

KARNATAKA STATE PUBLIC RECORDS RULES, 2013.

16 GOVERNMENT OF KARNATAKA Karnataka Government Secretariat, No: KCIT 30 Rapasa 2011 Vikasa Soudha Bangalore, Dated: 26.06.2013 NOTIFICATION Whereas, the draft of the Karnataka State Public Records Rules, 2012 was published as required by sub-section (1) of section 17 of the Karnataka State Public Records Act 2010 Act 9 of 2011) in Notification No: Kcr 30 RAPASA 2011, Dated: 23.06.2012 in part TV-A of the Karnataka Gazette extraordinary Dated: 19.07.2012 inviting objections and suggestions from all likely to be affected thereby and notice was given that the said draft will be taken into consideration, after 30 days from the date of its publication in the official gazette. And whereas the said gazette was made available to the public on 19.07.2012. And whereas the objections and suggestions received in respect of the said draft, have been considered by the Government. Now therefore, in exercise of the powers conferred by sub-section (1) of section 17 of the Karnataka State Public Records Act 2010 (Karnataka Act 9 of 2011) of Karnataka hereby the following rules, namely:- Rules:- 1. These rules may be called the Karnataka State Public Records Rules, 2012. 2. These rules shall come into force from the date of their publication in the Official Gazette. 3. In these rules, unless the context otherwise requires:- (a) "Act" means the Karnataka State Public Records Act, 2010 (Karnataka Act 9 of 2011); (b) "Appraisal" means evaluation of Public Records in association with the Karnataka State Archives or the Head of the office as the case may be; (c) "Classified Records" means the Public Records classified as top secret, secret, restricted in accordance with the procedure laid down in the Secretariat Manual or Manual of Office procedure or any other instructions issued by the Karnataka State Government from time to time; "Custody" means the possession of Public Records; (e) "Defunct body" means a corporate or non-corporate body, which has been wound up with no successor to carry on its functions; "Published in the Special Gazette" means published in the Special Gazette on dated 2-7-2013 (f) (g) (j) (k) (l) (m) (n) (o) (p) (q) (r) (s) (t) (u) (v) (w) (x) (y) (z) "Declassification" means the security classifications after their evaluation; "File" means a collection of papers relating to the Public Records on a specific subject matter consisting of correspondence, notes and appendix thereto and assigned with a file number; "Form" means the form appended to these rules; "General Record Section" means where current/semi current records except T.Y. records of the Government are preserved; "Member" means member of the Board; "Private Records" means records lying in the possession (Of a private individual or with any non-governmental Organization; "Recording" means the process of doing a record after action on all issues considered thereon completed; "Records of Permanent Nature" means the Public Records being preserved and maintained for ever after recording for a period specified, under sub-rule 5 by the records creating agency in accordance with the procedure laid down in its Manual or Office Procedure or instructions on the (n) "Retention Schedule of Records" means a schedule which provides the period of retention; (o) "Review" means the periodical evaluation of recorded material on the period of retention for determining their further destruction, as the case may be; (p) "Section" means the section of the Act; (q) "Standing guard file" means a file of papers on a particular subject matter consisting of copies of policy decisions, orders, instructions or any other matter incidental thereto arranged in a chronological order; (r) Words and expressions used herein and not defined but defined in the Act, shall have the same meanings respectively assigned to them in the Act

9. Intimations regarding Records Officer.- Every record creating agency shall after nominating a Records Officer under Sub-section (1) of section 5 shall intimate the same to the Director of Archives. 4. Maintenance of standing guard file.- The Records Officer shall be responsible for maintaining and keeping a Standing Guard File and proper record of the directions issued by the Director of Archives or Head of the Office, as the case may be, in pursuance to the provisions of sub-section (2) of section 6 and shall produce the same for inspection as and when required by the Director of Archives or Head of the Archives, as the case may be

5. Acceptance of Public Records of permanent nature.- (1) The Director of Archives shall accept for deposit and preservation Public Records of permanent nature which have been retained after recording by the records creating agency in its records room for the last twenty five years or more. (2) Records Officer shall intimate to the Director of Archives or Head of the office as the case may be, each year before 31st day of January, in Form-I, the particulars of all Public Records of permanent nature which are due for appraisal during the year. (3) On receipt of an intimation under sub-rule (2), the Director of Archives or Head of the Office, as

the case may be, through his officers, shall assist the Records Officer in conducting the appraisal of Public Records. When the appraisal is over, the Records Officer shall prepare, in duplicate, transfer list in Form-2 all Public Records and deposit the same for preservation with the Director of Archives or Head of the Office, as the case may be, who shall after his satisfaction return one copy of the transfer list to the Records Officer receipt of the Public Records. If the Records Officer is unable to retain any record or file beyond the period of twenty-five years, he may do so for reasons to be recorded in writing under the sanction of Director of Archives or Head of the Office, as the case may be

6. Withdrawal of Public Records.- (1) If Public Records deposited and preserved with the Director or Head of the Office, as the case may be, is required by the records creating agency for any official purpose, then the Records Officer shall send a duly signed and stamped requisition slip in Form-3 to the Director of Archives or Head of the Office, as the case may be (2) The Public Records requisitioned under sub-rule (1) may be returned as soon as the purpose is achieved but shall not be retained beyond the period of six months by the Records Officer or the Records Creating Agency

7. General Principles for Classification of Records.- (1) All files shall be classified for the purpose of preservation having regard to their importance and the period up to which they are likely to be required for reference in connection with administrative needs. Every file which is likely to be required must be preserved and every unwanted files may be destroyed both to save space and to simplify searching. While there may be strong administrative necessity for preservation of a file or record for a long period that is a very different thing from preservation forever. It is equally necessary that the minimum period of preservation shall be long enough to provide for any revision or reconsideration of the orders issued on a file. (2) Care shall be taken to see that files which are important or are likely to be important in future, however, indirectly, as sources of information on any aspect of history, whether political, military, economic, etc., or which are or may in future prove to be of biographical or antiquarian interest shall not be destroyed. (3) records shall be classified as A, B, C, D, the features of which are explained hereunder. (i) 'A' class.- To be preserved indefinitely. (ii) 'B' class.- To be allotted to files in which important questions have been discussed on which contain orders establishing important precedents or general instructions or rulings of a permanent or important nature. These files shall be preserved wherever necessary. Classification shall be approved by an officer not below the rank of a Deputy Secretary to Government or Head of the Department. (iii) 'C' class.- To be preserved for 30 years. (iv) 'D' class.- To be allotted to files of the same category as above but which are unlikely to be required for reference after a few decades. Classification shall be approved by an officer not below the rank of Under Secretary to Government or Group Secretary. (v) 'E' class.- To be preserved for 10 years. (vi) 'F' class.- To be allotted to files of the same category as above but which are unlikely to be required for reference after a few years. Classification shall be approved by an officer not below the rank of Section Officer or Group Secretary. (vii) 'G' class.- To be allotted to files of the same category as above but which are unlikely to be required for reference after a few months. Classification shall be approved by an officer not below the rank of Section Officer or Group Secretary. (viii) 'H' class.- To be allotted to files of the same category as above but which are unlikely to be required for reference after a few days. Classification shall be approved by an officer not below the rank of Section Officer or Group Secretary. (4) The classification of records into above categories shall be facilitated by the use of an authorised ABCD classification of subjects dealt with in a department. Different subjects dealt with in a department shall be grouped into ABCD categories having regard to the nature and importance of each subject from the administrative and historical point of view. (5) Procedure for making classification shall be suggested in each case separately by the dealing hand, in accordance with authorized ABCD classification when no further action is required to be taken on a file. The file shall be put up to appropriate officer for his approval for being recorded and classified under ABCD list. (6) Downgrading of classified records.- (1) The records creating agency shall by an order authorise an officer not below the rank of the (Under Secretary to Government or Records Officer concerned to evaluate and downgrade the classified records maintained. A copy of such order shall be forwarded to the Director of Archives or Head of the Office, as the case may be. (2) The officer so authorised under sub-rule (1) shall evaluate the classified records every fifth year for the purpose of downgrading (3) After downgrading if the officer declares any record as of permanent nature, the same shall be deposited and preserved with Director of Archives or Head of the Office, as the case may be after it is classified (4) records deposited under this any official purpose and returned to the Director of Archives or Head of the Office, as the case may be in the manner provided under rule 6. (5) Every year in the last week of June a half-yearly statement in Form-4 shall be furnished by the officer authorised under sub-rule (1) to the Director of Archives or Head

of the office on the action taken (for evaluation and down grading the classified records. (6) The Records Officer nominated under rule 3 shall furnish to the Director of Archives or Head of the Office an Annual Report in Form-5 every year in the month of the following year

9. Destruction of Public Records.- (1) No Public Record shall be destroyed without being recorded and reviewed. In the month of January every year, each records creating, agency shall record after referring or Consulting the Records Retention Schedule specified in Form-6 all those files on which action has to be taken to destroy or retention. This shall be accomplished in consultation with the Records Officer. (2) No Public Record which is more than twenty years old shall be destroyed by any records creating is appraised. (3) A list of all such Public Records which are proposed to be destroyed shall be prepared by the Record Creating Agency in Form-6 and retained permanently for, a future reference. (4) Records Officer shall furnish a half-yearly report in Form-7 recording, Indexing, reviewing and weeding records to the Director of Archives or Head of the Office. as the case may be. (5) Records shall be destroyed either by burning or shredding in the presence of Records Officer. 21 10. Access to records received from private sources.- (1) Records acquired from private sources by way of gift or purchase or otherwise may be made available for bona fide research. subject to conditions laid down by the donor. (2) Research Scholar shall submit an application in Form-8 for permission to consult or refer the records to the Director of Archives. Director of Archives may after obtaining suitable Indemnity bond or security from the applicant in regards to the safety of such record during consultation may accept or refuse such permission in public interest. In case of refusal the reasons for such refusal shall be recorded on the said (3) Wherever microfilm rolls, hard copies or in any electronic forms are available. the original records shall not be supplied to Research Scholars for reference or consultation. No copy of any records shall be made without the prior permission of the Director of Archives or Head of the Office, as the may be. i. Access to Public Records.- (1) Public Records accepted for deposit and preservation under sub-rule (1) of rule 5 may be made available for bona fide consultation and research purposes on an application made to the Director of in Form-7, subject to the provision of sub-section (1) of section 12 and the following conditions namely:- (a) When a person makes an application to refer or consult the Public Records, the Director of Archives may after obtaining a suitable Indemnity bond or security from the applicant regarding the safety of such record during may accept or refuse the for the reasons to be recorded on the said (b) Foreign national to refer or consult the Public Records may be permitted only on the production of letter of introduction from their sponsoring institutions and Diplomatic Mission; (c) Any other person intending to obtain copies may do so by applying to the Director of Archives or Head of the Office, as the may be; (d) Reprographic and transcription may be made available on submission of an application and for such services the applicant shall have to make payment of charges as fixed by the Director of Archives. from time to time; (e) A person referring or consulting Public Records for the purpose of research and publishes the work which is based upon the material taken from the said records shall acknowledge the same. (f) On no account shall any records be taken out of the department (2) A person intending to consult the Public Records shall not,- (a) deface or write and put any marks or indications on Public Records; (b) fold, tear, cut, crease, or otherwise damage or mutilate Public Records; (c) remove any Public Records without obtaining the permission from the Director of Archives or Head of Office. as the case may be; (d) be allowed to take any eatable or drinking products or smoking while referring or consulting Public Records; (e) place anything or object on any Public Records with a view to make out any copy of the said (f) disturb or interrupt any other person while referring or consulting the Public Records; and (g) behave in a manner which in the opinion of the Director of Archives or Head of the Office, as the case may be, is detrimental to the maintenance and the preservation of the Public Records

12. Allowances payable to the Members.- The non-official members of Archival Advisory Board nominated by the State Government under sub-section (1) of section 13 of the Act, shall be eligible to draw Traveling and Daily Allowance as per Annexure to the Karnataka CMI Service Rules at the prevailing rates. By order and in the name of The Governor of Karnataka (U.B. Udayi) Deputy Secretary to Government Kannada. Culture and Information To The Compiler, Karnataka Gazette, Kengeri, Bangalore for publication in the next issue of the Gazetteer. Copy to:- 1) 2) 3) 4) 5) 6) 7) 8) The General (A&E), Bangalore. The Chief Secretary to Government, Vidhana Soudha. The Director, Karnataka State Archives Department, Vikasa Soudha, Bangalore. The All the Additional Chief Secretary to Government. All Principal Secretaries/Secretaries. Secretary to Honble Governor, Rajabhavan, Bangalore. Resident

Commissioner, Karnataka Bhavan, Koutilya Chanakyapuri, Newdelhi- 110011 *Registrar General, Karnataka High Court, Bangalore. marg, 9) 10) 11) 12) 13) 14) 15) 16) 17) 18) 19) 20) 21) 22) 23

•Registrar, Karnataka Lokayukta, Bangalore. *Registrar, Karnataka Administrative Tribunal, Bangalore. *Secretary. Karnataka Public Service Commission, Bangalore. 'Principal Secretary/Secretary, Karnataka Assembly/Council, Vidhana Soudha, Bangalore. All Heads of Departments All Regional Commissioners. All District Collectors/Chief Executive Officers of Zilla panchayats. Secretary to Chief Minister, Vidhana Soudha, Bangalore. All Additional/Joint/Deputy/Under Secretaries of Government. All Section officers of the PS to Hon'ble Minister, Women and Child Development, Empowerment of Disabled and Senior Citizens and Kannada and Culture, Vidhana Soudha, Bangalore PS to Principal Secretary to Government. Kannada, Culture and Information Department, Vikasa Soudha, Bangalore. PA to Deputy Secretary to Government, Kannada, Culture and Information Department, Vikasa Soudha. Bangalore. Co-ordination Section/Section Guard File/Spare copies. (With Covering letter) 24 Form - i (See sub-rule (2) rule 51 Particular of records of permanent nature due for appraisal during the year Total number of files of lying in the rooms of the agencies Total number Total number Total Number of Files of 'AS category transferred of files of files due referred to for appraisal under to record i & 2 rooms by the during the under report 2 4 any 5 Form-2 [See Sub-rule (3) of rule 61 Transfer LA Order -- Register of Record Files to be prepared in Duplicate) of. Date on which Sent to General Records Section Classification To be entered in by Records No 1 Agency File number 2 Date Recording 3 To be entered in by General Record Name of the retaining the record to bundle shelf With Date 4 1. 2. 3. 4. 5. 6. 7. 8. 9. 26 Form-3 sub-rule (1) of rule 6) File Number/Order No. Serial Number To be put up for Diary or File No. Name in Block & letter of person requisitioning of person Designation Department Section Count *nature • IO .Designation • In of •Settled' Top papers counter of Deputy Secretary will be necessary. Note:- The consent of the Department to which the memo should be obtained if the memo indented for belongs to a different 27 (See sub-rule (5) rule 8) (Half yearly on periodical review of classified records) Total No. of records lying at present in the organization No. of classified records due reviewing No. of files reviewed and down graded report 28 Form - 5 Form for the submission of Annual Report to Director of Archives/ Read of the Archives (See Sub Rule (6) of Rule 8) 1. A. Setting up organized Departmental Records Room- Whether your organization has set up an organized Records Room, and if so; is the space sufficient? B. Nomination of Records Officers.- whether your organization has nominated an officer as Departmental Records Officer and If not, Give reasons? C. Training of Records Officer and Staff (i) Whether departmental Records Officer has received training in Records Management? (ii) whether the junior staff working in the Departmental Records Room are trained in various aspects or Records Management? (iii) If not, are you willing to avail training facilities existing at respective District Training Institute. 2. recording, reviewing and weeding out records: (i) Whether your organization has taken steps for recording, reviewing and weeding out ephemeral records (ii) indicate the total number of records recorded, reviewed and weeded out during the period under report. 3. of record:- (i) Whether your organization has initiated action to get non-current records appraised with Karnataka State Archives? (ii) State the total bulk of records awaiting appraisal 4. Compilation/Revision of Retention schedule of records: (i) whether your organization has compiled Records Retention Schedule of substantive functions in consultation with Karnataka State Archives and if not what action do you propose to take? (ii) Has your organization taken steps to revise the above schedule after five years? 5. Periodical review of classified records:- (i) Whether your organization has de-classified the classified Records during the period under report? (ii) If not. state reasons? 29 6. Compilation of annual Indices of Records: (i) Whether your organization has compiled annual Indices? (ii) State inclusive years with the name of the series? 7. of Organizational history: Has your organization compiled organizational history, reflecting various functions along with the date of their creation and if so furnish a copy to Karnataka State 8. of Bodies:- (i) Whether your organization has got records of defunct bodies, Give details? (ii) If yes, What action have you initiated for their transfer to State Archives? 30 Form - 6 (See sub-rule (i) and (3) of rule 9) Register for Destruction — Preservation of Time Barred Records Registers Subject Department/ 1 2 3 4 Section Concerned 5 Destroyed or kept for Destruction in year 6 Initials of Section Officer and Date 7 31 Form - 7 [See sub-rule (4) of rule 9] Half yearly report on recording, indexing, reviewing and weeding of records during the half year ending No 1 Total number of files 2 Total of files indexed 3 Total number of files to be Reviewed 4 Total number of files weeded out if any 5 Remarks 6 32 Form No.8 (See sub-rule (2) of rule 10) DEPARTMENT or KARNATAKA STATE ARCHIVES (ANNEXURE RULE No.10) APPLICATION

FOR PERMISSION TO CONSULT HISTORICAL RECORDS (TO BE SUBMITTED in DUPLICATE)
To The Director, Karnataka State Archives, Room.No.126. Floor, Vikasa Soudha. Bangaluru — 560 001. I
seek permission to consult HISTORICAL RECORDS in the State Archives thrown open for bonafide
research. I promise to abide by the Rules and conditions in force from time to time. 1. 2. 3. 4. 5. 6. 7. 8

**9. Name in full (in Block letters) Father's/ Husband's Name Age and Date of Birth Academic
Qualification and distinctions and publications Profession Nationality & Domicile Address:
correspondence & Permanent Subject of Research Period for which permission is sought IO.** Purpose
of research and affiliation to Research Institution 11. Reference and Certificate furnished. Nature of
Research Scholar. NOTE: University Research Students should submit their applications through their
respective departments with the aid of the professors concerned. Persons employed in Educational Institutions
should submit their applications through the Heads of Institutions. Foreigners wishing to consult the
records should produce introduction through their Diplomatic Representatives in India. By order and in the
name of The Governor of Karnataka (U.B.Ulavi) Deputy Secretary to Government Kannada, Culture and
Information Department

