



NATIONAL FEDERATION OF INFORMATION COMMISSIONS IN INDIA
Minutes of 12th Special General Body Meeting held on 29th April, 2020 at 1700 hrs
Through Video Conferencing

Participants:

Board of Governors:

- Shri Bimal Julka, (President), CCIC, Central Information Commission, New Delhi
- Shri Vinson M. Paul, (Vice-President), SCIC Kerala State Information Commission
- Shri Basudeb Banerjee, SCIC West Bengal State Information Commission
- Shri P.B.O. Warjri, SCIC Meghalaya State Information Commission
- Shri Narinder Chauhan, SCIC, Himachal Pradesh State Information Commission

Members Present:

- Dr. Joram Begi, SCIC, Arunachal Pradesh State Information Commission
- Shri M.K. Raut, SCIC, Chhattisgarh State Information Commission
- Shri D.P. Thaker, SCIC, Gujarat State Information Commission
- Shri Yash Pal Singal, SCIC, Haryana State Information Commission
- Shri N.C. Srinivasa, SCIC, Karnataka State Information Commission
- Shri Oinam Sunil Singh, SCIC, Manipur State Information Commission
- Shri Lalduhlana Ralte, SCIC, Mizoram State Information Commission
- Shri M. Ravi Kumar, SCIC, Andhra Pradesh State Information Commission
- Dr. Raja Sadaram Soma, SCIC, Telangana State Information Commission
- Shri M.B. Gurung SCIC, Sikkim State Information Commission
- Shri Sumit Mullick, SCIC Maharashtra State Information Commission
- Shri Juino De Souza, SIC, Goa State Information Commission
- Shri J.P. Mamgain, SIC, Uttarakhand State Information Commission
- Shri Ashutosh Sharma, SIC, Rajasthan State Information Commission

Special Invitee:

- Dr. Amita Pandove, Information Commissioner, Central Information Commission, New Delhi
- Dr. Satbir Bedi, Secretary, Central Information Commission, New Delhi
- Smt. Meena Balimane Sharma, Additional Secretary, Central Information Commission, New Delhi

NFICI's officers:

- Shri Anil Kumar Gehlot, Joint Secretary , CIC & Honorary Secretary, NFICI, New Delhi
- Shri Sushil Kumar, Deputy Secretary, CIC & Executive Secretary, NFICI, New Delhi.

The meeting commenced with the warm welcome by Sh. Basudeb Banerjee, State Chief Information Commissioner, West Bengal State Information Commission and introduced Sh. Bimal Julka Chief Information Commissioner, Central Information Commission to assume the charge as the new President, NFICI. Sh. Vinson M. Paul, (Vice President) SCIC, Kerala could not be connected due to software problems and hence requested West Bengal, SCIC to commence the proceedings.

Shri Bimal Julka, Chief Information Commissioner, Central Information Commission and President, NFICI presided over the meeting, appreciated and thanked Shri Basudeb Banerjee, State Chief Information Commissioner, West Bengal State Information Commission and all the State Chief

Information Commissioners/ Information Commissioners for their warm welcome and presence in the meeting through video conferencing. He expressed his sincere gratitude to all the participants for their warm and affectionate wishes on being appointed as the CIC at the Central Information Commission, New Delhi.

Agenda:

1) Appointment of President of NFICI:

In pursuance of the decision taken in the 11th Board of Governors meeting held on 19th April, 2014 and further in the 13th BOG held on 18th April, 2015 to elect Central Information Commissioner as President to NFICI by virtue of the post and not by virtue of name, all the members of Board of Governor unanimously endorsed the decision taken earlier and welcomed Sh. Bimal Julka, Chief Information Commissioner, Central Information Commission as the new President. However, the matter was further deliberated to take a view to declare the appointment of Chief Information Commissioner, Central Information Commission as President, as Ex-officio for which the byelaws of the Federation may be amended accordingly. All the members of Board of Governors consented for the same. It was decided that Bye-Laws of the Federation may be amended accordingly.

2) Confirmation of Minutes of last Special General Body Meeting held on 14.12.2019 at Mahabalipuram, Tamil Nadu:

The Minutes of the last Special General Body Meeting held on 14.12.2019 at Mahabalipuram, Tamilnadu were confirmed.

3) Action taken by the Central Information Commission in view of COVID19:

While presiding over the meeting, Sh. Bimal Julka, Chief Information Commissioner, CIC & President NFICI threw light on the major activities undertaken by the Central Information Commission, New Delhi in March & April during lockdown period in view of COVID19 and explained the chronology of events and proactive action taken by the Central Information Commission in this regard.

It was informed that the Commission had decided to initially undertake urgent matters through audio/video conferencing. Maximum possible efforts were made with the help of technology for conduct of hearings under prevailing circumstances arising due to lockdown. Hearings of cases were held through audio/video conference and parties were refrained from physical presence. In compliance of the Government guidelines to work with bare minimum staff and to maintain social distancing, staff of the Commission were sensitized, e-office platform was extended to the all the officers & staff to carryout work from home. Sanitization and intensive cleaning of office building was carried out at periodic intervals, a thermal thermometer was provided to the guard at the entrance gate to scan all the people to check their temperature before entering the building, staff were trained on hand hygiene and sanitation and informative, educative material approved by the Government was provided in soft copies. Soon after the lockdown, the hearings were suspended till 31st March, 2020 which was reviewed subsequently.

The Central Information Commission held meetings with the former Chief Information Commissioners & Information Commissioners, Central Information Commission, New Delhi to invite their suggestions to create an enabling environment for facilitating the people for securing information. In the wake of COVID19 pandemic, the Commission had drawn up a plan of action to commence its hearings in urgent matters through Audio/Video conferencing wherever the telephone nos. of the parties were available. The Central Information Commission also held interaction with a

group of Civil Society Representatives (CSO) to apprise them of the preparedness of the Commission in resuming hearings during the lockdown period. The CSOs emphasised the need for proactive disclosures under Section 4 of the RTI Act by various Government departments especially in matters relating to health, sanitation & water supply, public distribution system, to deal with life and liberty issues in these challenging times.

The participants were informed that considering the need of the hour and unique challenges emerging out of the pandemic, the Central Information Commission also addressed a communication to the Government to sensitize its various Departments and Public Authorities dealing with essential services relating to relief, rescue and other welfare measures to be widely disseminated by them in the media as well as on their websites, in accordance with Section 4 of the RTI Act, 2005. The conduct of the hearings in the Commission was deliberated at length and the experience of the Central Information Commission was extensively shared with the participants and they were urged to consider the model followed by the CIC in their respective jurisdictions also in the interest of public at large. It was also suggested that reengineering and reprocessing of its methodology and procedures could be considered during the lockdown period to enable them and prepare them for the smooth conduct of hearings, subsequently. The participants were informed about the registration and disposal of cases during the lockdown period (24.03.2020 to 28.04.2020) as under:-

Total cases registered -----708
Total cases disposed -----476+58 Interim orders
Total cases scheduled for hearings in May --- 895 cases

All the Members of the Federation present in the Video conferencing actively participated in the deliberations & highlighted their constraints and also brought out the difficulties being faced by them due to lack of infrastructure at the State level. Certain handicaps regarding poor internet connectivity in the Rural Areas and issues regarding lack of bandwidth etc. were emphasized. It was however suggested by the President, NFICI that all the Chief State Information Commissioners are the best judge to deal with the cases in conformity with the prevailing situation in their jurisdiction. The participants were sensitized about the extraordinary situation requiring extraordinary actions in these challenging times as the Right to Information Act is a common mans Act, all efforts need to be made to protect the Right to Information by the information seekers. It was urged that out of the box thinking and certain creative and innovative measures had to be initiated in these troubled times so that the information seeker is provided all possible relief. All the members appreciated the measures initiated by the Central Information Commission, New Delhi and agreed to initiate steps to the best of their abilities under the given circumstances.

- 4) The issue with regard to holding of 2nd Appeal hearing through Audio / Video Conferencing and to minimize physical inter phase with the parties in the wake of COVID19 pandemic have been deliberated at length at para 3 above.
- 5) The matter regarding the time limit for providing information, filing First Appeal and Second Appeal as per the provisions of the Section 7(1), Section 19(1) and Section 19 (3) of the RTI Act, 2005 was also discussed by the members of the federation. The President, NFICI and the Chief Information Commissioner, CIC apprised the members that keeping in view the closure of offices of the Government of India and its autonomous/subordinate offices in the wake of COVID-19 pandemic, it was realised that the normal functioning of the offices had been adversely affected and therefore it had become difficult for the public authorities and citizens to adhere to the timelines prescribed under the various provisions of RTI Act, 2005. It was informed that the Central

Information Commission has taken up the matter with DoPT for suitable tweaking of the guidelines to exclude the period of lockdown from the limitation periods stipulated under the provisions of the RTI Act, 2005. However, considering the prevailing situation, and the existing provisions under Section 7 (1), 19 (1) and 19 (3) of the RTI Act, 2005, efforts could be made by the jurisdictional authority to take a view under the present circumstances.

6) Important Decisions & Initiatives by State Commissions:

The members of the federation were apprised with the position of important decisions & initiatives received from the State Information Commissions. As few entries were received from some of the State Information Commissions, it was decided that in view of the closure of the offices due to Covid19, two months' time may be given to all the State Information Commissions to submit their important decisions & initiatives in a summarized manner on the prescribed proforma.

7) Status of NFICI's website:

It was informed to all members of the federation that all the formalities regarding transfer from YASHADA, Pune, NIC mandatory requirement including Security Audit have been completed by CIC New Delhi. NFICI website is now fully operational on NIC's Server. The new address of NFICI is www.nfici.nic.in, which was noted by the members. It was also decided that access may be provided to all the Chiefs of the State Information Commission to upload their important decisions on the website at their end.

8) Status of outstanding Annual Membership

Members were apprised that Annual Membership fee of some of the State Information Commission was outstanding as per details given in the list. Members were advised to deposit their outstanding annual membership fee and intimate on the requisite proforma to update the records.

9) Status of outstanding Utilization Certificate and supporting vouchers from 1st Grant and release of 2nd Grant of Rs. 4.00 Lakhs to the remaining State Commissions:

Members were informed that the utilization certification and supporting vouchers against the first grant in respect of some of State Information Commission was still outstanding as per enclosed list. It was also brought to the notice of members that out of Rs. 4 Lakh released to Jammu & Kashmir, UC/Vouchers to the tune of Rs. 1,20,922/- have only been received and that, Rs. 2,94,085 remains unutilized (which includes interest also). It was decided that the respective State Information Commission may submit their outstanding UCs/Vouchers. It was also decided that Jammu & Kashmir State Information Commission is not in existence now, therefore, the matter may be taken up with the Chief Secretary UT, Jammu & Kashmir / Ladakh in this regard.

10) Status of Appeal and ITR e-filing

It was brought to the notice of the members that appeal against the order of the learned Commissioner of Income-Tax (Exemptions) rejecting registration u/s 12A and approval u/s. 80-G filed before the Appellate Tribunals is adjourned to 16.06.2020. It was also brought out that ITR e-filing is pending as ITR in the previous years had never been filed. The members decided that this issue could be expedited after the lockdown was lifted.

11) The Members of the Federation were apprised that the Current Account is being operated in the State Bank of India, Bhikaji Cama Place, New Delhi. The current account balance as on 23.04.2020 is Rs. 23,40,231/-. In addition, the Federation has 15 fixed deposits amounting to Rs. 1,49,63,849/-.

It was noted that the NIC software had several technical glitches resulting in audio / video disruptions which could be brought to the knowledge of higher authorities for rectification.

The President, NFICI concluded the meeting with a vote of thanks to all participants.



(Bimal Julka)

President, NFICI

