

**Proceedings of 12<sup>th</sup> Meeting of Full Commission of State Information Commissioner Punjab, Chandigarh held on 18.4.2012 at 12.30 P.M. under the Chairmanship of Chief Information Commissioner.**

The following were present:

1. Shri R.I.Singh, Chief Information Commissioner, Punjab;
2. Ms. Jaspal Kaur, State Information Commissioner, Punjab;
3. Shri Bidhi Chand Thakur, State Information Commissioner, Punjab;
4. Shri Chander Parkash, State Information Commissioner, Punjab;
5. Shri Narinderjit Singh, State Information Commissioner, Punjab;
6. Shri Surinder Awasthi, State Information Commissioner, Punjab;
7. Shri Harinderjit Singh Maan, State Information Commissioner, Punjab;
8. Shri Ravinder Singh Nagi, State Information Commissioner, Punjab;

In attendance: Shri K.R.Gupta, Deputy Registrar.

The agenda items were discussed and the following decisions were taken.

**Item No. 1: Review of Court Work as on 31.3.2012.**

The Commission noted that 1531 appeal/complaint cases were pending as on 1.4.2012. Now that the 4 newly appointed State Information Commissioners, who were earlier sitting in Double Benches, are holding courts independently in single Benches with effect from 16.4.2012, it is expected that disposal will get further speeded.

**Item No. 2: Proceedings of the Meeting of Sub-Committee of the Commission Regarding State Information Commission, Punjab (Management) Regulations 2012 Held on 10.4.2012 at 12.45 P.M.**

The Commission considered the agenda note and the minutes of the meeting of the sub-committee held on 10.4.2012. The decisions of the Patna High Court referred to by the sub-committee in its minutes were also noted

(Saiyed Hussain Abbas Rizwi Vs State Information Commission (AIR 2010 Pat 57) and decision of DB in Saiyed Hussain Abbas Rizwi Vs State Information Commission (AIR 2011 Pat 103).

On consideration of the matter, the Commission approved, in principle, the proposal of the sub-committee as contained in Paragraph 3 of the minutes of its meeting dated 10.4.2012. It directed the office to unbundle the existing management regulations and bring three separate draft orders for approval of the Commission, keeping the recommendations of the sub-committee in mind. These orders may address issues relating to (1) Appointment, powers and functions of the Registrar and registry; (2) Working hours, sittings and vacations of the State Information Commission; and (3) Registration, abetment / hearing of appeals / complaints and constitution of Benches for hearing appeals and complaint cases u/s 18 and 19 of the RTI Act.

**Item No. 3: Increase in the salary of the official of the Punjab State Information Commission on the pattern of Right to Service Commission, Punjab.**

The Commission noted that the existing staffing pattern and salary structure is highly unsatisfactory. The employees are being hired through a service provider at dismally low wages and as a result, the Commission does not attract the best talent. Even this staff leaves the Commission at the first opportunity they get for better emoluments and security of service. The Commission has, in fact, become a training ground for the work force provided by service provider, as they leave the Commission, after acquiring experience. Recently, the Commission lost few persons to the newly constituted Punjab Service Commission, which has offered higher emoluments than being paid by the Information Commission.

The Commission deliberated on the issues and the following decisions were taken :-

- (i) The Government be requested to provide permanent regular staff on Punjab Government Pay Scales. The Commission has been created under an Act of Parliament and is a permanent body. There is no

- justification to operate the Commission by a work force on low daily wages through a private service provider.
- (ii) As it make take some time to create permanent posts in Punjab government scales, the recommendations contained in para 4 of the Agenda note are approved. The case may be referred to the Government for enhancing the basic salary with annual increment enhancement from 5% to 10% on the pattern of Punjab Right to Service Commission.
  - (iii) The proposal for creation of additional posts in the Commission was sent to the Punjab government long time back and has been pending with it. Shortage of staff directly affects the working of the Commission. The government should therefore be reminded for early clearance of the proposal.

**Item No. 4 The Punjab State Information Commission (Destruction of Judicial Records) Office Order 2011.**

The Commission noted the contents of the reference received from the government vide its letter No. 2/98/2009/IPA/06 dated 4.1.2012, conveying that as per the provisions of Section 15 (4) of the RTI Act, there is no need to take approval of government for notifying The Punjab State Information Commission (Destruction of Judicial Record) Office Order, 2011.

The Commission recalled that earlier it had approved, in exercise of powers under Section 15 (4) of the RTI Act, the destruction of judicial records Office Order. However, actual work of destruction of record has not been undertaken so far as a reference on this issue had been made to the government. Now that the Administrative Department has conveyed that no approval is required at the government level, the Commission resolved that the work of destruction of judicial record should be taken up without further delay, in accordance of the policy laid down in the Office Order.

Since the office would be taking up this work for the first time, to ensure strict compliance with the approved procedure and smooth operation, a sub-committee of the Commission with the following members is hereby

constituted to overview, assist and guide the implementation of destruction of records, as per instructions contained in the above office order:-

1. Shri Chander Parkash, State Information Commissioner, Punjab;
2. Shri Narinderjit Singh, State Information Commissioner, Punjab;
3. Shri Harinderjit Singh Maan, State Information Commissioner, Punjab;

### **Other Items**

The Information Commissioners pointed out that the vehicles allotted to them have outlived their prescribed life span. Being old, the vehicles are not giving smooth service and need to be replaced.

The Commission resolved that the vehicles be got replaced as per the government policy / instructions on the subject and a case should be moved to the Government for allocation of funds for purchase of new vehicles for State Information Commissioners, against condemned old cars.

The Commission noted that State Information Commissioners are equated with Chief Secretary to Government of Punjab and new vehicles should be as per entitlement of vehicle to Chief Secretary to Government of Punjab, as approved by the vehicle board.

Meeting ended with a vote of thanks to the Chair.

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