

CENTRAL INFORMATION COMMISSION

MINUTES OF THE MEETING HELD ON DEC 14, 2005 HELD IN THE CHAMBER OF THE CIC.

IC chaired a meeting of the Commission where all Commissioners except IC(K) were present. Following important decisions were taken or directions issued for action:-

1. The Commission approved the minutes of the last meeting held on Dec 8, 2005
2. The Commission was briefed about the progress on the decisions made in the last meeting:-
 - a. NIC is in process of finalizing a home page which will be titled as <http://www.cic.gov.in>. It is in process of registration, currently it can be visited as <http://164.100.42.138/ciconline>
 - b. An e-group of all Commissioners of CIC has been made. By writing a message to [cicindia\[at\]yahoogroups\(dot\)com](mailto:cicindia[at]yahoogroups(dot)com) the Commissioners can mail each other any message that they are interested to inform all Commissioners of the CIC.
 - c. The Commission was briefed about the steps taken to locate suitable accommodation for the Commission.
 - d. Noticing that most of the Commissions are submitting their reports for year ending in March, it was decided that CIC may submit its report to the Parliament for each financial year. The report may be laid in the Monsoon Session every year.
3. The Commission took up the proposals circulated by IC(A) and IC(PB) and decided as following:-
 - a. In a note circulated, IC (A) had desired that the Commission may proactively write to all Departments of Central Govt. taking certain specific measures as provided in the RTI Act for making it easy for the Complainants/applicants to seek information. The Commission decided that perhaps it is for the Central Govt. to take such action. The Ministry of Personnel has already issued circulars containing similar instructions. Issuing such instructions from the Commission may appear overstepping the role assigned to the Commission
 - b. IC (PB)'s had circulated a note on certain legislative changes in the RTI Act 2005. It was decided that the Commission may send a reference to the Secretary (Legal Affairs) to seek clarification on the following:-
 - i. Whether the Commission enjoys the powers of the Civil Court while hearing the appeals under section 19 of the Act as the powers of the Civil Court are given under section 18 of the Act. These apply only 'while inquiring any matter in this section', which implies only for the complaints received in the Commission.
 - ii. Whether CIC exercising powers given under section 12(4) of the RTI Act can frame regulation for transacting its own business. If no, Secretary (Legal Affairs) may be requested to suggest suitable alternatives.
 - c. The Commission decided that a quorum of two commissioners will hear the appeals and decide them unanimously. In case unanimity is not there, they may refer to CIC for setting up a larger bench of three or five Commissioners. Since the objective of the Act is as far as possible to provide information sought, the Commission may at first stage issue a notice to the CPIOs/ 'third party' who have denied the information and hear their case before calling the appellant. If the Commission is satisfied that there was justification in withholding information, the appellant should be given the trouble to appear in person or through his/her legal representative for taking a final decision. The appellant will be kept informed about the first stage of the hearing with freedom to participate in the first stage hearing as well.