

## Central Information Commission

### Minutes of the meeting of the Commission held on 10/04/2007

#### Present:

1. Shri Wajahat Habibullah, CIC in Chair
2. Shri A.N. Tiwari, IC
3. Prof. M. M. Ansari, IC

1. The Commission approved the minutes of the meeting held on 03/04/07

#### **2. A note of JS(NS) on the bidding of the Annual Report for the year 06-07**

The note put up by JS(NS) regarding outsourcing for preparation of the Annual Report of the Commission 06-07 was approved by the Commission.

#### **3. A proposal for Publication of decisions of the Commission submitted by M/s Pilgrims Book House, New Delhi by JS(S)**

The Commission decided that there is no objection to publication of the Decisions provided the Commission is given a minimum of twenty copies of the publications and a disclaimer is also published that the publishing house is solely responsible for the contents of the publication. However, if any objectionable matter is brought to the notice of the Commission then the Central Information Commission will have the right to direct the publisher to remove the objectionable contents. The Pilgrims Book House can be informed accordingly.

#### **4. A proposal of CIC website as a link in the website of the Consumer's protection Association "indianconsumers.org" note by JS(S)**

Regarding the proposal of Consumer's Protection Association, Agartala, Tripura, the Commission has no objection to the organization using the content of the Central Information Commission web site as a link.

#### **5. E-mail sent by Shri Shailesh Gandhi in respect of the pendency of the cases in the Commission**

a) The Commission discussed in detail the E.mail sent by Shri Shailesh Gandhi in respect of the pendency of the cases in the Commission. The Commission decided that a meeting of all PIO's should be convened so that there could be better interaction between the Commission and the PIO's regarding the RTI Act. In the meanwhile it was decided that a letter be sent to all the CPIO's and Appellate Authorities to strictly enforce the provisions of the RTI Act.

b) The Commission directed that US(PP) will analyze complaints and appeals received from December onwards in the Commission with respect to their date of receipt, date of hearing, and period of pendency. He will divide this pendency into three blocks viz. those exceeding six months, those exceeding four months and those exceeding three months. He will analyze the reasons for back logs and the trends for the future and put up several options from which the Commission can choose and develop a strategy to handle pendency and back log in the Commission. US(PP) was asked to circulate his note by 23<sup>rd</sup> April, positively. The same would be discussed at the next Tuesday meeting.

c) The Commission reflected on the use of Sections 186 and 187 of the IPC to enforce penalty clauses.

**6. Outcome of the meeting of Ms. Medha Patkar & others with the CIC**

a) Regarding this point the Commission decided that JS(S) would study the approaches by different Commissioners regarding procedure adopted in the matter of issuing show cause notices and imposing penalties and put up a note for discussion in the next weekly meeting.

b) It was pointed out that there is no statistical base to prove that more cases are being filed in the Central Information Commission due to filing of Complaints regarding Non-Compliance of CIC orders by CPIO's. It was decided that at the time of the preparation of the Annual Report, 07-08, the statistics regarding cases being filed due to Non-Compliance should be taken note of.

c) The Commission decided that whenever it is brought to the notice of the Information Commissioners that information has not been given due to the fact that files are not traceable, the matter should be viewed seriously and strict follow up action should be taken to ensure that the information is made available to the Appellants. Wherever required Section 204 of the IPC can be resorted to.

d) On the question of a further hearing for closure, it was observed that decisions are followed up till compliance is reported and all cases of non-compliance brought to the notice of the Commissioner. It was also confirmed by JS(Law) that not a single writ against a decision of the CIC has thus far been finally disposed of.