

## **Minutes of the Commissions staff meeting held on 12/12/06**

1. The Commission directed the Secretary to contact the Chief Engineer, CPWD to see that a toilet is constructed in the new premises allotted for use by IC (K). If the CPWD could get the work done by nomination rather than tender the work can be expedited by the CPWD.
2. The Commission was informed that no sanction from the Government has been received to incur expenditure on renovation of August Kranti Bhawan. AS (G) was directed to follow up the matter and ensure that the necessary permissions are received quickly.
3. Regarding cleanliness the Commission directed the Secretary to contact other offices where cleanliness is done through outsourcing. After forming a panel of such outsources agencies a limited tender can be floated so that the premises are kept clean.
4. Regarding the HOR facilities provided by the Railways to the CIC the Commission directed the Secretary to find out details of its use from the Election Commission.
5. The issue was raised that some of the State Governments, especially Maharashtra, have not yet declared the CIC/ICs as State guests. The Chief Information Commissioner directed that a draft letter be put up addressed to the Chief Ministers of such from Chief Information Commissioner on the subject. Where the CIC and ICs are not declared as State guests, there can be a tie up with ITDC to accommodate the CIC and ICs and where this is not possible to allow the CIC/ICs to check into a five star hotel and to hire an AC car while on tour.
6. Since the Warrant of Precedence is being revised the issue of featuring the CIC and ICs in the Warrant of Precedence should be taken up forthwith.
7. Mr. Singhi was nominated as the designated officer responsible for replying to legal notices received under section 80 (c) of the CPC.
8. A 'driver's room' will be set up in the rooms given to CIC in the CPWD building.
9. Regarding the recommendation of panel no. 1 i.e., 'One Year of RTI – Taking Stock - Its Successes and Shortcomings' it was decided that a two member committee be set up by the Commission to look into the matter of payment of fees by applicants asking for information under the RTI Act, 2005.

10. Regarding recommendation no. 2 it was decided that a meeting be sought with MOS (P), DOPT where broad indicative indices could be developed for proactive disclosures. The government could enter into a MOU with the CIC to monitor proactive disclosures. The CIC could in turn outsource this work or get proper infrastructure for it. If, after the broad indicative indices of disclosures have been developed and communicated to all public authorities, there is still persistent non-compliance inclusion of penal clauses could be considered.

11. Regarding the recommendation that the Delhi police and the CBI be included in the 2<sup>nd</sup> schedule as exempted organizations, the CIC does not concur with this recommendation. Regarding other recommendations the Commission directed that they be forwarded to the DOPT for necessary action.

12. Regarding Para 5 the Commission agreed that it should be provided full autonomy to function properly and should have its own FA. It should have its own DDO with powers of cheque drawing and a dedicated Pay & Accounts office.

13. The Commission concurred with recommendation no. 6.

14. It was decided to send recommendation in Para 7 to DOPT, for their consideration.

15. The Commission agreed with the recommendation that the Commissioners need greater discretion under section 20 for imposing penalty, as present provision allows for all or nothing.

16. The Commission was in favor of the CIC overseeing proper implementation of the Act provided proper infrastructure and staff is provided for the same. It is in this context that the proposal sent to the Government for setting up the Institute of Transparency and Accountability should be pursued.

17. Regarding the other recommendations the Commission directed that they be forwarded to the DOPT.

18. Regarding the proposed organizational chart submitted by Secretary in response to a decision on the last meeting, the Commission felt that more time was needed to study the chart and discussion on it could take place in the next staff meeting.

19. The Commission was informed that very soon a new JS will be required in the Commission since Mr. Gera's tenure is coming to an end. It was decided that the EO be requested to send the names of all eligible officers to the Commission. The CIC and ICs who would like to suggest names can give their suggestions in the next meeting which can then be added of to the panel of names sent by the

EO and an officer can be selected amongst these names and suggested to the Ministry for appointment.

Thereafter the members of the Commission had a separate meeting. The following is a summary of the discussion:-

1. Regarding Income tax exemption for CIC/ICs for sumptuary allowances and other allowances it is necessary to get the opinion of a tax lawyer. The REC has such a facility & they can be approached for guidance.
2. The Commission reviewed its own working regarding disposal of complaints & appeals.
3. It was decided to refer the matter of allowing information regarding ACRs and answer sheets to a full bench.
4. IC (A) brought to the notice of the Commission that he is in receipt of a document prepared by the Central Board of taxes which lays down all the information regarding Income tax returns that can be revealed to the Parliament. It was decided to refer the matter to full bench.