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INFORMATION

RTI AUDIT
ON
RTI ACT IMPLEMENTATION IN IRCON
(COMPLIANCE OF SECTION-4 & DoPT OM: 15-04-2013)
FOR
(2017-2018)

By

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1.0 INTRODUCTION

Ircon International Limited (Ircon), a government company, was incorporated on 28th April, 1976, in Delhi under the name Indian Railway Construction Company Limited mainly for the purpose of construction of Railway Projects in India and abroad on commercially prudent lines with the help of expertise from Railways. The name of the Company was changed to "Ircon International Limited" w.e.f. 17th October 1995 in tune with the international image and scope of operations of the Company.

The Company was originally registered as a private limited company with an authorized share capital of Rs.10 crores and equity paid-up share capital of Rs.10.02 lakhs, wholly contributed by the Government through Ministry of Railways. This paid-up share equity capital was increased by the Government from Rs. 10.02 lakhs to Rs.4.949 crores in 6 tranches from the year 1976 to 1985. 0.27% of paid-up share capital was disinvested by the Government of India in 1991-92 in favour of UTI (now with IRFC) and Bank of India Mutual Fund (now with Bank of India). As a result the Company was converted into a public limited company and its shares were got listed on Delhi and Mumbai stock exchanges in 1992. However, Ircon continues to be a Central Government Company under section 617 of the Companies Act 1956, with 99.715% of the share capital owned by the Government through the Ministry of Railways.

The initial authorized share capital of Ircon was Rs.10 crores and presently it stands at 400 crores and the subscribed and paid-up share capital is Rs.94.051 crores.

Ircon is - (a) A Schedule 'A' Company w.e.f. 15th May 2006; (b) A Mini Ratna Category -I since 1998; (c) A MoU signing Company since 1991- 92; (d) An ISO certified Company for Quality Management System for the organization since 1996, Environment Management System from 2011 and Occupational Health and Safety Management System (certified during 2012-13); and (e) A profit making company since 1977-78, a regular dividend payer from 1980-81, and a regular foreign exchange earner from 1981-82 without any lapse in any year.

Ircon is no more a listed company w.e.f. 15.03.2012. The equity shares of Ircon stand delisted from Bombay Stock Exchange w.e.f. 03.11.2011 and

from Delhi Stock Exchange w.e.f. 15.03.2012. However the government of India announced listing of shares of company in the budget for 2017-18 and accordingly the process of listing of shares is presently going on.

Operational Profile

The Company started its operations in 1977-78 and entered international market in a big way with a major breakthrough in Iraq followed by Algeria. Completion of project in time conforming to international standards earned for Ircon its reputation as one of the leading construction companies of India. Commencing its operations exclusively in the railway sector, the Company diversified its activities in 1985 to other constructions too. The scope was further enhanced in 1993 to include projects on BOT, BOOT, BLT etc., business relating to leasing, real estate, etc.

The core competences in order of priority are – Railways, Highways & EHT Sub-station Engineering and Construction. The Company has executed projects operated in the areas of Railways construction including ballast less track, electrification, tunneling, signal & telecommunication as well as leasing of locos, construction of roads, highways, commercial, industrial & residential buildings and complexes, airport runway and hangars, metro and mass rapid transit system, etc.

Presently, it is executing projects abroad in Myanmar, Nepal, Bangladesh, Algeria and South Africa. In India, it is executing several prestigious projects which include Construction of Corridor-III of East-West Corridor between Gevra Road to Pendra Road in State of Chhattisgarh and feasibility study in the State of Chhattisgarh; Doubling projects at RDUM-TAL-RJO (Rampur Dumra Tal Rajendrapul) project, Kiul Gaya, Hajipur- Bachwara, Katni-Singrauli project; Execution of Rail Coal Connectivity Project(s) in the state of Jharkhand, Odisha and Chhattisgarh. Execution of civil and railway allied works in connection with construction of private Railway siding for proposed Integrated Steel Plant at Nagarnar, Chhattisgarh; Akhaura - Agartala Rail Link project; Design and construction of Civil Building & Track Works of Dedicated Freight Corridor Project Vaitarana-Sachin Section; Additional work of Design, Drawing and Construction of External Development works & External Services at National Institute of Technology (NIT), Mizoram; Six-Laning of Davanagere-Haveri section of NH-48 in the State of Karnataka; and Additional works for Construction of Road Over Bridges (RoB's) in the State of Bihar (New RoB's-12) for East Central Railway.

Other projects under execution in India include BG New Railway line from Dharam to Qazigund in J&K; New Rail Coach Factory at Rae Bareli, U.P.; Construction of Corridor-I of East Corridor in the State of Chhattisgarh; Sivok-Rangpo New Rail Line Project; Road Over Bridges (RoBs) in the State of Bihar and Rajasthan; Widening and Strengthening of Bikaner Phalodi section of NH-15 in the State of Rajasthan; Four laning of Shivpuri-Guna Section of NH-3 in the State of Madhya Pradesh; Construction / upgradation of rural roads under Pradhan Mantri Gram Sadak Yojana (PMGSY) in Jharkhand and Bihar; RAPDRP Project in Jammu province in J&K; Rail link between Jayanagar (India) – Bijalpura (Nepal) and between Jogbani (Bihar) India to Biratnagar (Nepal), Electric Loco sheds at Bondamunda, Daund, and Mughalsarai; Coaching Terminal at Shalimar; Development of Circulating area at Santragachi and essential passenger amenities and road connectivity to Kona expressway; Metro works for Delhi Metro etc.

Major Projects secured after the close of the year 2016-17 includes Augmentation of Diesel Loco shed in Visakhapatnam; Katni Grade Separator for West Central Railway; Re-development of Safdarjung Railway Station; Railway electrification work for Katni-Singrauli; and Mathura-Kasganj-Kalyanpur Railway Electrification Project with Signalling.

During the year, the Company has completed projects in Bhutan and Bangladesh viz. (a) Bhutan – Turnkey project for dismantling existing sub-station and design, engineering, construction, supply, erection, testing and commissioning of sub-station at Paro; and (b) Bangladesh - Construction of 2nd Bhairab Railway Bridge.

The Company has also completed two projects in India viz. contract KT-4 for ballast less track of standard gauge in elevated section of Aluva to Petta corridor and contract KT-5R1 for standard gauge track work in Muttom Depot of Kochi Metro Rail Limited.

ORDER BOOK

The Company has secured new works worth Rs. 6,030 crore during the year, taking the work load to Rs. 18,878 crore as on 31st March 2017. Works secured after the close of the year, has taken the work load to Rs. 20,010 crore as on 30th June 2017.

CSR & SUSTAINABILITY

The Company has spent a total amount of Rs. 5.89 crore towards Corporate Social Responsibility (CSR) initiatives, broadly comprising of activities in the field of health, education, rural development, environment, facilities for differently abled, employment enhancing education, and Infrastructure development.

SUBSIDIARIES AND JOINT VENTURE COMPANIES

During the year, the Company formed a joint venture company called 'Bastar Railway Private Limited' (BRPL), incorporated on 5th May 2016, to implement coal connectivity projects in the State of Chhattisgarh with equity participation of 26% by Ircon.

After the close of the year, one wholly-owned subsidiary company by the name 'Ircon Davanagere Haveri Highway Limited' (IrconDHHL) was formed on 11th May 2017 to undertake the business of development, maintenance and management of National Highway No. 48 (Old NH-4).

Further, during the year the Company has divested its stake in following Companies:

- i) 25% in the Companhia Dos Caminhos De Ferro Da Beira SA (CCFB), a JVC formed for execution of Beira Rail Concession Project in Mozambique, consequent upon receipt of payment in terms of Settlement Agreement dated 21st October 2015 with Government of Mozambique in respect of dispute regarding termination of Concession.
- ii) Transferred 1% equity stake of Indian Railway Stations Development Corporation Limited (IRSDC) (out of 51% held by Ircon to RLDA) so as to make IRSDC a 50:50 JV Company in terms of Ministry of Railways letter dated 10.04.2017.

With these additions/ disinvestments, Ircon Group now comprises four subsidiaries (viz. Ircon Infrastructure & Services Limited, Ircon PB Tollway Limited, Ircon Shivpuri Guna Tollway Limited and Ircon Davanagere Haveri Highway Limited) and seven JVCs in India (viz. Ircon-Soma Tollway Private Limited, Indian Railway Stations Development Corporation Limited,

Chhattisgarh East Railway Limited, , Chhattisgarh East-West Railway Limited, Mahanadi Coal Railway Limited, Jharkhand Central Railway Limited, and Bastar Railway Private Limited).

Financial Profile

During 2016-17, Ircon has achieved turnover of Rs. 3254 crore, which is higher by 14% and profit before tax of Rs. 532 crore, which is lower by 12% as compared to previous financial year. The decline had been on account of substantial income recognized on settlement agreement with Government of Mozambique during 2015-16.

Ircon has paid a total dividend of Rs. 192.40 crore @ 550% of the paid-up share capital, which works out to 52.15% of post-tax profits for 2016-17.

Some important indicators of financial performance of the Company for the year 2016-17 vis-a-vis 2015-16 are given below:

(Rs. in crore)

S. No.	Particulars	2016-17	2015-16
1.	Total income (Gross Sales)	3254	2860
2.	Total Operating income	2995	2419
3.	Profit before tax	532	602
4.	Profit after tax	369	395
5.	Net worth	3828	3667

Awards

During the year 2016-17, the Company has won following awards:

Awarding Authority	Nature of Award	Year
India Pride Awards' by Dainik Bhaskar and Daily News & Analysis (DNA)	Excellence CSR / Environment Protection and Conservation	2016
Construction Industry Development Council (CIDC)	(i) Rail-cum-road Bridge across river Ganga, Patna (ii) Modern Coach Factory Rae	2016 2017

	Bareli	
Dun & Bradstreet	(i) Certificate for being ranked 93rd as per Total Income	2016
	(ii) Best Infrastructure Project for Setting up of Rail coach Factory, Rae Bareli at Lalganj (UP) Phase-I Project	2016
Governance Now	4th PSU award in the Category of HR Initiative (Miniratna-I)	2016

Function and Duties

Vision - Information may be accessed through the link:
<http://www.ircon.org> - Quick Menu - Company - Vision

Mission - Information may be accessed through the link:
<http://www.ircon.org> - Quick Menu - Company - Vision

Key Values - Information may be accessed through the link:
<http://www.ircon.org> - Quick Menu - Subsidiaries and Joint Ventures

Subsidiaries and Joint Ventures

Information may be accessed through the link: <http://www.ircon.org> - Quick Menu - Subsidiaries and Joint Ventures

Address of Ircon Corporate Office, Regional Offices and Project Offices

Information may be accessed through the link: <http://www.ircon.org> - Quick Menu - Office Network

2.0 Implementation of the RTI Act.2005

IRCON 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 per the records the company had nominated the Appellate Authority (AA), Central Public Information Officer (CPIO) & State Level Public Information Officer (SPIO) during the year 2005 and also notified the same on their website.

As per the system being followed for the implementation of the RTI act in IRCON, there is one centralise monitoring cell at Corporate Office, under the General Manager (CIVIL). There are 4 State Level Public Information Officers responsible for their respective region. There is one Assistant Public Information Officer (APIO) assisting to CPIO at corporate Centre. There is one First Appellate Authority for all business unit heads , Corporate & Regional offices .

All the applications for information are received by the CPIO, correspondence or information to the applicant is being provided by respective CPIO or State Level Public Information Officers only.

First Appellate Authority (FAA) is independently receiving the appeals related all the areas/ departments/business unit and disposing of the same in line with the provisions in the act within 30 days.

List of the First Appellate Authority, CPIOs, State PIOs & APIO is attached at **Annexure "I"**.

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

Mr. S.K.Chaudhary	Chairman & Managing Director
Mr. Masood Ahmad	General Manager.(Civil) & CPIO
Mr.S.L.Gupta	Executive Director & Appellate Authority
Mr.Devendra Sohaya	Joint General Manager(Civil) & APIO
Four	State Level PIOs
Business units	ED/HEADS
All Departments	Nominated Officers
All Employees	As Custodians of Information

3.0 Officers contacted for the Audit;

In order to conduct the RTI audit of the IRCON, Corporate Office & Northern Region following officials has been contacted for discussions and

obtaining the relevant inputs such as information, documents etc. for smooth audit.

Mr.S.L.Gupta.Executive Director(General) & FAA
Mr.Masood Ahmad, General Manager Civil) & CPIO
Mr.Devendra Sohaya Joint General Manager (Civil) & APIO
Mr. B.K.Thakur, Joint General Manager (Legal) & SLPI
Mr.P. Likhar, Dy. Manager, RTI Cell

4.0 Compliance of RTI act in IRCON (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) on proactive disclosures and to publish the same within 120 days from 15-06-2005 for smooth implementation of the RTI act from the date of its enactment that 12-10-2005, accordingly, IRCON has to proactively disclose all the information as mentioned in 17 paras i.e. 4(a) i to xvii, IRCON has provided data/details/ information with respect to 15 points on their website except 2(Two) items , which are not applicable to IRCON. Detailed point wise status is given in the **Annexure II**.

5.0 Details for obtaining of information by citizen of India

As per the act requirement at clause 4(1)(b)(xv) detailed procedure for obtaining information by the citizen of India from IRCON has been provided under RTI portal, including particulars & Contact details of FAA/CPIO/State Level PIO AND APIO.

For making first appeal as per section 19 of the act, IRCON has also provided the complete details of the First Appellate Authority along with his contact details.

6.0 Acceptance of cash by IRCON for RTI Fee

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

7.0 Compliance of Section 4(1) (a)

Detailed discussions were held with heads of three departments for implementation of the act & compliance of the section 4(1) with respect maintaining of the records. We contacted three departments i.e. RTI Cell, Civil Division and the Legal & Arbitration Cell.

All the three departments' have confirmed for maintaining the proper records management in their respective departments for faster retrieving of the information and providing the same to the concerned PIO. For RTI cell there is separate record retention policy in place as per circular dated 26-07-2016.

It has been told that all the departments are ISO Certified, and the ISO procedures are being followed in decision making process & with respect to the retention of the documents and weed out of the same as per the life of documents mentioned in the respective procedures which are being followed.

Computerisation of the documents & records indexing & cataloguing are under consideration.

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

IRCON as per requirement of Suo-motu disclosures under 4(2), 4(3) & 4(4) has provided adequate information on the web site as well as in their annual report. In addition to above, details of all type of projects being executed or under execution in India or globally have been adequately given on the website. The website also contains the details about domestic & global markets, future plans, annual report also covers all the financial parameters, operational highlights, order book positions, awards etc.

9.0 Status of RTI applications for the year 2017-18

No. Of applications received during the year	= 185
No. Of applications disposed of during the year	= 185
No. Of applications disposed of within 30 days	= 181
No. Of applications disposed of after 30 days	= 04
No. Of applications pending if any	= Nil

Note: (Delay due to holiday, Saturday & Sunday. Mostly all applications processed within 30 working days)

10.0 Status of RTI appeals to first appellate authority for the year 2017-2018

No. of appeals received during the year	= 30
No. of appeals disposed off during the year	= 33 (3 of the last year)
No. of appeals disposed of within 30 days	= 33
No. of appeals pending if any	= Nil

11.0 Status of RTI second appeals to CIC for the year 2017-2018

No. of appeals received during the year = 6
No. of appeals disposed of during the year = 6

12.0 Annual & Quarterly Reports (section 25)

As per the records physically seen related to the Quarterly Reports of IRCON; they are regularly submitting quarterly reports to CIC, in the prescribed Performa of DoPT. (Quarterly Reports for all the four quarters for the year 2017-18 are enclosed at **Annexure III**). Quarterly Reports are being collected by the RTI Cell from the four state level PIOs , records for those is available with the RTI Cell. Based on these reports consolidated single report is being prepared and forwarded to the concerned authorities by centralised RTI Cell functioning under the CPIO.

13.0 Update of information (Section 4 (xvii))

IRCON has confirmed & seen that, it is updating the information every year & as and when required. Presently, updated information is available on the website as on 15-05-2019.

14.0 Training on RTI (Section 26)& OM dated 24-06-2008

IRCON time to time is deputing its officers for RTI Programs & Seminars. It was suggested to have more in house training on RTI for creating awareness as per section 26 of the RTI Act & OM dated 24-06-2008 .It is necessary as all the officers,who are custodians of the information must have awareness about the provisions of the act in order to implement in right spirit to provide information within prescribed 30 days. IRCON has also conducted one in-house RTI program on 14-10-2017, wherein 61 officers attended the training.

15.0 Availability of latest circulars, guidelines and notifications on RTI

IRCON is maintaining all therelevant circulars, it has been advised to maintain all the important circulars/ guidelines in the separate file for day to day references.

16.0 Update of Replies on Website

Regarding Update of RTI replies on website, IRCON 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. It was examined and found updated on the website for the year 2017-18.

17.0 CITIZEN CHARTER

IRCON have put adequate para regarding citizen charter on the website.

18.0 PPP CONTRACTS/ AGREEMENTS

IRCON has to publish the information regarding PPP contracts/Agreements on the website as per DoPT Circular dated 15-04-2013. IRCON, is presently having few such agreement/ assignments, which have been given on the website.

19.0 PROCUREMENTS /BID AWARDS

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

IRCON have included the CAG & PAC para in their annual report at page no.283-284 available on the web site of the company.**Annexure IV.**

21.0 RTI para in Annual Report Circular 15-04-2013

IRCON in their Annual Report have included a para on implementation of RTI Act 2005 at page no.12-13 of the annual report as per provision of the DoPT circular of 15-04-2013.**Annexure V.**

22.0 Transfer Policy & Transfer Orders

The transfer policy of employees is available on the website of IRCON, however, the transfer orders are being put on the intranet of IRCON, 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 Discretionary and Non- Discretionary Grants

No Discretionary and Non- Discretionary Grants being granted by IRCON.

24.0 Foreign Tours of Foreign Tours of PM/Ministers

There is no rank of Joint Secretary in IRCON, however, in case information related to foreign / domestic official tour is sought is being provided as per the provisions under the RTI Act 2005.

25.0 Examination/ Audit of CPIO Office/AA Office

In order to examine for the purpose of Auditing of the implementation of the RTI in IRCON, in line with DoPT OM dated 15-04-2013 , detailed discussions were held in the office of CPIO, SPIO & FAA on 19-09-2019 & 07-10-2019 along with full team of RTI Cell & First Appellate authority (FAA) Officers. The discussions were held with all the officials mentioned at para 3.0 as well as the clarification if any were provided by them.

The process of RTI application receipt till disposal or despatched by IRCON including obtaining of information from other departments/custodians of information were checked and examined, which has been found very satisfactory. RTI receipts register is being maintained properly by concerned CPIO/SPIO. The dispatch register is also being properly maintained by IRCON.

The CPIO is regularly and promptly furnishing the information to the applicants within the prescribed time of 30 days, in accordance with the provisions under the RTI act. **During the period 2017-18, 99.9 % applications have been consistently disposed of within 30 days.**

Detailed discussions were also held in the office of FAA, Shri S.K Gupta, ED, on 07-10-2019 with respect to implementation of RTI Act & First Appeal disposal process of IRCON. The orders passed by the First Appellate Authority were examined and found in order. **During the period 2017-18, 100% First Appeals have been consistently disposed of within 30 days.** The First Appellate Authority is **issuing clear speaking orders with reasoning.**

It also include the details of the Second Appellate Authority in the order issued by First appellate authority for the benefit of the applicants.

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

26.0 Observations;

All the documents such as receipt & despatch registers, files, proactive disclosures under section 4 and as per DoPT OM 15-04-2013, website of IRCON including RTI Portal, record management system, obtaining information from the custodian or deemed CPIO were examined /audited, the detailed observations are as given below;

1.0 The pro active disclosures for sections 4(1)(b) have been adequately provided for all the XVII points. Where not applicable, it has been mentioned with the reasoning. Refer Annexure II. In addition, most of the provisions applicable to CPSEs have also 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 been provided up to 2019-20.

3.0 On examinations of records of replies & information provided to the applicants it has been found that IRCON is consistently providing the replies /information for 100 % 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 by excluding the time for obtaining the fee.

4.0 On examinations of first appeals management, it has been found that 100% appeals were disposed of within 30 days during the period 2017-18.

5.0 Regarding Update of RTI replies on Web site of IRCON for 2017-2018 has been uploading the RTI replies & FAA 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 IRCON has deputed CPIO/APIO/Nodal officers and other officials for RTI training during the year 2017-2018 for its in house program held on

14-10-2017. 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.

It was suggested to conduct **region wise RTI Program for the concerned officers.**

7.0 The details of the foreign & Domestic tours of the officers of the rank of Jt. Secretary needs to be disclosed as per OM dated 15-04-2013. **There is no rank of Joint Secretary in IRCON, however, in case information related to foreign / domestic official tour is sought is being provided as per the provisions under the RTI Act 2005.**

27.0 Final Conclusions / Recommendation to IRCON

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

IRCON has fully 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.

In addition, most of the provisions applicable to CPSEs **have also been complied of the DoPT Circular dated 15-04-2013.** Detailed status is given in the attached **Annexure II.**

IRCON 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 first appellate authority within 30 days as per the provisions in the act.

Following needs to be complied at the time of revision or before the next year audit.

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

It was suggested to conduct **region wise RTI Program for the concerned officers of the regions.**

2.0 The details of the foreign & Domestic tours of the officers of the rank of Jt. Secretary and above needs to be disclosed as per OM dated 15-04-2013. **There is no rank of Joint Secretary in IRCON, however, in case information related to foreign / domestic official tour is sought it must be provided as per the provisions under the RTI Act 2005.**

In view of above, IRCON has fully complied all the parameters of the audit for the year 2017-2018.

28.0 Certification

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

Certified By



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