

Records Management:

Introduction and Scope under various Legislations

What is a record?

- All information created, sent and received in the course of your job is potentially a record.
- Records provide evidence of your agency's business.
- Whether something is a record depends on the information it contains and the context.
- Records can be in paper, digital or other formats.
- The following are included in the category of records:
 - emails, faxes, spreadsheets, databases, maps and plans, samples and objects, information in business systems, letters, text messages, minutes, policy and briefing papers, photographs, research data, social media sites.

Need for Record Management

- Information is power and records are information.
- Record Management helps in checking unwieldy growth and accumulation of records, saves time by easy retrieval of information
- The basic dilemma faced by the record managers is 'To Keep or Not to Keep'
- The problem of RM is not something unique to modern day administration.
- The British Indian Government started a system of categorizing records to identify their importance and their future use. Records were marked as A, B and Deposit as per their administrative importance and future use.
- The British Indian administrators tackled the issue of weeding out ephemeral records with the 'Destruction of Records Act of 1879' which was amended later.

What records need to be kept?

- Broadly the following categories of records are retained permanently:
 - Administrative value
 - Informational value
 - Financial value
 - Legal value
 - Historical value / Age of a record
 - Unique records – signatures of dignitaries, seals of kings/Presidents/organizational heads, insignia of regiments, etc.

How to make a decision on keeping a record

➤ Use this checklist to see if you should make or keep a record:

- Did I write, send or use this in the course of my work?
- Am I (or is someone else) required to act on this?
- Will this information be needed in the future?

If you answer yes to any of these questions, you should make or keep a record.

What records can be destroyed?

- Destruction or disposition of records depends on the guidelines given in the Retention Schedule of each Department/ Organization
- For Central Government institutions there are four different types of Retention Schedules that are followed .
- CSMOP, Guidelines issued by the Department of Administrative Reforms & Public Grievances, GFR and those of substantive nature for each individual institutions.
- For Public Sector Undertakings, the Company would have come up with some guidelines/ orders issued from time to time taken in their Board Meetings

Disposition of records

- What records are disposed off?
- What are the guidelines? CSMOP and Public Records Act, 1993
- Different stages of disposition –
 - In section at the end of 1 or 2 years
 - In Records Rooms after review by the creating section at the end of period of review
 - Finally, at the time of appraisal i.e at the end of 25 years
- Precautions to be taken –
 - Always as per approved Retention Schedule
 - Always by the person authorized to do so.
 - In case of special drives, approval of competent authority required
 - Intimate the designated archives of the special drive
- Final disposal from creating agency to the archives – transfer after appraisal for their permanent value

Legislations on RM

- Public Records Act, 1993
- IT Act, 2000
- RTI Act, 2005

Public Records Act 1993

- Scope of the Act:
 - Covers all offices, Departments of Union Government, Union Territory Administrations, Statutory bodies and Public Sector Undertakings
- Sections : Contains 12 sections including definitions of various terminologies used in the Act, duties of the Director General, mandatory requirements of a Government Department like setting up of a Departmental Record Room, Departmental Records Officer, his duties, maintenance and disposition of records, penalty clauses for violations, advisory body to the Govt., training of archives professionals and DROs, etc.

Public Records Rules, 1997

- Public Records Rules came into force after its notification in 1997
- Helps in implementation of the provisions of the Public Records Act, 1993
- There are 12 rules which specify the actions taken under the Public Records Act, 1993 :
- Public Records Rules, 1997 is all about Forms management : 9 Forms
- Forms 1-7 deal with the information that is to be provided by various Records Creating Agencies
- Form 8 is the Registration Form for researchers wishing to consult records at NAI
- Form 9 is the form to be submitted by a researcher seeking copies of records in the custody of NAI

IT Act, 2000

- What was left out in the Public Records Act, 1993 became a revolutionary mode of managing records – electronic or computer generated records
- The fast paced growth of electronic records , its ease of creation, voluminous growth in short span and the problems of safety and security of these records made the Govt. come out with a legislation exclusively dealing with electronic records
- As custodians of all records – physical and electronic – NAI is now gearing up to receive electronic records generated by Government offices over past decade or so.
- Apart from electronic records it also deals with microfilms which are machine readable records and the legal provisions of maintaining microfilm rolls

- The challenges of receiving them are manifold: How to receive them, how to acknowledge the Records Creating Agency, what will happen to the deleted electronic records ; will there be any trace of their existence later, etc. are some of them
- Stakeholders – NAI, DAR&PG and NIC are working on the minute details and soon a new version of Central Secretariat Manual of E-Office procedures will be brought for the convenience of all Govt machinery.

RTI Act, 2005

- Revolutionary Act that gave power to the citizens
- It has changed the way records are being viewed by both the Govt and the citizens
- RTI Act, 2005 is making the Records Management practices mandatory in all Govt organizations.
- Transparency is also making us aware of the importance of maintaining records as per laid down procedures.
- In the interest of the Departments to maintain or dispose off records as per legislative provisions.