

Minutes of the meeting of the Commission held on 08.01.2008

Present: -

- A. Shri Wajahat Habibullah, Chief Information Commissioner
- B. Shri A. N. Tiwari, Information Commissioner
- C. Prof. M. M. Ansari, Information Commissioner
- D. Dr. O.P. Kejariwal, Information Commissioner
- E. Smt. Padma Balasubramanian, Information Commissioner
- F. JS (S), JS (TK), Deputy Secretary (PP), Under Secretary (DCS), Under Secretary (G Subramanian), Prof. Nigam, Legal Advisor assisted the Commission.

Agenda Item 1: Orders passed by the Hon'ble High Court in writ petition no. 5969/07.

1. The decisions of Hon'ble High Court of Delhi on TRI WPs were discussed. Hon'ble High Court upheld the view of the Central Information Commission and observed the following while deciding a WP (C) No. 5969/07.

- (i) Proviso 20(1) indicates that reasonable opportunity should be granted to the concerned officer before imposition of the penalty.
- (ii) The power to impose penalty is conditioned by the prerequisite finding to be recorded by the CIC that the concerned authority acted without reasonable cause.

2. The Commission directed that JS (Law) will work on filing a petition under 195 Cr. PC in the Court of CMM, when any act meriting such action is brought to the knowledge of the Commission .

Agenda Item 2: Discussion on Audit Paras of the Commission.

3. Commission discussed the explanation on the audit paras and directed that reply be sent at the earliest.

Agenda Item 3: Proposal to provide Internet on the Laptops in the Commission through mobile card.

4. The Commission directed that mobile card facilities for the laptops in the Commission to be provided. Administration may take up steps to ensure the compliance in such a way that the selection of service provider for this facility is on the basis of speedy transfer of data.

Supplementary items: -

5. Commission directed JS (TK) to take action as per the provisions of the RTI Act-2005 with respect to the Terms & Conditions of the CIC/IC's of the Central Information Commission. It has also been emphasized by the Commission that the parity of the CIC/IC's with CEC/EC's has been made in the Act itself.
6. A proposal may be moved before Ministry of Finance to consider the FA (DoPT) to be declared as FA for CIC as well.