

CENTRAL INFORMATION COMMISSION

Minutes of the meeting of the Commission held on October 31, 2006 to discuss the Annual Report 2005-06 of the Commission

PRESENT:-

S.No.	Name	Designation
1.	Shri Wajahat Habibullah	Chief Information Commissioner in the Chair.
2.	Smt. Padma Balasubramanian	Information Commissioner
3.	Dr. O.P. Kejariwal	Information Commissioner
4.	Dr. M.M. Ansari	Information Commissioner
5.	Shri A.N. Tiwari	Information Commissioner
6.	Dr. V.V.S. Rao	DDG, NIC
7.	Dr. Parth Shah	President, Centre for Civil Society
8.	Shri P.K. Gera	Addl. Secretary, CIC
9.	Smt. Nisha Singh	Joint Secretary, CIC
10.	Shri L.C. Singhi	Joint Secretary, CIC
11.	Shri Palaniswamy	Administrative Officer, CIC

The Commission discussed the Annual Report of the Central Information Commission submitted by Centre for Civil Society and took following decisions:-

Chapter 1

IC(T) and IC(A) with assistance from Ms. Renu of Centre for Civil Society agreed to redraft Chapter 1 on "Right to Information: From Peoples Movement to Legislation". Information Commissioners mentioned that they should be able to complete this work within one week.

Chapter 2

In chapter 2 certain drafting errors were noticed particularly while referring to the Chief Information Commissioner in para 3 of Chapter 2. Certain other drafting errors were pointed out under the title 'Functioning of the Central Information Commission'. In the chapter, a reference should be made to state that DOPT was the administrative ministry of the Commission. Powers and functions of the Commission should also refer to its power to give compensation under section 19 (8) (b) of the Act, 2005. The work allocation among the Information Commissioners needs not to be indicated in this chapter. Since the report was

for a period ending March 31st, 2006, the procedure followed in the Commission for disposing the appeals and complaints in the Commission as on March 31st, 06 may be shown. The Commission decided that the 'Significant Decisions' of the Commission given in this chapter may be removed as it was not felt necessary to make them a part of the Annual Report.

Chapter 3

Chapter 3 would focus on, 'Proactive Disclosure: Strategy for Success'. CIC felt that with the assistance from CCS he would like to redraft this chapter as this was the most important aspect of the RTI Act and would require close attention. For effective implementation of sec 4, 'Record Management' using computers may be considered.

Chapter 4

Chapter 4 would focus on "Overview of the Implementation of the RTI Act, 2005." CCS will redraft this chapter. Since the NIC has made available all the reports that CCS had suggested in draft Annual Report on the Commission's website under the icon 'Submit Annual Return', the CCS may use these reports as these were based on the latest data available on the website of the Commission. CCS was advised that assistance of NIC may be sought for including the reports suggested in the draft report. Dr. V.V.S. Rao, DDG, NIC was requested to help CCS in this regard. He may incorporate other such details that can improve the quality of Annual Report in informing the parliament about the implementation of the RTI Act, 2005. The draft report may include the following in this chapter:-

- Ministry wise details as stipulated under RTI Act, 2005.
- Ministry wise list of Public Authorities who have not submitted section 25 (3) details as on date. This may be placed in the appendix of this chapter.
- A table containing information received and charges collected in order of ministries having received the largest number of RTI application on the top may be included in the appendix. This may also includes other details such as:-
 - 1) Number of Public Authorities with the Ministries.
 - 2) Number of Public Authorities who have filed Annual Return along with %age.

- 3) Number of decisions where applications for information was rejected along with %age.
- 4) Number of cases where disciplinary action was taken against any other officer in respect of administration of this Act.
- 5) Total additional fee collected.
- 7) Penalty levied and collected.

The table may be placed in the appendix but its analysis may be given in the chapter. Another table giving rejection analysis as a percentage of total number of requests received may be placed in appendix while its analysis may be provided in the chapter. Dr. V.V.S. Rao was requested to incorporate other such details that can improve the quality of Annual Report in informing the parliament about the implementation of the RTI Act, 2005.

Chapter 5

Chapter 5 on the State of Statutory Compliance Report prepared by CCS was found to be too technical. They were advised that they will redraft the chapter so that general public can appreciate the conclusion that they were drawing from their study. CCS also agreed to have a fresh look on the Public Authorities that were stated to have complied more than 70% provisions of section 4(1) (b). Tabulated information may be placed in the appendix while its analysis may be placed in the chapter.

Chapter 6

Chapter 6 would focus on significant initiatives by various Public Authorities and reforms that they have suggested under section 25(3) (f) and 25 (3) (g). The CCS was requested to improve the drafting of the chapter and include a brief detail on RTI Request Management Information System (RRMIS) prepared by NIC for monitoring RTI requests received under section 6 of the RTI Act. Dr. V.V.S. Rao was requested to provide inputs to CCS in this regard. With regard to information on Appeals submitted to the Commission, overall picture of the Commission may be given. Nature of appeals would be in three category viz. 1) “ No response received from CPIO/AA”, 2 “Unsatisfactory response received from CPIO/AA” 3. “Information denied under various sections of the Act”. The type of disposal would also include ‘ Cases Remanded to AA’ besides ‘Accepted’, ‘rejected’ and ‘ Others’ as proposed before the Commission.

Chapter 7

Chapter 7 containing the recommendations of the CIC for reform would be prepared after the Commission had examined a draft paper submitted by Registrar of the Commission to the Information Commissioners. Since this was prepared on the basis of recommendations received from various civil society groups, perhaps there was no need for incorporating separate chapter on the recommendations on “Civil Society’s Suggestion for Reforms”.