

MINUTES OF EIGHTH MEETING OF THE FULL COMMISSION OF THE STATE INFORMATION COMMISSION HELD ON 19.07.2011 AT 12.30 P.M. UNDER THE CHAIRMANSHIP OF SHRI R.I.SINGH, CHIEF INFORMATION COMMISSIONER ON 19.07.2011 AT 12.30 P.M.

PRESENT:

- 1.. Sh.Kulbir Singh, State Information Commissioner;
2. Sh. P.P.S.Gill, State Information Commissioner;
3. Mrs. Ravi Singh, State Information Commissioner;
4. Mrs. Jaspal Kaur, State Information Commissioner;
5. Sh. S.S.Sandhu IAS, Secretary. State Information Commission Pb.

In attendance

1. Sh. R.K.Arora, Manager Finance & Admn.,SICP.
2. Sh. K.R.Gupta, Deputy Registrar

Item NO.1- Review of disposal of court cases i.e. Appeals/complaints before the SIC from 01.01.2011 to 30.06.2011.

Figures relating to fresh institution, disposal and pendency of cases were discussed. The Commission noted with satisfaction that out of 34 old cases pending for disposal, 33 have since been decided.

The Commission also observed that institution of fresh Appeal / Complaints cases is on the increase. In March, April, May and June, fresh institution was 543, 463, 528 and 517 against 347 and 328 cases in January and February, 2011.

On the other hand, five Information Commissioners have superannuated in the recent past. All efforts, therefore, need to be made to ensure that pendency of cases does not escalate.

Item No.2 Annual Draft Report of the State Information Commission, Punjab for the year 2009.

After due deliberations the Annual Draft Report of the State Information Commission Punjab for the year 2009 was approved. It was decided to get 500 copies printed from the Controller Printing & Stationery Department Punjab, as has been done in the case of Annual Reports for the year 2007 and 2008.

The Commission was apprised that the Annual Draft Report of the Commission for the year 2010 was being compiled. Correct information has been received from 14 Departments so far. The matter was being vigorously pursued with the remaining Departments of the State Govt. for submission of their respective reports.

Item No.3 Regarding 5% increase in the last drawn consolidated contractual salary of the staff of the State Information Commission.

The staff of the Commission appointed against sanctioned posts in the regular pay scales was being paid 5% increase of emoluments every year, as they have been appointed on fixed salary, rather than in the regular pay scale. Vide reference NO.2/29/2005-4AR/3, dated 03.01.2011, the increase of 5% already given to the contractual staff working against the sanctioned posts in regular scales was regularized with the condition that henceforth such employees shall not get this increase in their emoluments without the prior approval of the Govt. Accordingly, 5% increase being given to this category of staff was stopped with immediate effect.

It was observed by the Commission that this increase has been given to the employees since the start of the Commission in the year 2006. Keeping in view the spiraling prices, the regular Govt. employees were getting increase every year by way of annual increments and DA installments, so that the employees are able to cope up with the corresponding increased financial burden. The employees of the State Information Commission employed on contractual basis against the sanctioned posts in the regular scales but on fixed salary also deserve to be provided annual financial relief. So the matter may be taken up with the State Govt. in the Department of IT and AR for allowing the State Information Commission to continue the payment of 5% of annual increase to this category of employees. The Administrative Department may obtain the approval of the Finance Department, if required.

It was pointed out that sometimes the outsourced staff get their emoluments late. The Chief Information Commissioner directed that all the staff should get their salaries/dues well in time in future.

Item NO.4 Representation dated 22.02.2011 of Sh. P.K.Aditya – consideration of Legal advice of the Legal Advisor of the Punjab State Information Commission.

The Commission was apprised of the contents of letter dated 22.02.2011 of Sh. P.K.Aditya and the advice tendered by the Legal Adviser of the State Information Commission Punjab on this letter. This letter stipulated that Rule 6 of the Punjab Right to Information Rules 2007 may also be made applicable in the case of first appeals. Rule 6 of the Punjab Right to Information Rules 2007 is applicable to the proceedings before the Commission, which adjudicates the matters in the Second Appeals. This Rule has not been legislated for the First Appellate Authorities. Since this Rule was legislated for the Punjab State Information Commission only, it is legally not possible for the Commission to make it applicable in case of First Appellate Authorities also, while hearing the first appeals.

Deputy Registrar may suitably inform Sh. P.K.Aditya in this regard.

Item NO.5- Purchase of on-line judgments Software.

M/s Manupatra and M/s Thomson Reuters made presentations before the Commission with reference to their soft-ware for accessing on-line judgments. The Commission observed that the software of M/s Manuptra was better suited for the Commission as it had better processes of sifting and accessing the relevant judgments. Both the companies were asked about the price for one and also the price for five connections but the representatives of the companies were diffident in negotiating the price, as they seemed to be not authorized presently for the purpose. They were asked to give their offers in writing with respect to price within one week.

Manager Finance and the System Administrator will analyze the offers and separately submit the matter to the Chief Information Commissioner.

Item No.6 Regarding reference received from the RTI Activists Federation, Punjab addressed to the Hon'ble Governor of Punjab-complaints against SICs.

The contents of letter dated 20.05.2011 of the RTI Activists Federation Punjab addressed to the Hon'ble Governor Punjab on the issue of mechanism for

entertaining complaints received against the State Information Commissioners were noted. Principal Secretary to H.E.Governor Punjab has sought the comments of the Chief Information Commissioner. After deliberating on the issue it was decided that the Chief Information Commissioner may convey comments of the Commission in this regard to the Hon'ble Governor.

Meeting ended with a vote of thanks to the chair.