destroyed when they have served their purpose.

(4) When either the 'notes' or the 'correspondence' portion of a files becomes bulky (say, exceeds 100 pages), it will be stitched and marked 'Volume I'. Further papers on the subject will be added to the new volume of the same file, which will be marked 'Volume II', and so on.

**21. Arrangement of papers in a case. –** The papers in a case will be arranged in the following order from top downwards: -

- (1) Reference book;
- (2) Notes portion of the current file ending with the note for consideration;
- (3) Running summary of facts;
- (4) Draft for approval, if any;
- (5) Correspondence portion of the current file ending with the latest receipt or issues, as the case may be;
- (6) Appendix to notes and correspondence;
- (7) Standing guard file, standing note or reference folder, if any;
- (8) Other papers, if any, referred to, e.g., extracts of notes or correspondence from other files, copies of orders, resolutions, gazettes, arranged in chronological order, the latest being placed on the top;
- (9) Recorded files, if any, arranged in chronological order, the latest being placed on the top; and
- (10) Routine notes and papers arranged in chronological order and placed in a separate cover.

## **22. Referencing –**

- (1) Every page in each part of the file (viz., notes, correspondence, appendix to notes, and appendix to correspondence) will be consecutively numbered in separate series, in pencil. Blank intervening pages, if any, will not be numbered.
- (2) Each item of correspondence in a file, whether receipt or issue, will be assigned a serial number which will be displayed prominently in red ink on the right top corner of its first page.
- (3) The paper under consideration on a file will be flagged 'PUC' and the latest fresh receipt noted upon, as 'F.R.'. In no circumstances, will a slip, other than 'PUC' and 'FR', be attached to any paper in a current file. If there are more than one F.R. they should be flagged separately as F.R.I. F.R. II, so on and I.
- (4) In referring to the papers flagged 'PUC' or FR, the relevant page numbers will be quoted invariably in the margin. Their page numbers will refer to other papers in a current file only.

- (5) Recorded files and other papers put up with the current file will be flagged with alphabetical slips for quick identification. Only one alphabetical slip will be attached to a recorded file or compilation. If two or more papers contained in the same file or compilations are to be referred to, they should be identified by the relevant page numbers in addition to the alphabetical slip. E.g. A/23n, A/17c, and so on.
- (6) To facilitate the identification of references to papers contained in other files after the removal of slips, the number of the file referred to will be quoted invariably in the body of the note and the relevant page number, together with the alphabetical slip attached thereto, will be indicated in the margin. Similarly, the number and date of orders, notifications and resolutions, and, in the case of acts, rules and regulations, their brief titles together with the number of the relevant section, rule, paragraph or clause, referred to will be quoted in the body of the notes, while the alphabetical slip used, will be indicated in the margin.
- (7) Rules or other compilations, referred to in a case need not be put up if copies thereof are expected to be available with the officer to whom the case is being submitted. The fact of such compilations not having been put up will be indicated in the margin of the notes in pencil.
- (8) The reference slips will be pinned neatly on the inside of the papers sought to be flagged. When a number of papers put up in a case are to be flagged, the slips will be spread over the entire width of the file so that every slip is easily visible.

### **23. Linking of files –**

- (1) if the issues raised in two or more current files are so inter-connected that they must be dealt with together simultaneously, the relevant files will be linked in the manner indicated in (2) below. Such linking may also be resorted to if a paper on one current file is required for reference in dealing with another current file unless a copy of the paper can be conveniently placed on that first file.
- (2) When files are to be linked, strings of the file board of the lower file (but not its flaps) will be tied round the upper file and those of the file board or flap of the upper file tied underneath it in a bow out of the way so that each file is intact with all its connected papers properly arranged on its file board or flap.
- (3) On receipt back after completion of action, the linked files will be immediately delinked after taking relevant extracts and placing them on the linked files, where necessary.

### **24. Use of urgency grading –**

- (1) The two urgency gradings authorized for use on cases are 'Immediate' and 'Priority'.
- (2) The label 'Immediate' will be used only in cases requiring prompt attention. Amongst the rest, the 'Priority' label will be used for cases which merit disposal in precedence to others of ordinary nature.
- (3) Where Lok/Rajya Sabha labels for questions, motions, bills are used, it will not be necessary to use, in addition, 'Immediate' or 'Priority' label.
- (4) The grading of urgency assigned to a case will be reviewed by all concerned at different stages of its progress and where necessary, revised. This is particularly important for cases proposed to be referred to other departments.

**The norms for the discharge of functions  
(Under section 4(1) (b) (iv) of Right to Information Act, 2005)**

All the Officers and Staff members of this Office contain the norms for the discharge of the functions that have to be followed in the Rules and the decisions of the Government of India, which are to be scrupulously followed,. Among the norms on which emphasis generally is laid are the following:

- (i) The normal hours of attendance are 9.30 A.M. to 6.00 P.M. on all working days.
- (ii) Office will remain closed on all Saturdays, Sundays and other holidays declared by the Government.
- (iii) Every member of the staff is expected to be in his/her seat and to start work by 9.30 A.M. unless he/she has previously obtained special permission for late attendance.
- (iv) Attendance register as prescribed in the Manual of Office Procedure will be maintained in each Section.
- (v) Every member of the staff should, on arrival, enter in ink clearly his initial together with the time of arrival against his/her name.
- (vi) Every member of the staff should record his/her initial with time of departure while leaving office.
- (vii) The administrative authorities for the enforcement of punctuality should take strict measures.
- (viii) Surprise visit by the Head of Organisation and other senior officers to the various sections may be carried out to ensure that the attendance is regular and that there are no arrears of work and that efficiency, neatness and tidiness are generally maintained.
- (ix) The lunch hour must be scrupulously examined.
- (x) A list of the addresses of all officers and members of the staff should be maintained up-to-date in the administration section.
- (xi) Each member of the staff is responsible for the work assigned to him/her.
- (xii) Each member of the staff is responsible for all official papers and articles belonging to the office, which are entrusted to him/her for official use.
- (xiii) Every officer is expected to exercise the same vigilance in respect of expenditure incurred from public moneys as a person of ordinary prudence to exercise in respect of expenditure of his/her own money.
- (xiv) The expenditure should not be prima-facie more than the occasion demands.
- (xv) No authority would exercise its powers of sanctioning expenditure to pass an order, which will be directly, or indirectly to its own advantage.
- (xvi) Expenditure from public money should not be incurred for the benefit of a particular person or section of the people unless a claim for the amount could be enforced in a court of law or the expenditure is in pursuance of a recognized policy or custom.
- (xvii) The amount of allowances granted to meet expenditure of a particular type should be so regulated that the allowances are not on the whole a source of profit to the recipients.
- (xviii) The authority concerned will have to keep the public interest uppermost in its mind while making a procurement decision.
- (xix) All orders conveying sanctions to expenditure of a definite amount or up to a specific limit should express the amount of expenditure sanctioned both in words and figures.
- (xx) Each staff member should maintain absolute integrity at all times.
- (xxi) Each staff member should maintain absolute devotion to duty at all times.
- (xxii) Each staff member should render prompt and courteous service to the public.
- (xxiii) Each staff member should maintain political neutrality.
- (xxiv) Each staff member should observe courtesy and consideration to Members of Parliament and State Legislatures.
- (xxv) Each staff member should act in accordance with Government rules, Regulations and Policies.
- (xxvi) The authority concerned should ensure that the benefit under the schemes being operated by the office is given only to those SSI units having permanent registration.

**The rules, regulations instructions etc. held by DC(MSME) or under its control or used by its employees for discharging its functions  
(Under section 4(1)(b)(v) of Right to Information Act, 2005)**

The rules, regulations and other records held by Hqrs. Office of DC(MSME) are as under:

- (i) The Interest on Delayed Payments to Small Scale and Ancillary Industrial Undertakings (Amendment) Act, 1998.
- (ii) Recruitment Rules, as under:

| Sl.No. | Short Title   |
|--------|---|
| 1.     | Small Scale Industries Organisation [Class I and II (gazetted) posts] Recruitment Rules, 1962   |
| 2.     | Small Industries Development Organisation (Group A-Posts) Recruitment Rules, 1977   |
| 3.     | Ministry of Industry, Small Industry Development Organisation Group 'A' and Group 'B' Posts Recruitment Rules, 2000                         |
| 4.     | Ministry of Industry, Small Industry Development Organisation Group 'A' and 'B' (Gazetted) Posts Recruitment Rules, 1996                    |
| 5.     | Ministry of Industry, Small Industry Development Organisation Group 'A' and 'B' Posts Recruitment Rules, 1996                               |
| 6.     | Ministry of Small Scale Industries, Small Industry Development Organisation the Deputy Director (Chemical) Recruitment Rules, 2002          |
| 7.     | The Junior Officers and Investigators (Small Scale Industries Organisation) Recruitment Rules, 1962   |
| 8.     | The Small Industries Development Organisation (Small Industry Promotion Officer)(Food Preservation) Recruitment Rules, 1980                 |
| 9.     | The Small Industries Development Organisation (Small Industry Promotion Officer (Electronics) Recruitment Rules, 1983                       |
| 10.    | The Small Industries Development Organisation (Assistant Programmer) Recruitment Rules, 1983  |
| 11.    | Ministry of Industry, the Small Industries Development Organisation (Senior Hindi Translator) Recruitment Rules, 1983                       |
| 12.    | The Technical Officer (Machine Shop) and Technical Officer (Chemical Laboratory) Recruitment Rules, 1990                                    |
| 13.    | Small Industry Promotion Officer (Hosiery) (Small Scale Industries Organisation) Recruitment Rules, 1996                                    |
| 14.    | Small Industry Promotion Officer (Hosiery) (Small Scale Industries Organisation) Recruitment Rules, 1996                                    |
| 15.    | The Small Industries Development Organisation (Group 'C' and 'D' posts) Recruitment Rules, 1980   |
| 16.    | The Small Industries Development Organisation Investigator (Electronics) Recruitment Rules, 1980  |
| 17.    | The Small Industries Development Organisation Investigator (Food) Recruitment Rules, 1980   |
| 18.    | The Small Industries Development Organisation (Junior Hindi Translator) Recruitment Rules, 1982   |
| 19.    | The Investigator (Small Industries Development Organisation) Recruitment Rules, 2000  |
| 20.    | The Ministry of Small Scale Industries, the Small Industries Development Organisation Junior Hindi Translator, Group 'C' Posts, Recruitment |

|     |  |
|-----|--|
|     | Rules, 2002  |
| 21. | The Ministry of Small Scale Industries, the Small Industries Development Organisation Investigator (Economic Investigation), Group 'C' Posts, Recruitment Rules, 2002                  |
| 22. | The Ministry of Small Scale Industries, the Small Industries Development Organisation Senior Hindi Translator, Recruitment Rules, 2003   |
| 23. | The Ministry of Small Scale Industries, Small Industries Development Organisation, Small Industry Promotion Officer (Economic Investigation), Group 'B' Posts, Recruitment Rules, 2004 |
| 24. | The Ministry of Small Scale Industries, the Small Industries Development Organisation, Group 'B' Posts Recruitment Rules, 2004   |

The above rules regulate recruitment to Group A, B, C & D posts in DC(MSME).

In addition, this office also follows rules, regulations, instructions, orders, etc. issued by various Ministries/Departments, in the day-to-day management of its affairs.

**A statement of the categories of documents that are held by DC(MSME) or under its control  
(Under section 4(1)(b)(vi) of Right to Information Act, 2005)**

The categories of documents that are held by this office is as under:

1. Constitution of India.
2. Government of India (Allocation of Business) Rules.
3. Government of India (Transaction of Business) Rules.
4. Authentication (Orders and Other Instruments) Rules.
5. 'Procedure in regard to submission of cases to the cabinet' issued by the Department of Cabinet Affairs.
6. Official Languages Act and Instructions issued thereunder.
7. Rules of procedure and conduct of business in Lok Sabha.
8. Directions by the Speaker under the rules of procedure and conduct of business in Lok Sabha.
9. Rules of procedure and conduct of business in Rajya Sabha.
10. 'Procedure to be followed by Ministries in connection with Parliamentary work' issued by Lok Sabha Secretariat.
11. Departmental security instructions issued by the Ministry of Home Affairs.
12. 'Channel of communication between the Government of India and State Governments on the one hand and Foreign and Commonwealth Governments or their Missions in India, Heads of Indian Diplomatic Missions and Posts abroad and United Nations and its specialized Agencies on the other' issued by the Ministry of External Affairs.
13. Standardised functional file index including its file numbering system relating to establishment, finance, budget and account, office supplies and services and other house keeping jobs common to all departments, issued by the Department of Administrative Reforms and Public Grievances.
14. Schedule of periods of retention for records common to all departments issued by the Department of Administrative Reforms and Public Grievances.
15. Manual for Handling Parliamentary work in Ministries.
16. Manual of Office Procedure.
17. Annual Reports of the Ministries/Departments of the Government of India.

Apart from above, copies of Acts, Rules, Orders and instructions concerning the subjects being dealt with by this office are also maintained. This office also maintains a host of technical books required for its efficient functioning. Further, the following records relating to the important subjects dealt with in this office are also developed and maintained for facilitating processing of cases: -

- (a) Standing guard files;
- (b) Standing notes;
- (c) Precedent book;
- (d) Standard process sheets; and
- (e) Reference folders containing copies of circulars, etc.

**The particulars of any arrangement that exists for consultation with  
orrepresentation by the members of the public in relation to the formulation of its  
policy or implementation thereof  
(Under section 4(1) (b) (vii) of Right to Information Act, 2005)**

There exists a non-statutory body in the form of NBMSME, under the Chairmanship of the Union Minister MSME, which apart from members from Central/State Government Ministries/Departments/Institutions has members from the national and state level industry associations. The main function of the Board is to advise the Government on all policy matters relating to the development of small-scale industries.

2. Even at State/Union Territory level there exists NBMSME like mechanism, which provides platform for state level associations and other related with the development and promotion of the MSME-sector within the State.
3. There also exists a Department related Parliamentary Standing Committee, who meets periodically to review the policies and programmes and action taken on its recommendations on different issues relating to the MSME Sector from time to time.
4. In addition this office coordinates and interacts with different industry associations/stakeholders while finalizing any policy issue pertaining to the development and promotion of the tiny and small enterprises. Moreover, during the annual convention of the MSME, the associations and the people of repute from MSME are invited to participate so as to benefit from their viewpoint on different issues concerning this Sector.
5. This Organisation conducts subject related sensitization programmes wherein the people belonging to the sector are apprised and informed about the existing policies and programmes at different level and other issues relating to the MSME. These include sensitization programmes like World Trade Organisation including implication of globalisation and Governments measures, patent related issues, etc. The views expressed at such fora and other fora are taken care of while framing/modifying policies and programmes.

**A statement of the boards, councils, committees and other bodies consisting of two or more persons constituted as its part or for the purpose of its advice, and as to whether meetings of those boards, councils, committees and other bodies are open to public or the minutes of such meetings are accessible for public  
(Under section 4(1)(b)(viii) of Right to Information Act, 2005)**

The various Boards/Committees constituted and functioning in this office are as follows:

- (i) National Board for MSME (NBMSME).  
(The Board advises the Government on policy matters and promotional schemes relating to the development of Small Scale Industries.)
- (ii) State Level Advisory Boards for Micro, Small & Medium Enterprises (MSME).  
(To advice on issues concerning small scale industries specially State related matters including functioning of District Industries Centres (DICs), SISIs and other promotional agencies under Development Commissioner Micro, Small & Medium Enterprises [(DC(MSME))].
- (iii) High Powered Committee for Integrated Infrastructure Development Scheme  
(The Committee considers projects appraised and recommended by Small Industries Development Bank of India (SIDBI) and accords approval and sanction for implementation of the scheme.)
- (iv) Steering Committee for Small Industry Cluster Development Programme.  
(The Committee considers all project proposals for cluster development and accords approval/sanction.)
- (v) Implementation Committee for Small Industry Cluster Development Programme.  
(This Committee supervises the implementation of the projects taken up under the Programme.)
- (vi) Steering Committee to implement the National Programme for Development of the Stone Industry.  
(The Committee monitors, guides and supervises the programme.)
- (vii) Steering Committee to implement the National Programme for the Development of Indian Machine Tools Industries in collaboration with United Nation Industrial Development Organisation (UNIDO).  
(The Committee monitors, guides and supervises the programme.)
- (viii) Steering Committee on National Programmes for Development of Indian Toy Industry.  
(The Committee monitors, guides and supervises the programme.)
- (ix) Steering Committee on National Programmes for Development of Indian Lock Industry.  
(The Committee monitors, guides and supervises the programme.)
- (x) Steering Committee for the National Projects on Promoting Energy Efficiency in Hand Tools SSI sector in India.  
(The Committee monitors, guides and supervises the programme.)
- (xi) Steering Committee for approval of setting up Sub-Contracting Exchanges (SCX) by industries associations/Non Government Organisations.  
(The committee scrutinizes the proposals and makes recommendations for the amount to be released to each SCX)
- (xii) SSI-Market Development Assistance Committee.  
(The Committee considers and accords approvals on proposals for reimbursement of expenditure incurred by individuals/industries associations for bar coding, market study, participation in overseas fairs, etc.)
- (xiii) Steering Committee for reimbursement of ISO-9000 certification expenses  
(The Committee considers applications for reimbursement of expenditure incurred by SSI units for ISO-9000 certification and accords approval for release of funds to the applicants.)

- (xiv) National Level Selection Committee for National Award for (i) small entrepreneurs, (ii) for Research & Development effort in SSI and (iii) quality products in small-scale sector.
- (xv) Governing and Technology Approval Board (GTAB) – for Credit Linked Capital Subsidy Scheme for Technology Upgradation for Small Industries.  
(The Committee monitors the scheme and also identifies new technologies to be covered under the scheme.)
- (xvi) Official Language Implementation Committee  
(This Committee monitors the progress of implementation of Official Language in the office.)
- (xvii) Small Enterprise Network (SENET) Implementation Committee.  
(This Committee monitors the progress of office automation and matters relating to e-governance.
- (xviii) Steering Committee for Trade Related Entrepreneurship Assistance Development (TREAD) Scheme for Women.  
(This Committee examines and approves the Government of India grants to be given to NGOs for capacity building in the TREAD Scheme for Women)

The meetings of the above Committees are neither open to public nor their minutes are accessible to them.



## **Other Information**

### **(Under section 4(1)(b)(xvii) of Right to Information Act, 2005)**

#### **Some essential tips**

##### **When does RTI Act come into force?**

It comes into force on the 12th October 2005 (120th day of its enactment on 15th June, 2005). Some provisions have come into force with immediate effect viz. obligations of public authorities [S.4 (1)], designation of Public Information Officers and Assistant Public Information Officers [S.5 (1) and 5(2)], constitution of Central Information Commission (S.12 and 13), constitution of State Information Commission (S.15 and 16), non-applicability of the Act to Intelligence and Security Organizations (S.24) and power to make rules to carry out the provisions of the Act (S.27 and 28).

##### **Who is covered?**

The Act extends to the whole of India except the State of Jammu and Kashmir.

##### **What does information mean?**

Information means any material in any form including records, documents, memos, e-mails, opinions, advices, press releases, circulars, orders, logbooks, contracts, reports, papers, samples, models, data material held in any electronic form and information relating to any private body which can be accessed by a public authority under any other law for the time being in force but does not include "file notings"

##### **What does Right to Information mean?**

It includes the right to -

- i. Inspect works, documents, and records.
- ii. Take notes, extracts or certified copies of documents or records.
- iii. Take certified samples of material.
- iv. Obtain information in form of printouts, diskettes, floppies, tapes, video cassettes or in any other electronic mode or through printouts.[S.2(j)]

##### **Exemptions**

The following is exempt from disclosure

- i. Information, disclosure of which would prejudicially affect the sovereignty and integrity of India, the security, strategic, scientific or economic interests of the State, relation with foreign State or lead to incitement of an offence
- ii. Information which has been expressly forbidden to be published by any court of law or tribunal or the disclosure of which may constitute contempt of court;
- iii. Information, the disclosure of which would cause a breach of privilege of Parliament or the State Legislature;
- iv. Information including commercial confidence, trade secrets or intellectual property, the disclosure of which would harm the competitive position of a third party, unless the competent authority is satisfied that larger public interest warrants the disclosure of such information;
- v. 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;
- vi. Information received in confidence from foreign Government;

- vii. Information, the disclosure of which would endanger the life or physical safety of any person or identify the source of information or assistance given in confidence for law enforcement or security purposes;
- viii. Information which would impede the process of investigation or apprehension or prosecution of offenders;
- ix. Cabinet papers including records of deliberations of the Council of Ministers, Secretaries and other officers;
- x. Information which relates to personal information the disclosure of which has no relationship to any public activity or interest, or which would cause unwarranted invasion of the privacy of the individual;
- xi. Notwithstanding any of the exemptions listed above, a public authority may allow access to information, if public interest in disclosure outweighs the harm to the protected interests.

**Partial disclosure.**

Only that part of the record, which does not contain any information, which is exempt from disclosure and which can reasonably be severed from any part that contains exempt information, may be provided.

**Public Authority: Definition**

It means any authority or body or institution of self-government established or constituted: [S.2 (h)]

- by or under the Constitution;
- by any other law made by Parliament;
- by any other law made by State Legislature;
- by notification issued or order made by the appropriate Government. and includes any-
  - a. body owned, controlled or substantially financed
  - b. non-Government organization substantially financed directly or indirectly by the appropriate Government.

**Who are Public Information Officers (PIOs)?**

PIOs are officers designated by the public authorities in all administrative units or offices under it to provide information to the citizens requesting for information under the Act. Any officer, whose assistance has been sought by the PIO for the proper discharge of his or her duties, shall render all assistance and for the purpose of contraventions of the provisions of this Act, such other officer shall be treated as a PIO.

**What are the duties of a PIO?**

- PIO shall deal with requests from persons seeking information and where the request cannot be made in writing, to render reasonable assistance to the person to reduce the same in writing.
- If the information requested for is held by or its subject matter is closely connected with the function of another public authority, the PIO shall transfer, within 5 days, the request to that other public authority and inform the applicant immediately.
- PIO may seek the assistance of any other officer for the proper discharge of his/her duties.
- PIO, on receipt of a request, shall as expeditiously as possible, and in any case within 30 days of the receipt of the request, either provide the information on payment of such fee as may be prescribed or reject the request for any of the reasons specified in S.8 or S.9.
- Where the information requested for concerns the life or liberty of a person, the same shall be provided within forty-eight hours of the receipt of the request.
- If the PIO fails to give decision on the request within the period specified, he shall be deemed to have refused the request.
- Where a request has been rejected, the PIO shall communicate to the requester - (i) the reasons for such rejection, (ii) the period within which an appeal against such rejection may be preferred, and (iii) the particulars of the Appellate Authority.

- PIO shall provide information in the form in which it is sought unless it would disproportionately divert the resources of the Public Authority or would be detrimental to the safety or preservation of the record in question.
- If allowing partial access, the PIO shall give a notice to the applicant, informing:
  - a. that only part of the record requested, after severance of the record containing information which is exempt from disclosure, is being provided;
  - b. the reasons for the decision, including any findings on any material question of fact, referring to the material on which those findings were based;
  - c. the name and designation of the person giving the decision;
  - d. the details of the fees calculated by him or her and the amount of fee which the applicant is required to deposit; and
  - e. his or her rights with respect to review of the decision regarding non-disclosure of part of the information, the amount of fee charged or the form of access provided.
- If information sought has been supplied by third party or is treated as confidential by that third party, the PIO shall give a written notice to the third party within 5 days from the receipt of the request and take its representation into consideration.
- Third party must be given a chance to make a representation before the PIO within 10 days from the date of receipt of such notice.

### **What is the Application Procedure for requesting information?**

1. Apply in writing or through electronic means in English or Hindi or in the official language of the area, to the PIO, specifying the particulars of the information sought for.
2. Reason for seeking information are not required to be given;
3. Pay fees as may be prescribed (if not belonging to the below poverty line category).

### **What is the time limit to get the information?**

1. 30 days from the date of application
2. 48 hours for information concerning the life and liberty of a person
3. 5 days shall be added to the above response time, in case the application for information is given to Assistant Public Information Officer.
4. If the interests of a third party are involved then time limit will be 40 days (maximum period + time given to the party to make representation).
5. Failure to provide information within the specified period is a deemed refusal.

### **What is the fee?**

1. Application fees to be prescribed which must be reasonable.
2. For Small Industry Development Organisation, the fee charged is Rs. 2/ per page for information requested in print /photocopy form. Rupees fifty for information on floppy form Rs. 100 for CD and Rs. 500/-- for information on Videocassette form.
3. If further fees are required, then the same must be intimated in writing with calculation details of how the figure was arrived at;
4. Applicant can seek review of the decision on fees charged by the PIO by applying to the appropriate Appellate Authority;
5. No fees will be charged from people living below the poverty line

6. Applicant must be provided information free of cost if the PIO fails to comply with the prescribed time limit.

### **What could be the ground for rejection?**

1. If it is covered by exemption from disclosure. (S.8)
2. If it infringes copyright of any person other than the State. (S.9)

### **Appellate Authorities**

1. In all cases pertaining to DC (MSME) Hqrs. Office list of Appellate Authority is given in chapter XVI of this handbook. In respect of field offices, Head of institutes is the Appellate Authority.
2. Second Appeal: Second appeal to the Central Information Commission or the State Information Commission as the case may be, within 90 days of the date on which the decision was given or should have been made by the First Appellate Authority. (The Commission may condone Delay if sufficient cause is shown).
3. Third Party appeal against PIO's decision must be filed within 30 days before first Appellate Authority; and, within 90 days of the decision on the first appeal, before the appropriate Information Commission, which is the second appellate authority.
4. Burden of proving that denial of Information was justified lies with the PIO.
5. First Appeal shall be disposed of within 30 days from the date of its receipt. Period extendable by 15 days if necessary. (S.19)

### **Penalty provisions**

Every PIO will be liable for fine of Rs. 250 per day, up to a maximum of Rs. 25,000/-, for

- i. Not accepting an application;
- ii. Delaying information release without reasonable cause;
- iii. Malafidely denying information;
- iv. Knowingly giving incomplete, incorrect, misleading information;
- v. Destroying information that has been requested and
- vi. Obstructing furnishing of information in any manner.

The Information Commission (IC) at the Centre and the State levels will have the power to impose this penalty. The Information Commission can also recommend disciplinary action for violation of the law against an erring PIO.

### **Jurisdiction of courts**

Lower Courts are barred from entertaining suits or applications against any order made under this Act. (S.23) However, the writ jurisdiction of the Supreme Court and High Courts under Articles 32 and 225 of the Constitution remains unaffected.

**FORMS:**

1. **Application for seeking Information: FORM –A** the application form should be simple and the Dealing hand at the facilitation counter should give reasonable assistance to the applicant to fill up the forms.
2. **Performa for acknowledgement.**
3. **Performa for transfer of application. – FORM -B**
4. **Performa for rejection order – FORM –C**
5. **Format of register to be maintained by the Public Information officer.**

**The forms are as follows:**

**Form ‘A’  
Form of application for seeking information  
(See rule 3)**

**I.D.No \_\_\_\_\_  
(For official use)**

**To**

**The Competent Authority,**

.....  
.....

1. Name of the Applicant: .....
  2. Address: .....
  3. Particulars of information.  
(a) Concerned department: .....
  - (b) Particulars of information required: .....
  - i. Details of information required: .....
  - ii. Period for which information asked for : .....
  - iii. Other details: .....
4. I state that the information sought does not fall within the restrictions contained in the Right to Information Act, 2005 and to the best of my knowledge it pertains to your office.
5. A fee of Rs. \_\_\_\_\_ has been deposited in the office of the Competent authority  
Vide No \_\_\_\_\_ dated \_\_\_\_\_.

Place: .....

Date: .....

Signature of Applicant  
E-mail address, if any .....  
Tel. No. (Office) .....  
(Residence) .....

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Note: - (i) Reasonable assistance can be provided by the competent authority in filling up the Form A.

(ii) Please ensure that the Form A is complete in all respect and there is no ambiguity in providing the details of information required.

**ACKNOWLEDGEMENT OF APPLICATION IN FORM –A**

I.D No \_\_\_\_\_

Dated: \_\_\_\_\_

1. Received an application in Form A from Shri/Ms. \_\_\_\_\_ resident of \_\_\_\_\_ under the Right to Information Act, 2005.
2. The information is proposed to be given normally within 30 days from the date of receipt of application and in case it is found that the information asked for cannot be supplied, the rejection letter shall be issued stating reason thereof.
3. The applicant is advised to contact the Shri. \_\_\_\_\_ Between 11 A.M to 1 P.M.
4. In case the applicant fails to turn up on the scheduled date(s), the Competent Authority shall not be responsible for delay, if any
5. The applicant shall have to deposit the balance fee, if any, with authorized person before collection of information.
6. The applicant may also consult Web site of the department from time to time to ascertain the status of his application.

Signature and Stamp of the  
Authority accepting the application

E-mail address:.....

Web site: .....

Tel.No .....

Dated .....

**Form 'B'**

**TRANSFER OF APPLICATION FORM**

From \_\_\_\_\_

No. F. \_\_\_\_\_

Date : .....

To,

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Sir / Madam,

Please refer to your application; I.D. No. \_\_\_\_\_ dated \_\_\_\_\_ addressed to the undersigned regarding supply of information on \_\_\_\_\_

2. The requested information does not fall within the jurisdiction of this Competent Authority and, therefore, your application is being referred herewith to Shri \_\_\_\_\_
3. This is supersession of the acknowledgement given to your on \_\_\_\_\_

Yours faithfully,

Competent Authority.

E-mail address: .....

Web site: .....

Tel. No. ....

Form 'C'  
**Rejection Order**  
[See rule 8&9]

From \_\_\_\_\_

No. F. \_\_\_\_\_

Dated : .....

To,  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Sir/ Madam,

Please refer to your application; I.D. No. \_\_\_\_\_ dated \_\_\_\_\_ addressed to the undersigned regarding supply of information on \_\_\_\_\_

2. The information asked for cannot be supplied due to following reasons: -
  - i).....
  - ii).....
  
3. As per Section 7 (8) of Right to Information Act, 2005, you may file an appeal to the Appellate authority, within 30 days of the issue of this order.

You're faithfully,

Competent Authority.  
E-mail address: .....  
Web site: .....  
Tel. No.....