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## **O.P. KHORWAL**

Convener Standing Committee on RTI Act – SCOPE  
Consultant to ILO & SCOPE on RTI  
Former General Manager, NTPC  
Arbitrator on panel SFCA

Ref. rti/opk/NHPC/4298

Dated:13-01-2018

Chief Engineer, CA & CPIO  
NHPC LTD, Corporate Office,  
Faridabad , Haryana.


**Kind Attn: Mr. Deepak Saigal**

Ref. NH/RTI/misc./1708-09,dated:14-11-2017

Subject: ~~Letter for~~ <sup>Report-</sup> RTI audit at NHPC, Faridabad  
Dear Sir,

Please refer to your award letter for the work of RTI audit vide your letter ref. no. NH/RTI/Misc./ 1708-09 dated Novmbr,14/11/,2017 accordingly on completion of the subject audit, find enclosed herewith the detailed original audit report for the year 2016-17 as pr DoPT Circular dated 15-04-2013 along with the necessary certification  
Thanking you,

Yours truly,

  
13/01/2018  
O.P.Khorwal,  
CEO/Proprietor

**Excel Engineers & Consultant**  
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Encl. As above

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सूचना का  
अधिकार  
RIGHT TO  
INFORMATION

**RTI AUDIT**  
**ON**  
**RTI ACT IMPLEMENTATION IN NHPC**  
**(COMPLIANCE OF SECTION-4)**  
**FOR**  
**(2016-2017)**

By

**O.P.Khorwal, CEO & Consultant**  
**RTI Management & Consultant**  
**K-63, SaritaVihar, New Delhi 110076**

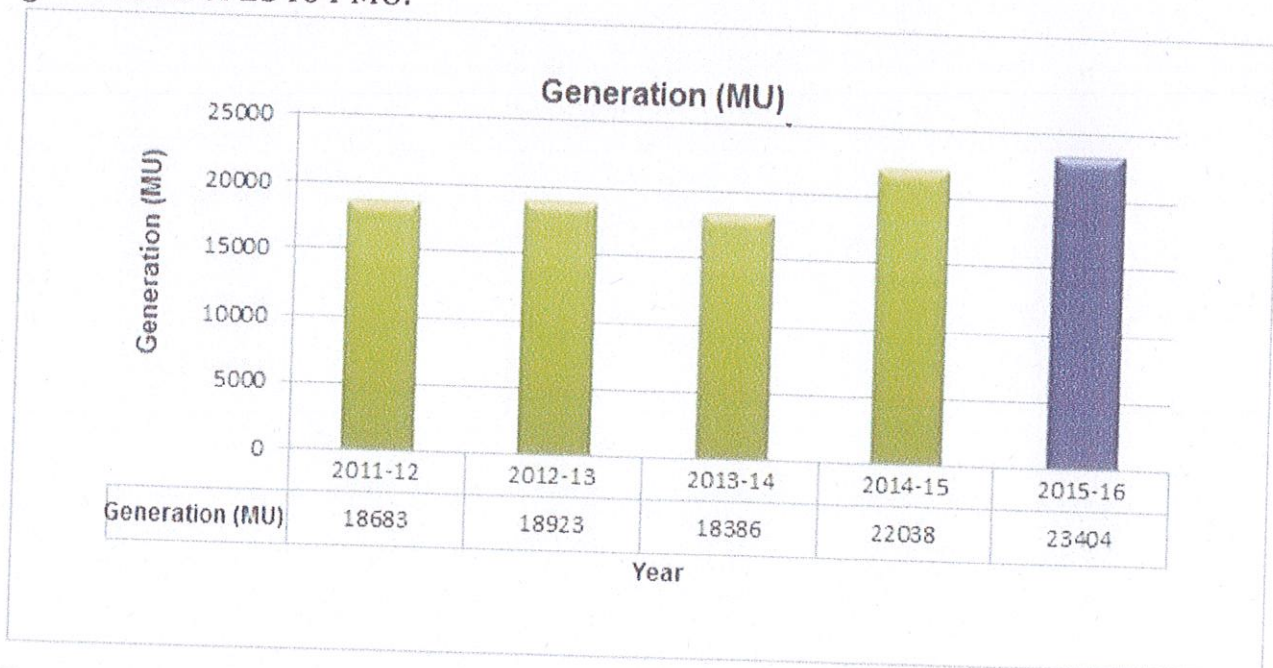
	INDEX	PAGE NO.
1.0	INTRODUCTION	3
2.0	IMPLEMENTATION OF RTI ACT	6
3.0	OFFICERS CONTACTED	8
4.0	COMPLIANCE OF RTI ACT	8
5.0	OBTAINING INFORMATION	8
6.0	ACCEPTANCE OF CASH	9
7.0	COMPLIANCE OF SEC. (4) BY NHPC	9
8.0	SUO-MOTU/ PROACTIVE DISCLOSURES	9
9.0	STATUS OF APPLICATIONS	9
10.0	STATUS OF FIRST APPEALS	10
11.0	STATUS OF SECOND APPEALS	10
12.0	ANNUAL/QUARTERLY REPORTS	10
13.0	UPDATE OF INFORMATION ON WEB	10
14.0	TRAINING OM 24-06-2008	10
15.0	AVAILABILITY OF CIRCULARS DOPT/CIC	11
16.0	UPDATE OF RTI REPLIES ON WEB	11
17.0	CITIZEN CHARTER	11
18.0	PPP RELATED INFORMATION	11
19.0	PROCUREMENT, BIDS & AWARDS	11
20.0	CAG & PAC PARA AND ATR	11
21.0	RTI PARA IN ANNUAL REPORT	12
22.0	TRANSFER POLICY & ORDERS ON WEB	12
23.0	AUDIT OF AA & CPIO	12
24.0	OBSERVATIONS	13
25.0	RECOMMENDATIONS	14
26.0	CERTIFICATION	15

## 1.0 INTRODUCTION

### Overview

NHPC Limited, a Govt. of India Enterprise, was incorporated in the year 1975 with an authorised share capital of Rs. 2,000 million and with an objective to plan, promote and organise an integrated and efficient development of hydroelectric power in all aspects. Later on NHPC expanded its objects to include development of power in all its aspects through conventional and non-conventional sources in India and abroad. At present, NHPC is a Mini Ratna Category-I Enterprise of the Govt. of India with an authorised share capital of Rs. 1,50,000 Million. NHPC is ranked as a premier organization in the country for development of hydropower. Initially, on incorporation, NHPC took over the execution of Salal Stage-I, Bairasiul and Loktak Hydro-electric Projects from Central Hydroelectric Project Construction and Control Board. Since then, it has executed 20 projects with an installed capacity of 6507 MW on ownership basis including projects executed by NHDC Limited, a Subsidiary Company of NHPC Limited. NHPC has also executed 5 projects with an installed capacity of 89.25 MW on turnkey basis. Two of these projects have been commissioned in neighbouring countries i.e. Nepal and Bhutan.

During the financial year 2015-2016, NHPC Power Stations achieved the generation of 23404 MU.



During the Year 2015-16, NHPC had a Sales of Rs. 7347 Crore with a Net Profit of Rs. 2440 Crore.

## **Vision**

To be a global leading organization for sustainable development of clean power through competent, responsible and innovative values.

## **Objectives**

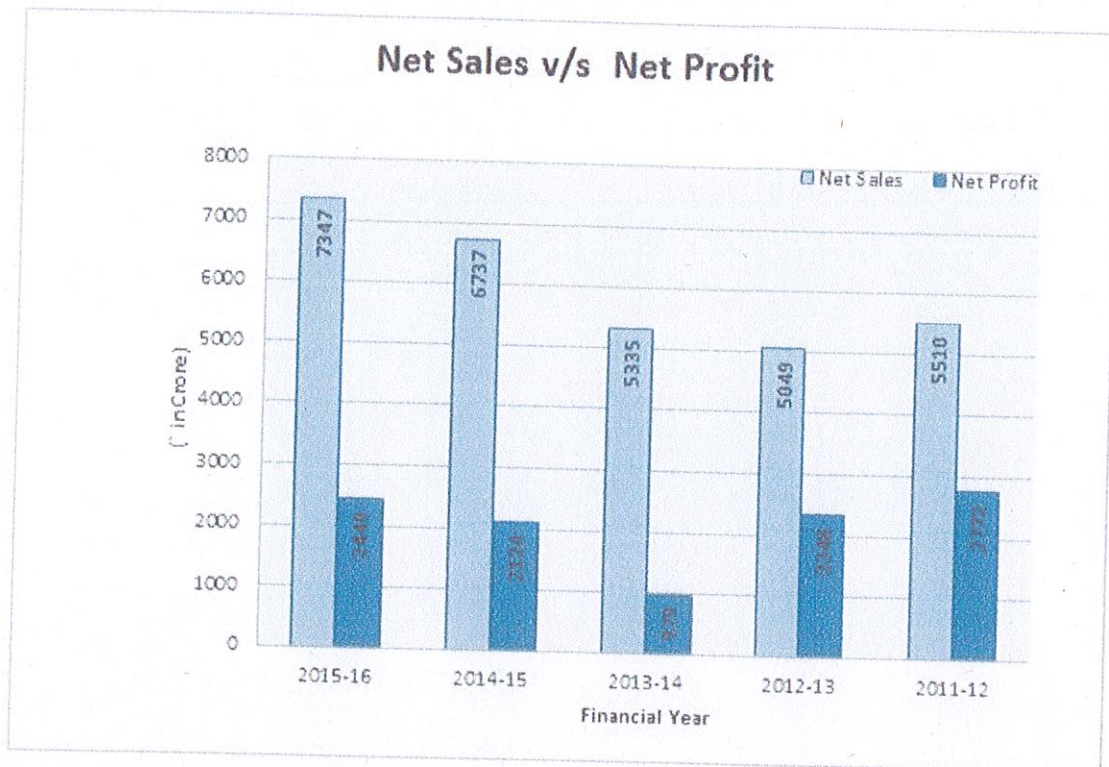
To Plan, promote and organize an integrated and efficient development of power in all its aspects through Conventional and Non Conventional Sources in India and Abroad, including planning, investigation, research, design and preparation of preliminary, feasibility and definite project reports, construction, generation, operation and maintenance of power stations and projects, transmission, distribution, trading and sale of power generated at Stations in accordance with the national economic policy and objectives laid down by the Central Government from time to time and release of water and other needs to the State Govt. as per the agreed parameters.

To undertake, where necessary, the construction of inter-state transmission lines and ancillary works for timely and coordinated inter-state exchange of power.

To coordinate the activities of its subsidiaries, to determine their economic and financial objectives / targets and to review, control, guide and direct their performance with a view to secure optimum utilization of all resources placed at their disposal.

To act as an agent of Government / Public Sector financial institutions, to exercise all the rights and powers exercisable at any meeting of any Company engaged in the planning, investigation, research, design and preparation of preliminary, feasibility and definite project reports, construction, generation, operation, maintenance of Power Stations and Projects, transmission, distribution, trading and sale of power in respect of any shares held by the Government, Public financial institutions, nationalized banks, nationalized insurance companies with a view to secure the most effective utilization of the financial investments and loans in such companies and the most efficient development of the concerned industries.

To carry on the business of purchasing, selling, importing, exporting, producing, trading, manufacturing or otherwise dealing in all aspects of planning, investigation, research, design and preparation of preliminary, feasibility and definite project reports, construction, generation, operation and maintenance of Power Stations and Projects, transmission, distribution and sale of Power, Power Development, including forward, backward or



Presently NHPC is engaged in the construction of 5 projects aggregating to a total installed capacity of 4290 MW including 1000 MW (PakalDul HE Project) being executed through JV Company. 10 projects of 7151 MW are awaiting clearances/Govt. approval for their implementation including 3 Projects of 1186 MW to be executed through Subsidiary/Joint Venture Companies.

#### **Mission**

To achieve excellence in development of clean power at international standards.

To execute & operate projects through efficient and competent contract management and innovative R&D in environment friendly and socio-economically responsive manner.

To develop, nurture and empower the human capital to leverage its full potential.

To practice the best corporate governance and competent value based management for a strong corporate identity and showing concern for employees, customer, environment and society.

To adopt & innovate state-of-the-art technologies and optimize use of natural resources through effective management.

horizontal integration ancillary and other allied industries and for that purpose to install, operate and manage all necessary plants, establishments and works.

### **Profile**

Authorised Capital	Rs. 1,50,000 Million
Value of Assets	Rs. 3,87,180 Million Approx.
Paid Up Capital	Rs. 123,010 Million 31.03.2010
Projects Completed	22 Nos. (6717 MW)
Projects Under Construction	3 Nos. (3130 MW)
Projects Awaiting Clearances	8 Nos. (5133 MW)
Projects Under Survey and Investigation Stage	3 Nos. (1130 MW)
Joint Venture Projects	6 Nos. (3370 MW)
Projects on Turnkey Basis	5 Nos. (89.25 MW)

### **2.0 Implementation of the RTI Act.2005**

NHPC as per the records available in the RTI Cell, had started the implementation of the RTI Act 2005, immediately after the enactment of the RTI Act in 2005 as statute by the Government of India. As per the records, the company had nominated one Centralised Appellate Authority (AA), one Centralised Central Public Information Officer and 37 Assistant Public Information Officer (APIOs) for its projects, power stations, regional offices and other units of NHPC. In addition NHPC has also nominated Transparency officer to comply with CIC order.

Applications are being received by CPIO and Assistant Public Information Officers (APIOs) as per provisions in the RTI Act and implementation guidelines issued by DoPT. Information to the applicants is being provided through centralised system from corporate office by CPIO only. Quarterly reports to CIC and Ministry is also being compiled & furnished through centralise system by CPIO at corporate office. CPIO time to time is regularly updating the APIOs with latest developments in the area of RTI Implementation through circulars and IOMs.

One number of Appellate Authority (AA) is independently receiving the appeals and disposing of the same in line with the provisions under the act that within stipulated period of 30 days.

List of the Appellate Authorities, CPIO, APIOs and TO is attached at **Annexure "I"**

At present following officers are directly responsible for smooth implementation of the RTI act 2005 in CC.

Shri Balraj Joshi	Chairman & Managing Director (CMD)
Board Members	Functional Directors of NHPC
Shri Avinash Kumar	ED(HR) & Appellate Authority
Mrs. SavitriSrivastav	GM(IT)&Transparency Officer
Shri Deepak Saigal	Chief Engineer (C)&CPIO
Shri M.K.Verma	Senior Manager(RTI-Cell)
Shri K.M.Tripathi	Manager(RTI-Cell)
Shri R.K.Mittal	Manager(RTI-Cell)
Business units/Projects	APIOs
All Employees	As Custodians of Information

NHPC, RTI Cell has prepared a Hand Book on Right to Information Act 2005, in English and Hindi, which has been circulated as well as given to all employees at projects/power stations/units and Corporate Centre. This



covers important provisions, frequently asked questions, important circulars, decisions and details of CPIO, APIOs & other important information. This is very useful in the implementation of the RTI Act in NHPC. Copy is attached at Annexure II.

In addition during the RTI week, NHPC arranges quiz related to RTI implementation, this helps in wider awareness of the RTI Act among employees. Copy of the quiz with answer sheet is attached as Annexure III.

### **3.0 Officers contacted for the Audit**

In order to conduct the RTI audit in the NHPC, a public authority, as per provisions under the act, following officials have been contacted for discussions and providing relevant inputs for smooth audit.

Shri Avinash Kumar	ED(HR) & Appellate Authority
Shri Deepak Saigal	Chief Engineer (C) & CPIO
Shri M.K.Verma	Senior Manager(HR)
Shri K.M.Tripathi	Manager(C)
Shri R.K.Mittal	Manager(C)
Shri Pradeep Rajalwal	Manager(C)
Shri Sandip Kumar	Assistant Manager(C)
Shri Rakesh Jawane	Assistant Programmer(IT)

### **4.0 Compliance of RTI Act in NHPC (Compliance of Section 4(1)(b))**

In accordance with the act it was the obligations of all the public authorities to comply with the provisions of the section 4(1)(b),(c) & (d) and to publish the same within 120 days from 15-06-2005 for smooth implementation of the Act from the date of enactment as 12-10-2005, NHPC had to proactively disclose all the information as mentioned in 19 paras i.e.(a) i to xvii,(b) &(c) NHPC has disclosed most of the data/details/ information with respect to these points on the website under RTI portal. Detailed point / para wise status/ compliance against each point/ Para is given in the attached Annexure II.

### **5.0 Provision for obtaining of information by citizen of India**

Detailed procedure for obtaining information by the citizen of India/ applicant from NHPC has been adequately provided under the RTI portal, including particulars of Appellate Authorities (AA) Central Public

Information Officer (CPIO) ,37 Assistant Public Information Officers (APIOs). Copy enclosed at Annexure I.

For making appeal as per section 19 of the act, NHPC has also provided the complete details and procedure for filing first appeal to First Appellate Authority or any other correspondence related to RTI with the Appellate Authority, procedure for filing Second Appeal to Second Appellate Authority along with the address and contact details are also being given in the order of Appellate Authority.

### **6.0 Acceptance of cash by NHPC for RTI Fee**

It is accepting cash against application fee as well as for additional fee for providing information, as per the Fee Rules of RTI Act 2005.

### **7.0 Compliance of Section 4(1) (a)**

Detailed discussions were held with heads of departments for implementation of the act & providing of information as well as with respect to record management being followed by them.

All the departments have nominated nodal officer at Corporate office. Nodal officers of respective department's co-ordinate with custodian officers of information and assist respective GM/Chief Engineer in faster disposal of appeals & RTI applications.

CPIO is regularly updating the APIOs with latest developments in the area of RTI Implementation through circulars and IOMs.

There is standard record management policy Guidelines exists in NHPC since 2005. The record officer has been nominated at all the projects and at corporate office.

Computerisation of the documents & records indexing & cataloguing are in advance stage of process.

### **8.0 Suo-motu disclosures under section 4(2), 4(3) & 4(4)**

NHPC as per requirement of Suo-motu disclosures under 4(2), 4(3) & 4(4) has provided adequate information related to its functions, on the web site as well as in the annual report in English and Hindi.

## **9.0 Status of RTI applications for the year 2016-2017**

No. of applications received during the year = 532+9(OB)=541  
No. of applications disposed of during the year = 522  
No. of applications disposed of within 30 days =520  
No. of applications disposed of after 30 days = 75\*  
No. of applications pending, if any, =09\*\*

\* Applications where additional fees was sought.

\*\* Application received in last fortnight of Financial Year.

However, all the applications have been disposed of within 30 working days, hence included above only two applications beyond 30 days.

## **10.0 Status of RTI appeals to first appellate authority for the year 2016-2017**

No. of appeals received during the year = 62+9(OB)=71  
No. of appeals disposed of within 30 days = 71  
No. of appeals disposed of after 30 days = 00  
No. of appeals pending, if any, = 00

## **11.0 Status of RTI second appeals to CIC for the year 2016-2017**

No. of appeals received during the year = 10  
No. of appeals disposed of during the year = 10

## **12.0 Quarterly Reports (section 25)**

As per the records, all the 4 quarterly reports were physically available in the office of CPIO, NHPC and seen by me. It has been found that NHPC is regularly submitting quarterly reports to CIC, in the prescribed time and Performa of DoPT. The copies of quarterly report are enclosed at Annexure III.

## **13.0 Update of information (Section 4 (xvii))**

NHPC has confirmed that, it is updating the information every year & as and when required. Presently, updated information is available on the website by 30-10-2017.

#### **14.0 Training on RTI (Section 26 )**

NHPC is regularly deputing CPIOs/APIO and other officials for RTI training. During the year 2016- 2017NHPC have deputed 5 officers for RTI training. NHPC has also conducted one in-house RTI program. Considering the number of APIOs and the quantum of applications are being received more, awareness program for employees of NHPC on RTI needs to be organised for faster disposal of applications and saving of the administrative time & cost.

#### **15.0 Availability of latest circulars, guidelines and notifications on RTI**

NHPC RTI section has been created a separated RTI Cell Corner at NHPC internal website (Intranet). All DoPT Circulars, important CIC/Court orders are displayed on intranet RTI Cell corner to keep its employees acquainted and uptodate. Also Circulars of DoPT & CIC are available in the RTI Cell at Corporate Centre. They are keeping all the relevant circulars/notifications readily available in separate RTI circular file.

#### **16.0 Update of Replies on Website**

Regarding Update of RTI replies on website, NHPC is uploading the RTI replies on the website in order to comply with the DoPT Circular No. 1/1/2013-IR, Dated: 21-10-2014.

#### **17.0 CITIZEN CHARTER**

NHPC has published the information regarding citizen charter on the website as per DoPT Circular dated 15-04-2013.

#### **18.0 PPP CONTRACTS/ AGREEMENTS**

NHPC has to publish the information regarding PPP contracts/Agreements on the website as per DoPT Circular dated 15-04-2013. NHPC, presently is not having any such agreement/ assignments.

#### **19.0 PROCUREMENTS /BID AWARDS**

NHPC has to publish the information regarding contracts/bid awards on the website as per DoPT Circular dated 15-04-2013. NHPC, is putting the

information related to procurement giving complete details of the awards such as name of the contractor and value.

## **20.0 CAG & PAC PARA**

NHPC has included the CAG & PAC para in their annual report at page no. 349, which is available on the web site of the company as well as in the hard copy of the annual report 2016-2017. Annexure IV

## **21.0 RTI para in Annual Report**

NHPC in their annual report have included a para on implementation of RTI Act 2005, along with status of applications disposed of during the financial year 2016-17 at page no. 23. Annexure V.

## **22.0 Transfer Policy & Transfer Orders**

The transfer policy of employees is available on the website of NHPC, however, the transfer orders are being put on the intranet of NHPC, which is available only to the employees. In case any applicant seeking for the specific transfer order of the employee is being provided as per the provision under the act after applying the section 8 of the RTI Act 2005 if applicable.

## **23.0 Examination/ Audit of CPIO Office/AA Office**

Detailed discussions were held in the office of Mr. Deepak Saigal CPIO, on 01-12-2017 & 10-01-2018 along with full team of RTI Cell with respect to implementation of RTI Act and Audit. The process of RTI application disposal in NHPC including obtaining of information from other departments/custodians of information were also checked and examined, which has been found satisfactory. RTI receipts register is being maintained properly by NHPC. The dispatch register is also being properly maintained by NHPC.

The CPIO is furnishing the information in accordance with the provisions under the act.

Detailed discussions were also held in the office of Shri Avinash Kumar, Appellate Authority on 01-12-2017 with respect to implementation of RTI Act & Appeal disposal process of NHPC. The orders of First Appellate Authority were examined and found in order. The First Appellate Authority is issuing clear speaking orders with reasoning. It is advised to include the

details of the second appellate authority in the order issued by First appellate authority.

Records of documents, availability of relevant circulars /guidelines, training of officers on RTI etc were also examined , observation during the audit have been highlighted under the detailed observation.

#### **24.0 Observations;**

All the concerned documents, registers, files, website of NHPC including RTI Portal were examined /audited and detailed observations are as given below;

1.0 The pro active disclosures for sections 4(1)(b) have been adequately provided. Refer Annexure II. In addition, most of the provisions applicable to CPSEs have been complied of the DoPT Circular dated 15-04-2013.

✓ 2.0 Under Chapter4 (1) (b) (xi), Budget Allocations, budgets and actual expenditures details have not been provided. However, audited balance sheets given under RTI Portal.It needs to be provided for compliance for at least for last three years.

3.0 On examinations of records of replies & information provided to the applicants it has been found that NHPC is consistently providing the replies /information for 99 % within 30 days and only few applications were disposed beyond 30 days due to non receipt of the additional fee from the applicants. The applications were delayed because of seeking additional fee as per the RTI Fee Rules 2005, however, all the applications have been disposed of within 30 working days.

4.0 On examinations of appeals management, it has been found that 100% appeals were disposed of within 30 days.

5.0 Regarding Update of RTI replies on Web site NHPC has been uploading the RTI replies & AA Orders which are in the interest of the public, in order to comply the DoPT circular No. 1/1/2013-IR, Dated: 21-10-2014.

6.0 Maximum computerisation of the documents & records indexing & cataloguing have been done by NHPC.

✓ 7.0 NHPC has deputed CPIO/APIO/Nodal officers and other officials for RTI training at SCOPE & other training Institutes during the year 2016-2017. More, awareness program on RTI needs to be arranged for faster disposal of application at the projects, who are delaying the information submission to CPIO as per the section 26 of the RTI Act 2005 and DoPT OM 24-06-2008.

8.0 NHPC, RTI Cell has prepared a Hand Book on Right to Information Act 2005, in English and Hindi. Annexure VI In addition during the RTI week, NHPC arranges quiz related to RTI implementation, Annexure VII this helps in wider awareness of the RTI Act among employees also and so very

useful in the implementation of the RTI Act in NHPC effectively. This is an excellent implementation of the RTI act by the public authority.

Initiative taken by the NHPC in the area of Implementation of the RTI Act 2005 setting a good example for other PSUs.

## **25.0 Final Conclusions / Recommendation to NHPC**

NHPC is implementing the RTI ACT 2005 across all its offices at Corporate Office , Regional Offices & Projects/Power Stations as per the provisions under the RTI Act 2005 from the enactment of the statute that from 2005 itself.

NHPC has complied the obligations of public authority by pro active disclosures of the information as per section 4(1)(b) of the RTI Act by providing information on the web site except for the budget details 4(1)(b)(xi) which they have agreed to comply before the next revision of the website. Detailed status is given in the attached Annexure II. NHPC is implementing RTI ACT 2005 in right and true spirit, may be seen from the status of applications and appeals that all the applications have been disposed of by CPIO within the time limit of 30 days and also all the appeals were dispose of by the appellate authority within 30 days/45 days (as the case may be) as per the provisions in the act. Following needs to be complied at the time of revision or before the next year audit.

✓ 2.0 Under Chapter 4 (1) (b) (xi), Budget Allocations, budgets and actual expenditures details have not been provided. However, audited balance sheets given under RTI Portal, it needs to be provided by next revision/audit.

✓ 3.0 Considering the quantum of applications are being received related to various projects, more in house awareness program for employees of NHPC on RTI needs to be organised for faster disposal of applications and saving of the administrative time & cost.

In view of above, NHPC has totally complied all the parameters of the audit for the year 2016-2017.

## 26.0 Certification

In view of the above, it is concluded that NHPC is meeting the requirements of the provisions of RTI act that compliances for section 4 (1)(b) ,DoPT circular dated 15-04-2013 for Suo-Motu Disclosures and other provisions of the act. NHPC is providing the information against most of RTI applications within stipulated time of 30 days and most of the appeals have also been disposed of within stipulated time of 30 days clearly indict implementation of RTI Act in true spirit.

Certified By

  
O.P.Khorwal

13/01/2018

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