



**Institute of Human Resources Development  
Prajo'e Towers, Vazhuthacaud,  
Thiruvananthapuram-14**

*No.EA4/7999/2013/IHRD*

*Dated, 17.05.2016*

**CIRCULAR**

*Sub:- IHRD – Record retention schedule –instructions issued - Reg*

*Ref:- Government Circular No. Cdn 5/2014/GAD dated 09.02.2015*

In the Circular cited above, Government have directed all public sector units and autonomous institution in the State to formulate a record retention schedule and to ensure that the records are destroyed only in accordance with such stipulation and also to publish the same in the official website of public authorities. A copy of the circular is attached for ready reference. All heads of institution under IHRD are instructed to follow the instructions issued therein strictly in the matter of destroyal of all institutional records so that there won't be any instances of denial of information to the public for want of records.

In this connection the following further instructions are issued regarding the classification of final disposal, record retention and destruction of files in all institutions under IHRD including Headquarters.

1. As per the provisions of Manual of Office Procedure which is followed in IHRD, classification of final disposals are of the following types.
  - a) R. Dis – That are to be retained permanently
  - b) D.Dis – That are to be destroyed after 10 years
  - c) K.Dis - That are to be destroyed after 3 years
  - d) L. Dis – That are to be destroyed after 1 year
  - e) N.Dis – No disposal (those that are to be sent out in original)

Nature of disposal as above should be clearly indicated in all files finally closed with the approval of the authorized officer/head of institution.

2. R (Retain) and D (Destroy) disposal shall be put into brown paper disposal jackets and stitched before keeping in the record section.

3. In each institution there should be a record section which is very important as far as office is concerned. The old records containing important orders and decisions and valuable registers have to be arranged and kept in the record section for future reference. An Office Assistant may be assigned with the charge of the record section and he or she will be responsible for the upkeep of the closed files and records of the institutions.
4. The Head of institution/ Officer in charge shall ensure that the records are kept in an arranged manner so that it may be made available within the shortest time possible and also for weeding out of the old records.
5. All heads of institution shall ensure that any destruction of files shall be under competent administrative level with record showing that the file has been destroyed on the expiry of retention period or on such valid reason.
6. It should be ensured that, the records are destroyed in accordance with the stipulated procedure and also to publish the same in the official website without fail.
7. Any laxity in the upkeep and maintenance of closed files and records at the institutional level will attract penal provisions under the RTI Act, 2005.

*Sd/-*  
**Dr.P.Suresh Kumar**  
**DIRECTOR**

***Encl:- As stated above***

***To:-***

1. *All heads of institutions under IHRD*
2. *All heads of section in IHRD Headquarters*
3. *Administrative Officer*
4. *Finance Officer*
5. *Deputy Director*

***Copy to***

1. *All section in IHRD Headquarters*
2. *SF*
3. *OC*

***Approved for issue***

***Administrative Officer***

Annexure



GOVERNMENT OF KERALA

GENERAL ADMINISTRATION (CO-ORDINATION) DEPARTMENT

No.84393/Cdn.5/2014/GAD

Thiruvananthapuram, Dated: 09.02.2015

**CIRCULAR**

Sub:- General Administration - Right to Information Act, 2005 - formulating record retention schedule for public authorities - direction issued - reg.

- Ref:-
- 1) Judgment of the Hon'ble High Court of New Delhi in W.P.(C) 3660/2012 dated 13.09.2013 in respect of RTI Act, 2005.
  - 2) Order of the Central Information Commission No. CIC/DS/A/2013/001788-SA dated 29.08.2014
  - 3) Letter No. 16609/G8-Admn/14/SIC dated 28.10.2014 from the Secretary, State Information Commission, Thiruvananthapuram.

Persuant to the judgment of Hon'ble High Court referred to 1<sup>st</sup> above the Central Information Commission in its order referred above has held that plea of public authority, that the file containing the information sought for is missing or not traceable cannot be deemed as a valid exemption by RTI Act and plea of 'missing file' /'file not traceable' tends to discourage the very object of the RTI Act, 2005. Unless proved that record was destroyed as per the prescribed rules of destruction/retention policy, it is deemed that record continues to be held by public authority. Claim of file missing or not traceable has no legality as it is not recognized as exception by RTI Act. By practice 'missing file' cannot be read into as exception in addition to exceptions prescribed by RTI Act. It amounts to breach of Public Records Act, 1993 and punishable with imprisonment up to a term of 5 years or with fine or both. Public authority has a duty to initiate action for this kind of loss of public record, in the form of 'not traceable' or 'missing'. Every public authority should prescribe the record retention schedule and any destruction of file shall be under competent administrative level with record showing that the file has been destroyed on the expiry of retention period or on such valid reason.

The State Information Commission has also recommended Government to issue directions to all Public sector units and Autonomous institutions in the state in this regard. In the light of the above, Government hereby directs all Public sector units and Autonomous institutions in the state to formulate a record retention schedule and to ensure that the records are destroyed only in accordance with such stipulation and also to publish the same in the official website of public authorities.

**P.S.GOPAKUMAR**

Special Secretary to Govt.

To

The Secretary, State Information Commission, Thiruvananthapuram.  
All Departments in Government Secretariat

**All Public Sector Undertakings.**

**The Registrar, University of Kerala/Kochi/Calicut/Mahatma Gandhi/Kannur**

**The Registrar, Kerala Agricultural University, Mannuthi, Thrissur.**

**The Registrar, Sree Sankaracharya University of Sanskrit, Kalady, Aluva.**

**The Registrar Thunchathu Ezhuthachan Malayalam University,  
Thiroor, Malapuram.**

**The Registrar, Kerala Veterinary and Animal Science University, Camp Office,  
Kerala Agricultural University Campus, Mannuthi, Thrissur.**

**The Registrar, Kerala University of Health and Allied Science, Thrissur.**

**The Registrar, Kerala University of Fisheries and Ocean Studies,  
Panangad, Cochin.**

**The Secretary, Kerala State Electricity Board, Thiruvananthapuram.**

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

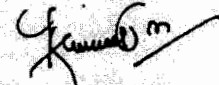
**The Director, Information & Public Relations Department.**

**(For wide publicity through media)**

**Web & New Media ( for uploacing in the Government Website)**

**Stock file/Office Copy**

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Section Officer

