

Central Information Commission

Minutes of the weekly meeting of the Central Information Commission held on 03/04/07

1. The minutes of the last weekly meeting held on 20/03/07 were approved by the Commission. Those present were

1. Shri Wajahat Habibullah, Chief Information Commissioner
2. Smt. Padma Balasubramanian, Information Commissioner
3. Dr. O.P. Kejariwal, Information Commissioner
4. Prof. M.M. Ansari, Information Commissioner
5. Shri A.N. Tiwari, Information Commissioner

2. Secretary, Joint Secretaries and Under Secretary also attended the meeting.

2. Draft chapterisation of the format for the Annual Report of the Commission for the year 2006-07

Regarding Chapter 1, the Commission took the following decision:-

- 1) Chapter 1 should be confined to data and information pertaining to only the Central Information Commission.
- 2) Regarding 1(f), the Commission directed that the word "petition" to be substituted by "appeals/complaints". Appeals would include review petitions.
- 3) The data pertaining to NCT's and UT's should be collected directly by the Commission in case Ministry of Home Affairs expresses their inability to collect the data in behalf of CIC.
- 4) In the first chapter a brief mention may be made on the RTI applications received by the Central Information Commission as a public authority. This can be incorporated as point no. 4 of chapter 1.
- 5) The Commission also decided that a 5th paragraph should be added to chapter 1 which should consist of conclusions and analysis.
- 6) Under point no. 2, "Public Authorities", the Commission directed that a point be made that while giving decisions regarding whether or not an organization is a public authority or not some grey areas were found regarding the definition of public authorities as per Section 2(h) of the RTI Act. It has been found that although there are some organizations which perform important public functions, it is difficult to classify them as public authority in consonance with the criteria laid down under Section 2(h). The definition needs to be broadened to include performance of public functions as one of the criteria of identifying a public authority. Some examples of decisions taken by the Commission in this regard can be mentioned in this chapter. It may also be brought out that some of the NGO's which could qualify as public authorities may not have enough infrastructures to set up the RTI regime. A solution to this problem can be examined and recommended.

Chapter II

- 7) Regarding point no. 3 (B), it was decided that no. iv) should be "No regime set up" and no. v) "Any other".
- 8) Regarding 3(G)(i) and (ii), the word 'individual' should be substituted by 'personal'.
- 9) In 3(G)(iii) and (iv), the words 'larger public good' should be substituted by the words 'General benefit'.

10) In 3(G) (v), the word 'public' should be substituted by the word 'general' and the words 'and areas of transparency achieved' should be added after the work 'served'.

11) In chapter 2, para 3(l), point (i) & (ii), the purpose of Section 20(1) and 20(2) should be mentioned.

12) It was also decided to delete 3(l)(iii).

13) In para 3(K), it was decided that para (iii) would read as 'Amount of compensation awarded'. The 4th para was to be added to 3(K) i.e., 'Non-Monetary Compensation awarded'.

14) It was decided to delete the paragraph on 'Initiatives taken by the CIC'. The initiatives regarding video conferencing, proposal for restructuring the CIC, pasting the cause list on the web, showing status of cases on the web and registration of symbol of CIC can be mentioned as part of Chapter III. It was also decided that in this Chapter a study can be made comparing the implementation of the RTI Act with reference to Section 5(1) of the RTI Act, 2005 in India and in other countries.

15) Regarding Chapter V, it was decided that recommendations made during the National Convention should be mentioned as well as the proposal sent for amendment of the Rules along on the lines of those done for SIC, Karnataka. Other recommendations included:-

- a) Enforcement of Section 4'
- b) Empowering the CIC to enforce penalty
- c) Making provisions in the Act to ensure that Appellate Authorities perform the appellate functions delineated for them in the Act.

16) It was decided to delete column 2 from Annexure V.

3. The Commission desired that the Library of the Commission to be set up in the waiting room and other possible areas in the Commission by putting up shelves. Besides the books bought for the Library, the books needed by the IC's and other officers should also be bought and issued to them. The Commission directed that besides copies of the Annotated Constitution, Thesauruses and Dictionaries should also be bought for the Library.

4. Apprising the Commission about the minutes of the review meeting held on 19.03.07 with regard to the refurbishing of the accommodation of the CIC at August Kranti Bhawan.

The Commission took note of the progress made so far regarding the August Kranti Bhawan. The Commission directed that an Interior Decorator be hired to design the interior of the rooms in August Kranti Bhawan. The Commission will come up with some suggestions in this regard at the next weekly meeting.

6. Apprising the Commission about a communication received from Shri B.K. Chaudhary, Convener, Forum Against Common Absurdities in System.

The Commission took note of the suggestions sent by Shri B.K. Chaudhary.

7. The Commission desired that an Office Manual to be prepared. The preparation of this Manual can be outsourced.

8. The Commission approved the proposal regarding Reorganizational structure of the Central Information Commission. It directed that the proposal be sent to Secretary DoPT for approval and sanctions and a close follow-up be done to ensure that it is approved as early as possible by DoPT.