

MINUTES OF FIFTH MEETING OF FULL COMMISSION OF STATE INFORMATION COMMISSION PUNJAB HELD ON 25.11.2010 AT 12.30 P.M. UNDER THE CHAIRMANSHIP OF SH. R.I.SINGH, CHIEF INFORMATION COMMISSIONER PUNJAB.

PRESENT:

1. Mrs.Rupan Deol Bajaj, State Information Commissioner;
2. Sh.Surinder Singh, State Information Commissioner;
3. Sh.Kulbir Singh, State Information Commissioner;
4. Sh.P.P.S.Gill, State Information Commissioner;
5. Mrs.Ravi Singh, State Information Commissioner;
6. Mrs.Jaspal Kaur, State Information Commissioner;
7. Sh.S.S.Sandhu IAS, Secretary to the Commission.

Leave of absence was granted to Sh. P.K.Verma, SIC.

The Commission considered the following agenda items as per the details given below:-

Item No.1 Review of Court work

It was noted that only 843 Appeal / Complaint cases were pending for disposal as on 1st Nov. 2010. Except 34 cases, all other pending cases were instituted in 2010. The 34 old cases need to be taken up on priority by the concerned SIC's. In October 486 new complaints/second appeals were filed in the Commission. With the retirement of two Commissioners and the impending retirement of SIC Mrs. Rupan Deol Bajan in December, it needs to be ensured that pendency of the cases does not increase.

The Commission has delivered orders / judgments in a good number of cases involving point of law or important questions relating to RTI Act. It was decided that the judgments delivered in such land mark case need to be publish in a book form for the convenience of the public, PIOs and the First Appellate Authorities. It will also be of use, while deciding fresh cases involving similar issues. The State Information Commissioners will list out such land mark judgments delivered by them and furnish the details to the Deputy Registrar, who will take further steps to get these printed and also to ensure that these are displayed on the web-site of the Commission.

To keep abreast with the latest orders / judgments on RTI Act and other related laws / matters delivered by various High Courts and Supreme Court of India, it was decided that the Commission needs to subscribe to an 'on line' Case Law Reporter. The DR and Secretary will ensure early action.

Item No.2 Creation of Record Room

The Commission had started functioning in the year 2005. Since then large number of Appeal / Complaint cases have been disposed off. The record of these cases is being maintained by the staff of the concerned SIC's. However, with the retirement of each SICs, services of the staff attached with them are also dispensed with, as per government policy. There is no one to take safe custody of the old record.

There is no Central Record Room in the Commission for proper maintenance of old record. Necessary steps should be initiated immediately to establish a record room with adequate manpower to manage it.

It was also noted that the Commission had formulated the Punjab State Information (Destruction of Records) Rules 2010 to weed out old record, but these Rules are pending with the Department of IT & AR Punjab. The matter may be pursued for its finalization so that the process of weeding out/destruction of record, as per above mentioned Rules, is undertaken.

Item No.3 Construction of office building for the State Information Commission.

The UT administration had allotted a plot of land in Sector- 38, Chandigarh for construction of office building of the Commission. However, Punjab government has expressed its inability to provide funds for acquisition of this plot from UT Administration and consequently the proposal in this regard needs to be formally dropped. The UT administration may also be informed, accordingly.

An alternative proposal to rent out a suitable space, after it has been constructed within the existing premises of Punjab Red Cross Society in Sector 16, Chandigarh is being pursued. The Red Cross Society Punjab has asked the Health Systems Corporation, Punjab to construct the building and the matter has been taken up with the State government and the Red Cross Society.

The Commission desired that the matter should be vigorously followed with all concerned for early completion of the building by Red Cross.

Item No.4 Office accommodation for SICP

The proposal to hire on rent the upper floor of the existing office building SCO 84-85 has been pending with the Administrative Department for long, in spite of number of reminders and concurrence to the proposal given by Chief Secretary, Punjab. The Commission noted that as a result the Video Conference facility for hearing of cases of the far flung parts of the State could not be commissioned. The Video Conference equipment procured by NIC is lying unused. Now the owner of the building has written that unless the building is hired by 30th Nov, 2010, he will charge a higher rate of rent as rentals have gone up since he gave his consent. In view of this, the AD was asked to expedite the government approval for hiring of the additional space, but no reply has been received.

The Commission noted the position and decided that the case may be pursued vigorously with the Department of IT & AR.

Item No.5 Centrally Sponsored Plan Scheme on “Strengthening, Capacity Building and Awareness Generation for effective implementation of the RTI”: IT Enablement- Position of funds.

In view of the discussion on Item No. 4, it was decided that the Video Conference facility may be operationalised, as a temporary measure, from the existing court room, though its optimum use will be possible only when an independent room is made available.

The funds required for getting the Lease Line connection from the BSNL and purchase of Server may be drawn from the funds of the Commission and subsequently recouped, on receipt of the grant of Rs.9.00 lacs from the Govt. of India.

For publication of important / land mark judgments, the funds available with the Commission from the Centrally Sponsored Plan Scheme on “Strengthening, Capacity Building and Awareness Generation for effective implementation of the RTI” may be utilized. The government of India may also be requested to release the balance funds under this scheme.

Item No.6 Annual Reports for the year 2007 and 2008

The Annual Reports of the Commission for the years 2007 and 2008 were sent to the Department of Printing and Stationery for printing. It is expected that the required number of copies will be supplied to the Commission by the end of this month by the Printing Department.

The Commission also noted that draft Report for the year 2009 has been prepared by the office. It was decided that the committee comprising Sh. P.K. Verma and Sh. PPS Gill, Hon'ble SICs, would examine and vet the draft Report of the Commission for the year 2009.

Item No.7 Proposal regarding creation of additional posts in the SICP.

The proposal for creation of posts as per the manpower -norms has been pending with the government.

It was observed that in the absence of adequate regular staff, the Commission was handicapped in discharge of its statutory functions. It was decided that the matter may be pursued with the Deptt. of IT & AR Punjab, where the proposal for creation of the required number of posts is pending since long.

Item No.8 Membership of National Federation of Information Commissions of India (NFICI).

National Federation of Information Commissions would be an important platform for all the Information Commissions of the country to exchange experiences and ideas. Besides, common issues facing the Information Commissions of the country would be discussed. It was therefore, decided that Punjab Commission should become a member of this Federation. The membership fee of Rs.5.00 lacs and annual fee of Rs.1.00 lac will be paid out of the funds of the State Information Commission Punjab. This may be reflected in all future annual budgets and grant proposals from the government.

Item No.9 Charter of Demands.

The Commission noted the contents of the following three communications received in the Commission:-

1. A letter from RTI Activists Federation, Punjab dated 15.11.2010, forwarding a 'Charter of Demands' for negotiations / discussion.
2. An endorsement of the letter dated 16.11.2010 from Sh.Rajinder Gupta, patron, RTI Activists Federation Punjab addressed to Shri H C Arora, Advocate, sending his resignation in protest against the working of the 'Activists Federation'.
3. Letter dated 9.11.2010 from Sh Sarabjit Singh Kahlon, of the Ludhiana unit of RTI Activists Federation, Punjab, conveying expression of regrets denouncing the acts of misdemeanor by few members, during RTI activists meeting at Law Bhawan, Chandigarh.

Meeting ended with a vote of thanks to the chair.