

**Minutes of the meeting held on 28<sup>th</sup> November, 2017 at 1630 hrs.**

**Present**

Shri R.K. Mathur, Chief Information Commissioner  
Shri Yashovardhan Azad, Information Commissioner  
Smt. Manjula Prasher, Information Commissioner  
Prof. M. Sridhar Acharyulu, Information Commissioner  
Shri Sudhir Bhargava, Information Commissioner  
Shri Bimal Julka, Information Commissioner  
Shri D.P. Sinha, Information Commissioner  
Shri Amitava Bhattacharyya, Information Commissioner  
Secretary to the Commission, assisted by other officers.

**Agenda No.1: Action taken on earlier meeting's decision**

The Commission was informed of the action taken on the decisions of the Commission's meeting held on 10.10.2017.

**Action: JS(Admn)**

**Agenda No.2: Draft RTI Rules**

Hon'ble IC Shri Sridhar Acharyulu reiterated his views as communicated by him already to Secretary, DoPT vide his letter dated 13<sup>th</sup> April, 2017. The Hon'ble Information Commissioners put forward their views on the proposed rules. Hon'ble IC Shri Yashovardhan Azad expressed his strong reservations on the proposed Rule 15 and suggested that it should be deleted. This was also endorsed by Hon'ble IC Shri Sridhar Acharyulu. Hon'ble IC Shri Yashovardhan Azad also referred to the provision in Rule 11 (iii) and Rule 14 (iii) and stated that it is not possible for the Commissioners to personally enquire into each and every matter and reiterated the requirement of powers for the Commission to delegate such enquiries as given in para 20 of CIC (Management) Regulations 2007.

Hon'ble IC Shri A. Bhattacharyya and Hon'ble IC Shri Bimal Julka stated that the Commission's requirement for clear rules governing cases of non-compliance of the orders issued by the Central Information Commissioners is a matter of grave concern and the same should be conveyed to the DoPT especially in view of various court judgements asking the Commission to ensure compliance of its own orders. This was endorsed by other IC's also.

Hon'ble IC Shri D.P. Sinha pointed to the frequent instances of misuse of RTI Act by Appellant/Complainants for publicity/settlement of personal scores etc. and stated that provisions to levy penalty on such misusers should be included in the Rules so that genuine applicants/ complainants are heard by the Commission expeditiously.

Hon'ble IC Smt. Manjula Prasher stated that there is a need to limit the RTI application included in Rule 3 to 500 words so that these are more focussed which will help in to the point response from the CPIO. She referred to Rule 2(j) mentioning the word 'intervener' and asked that the word should be deleted from the definition. She also pointed to the contradiction between Rule 8 where it says that "... an appeal to the Commission .... shall be accompanied by the following documents, duly self-authenticated and verified by the appellant" and second proviso to Rule 9 where it is stated that " ....no appeal which is accompanied by the documents specified in Rule 8 will be returned only on the ground that the attached documents have not been self-authenticated and verified by the appellant. She stated that self-authentication and verification of the relevant documents (to be accompanied with second appeal) by the appellant concerned should be either made mandatory or voluntary altogether. Further, the words/phrase ' or any court' mentioned in Rule 8 (1) (viii) and Rule 12(1) (v) should be deleted as it was vague and subject to misinterpretation and the Commission cannot restrain the information seeker from approaching it in second appeal only on the ground that the matter under appeal was pending before the court. Each case is to be decided based on merits. Moreover, this was already covered under the exemption clause 8(1)(b) of the RTI Act, 2005.

It was decided that the above comments be communicated accordingly to the DoPT.

**Action: JS(Law)**

**Agenda No.3: Annual Convention - 2017**

The Commission was briefed about the preparation for the Annual Convention – 2017 to be held on 06.12.2017.

**Action: All JS**

**Agenda No.4: Operation of Section 25 of the RTI Act 2005**

Deferred.

**Action: JS(Admn)**

**Agenda No.5:Registration of Multiple RTI applications on the same subject**

The Commission directed JS(Law) and JS(MR) to bring out data of multiple cases filed by a single person and court directions on the matter to take a final view.

**Action: JS(Law)/JS(MR))**

**Agenda No.6: Any other item with the permission of the Chair**

- 1) The issue of urgent hearings on pension matters was discussed. It was decided that cases will be registered following the law and rules on the subject. The matter shall

be discussed further after receipt of a note on the subject from IC(SA).


**Action: Registrar**

- 2) The Commission was informed of the implications of the recent office memorandum dated 22.09.2017 of Department of Expenditure, Ministry of Finance on ceilings in respect of expenditure on hospitality.

**Action: JS(Admn)**

- 3) The Commission noted with satisfaction the clearance of cases registered upto 2015 and reiterated their decision to clear the cases upto 2016 by January, 2018.

**Action: Registrar/JS(MR)**

  
(S.P. Beck)


**Joint Secretary (Admn)**  
13 .12.2017

To

1. PPS to Chief Information Commissioner
2. PPS to Information Commissioner (YA)
3. PPS to Information Commissioner (MP)
4. PPS to Information Commissioner (SA)
5. PPS to Information Commissioner (SB)
6. PPS to Information Commissioner (BJ)
7. PPS to Information Commissioner (DP)
8. PPS to Information Commissioner (AB)
9. PPS to Secretary/PS to Additional Secretary

**Copy also to :**

1. Registrar/JS(P&B)/ JS(MR) / JS(Law)
2. Shri Sushil Kumar, DS(Admn)
3. Shri S.K. Rabbani, DS(Gen. Admn)
4. Shri T.K. Mohapatra, DR
5. Shri K.A. Talwar, DR
6. Shri U.C. Joshi, DR
7. Shri Dinesh Kumar, DR Consultant
8. Shri Surender Rohilla, Consultant
9. Shri R.L. Gupta, Consultant
10. Shri S C Sharma, Consultant
11. Shri R.P. Grover, Consultant
12. Shri H.P. Sen, Consultant
13. Shri K.L. Das, Consultant
14. Shri A.K. Talpatara, Consultant

  
(S.P. Beck) 13.12.17

**Joint Secretary (Admn)**  
13 .12.2017